

Date: \_\_\_\_\_

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\_\_\_\_\_  
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Dear \_\_\_\_\_:

The City of Mt. Pleasant regrets that you have experienced a sewer disposal or storm water system event. We strongly urge you to check with your homeowner's insurance policy to see if coverage is provided.

It is the property owner's responsibility to use reasonable precautions to preserve and protect the damaged property and take all necessary steps to reduce further damage. If you feel a health hazard exists, enclosed is written material to use as a guide in dealing with certain items.

Current Michigan Law Public Act 170 of 1964, as amended by Public Act 222 of 2001, requires that persons seeking compensation for personal injury or property damage must show that all of the following existed at the time of the event.

- The City of Mt. Pleasant at the time of the event owned or operated, or directly or indirectly discharged into, the portion of the sewage disposal system that allegedly caused damage or injury.
- The sewage disposal system of the City of Mt. Pleasant had a construction, design, maintenance, operation, or repair defect.
- The City of Mt. Pleasant knew, or in the exercise of reasonable diligence should have known, about the defect and failed to take reasonable steps in a reasonable amount of time to repair, correct or remedy the defect,
- The defect must be 50% or more of the cause of the event and the damage or injury.

You are also required to comply with the written notice requirements of the Act. Any claim you make must be submitted in writing within 45 days after the date the damage or physical injury was discovered or should have been discovered. The written notice must contain your full name, address, telephone number, the address of the affected property, the date of discovery of any property damage or physical injury, and a brief description of the claim. Please use the forms enclosed to report your claim.

City of Mt. Pleasant field employees are not permitted to authorize repairs, clean up or replacement of damaged items. Robert Murphy, Street Superintendent, must make all authorizations and can be reached at 779-5409 Monday through Friday from 8:00 a.m. to 4:00 p.m.

If the city's responsibility is established, all claims will be adjusted on an "actual cash value" basis. Actual Cash Value is defined as the cost to repair or replace the damaged items, less depreciation. The age, condition and remaining useful life of the damaged property are considered in the valuation procedure.

Please contact the City of Mt. Pleasant, Division of Public Works at 779-5401 should you have any further questions.

Sincerely,  
CITY OF MT. PLEASANT – PUBLIC WORKS

Enclosure  
[Form186 - D]

Robert J. Murphy, Street Superintendent  
Division of Public Works, 779-5409