

PLEASE REPLY TO Danbury

September 29, 2014

HERBERT L. COHEN  
(1928-1983)

**By Hand**

AUSTIN K. WOLF  
RICHARD L. ALBRECHT  
JONATHAN S. BOWMAN  
IRVING J. KERN  
STEWART I. EDELSTEIN  
NEIL R. MARCUS  
G. KENNETH BERNHARD  
DAVID L. GROGINS  
GRETA E. SOLOMON

City Council of the City of Danbury  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

ROBIN A. KAHN  
RICHARD SLAVIN  
DANIEL S. NAGEL  
RICHARD J. DI MARCO  
DAVID B. ZABEL  
MARK A. KIRSCH  
DAVID M. LEVINE  
JOSEPH G. WALSH  
MATTHEW C. SUSMAN  
DAVID A. BALL  
JOCELYN B. HURWITZ  
STUART M. KATZ  
MONTE E. FRANK  
PATRICIA C. SULLIVAN  
VINCENT M. MARINO  
JULIE D. KOHLER  
ARI J. HOFFMAN  
COURTNEY A. GEORGE  
BARBARA M. SCHELLENBERG  
RACHEL A. PENCU  
JASON A. BUCHSBAUM  
L. JOYELLE MAINI  
DAVID M. MOROSAN  
LAUREN G. WALTERS  
MARCIA M. ESCOBEDO  
DAVID DOBIN  
NATHAN C. ZEZULA  
PHILIP C. PIRES  
DYAN M. KOZACZKA  
ROBYN H. DRUCKER  
RACHEL A. SCHWARTZMAN  
JORDAN L. FIELDSTEIN  
SHANE R. GOODRICH  
JASON A. KLEIN

**Re: Pondview Development, LLC  
Conveyance of Road Widening Parcels and Drainage Easement  
King Street, Danbury, CT**

Ladies and Gentlemen:

This letter is submitted for the purpose of requesting approval by the City Council of the acceptance by the City of Danbury of two parcels for roadway widening purposes and a Drainage Easement.

The conveyance of the parcels and the Easement is in accordance with the requirements of the subdivision approval issued by the City of Danbury for Pondview Estates.

Copies of the Warranty Deed, Easement and the subdivision map are enclosed herewith and have been delivered to the Office of the Corporation Counsel and the Engineering Department. The Deed and Easement will be modified or revised as required by the City. We understand that the City may also require that additional documentation be submitted to it in connection with the conveyances.

Kindly place this request on the agenda for the October meeting of the Council for consideration.

Very truly yours,



Robin A. Kahn

OF COUNSEL  
MARTIN J. ALBERT  
PETER A. ARTURI  
ANN L. FOWLER-CRUZ  
THEMIS KLARIDES  
ROSAMOND A. KOETHER  
BRUCE L. LEVIN  
JACK E. MCGREGOR  
JOHN PATRICK C. O'BRIEN  
ALLAN J. ROSEN  
MARTIN F. WOLF

RAK:js

Encls:

cc: Pondview Development, LLC  
Office of the Corporation Counsel  
Farid Khouri, P.E.

**DRAINAGE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that **PONDVIEW DEVELOPMENT, LLC**, a Connecticut limited liability company having an office at 60 Old New Milford Road, Suite 1F, Brookfield, Connecticut 06804 (the "Grantor"), for the sum of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION received to its full satisfaction of the **CITY OF DANBURY**, a municipal corporation located in Fairfield County and organized an existing under and by virtue of the laws of the State of Connecticut (the "Grantee"), does give, grant, bargain, sell and confirm unto the Grantee, its successors and assigns forever, drainage easements through, under and over Lots 1, 7, 8 and 9 in Pondview Estates shown and delineated as:

