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**CAMPBELL**  
**&**  
**ASSOCIATES**  
8274 NORTH MAIN STREET  
EDEN, NY 14057

**BUFFALO OFFICE**  
Suite 1010, 69 Delaware Ave.  
Buffalo, NY 14202

**FREDONIA OFFICE**  
One Park Place  
Fredonia, NY 14063

**JAMESTOWN OFFICE**  
23 E. Third Street  
Jamestown, NY 14701

February 22, 2019

ECWA Claim #2018-055 - K1  
SCANNED - 02/25/2019

Christopher & Sara

**VIA CERTIFIED MAIL** Page 1 of 7  
**RETURN RECEIPT REQUESTED**

Erie County Water Authority  
295 Main Street, Room 350  
Buffalo, NY 14203

**Re: *In the Matter of the Claim of Christopher K1 and  
Sara K against Town of Hamburg***

Dear Sir or Madam:

We enclose a Notice of Claim in connection with an incident that occurred on or about November 28, 2018 on Southwestern Boulevard, in the Town of Hamburg, New York.

Very truly yours,

*J. Jason M. Telaak*

Jason M. Telaak

JMT/amb  
Enc.

**CAMPBELL & ASSOCIATES**

8274 NORTH MAIN STREET  
EDEN, NEW YORK 14057  
(716) 992-2222

**ECWA Claim #2018-055 - K**

**Christopher & Sara**

**SCANNED - 02/25/2019**

In the Matter of the Claim of **Page 2 of 7**

CHRISTOPHER F. K  
SARA K

**NOTICE OF CLAIM  
PURSUANT TO GENERAL  
MUNICIPAL LAW §50-e**

Claimants

against

TOWN OF HAMBURG,  
COUNTY OF ERIE, and  
ERIE COUNTY WATER AUTHORITY,

Respondents

TO: TOWN OF HAMBURG ATTORNEY  
6100 South Park Avenue  
Hamburg, New York 14075

ERIE COUNTY ATTORNEY  
95 Franklin Street  
Room 1634  
Buffalo, New York 14202

ERIE COUNTY WATER AUTHORITY  
295 Main Street  
Room 350  
Buffalo, New York 14203

PLEASE TAKE NOTICE, that CHRISTOPHER F. K and SARA K hereby  
make claims against the TOWN OF HAMBURG, COUNTY OF ERIE, and ERIE COUNTY  
WATER AUTHORITY for injuries and damages sustained as a result of an incident which took  
place on November 28, 2018.

1. The Claimants reside at Hamburg, New York 14075.
2. The Claimants are represented by the law firm of Campbell & Associates with  
offices at 8274 North Main Street, Eden, New York 14057.

3. The claim is for injuries and damages sustained as the result of an incident which occurred on November 28, 2018 on Southwestern Boulevard in the Town of Hamburg, New York. The Claimant Christopher F. K was operating a tractor with a snowblower attachment along the sidewalk in the vicinity of the Lutz Mobil Gas Station and Convenience Store located at 5073 Camp Road when he struck an impediment on the sidewalk causing the tractor to come to an abrupt stop and which threw him into the windshield of the tractor. Claimant Sara K has a claim for loss of her husband's society, services and consortium.

4. The Respondents, TOWN OF HAMBURG, COUNTY OF ERIE, and ERIE COUNTY WATER AUTHORITY, were negligent in the failure to remedy and repair a dangerous condition on Southwestern Boulevard to wit: an area of the sidewalk that had been raised leaving a height differential making the sidewalk dangerous to passersby, but even more dangerous to the claimant who was operating a tractor with a snowblower attachment. Claimant was injured, and sustained damages, due to the improper design, construction, repair, maintenance, upkeep, and supervision by the TOWN OF HAMBURG, COUNTY OF ERIE, and/or ERIE COUNTY WATER AUTHORITY, their employees, servants, and agents. Upon information and belief, the raised area along the sidewalk was caused or created by the TOWN OF HAMBURG, COUNTY OF ERIE, and/or ERIE COUNTY WATER AUTHORITY, their employees, servants, agents, or others acting at the direction and/or with the permission and/or under the supervision of the TOWN OF HAMBURG, COUNTY OF ERIE, and/or ERIE COUNTY WATER AUTHORITY.

