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CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

September 15, 2014

Hon. Mayor Mark D. Boughton
Members of the City Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Acquisition of Farm Street & Beckerle Street Easements
Renewal of Resolution

Dear Mayor and Council:

The attached resolution proposes to renew the Council's previous approval of the acquisition of certain easements by this office in order to facilitate the above municipal project. By state law, your authorization must be re-approved after the expiration of six months, where acquisition has not been completed. We will need additional time to finish the process of negotiation and/or acquisition by condemnation of these easements.

Thank you for your consideration in adopting the proposed Resolution. Please feel free to call me should you have any questions.

Very truly yours,

Laszlo L. Pinter
Deputy Corporation Counsel

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Attachment



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2014

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, in order to alleviate drainage and flooding problems in the vicinity of the Farm Street and Beckerle Street neighborhoods, the City of Danbury ("City") is proceeding with plans and designs to implement a drainage project by installing storm drainage pipes and catch basins; and

WHEREAS, the City will need to acquire six (6) drainage easements to perform this work; and

WHEREAS, the properties to be acquired are described and identified in Exhibits A, B, C, D, E and F attached hereto; and

WHEREAS, said easements will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easements set forth on Exhibits A, B, C, D, E and F attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by April 1, 2015.

November 20, 2013

**DRAINAGE EASEMENT FOO WING FONG AND XIANG LING FONG
30 FARM STREET TAX ASSESSOR'S LOT No. H10041**

A certain triangular piece or parcel of land containing 211 square feet (0.005 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 30 Farm Street, known as Tax Assessor's Lot No. H10041 and also known as lot 76 (portion of) on the below referenced map, bounded and described as follows:

Commencing at a point on the northerly street line of Farm Street, which point is the southeasterly corner of land of the Grantors, thence running in a northerly direction along the easterly boundary line of land of the Grantors N. $24^{\circ} 57' 14''$ W. a distance of 46.00' to a point, which point is the southeasterly corner of land herein described and the true point or place of beginning, thence turning and running in a northerly direction through land of the Grantors N. $28^{\circ} 48' 59''$ W. a distance of 79.18' to a point on the northerly boundary line of land of the Grantors, thence turning and running in an easterly direction along the northerly boundary line of land of the Grantors N. $65^{\circ} 02' 46''$ E. a distance of 5.33' to a point, which point is the northeasterly corner of land of the Grantors, thence turning and running in a southerly direction along the easterly boundary line of land of the Grantors S. $24^{\circ} 57' 14''$ E. a distance of 79.00' to the point or place of beginning.

Bounded:

Northerly: By land of Augusto DaSilva Enterprises, LLC.

Easterly: By land of Augusto DaSilva Enterprises, LLC.

Southerly: By Farm Street.

Westerly: By other land of the Grantor.

For a more particular description, reference is made to a map entitled "Ridgewood Terrace Owned By Belmont Realty Co. Providence, RI. Scale 1"=100' Aug. 2, 1926" prepared by Fred J. Kellog Eng. Danbury Ct. which map is filed as Map #247 in the Danbury Land Records.

November 20, 2013

**DRAINAGE EASEMENT AUGUSTO DASILVA ENTERPRISES, LLC.
32 FARM STREET TAX ASSESSOR'S LOT No. H10040**

A certain rectangular piece or parcel of land containing 1,740 square feet (0.040 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 32 Farm Street, known as Tax Assessor's Lot No. H10040 and also known as lot 77 (portion of) on the below referenced map, bounded and described as follows:

Beginning at a point on the northerly street line of Farm Street, which point is the southwesterly corner of land of the Grantor and the southwesterly corner of land herein described, thence running in a northerly direction along the westerly boundary line of land of the Grantor N. $24^{\circ} 57' 14''$ W. a distance of 125.00' to a point, which point is the northwesterly corner of land of the Grantor, thence turning and running in an easterly direction along the northerly boundary line of land of the Grantor N. $65^{\circ} 02' 46''$ E. a distance of 9.70' to a point, thence turning and running through land of the Grantor S. $28^{\circ} 48' 59''$ E. a distance of 125.28' to a point on the northerly street line of Farm Street, thence turning and running in a westerly direction along the northerly street line of Farm Street S. $65^{\circ} 02' 46''$ W. a distance of 18.14' to the point or place of beginning.