1. **"PROPOSED STORM DRAINAGE EASEMENT OVER LOT 1 (CROSS HATCHED AREA)";**

2. **"PROPOSED STORM DRAINAGE EASEMENT OVER LOT 7 (CROSS HATCHED AREA)";**

3. **"PROPOSED STORM DRAINAGE EASEMENT OVER LOT 8 (CROSS HATCHED AREA)";** and

4. **"PROPOSED STORM DRAINAGE EASEMENTS OVER LOT 9 (CROSS HATCHED AREA)".**

(together, the "Easement Areas") on a certain map entitled "PROPERTY SURVEY/SUBDIVISION MAP "PONDVIEW ESTATES" KING STREET - DANBURY, CONNECTICUT PREPARED FOR PONDVIEW DEVELOPMENT, LLC SCALE 1" =100' AREA: 38.0+/- Acres ZONE: RA-80 DATE: JANUARY 10, 2014, REVISED: FEBRUARY 2, 2014 REVISED: FEBRUARY 12, 2014 REVISED: FEBRUARY 18, 2014," which map is a Class A-2 survey prepared by Paul M. Fagan, L.S. #7756, Surveying Associates, P.C., 432 Main Street, Danbury, Connecticut, and filed in the office of the Danbury Town Clerk as Map No. 13156.

Said easements shall be for the purpose of installing, laying, operating, using, maintaining, inspecting, repairing, and replacing certain drainage pipes and systems of such character and sufficient size as to make a proper and sufficient outlet for any drainage system required by the Grantee together with the necessary fixtures and appurtenances and together with the right to enter and re-enter upon said property whenever necessary and convenient for said purposes, and also together with the right to remove trees, bushes, brush and boulders from the Easement Areas whenever necessary and convenient for said purposes.

The Grantee agrees, for itself and its successors and assigns, to restore the land within the Easement Areas to as nearly its present condition as possible and to similarly restore the land at any time it is necessary to disturb the surface thereof in connection with servicing, repairing or replacing said drainage pipes and systems.

The Grantee shall have the right to permit all present property owners abutting the Easement Areas, their heirs and assigns, to connect to said drainage pipes and systems.

The Grantor agrees that within the limits of the Easement Areas, the Grantor will not construct any building or other structure or use or carry on any operations on the surface or subsurface of said Easement Areas which might endanger the safety or integrity of said drainage pipes and systems or interfere with their operation and maintenance.

Except as set forth herein, the Grantee shall have no rights with respect to the Easement Areas or any other areas of the parcels on which the easements are situated, and the Grantor, its successors and assigns, may continue to use the Easement Areas for any uses and purposes which do not, in any way, interfere with the Grantee's use thereof.

The terms and conditions of this Drainage Easement shall run with the land and be binding upon the Grantor, and inure to the benefit of the Grantee, and their respective successors and assigns.

**TO HAVE AND TO HOLD** the above granted rights, privileges and authority unto the Grantee, forever, to its own proper use and behoof.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Signed, Sealed and Delivered  
In the presence of:

**PONDVIEW DEVELOPMENT, LLC**

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Anthony O. Lucera, Member

STATE OF CONNECTICUT)  
COUNTY OF FAIRFIELD )

ss: DANBURY

On this \_\_\_\_\_ day of \_\_\_\_\_ 2014, before me, the undersigned officer, personally appeared Anthony O. Lucera, a Member of Pondview Development, LLC, and that as signer and sealer of the foregoing instrument acknowledged the execution of the same to be his free act and deed individually and as Member and the free act and deed of such limited liability company

\_\_\_\_\_  
Robin A. Kahn  
Commissioner of the Superior Court

**STATUTORY WARRANTY DEED**

**TO ALL PEOPLE TO WHOM THESE RPRESENTS SHALL COME, GREETING:**

**KNOW YE**, that **PONDVIEW DEVELOPMENT, LLC**, a Connecticut limited liability company having an office at 60 Old New Milford Road, Suite 1F, Brookfield, Connecticut 06804,

in consideration of the sum of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, paid, grants to the **CITY OF DANBURY**, a municipal corporation located in Fairfield County and organized an existing under and by virtue of the laws of the State of Connecticut,

**WITH WARRANTY COVENANTS**, the premises more particularly described in **SCHEDULE A** annexed hereto and made a part hereof.

**IN WITNESS WHEREOF**, the undersigned has caused to be set its hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Signed, Sealed and Delivered  
In the presence of:

**PONDVIEW DEVELOPMENT, LLC**

\_\_\_\_\_

By: \_\_\_\_\_  
Anthony O. Lucera, Member

\_\_\_\_\_

STATE OF CONNECTICUT)  
  
COUNTY OF FAIRFIELD )

ss: DANBURY

On this \_\_\_\_\_ day of \_\_\_\_\_ 2014, before me, the undersigned officer, personally appeared Anthony O. Lucera, a Member of Pondview Development, LLC, and that as signer and sealer of the foregoing instrument acknowledged the execution of the same to be his free act and deed individually and as Member and the free act and deed of such limited liability company

