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

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PLEASE REPLY TO:

September 1, 2004

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

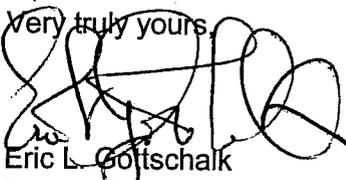
Re: Acquisition of Properties:
Shore Road; Parking Garage/Library Place; North Main Street; East Ditch;
Senior Center; Backus Avenue; Olive Street; Cobblestone Trail;

Dear Mayor and Council:

The attached resolutions propose to renew the Council's earlier approvals of the acquisitions of properties by this office in order to facilitate several projects. By state law, your authorization must be re-approved after the expiration of six months, where acquisition has not been completed. We will need the additional time to finish the process of negotiation and/or acquisition by condemnation of these properties.

Thank you for your consideration in adopting the attached resolution. Please feel free to give us a call should you have any questions.

Very truly yours,


Eric L. Gottschalk
Deputy Corporation Counsel

Attachments

cc: William J. Buckley, Jr., P.E. Dir. Public Works/City Engineer
Raymond Yamin, Associate Corporation Counsel



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, is proceeding through plans and designs, to make necessary improvements to the Olive Street / Tilden Road sanitary sewer; and

WHEREAS, the property to be acquired is described and identified in EXHIBIT A attached hereto; and

WHEREAS, said easement 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 of Danbury to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easement set forth on EXHIBIT A 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 March 1, 2005.

Sanitary Sewer Easement
Barbara J. Sprindis a.k.a. Barbara Marquis and Karen Marquis

A 20 feet wide permanent sanitary sewer easement 4,767 square feet, more or less, in area located on land of the Grantors known as No. 24 Morgan Avenue (Tax Assessor's Lot No. K11040) described as follows:

Beginning at a point on the westerly street line of Morgan Avenue said point being the southeasterly corner of No.24 Morgan Avenue (Tax Assessor's Lot No. K11040) and also being the southeasterly corner of the permanent sanitary sewer easement being described herein, thence running westerly along the boundary line between the land of the Grantors and other land of the Grantors S 69° 26' 52" W a distance of 195.03 feet and S 80° 31' 38" W a distance of 44.29 feet to a point on the easterly right of way line of Springside Avenue, thence turning and running north along the easterly right of way line of Springside Avenue N 16° 52' 33" W a distance of 20.17 feet to a point, thence turning and running easterly through the land of the Grantors N 80° 31' 38" E a distance of 44.95 feet and N 69° 26' 52" E a distance of 192.38 feet to the westerly street line of Morgan Avenue, thence turning and running southerly along the westerly street line of Morgan Avenue S 22° 34' 08" E a distance of 20.01 feet to the point or place of beginning.

Bounded:	Northerly	by other land of the Grantors
	Easterly	by Morgan Avenue
	Southerly	by other land of the Grantors
	Westerly	by Springside Avenue

Together with temporary construction easements located on two adjacent parcels of land owned by the Grantors each temporary construction easement being ten feet (10') in width running along and parallel to the northerly and southerly lines of the above noted permanent sanitary sewer easement and as shown on the map hereinafter referenced.

For a more particular description, reference is made to the map entitled "Map Showing Proposed 20 Ft. Wide Sanitary Sewer Easement Through the Land of Barbara J. Sprindis a.k.a. Barbara Marquis and Karen Marquis Morgan Avenue Danbury, Connecticut Scale: 1" = 20' February 4, 2004" which map is certified as to accuracy by Michael S. Pierwola, R.L.S. and which map is to be filed in the Danbury Land Records.