Bounded:

Northerly: By land of Cleberson Pereira and Rosilda Lima

Easterly: By other land of the Grantor.

Southerly: By Farm Street.

Westerly: By land of Foo Wing Fong and Xiang Ling Fong.

For a more particular description, reference is made to a map entitled "Ridgewood Terrace Owned By Belmont Realty Co. Providence, RI. Scale 1"=100' Aug. 2, 1926" prepared by Fred J. Kellog Eng. Danbury Ct. which map is filed as Map #247 in the Danbury Land Records.

November 19, 2013

**DRAINAGE EASEMENT
MONIQUE VIDRO AND ZOILO VIDRO
31 FARM STREET TAX ASSESSOR'S LOT No. H10046**

A certain rectangular piece or parcel of land containing 1,418 square feet (0.033 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 31 Farm Street, known as Tax Assessor's Lot No. H10046 (portion of) and described as follows:

Beginning at a point on the southerly street line of Farm Street, which point is the northwesterly corner of land of the Grantor and the northwesterly corner of land herein described, thence running in an easterly direction along the southerly street line of Farm Street N. 65° 02' 46" E. a distance of 10.00' to a point, thence turning and running in a southerly direction through land of the Grantor S. 24° 57' 14" E. a distance of 141.56' to a point on the southerly boundary line of land of the Grantor, thence turning and running in a westerly direction along the southerly boundary line of land of the Grantor S. 62° 16' 00" W. a distance of 10.01' to a point, which point is the southwest corner of land of the Grantor, thence turning and running in a northerly direction along the westerly boundary line of land of the Grantor N. 24° 57' 14" W. a distance of 142.04' to the point or place of beginning.

Bounded:

Northerly: By Farm Street.

Easterly: By other land of the Grantor.

Southerly: By land of Kenneth C. Newton and Erika M. Newton.

Westerly: By land of Chemon Ara Huq Alo
and Abul Fazal Mohammad Atauq Huq

For a more particular description reference is made to a map entitled "Map Showing Proposed 10' Wide Storm Drainage Easement Across the Land of Monique vidro and Zoilo Vidro, Jr 31 Farm Street Danbury, Connecticut Scale: 1" = 20' November 18, 2013" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Michael S. Pierwola, P.E. & L.S. No. 70139, which map is filed as Map # _____ in the Danbury Land Records.

November 20, 2013

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**DRAINAGE EASEMENT AUGUSTO DASILVA ENTERPRISES, LLC.
25 BECKERLE STREET TAX ASSESSOR'S LOT No. G10129**

A certain rectangular piece or parcel of land containing 1,194 square feet (0.027 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 25 Beckerle Street, known as Tax Assessor's Lot No. G10129 and also known as lot 42 (portion of) on the below referenced map, bounded and described as follows:

Beginning at a point on the southerly street line of Beckerle Street, which point is the northeasterly corner of land of the Grantor and the northeasterly corner of land herein described, thence running in a southerly direction along the easterly boundary line of land of the Grantor S. $24^{\circ} 57' 14''$ E. a distance of 125.00' to a point, which point is the southwesterly corner of land of the Grantor, thence turning and running in a westerly direction along the southerly boundary line of land of the Grantor S. $65^{\circ} 02' 46''$ W. a distance of 5.33' to a point, thence turning and running through land of the Grantor N. $28^{\circ} 48' 59''$ W. a distance of 125.28' to a point on the southerly street line of Beckerle Street, thence turning and running in an easterly direction along the southerly street line of Beckerle Street N. $65^{\circ} 02' 46''$ E. a distance of 13.77' to the point or place of beginning.

Bounded:

Northerly: By Beckerle Street.

Easterly: By land of Cleberson Pereira and Rosilda Lima.

Southerly: By land of Foo Wing Fong and Xiang Ling Fong.

Westerly: By other land of the Grantor.