\_\_\_\_\_  
Robin A. Kahn  
Commissioner of the Superior Court

8-4

SCHEDULE A

**PARCEL ONE:**

Beginning at a point lying along a northerly highway line of a city of Danbury highway known as King Street, which point also marks a southeasterly corner of land now or formerly of John M. Zanni and Susan H. McCallion and which point marks the southwesterly corner of the herein described parcel:

Thence running along said land now or formerly of John N. Zanni and Susan H. McCallion N05°20'53"W, 9.57' to a point, which point marks the southwesterly corner of other land of Pondview Development LLC known as lot 1 of Pondview Estates and which point marks the northwesterly corner of the herein described parcel;

Thence turning and running along said lot 1 of Pondview Estates in part and along other land of Pondview Development LLC known as proposed Corner Pond Court, a future roadway of Pondview Estates, in part, N81°54'30"E, 268.18' to a point, which point lies along a westerly boundary line of land now or formerly of Elizabeth J. Healy, which point also marks the southeasterly corner of other land of Pondview Development LLC known as parcel "Z" of Pondview Estates and which point marks the northeasterly corner of the herein described parcel;

Thence turning and running along said land of Elizabeth J. Healy S01°40'18"E, 6.92' to a point, which point lies along the aforementioned northerly highway line of City of Danbury highway known as King Street and which point marks the southeasterly corner of the herein described parcel;

Thence turning and running along said northerly highway line of King Street s81°20'04"w, 267.87 to the point of beginning.

Said parcel is shown and designated as "PARCEL 'X' 2,201 sq. ft. 0.050 Acres TO BE DEDICATED TO 'CITY OF DANBURY' FOR ROADWAY WIDENING PURPOSES (SEE NOTE 7)" on a certain map entitled: "PROPERTY SURVEY/SUBDIVISION MAP 'PONDVIEW ESTATES' KING STREET - DANBURY, CONNECTICUT PREPARED FOR PONDVIEW DEVELOPMENT, LLC SCALE 1" = 100' AREA: 38.0+/- Acres ZONE: RA-80 DATE: JANUARY 10, 2014, REVISED: FEBRUARY 2, 2014 REVISED: FEBRUARY 12, 2014 REVISED: FEBRUARY 18, 2014," which map is a Class A-2 survey prepared by Paul M. Fagan, L.S. #7756, Surveying Associates, P.C., 432 Main Street, Danbury, Connecticut, and filed in the office of the Danbury Town Clerk as Map No. 13156.

**PARCEL TWO:**

Beginning at a point marking a bend in a northerly highway line of a City of Danbury highway known as King Street, which point also marks a southwesterly corner of land now or formerly of Frederick R. Salcido and Jeanne I. Lakatos, which point also marks the southeasterly corner of other land of Pondview Development LLC known as parcel 'W' of Pondview Estates and which point marks the northeasterly corner of the herein described parcel:

8.5

Thence running along said northerly highway line of King Street S02°10'40"W, 8.70' to a point marking another bend in said northerly highway line of King Street and which point marks the southeasterly corner of the herein described parcel;

Thence turning and continuing along said northerly highway line of King Street N87°44'35"W, 51.53' and S83°08'22"W, 20.72' to a point, which point marks the southeasterly corner of land now or formerly of Elizabeth J. Healy and which point marks the southwesterly corner of the herein described parcel.

Thence turning and running along said land of Elizabeth J. Healy, along the arc of a curve to the left, having a radius of 26.15', a distance of 20.29' to a point marking the southwesterly corner of the aforementioned other land of Pondview Development LLC known as parcel 'W' of Pondview Estates, and which point marks the northwesterly corner of the herein described parcel;

