

(Date) \_\_\_\_\_

Claimant \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Claim No: \_\_\_\_\_

Date of Loss: \_\_\_\_\_

Our Insured: City of \_\_\_\_\_, WA

Dear. (Claimant) \_\_\_\_\_:

As claims administrators for the City of \_\_\_\_\_, we have been forwarded your Claim for Damages.

It is not the ownership of the road that determines whether or not the City is liable but rather, whether or not the City had notice of the pothole and a reasonable opportunity to repair it. According to *Wright v. City of Kennewick*, 62 Wn.2d 163, 167, 381 P.2d 620 (1963), a municipality is liable for a dangerous condition which it did not create only if it has notice of the condition and does not act in a reasonable manner to correct it. The City was not aware of the pothole in the area identified in your claim until after your incident had already occurred and, therefore, had no opportunity to make the repair prior to your incident. Upon receiving notice of the pothole, the City promptly repaired the street.

While your damages are unfortunate, there is no liability on the part of the City and we must respectfully deny your claim.

Sincerely,

\_\_\_\_\_  
(Adjuster or \_\_\_\_\_)