For a more particular description, reference is made to a map entitled "Ridgewood Terrace Owned By Belmont Realty Co. Providence, RI. Scale 1"=100' Aug. 2, 1926" prepared by Fred J. Kellog Eng. Danbury Ct. which map is filed as Map #247 in the Danbury Land Records.

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November 20, 2013

**DRAINAGE EASEMENT CLEBERSON PEREIRA AND ROSILDA LIMA
27 BECKERLE STREET TAX ASSESSOR'S LOT No. H10026**

A certain rectangular piece or parcel of land containing 685 square feet (0.016 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 27 Beckerle Street, known as Tax Assessor's Lot No. H10026 and also known as lot 41 (portion of) on the below referenced map, bounded and described as follows:

Beginning at a point on the southerly street line of Beckerle Street, which point is the northwesterly corner of land of the Grantors and the northwesterly corner of land herein described, thence running in an easterly direction along the southerly street line of Beckerle Street N. $65^{\circ} 02' 46''$ E. a distance of 1.26' to a point, thence turning and running in a southerly direction through land of the Grantors S. $28^{\circ} 48' 59''$ E. a distance of 125.28' to a point on the southerly boundary line of land of the Grantors, thence turning and running in a westerly direction along the southerly boundary line of land of the Grantors S. $65^{\circ} 02' 46''$ W. a distance of 9.70' to the southwestly corner of land of the Grantors, thence turning and running in a northerly direction along the westerly boundary line of land of the Grantors N. $24^{\circ} 57' 14''$ W. a distance of 125.00' to the point or place of beginning.

Bounded:

Northerly: By Beckerle Street.

Easterly: By other land of the Grantors.

Southerly: By land Augusto DaSilva Enterprises, LLC.

Westerly: By land Augusto DaSilva Enterprises, LLC.

For a more particular description, reference is made to a map entitled "Ridgewood Terrace Owned By Belmont Realty Co. Providence, RI. Scale 1"=100' Aug. 2, 1926" prepared by Fred J. Kellog Eng. Danbury Ct. which map is filed as Map #247 in the Danbury Land Records.

November 19, 2013

DRAINAGE EASEMENT
KENNETH C. NEWTON AND ERIKA M. NEWTON
74 GOLDEN HILL ROAD TAX ASSESSOR'S LOT No. H10057

A certain rectangular piece or parcel of land containing 3,450 square feet (0.079 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 74 Golden Hill Road, known as Tax Assessor's Lot No. H10057 (portion of) and described as follows:

Commencing at a point on the northeasterly corner of land of the Grantor, thence running in a westerly direction along the northerly boundary line of land of the Grantor the following courses and distances, S. 63° 21' 11" W. a distance of 249.60' to a point, thence S. 62° 16' 00" W. a distance of 72.58' to a point, said point being the northeasterly corner of land herein described and the true point or place of beginning, thence turning and running in a southerly direction through land of the Grantor S. 27° 44' 00" E. a distance of 30.00' to a point, thence turning and running in a westerly direction through land of the Grantor S. 62° 16' 00" W. a distance of 115.00' to a point, thence turning and running in a northerly direction through land of the Grantor N. 27° 44' 00" W. a distance of 30.00' to a point on the northerly boundary of land of the Grantor, thence turning and running in an easterly direction along northerly boundary of land of the Grantor N. 62° 16' 00" E. a distance of 115.00' to the point or place of beginning.

Bounded:

Northerly: By land of Chemon Ara Huq Alo and Abul Fazal Mohammad Ataul Huq, by land of Monique Vidro and Zoilo Vidro, Jr., and by land of Deborah Greco each in part.

Easterly: By other land of the Grantor.

Southerly: By other land of the Grantor.

Westerly: By other land of the Grantor.

For a more particular description reference is made to a map entitled "Map Showing Proposed 30' Wide Storm Drainage Easement Across the Land of Kenneth C. Newton and Erika M. Newton 74 Golden Hill Road Danbury, Connecticut Scale: 1" = 20' November 18, 2013" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Michael S. Pierwola, P.E. & L.S. No. 70139, which map is filed as Map # _____ in the Danbury Land Records.