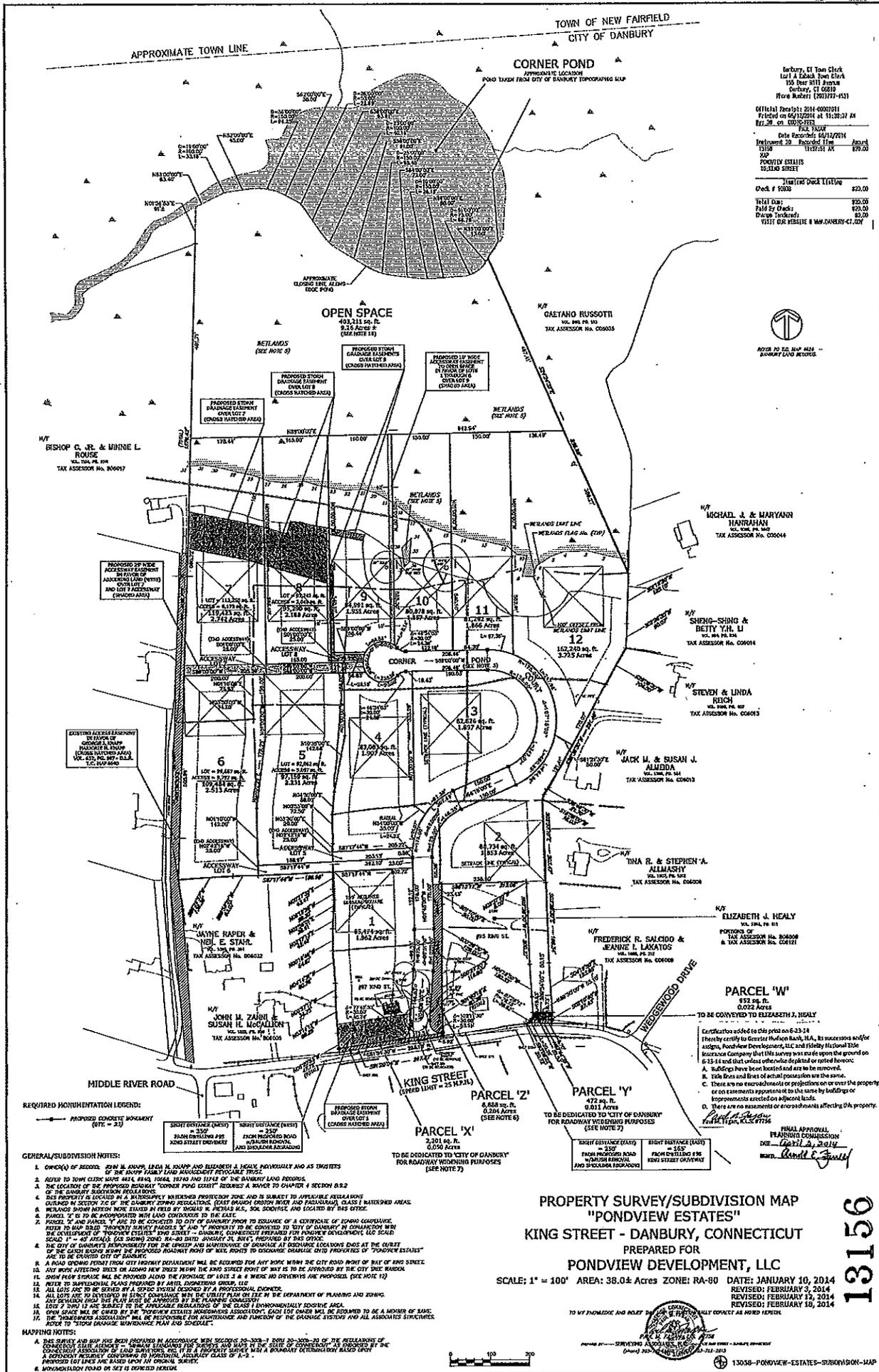
Thence turning and running along said parcel 'W' of Pondview Estates S89°30'00"E, 55.10' to the point of beginning.

Said parcel is shown and designated as "PARCEL 'Y' 472 sq. ft. 0.011 Acres TO BE DEDICATED TO 'CITY OF DANBURY' FOR ROADWAY WIDENING PURPOSES (SEE NOTE 7)" on a certain map entitled: "PROPERTY SURVEY/SUBDIVISION MAP 'PONDVIEW ESTATES' KING STREET - DANBURY, CONNECTICUT PREPARED FOR PONDVIEW DEVELOPMENT, LLC SCALE 1" = 100' AREA: 38.0+/- Acres ZONE: RA-80 DATE: JANUARY 10, 2014, REVISED: FEBRUARY 2, 2014 REVISED: FEBRUARY 12, 2014 REVISED: FEBRUARY 18, 2014," which map is a Class A-2 survey prepared by Paul M. Fagan, L.S. #7756, Surveying Associates, P.C., 432 Main Street, Danbury, Connecticut, and filed in the office of the Danbury Town Clerk as Map No. 13156.