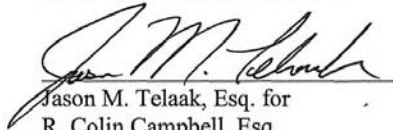
5. Claimant, solely as a result of the negligence, carelessness and/or recklessness of the TOWN OF HAMBURG, COUNTY OF ERIE, and/or ERIE COUNTY WATER AUTHORITY, their employees, servants, and/or agents, sustained serious and severe personal

injuries, the full extent and severity of which cannot be ascertained at this early date, but which are, upon information and belief, permanent in nature. The claimant's known injuries at this juncture include a closed head injury and head and neck injuries resulting in great past, present and future pain and suffering, current and future medical, nursing, rehabilitation, pharmaceutical and hospital expenses, past and future disability, lost time from work and other general and special damages as may be determined.

PLEASE TAKE NOTICE, that unless this Claim is adjusted and paid within a reasonable amount of time, it is the intention of the Claimant to commence suit against the TOWN OF HAMBURG, COUNTY OF ERIE, and STATE OF NEW YORK.

Dated: Eden, New York  
February 19, 2019

CAMPBELL & ASSOCIATES



Jason M. Telaak, Esq. for  
R. Colin Campbell, Esq.  
Attorneys for Claimants  
Office and Post Office Address  
8274 North Main Street  
Eden, NY 14057  
Tel. No. (716) 992-2222  
ccampbell@campbellassociateslaw.com

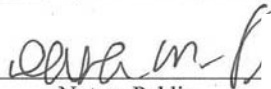
VERIFICATION

STATE OF NEW YORK    )  
                                  ) ss.:  
COUNTY OF ERIE        )

I, CHRISTOPHER F. K am the Claimant in the above-entitled action. I have read the foregoing Notice of Claim Pursuant to General Municipal Law § 50-e and know the contents thereof. The contents are true to my own knowledge except as to matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

  
\_\_\_\_\_  
CHRISTOPHER F. K

Sworn to before me this  
19th day of February 2019.

  
\_\_\_\_\_  
Notary Public

DANA M. F  
Notary Public, State Of New York  
No. 01F1606875  
Qualified in Erie County  
Commission Expires Feb. 3, 2023


VERIFICATION

STATE OF NEW YORK    )  
                                  ) ss.:  
COUNTY OF ERIE        )

I, SARA K            am the Claimant in the above-entitled action. I have read the foregoing Notice of Claim Pursuant to General Municipal Law § 50-e and know the contents thereof. The contents are true to my own knowledge except as to matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

  
SARA K

Sworn to before me this  
19<sup>th</sup> day of February, 2019.

  
Notary Public

DANA M. F.  
Notary Public, State of New York  
No. 01FIS086875  
Qualified in Erie County 2023  
Commission Expires Feb. 3, 2023

ECWA Claim #2018-055 - I  
SCANNED - 02/25/2019  
Page 7 of 7

Christopher & Sara

**CAMPBELL  
&  
ASSOCIATES**  
8274 NORTH MAIN STREET  
EDEN, NY 14057

**CERTIFIED MAIL**



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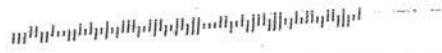


CERTIFIED MAIL  
RETURN RECEIPT

Erie County Water Authority  
295 Main Street, Room 350  
Buffalo, NY 14203

RECEIVED  
19 FEB 25 PM 12:47  
ERIE COUNTY  
WATER AUTHORITY

14203\$2494 C031



2/25/19