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CITY OF DANBURY
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July 23, 2012

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

Re: Open Space Bond Acquisition – Ives Trail Greenway
Easement on Land of State of Connecticut, Department of Transportation near
Route 7, Jackson Pond and Starrs Plain Road

Dear Mayor and Council:

The attached resolution proposes to obtain your approval to accept an offer by the State of Connecticut Department of Transportation to convey to the City an easement over certain State-owned properties for the Ives Trail Greenway for the sum of \$31,500.00. The proposed easement over these properties constitutes an essential section of the Ives Trail Greenway, in the opinion of the Ives Trail Task Force, and would be funded by the Open Space Bond Acquisition of 2008.

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

Very truly yours,

Raymond P. Yamin
Associate Corporation Counsel

RPY:la
Enclosure



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2012

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury seeks to continue to preserve open space throughout the City, and to that end the citizens of Danbury approved an open space initiative and Open Space Bond Acquisition in 2008; and

WHEREAS, the City has established the Ives Trail Task Force to locate appropriate properties for the purpose of establishing and extending the Ives Trail Greenway and to conserve open space throughout said Ives Trail Greenway; and

WHEREAS, through the efforts of the Ives Trail Task Force and others, certain properties owned by the State of Connecticut have been identified and found to be necessary and desirable for purposes of the open space initiative and to complete the Ives Trail, to wit:

Certain properties in the vicinity of Route 7, Jackson Pond and Starrs Plain Road in Danbury, which properties are referenced on the Tax Assessors' Map as Volume 564, Page 100, Volume 557, Page 126, Volume 509, Page 89 and Volume 950, Page 365, all recorded in the Danbury Land Records;

WHEREAS, The City of Danbury has completed a survey that exhibits and describes the easement corridor that needs to be acquired on these properties, entitled "Easement Map, City of Danbury, Map showing Easement Granted to City of Danbury by The State of Connecticut Department of Transportation for Ives Trail Corridor", dated November 15, 2010, revised March 9, 2012, and prepared by Sydney A. Rapp, Jr., of Sydney A. Rapp Land Surveying, P.C.; and

WHEREAS, the total acreage of this trail corridor on said properties amounts to 1.3353 acres; and

WHEREAS, The State of Connecticut Department of Transportation (DOT) is mandated by legislation (Public Act No. 09-4, Section 2) to convey an easement on said properties to the City of Danbury for the purpose of construction of the Ives Trail and that the conveyance shall be based upon a current real estate appraisal of the corridor through these properties; and

WHEREAS, The State of Connecticut Department of Transportation (DOT) in 2012 has appraised the value of said corridor through their properties at \$31,500.00; and

WHEREAS, professional services fees, including the costs of surveys and legal fees incurred in determining the location of said easement corridor and in connection with said purchase, are estimated at \$12,000.00.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Danbury authorizes Mayor Mark D. Boughton to purchase the said easement from the State of Connecticut DOT for the proposed price of \$31,500.00, and to enter into such purchase and sales agreement as is necessary to effectuate said purchase; and

BE IT FURTHER RESOLVED THAT the sum of \$43,500.00 shall be appropriated from the aforesaid Open Space Bond fund for the purchase of said easement and for professional services fees related thereto.