Both of said parcels are conveyed SUBJECT TO the following:

1. Any and all provisions of any ordinance, public or private law, municipal regulation, including, but not limited to, Inland/Wetlands regulations, planning, zoning and subdivision regulations of the City of Danbury.
2. Taxes hereafter becoming due and payable to the City of Danbury.
3. Notes, lines, easements, rights of way, conditions, facts and all matters as shown on Map Nos. 6640, 8534, 9908, 10666 and 10740 of the Danbury Land Records.
4. A Notice by the City of Danbury Assessor's Office recorded October 19, 1995 in Volume 1130 at Page 297 of the Danbury Land Records.
5. A Notice by the City of Danbury Assessor's Office recorded October 19, 1995 in Volume 1130 at Page 298 of the Danbury Land Records.
6. An Easement as set forth in a Quit Claim Deed recorded in Volume 652 at Page 987 of the Danbury Land Records.
7. Drainage Easement to Pondview Development, LLC dated June 2, 2014 and recorded in Volume 2282 at Page 1041 of the Danbury Land Records.

870



Danbury, Ct Town Clerk  
 Lori A. Edgah Town Clerk  
 100 Pine Hill Road  
 Danbury, CT 06810  
 Phone: (203) 747-4531

Official Seal: 2014-0000101  
 Filed on 02/12/2014 at 11:28:27 AM  
 Ex. 28. on 03/03/2014

FILED  
 Date Recorded: 02/12/2014  
 Instrument #: 2014-0000101  
 1316  
 11:28:27 AM

PROPERTY ESTIMATES  
 10,340 SQR FT

JUSTIFIED DUES (111) \$20.00  
 Check # 10208

TOTAL DUES: \$20.00  
 Paid by Check: \$20.00  
 Dues by Transfer: \$0.00  
 VISIT OUR WEBSITE # WWW.DANBURY-CT.GOV



REQUIRED MONUMENTATION LEGEND:  
 — PROPOSED CONCRETE MONUMENT (DTS = 2)

GENERAL/SUBDIVISION NOTES:

1. OWNER(S) OF RECORD: JOHN M. DODD, IRINA N. DODD AND ELIZABETH J. HEALY INDIVIDUALLY AND AS TRUSTEES OF THE DODD FAMILY TRUST ASSOCIATED WITH PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 12 OF THE DANBURY ROAD RECORDS.
2. REFER TO TOWN CLERK MAPS 844, 844A, 844B, 1074A AND 1174A OF THE DANBURY LAND RECORDS.
3. THE LOCATION OF THE PROPOSED ROADWAY "CORNER POND COURT" DESCRIBED A HEREIN TO CHAPTER 4 SECTION 4.2.2 OF THE DANBURY SUBDIVISION REGULATIONS.
4. THIS PROPERTY IS LOCATED IN A WATERSHED WATERSHED PROTECTION ZONE AND IS SUBJECT TO APPLICABLE REGULATIONS OUTLINED IN SECTION 2.6 OF THE DANBURY ZONING REGULATIONS. (EAST BRUNNEN CROTON RIVER AND FACUMANNA) CLASS 1 WATERSHED AREAS.
5. WETLANDS SHOWN HEREON WERE STUDIED IN FIELD BY MICHAEL R. FENELAS M.S., SOIL SCIENTIST, AND LOCATED BY THIS OFFICE.
6. PARCELS 1-12 TO BE ADJACENT TO LAND CONVEYED TO THE CITY.
7. PARCELS 1 AND PARCELS 2 ARE TO BE CONVEYED TO CITY OF DANBURY FROM TO ESCALANTE OF SPANISH CONVEYANCE. REFER TO MAP 1048 "TRUSTEE SERVICE PARCELS 1-2" AND ADVERSE RIGHTS TO ESCALANTE CONVEYANCE IN CONNECTION WITH THE DEVELOPMENT OF "PONDVIEW ESTATES" AND STREET - DANBURY, CONNECTICUT PREPARED FOR PONDVIEW DEVELOPMENT, LLC SCALE: 1" = 40' AREA: 1.47 ACRES (SEE NOTE 1).
8. THE CITY OF DANBURY'S RESPONSIBILITY FOR THE DESIGN AND MAINTENANCE OF SIDEWALKS AT DESIGNATED LOCATIONS DOES AT THE CURB OF THE SIDWALK FRONT FROM THE PROPOSED ROADWAY TO EXISTING SIDEWALKS AND PROPERTIES OF "PONDVIEW ESTATES" ARE TO BE DESIGNATED CITY OF DANBURY.
9. A ROAD OPENING PERMIT FROM CITY ENGINEER DEPARTMENT WILL BE REQUIRED FOR ANY WORK WITHIN THE CITY ROAD RIGHT OF WAY OF ANY KIND.
10. ANY WORK AFFECTING DUES ON ADJACENT LOTS MUST BE APPROVED BY THE CITY TREE WARDEN.
11. DUES FROM SIDEWALK WILL BE PROVIDED ALONG THE FRONTAGE OF LOTS 1 & 2 & 3 & 4 & 5 & 6 & 7 & 8 & 9 & 10 & 11 & 12.
12. REFER TO SUBDIVISION PLANS PROVIDED BY A PROFESSIONAL ENGINEER.
13. ALL LOTS ARE TO BE SERVED BY A SEPTIC SYSTEM DESIGNED BY A PROFESSIONAL ENGINEER.
14. ALL LOTS ARE TO BE SERVED BY A SEPTIC SYSTEM AS SHOWN ON THE PLANS OF THE DEPARTMENT OF PLANNING AND ZONING.
15. ALL LOTS ARE TO BE SERVED BY A SEPTIC SYSTEM AS SHOWN ON THE PLANS OF THE DEPARTMENT OF PLANNING AND ZONING.
16. LOTS 1-12 ARE TO BE SERVED BY A SEPTIC SYSTEM AS SHOWN ON THE PLANS OF THE DEPARTMENT OF PLANNING AND ZONING.
17. OPEN SPACE WILL BE CARED BY THE "PONDVIEW ESTATES" MEMBERSHIP ASSOCIATION. EACH LOT OWNER WILL BE REQUIRED TO BE A MEMBER OF SAID ASSOCIATION. THE ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE AND FUNCTION OF THE DRAINAGE SYSTEM AND ALL ASSOCIATED STRUCTURES. REFER TO "STORM DRAINAGE MAINTENANCE PLAN AND SCHEDULE".

NOTING NOTES:

1. THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 3-30a-1 THROUGH 3-30a-10 OF THE REGULATION OF THE PROFESSIONAL ENGINEERING ACT, DANBURY STANDARDS FOR SURVEYING AND MAPS IN THE STATE OF CONNECTICUT, AS ENFORCED BY THE PROFESSIONAL ENGINEERING BOARD OF THE STATE OF CONNECTICUT.
2. A DEPENDENT SURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS OF A-2.
3. PROPOSED LOT LINES ARE BASED UPON AN ORIGINAL SURVEY.
4. MONUMENTATION FOUND ON SET IS IDENTIFIED HEREIN.

PARCEL 'W'  
 872 SQ. FT.  
 0.0202 ACRES  
 TO BE CONVEYED TO ELIZABETH J. HEALY

Conveyance added to this plat on 6-23-14  
 Property conveyed to Greater Hartford Realty, LLC, its successors and/or assigns, for use as a residential development, and to be held in trust for the insurance company that this survey was made upon the ground on 6-23-14 and that unless otherwise stated or noted hereon:  
 A. All buildings have been located and are to be removed.  
 B. Title lines and lines of actual possession are the same.  
 C. There are no encroachments or projections on or over the property or on easements appurtenant to the same by buildings or improvements erected on adjacent lands.  
 D. There are no easements or encroachments affecting this property.

FINAL APPROVAL  
 PLANNING COMMISSION  
 DATE: April 2, 2014  
 BY: David C. Judd

PROPERTY SURVEY/SUBDIVISION MAP  
 "PONDVIEW ESTATES"  
 KING STREET - DANBURY, CONNECTICUT  
 PREPARED FOR  
 PONDVIEW DEVELOPMENT, LLC

SCALE: 1" = 100' AREA: 38.0± ACRES ZONE: RA-80 DATE: JANUARY 10, 2014  
 REVISED: FEBRUARY 3, 2014  
 REVISED: FEBRUARY 17, 2014  
 REVISED: FEBRUARY 18, 2014

13036-PONDVIEW-ESTATES-SUBDIVISION-MAP