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

(203) 797-4518  
(203) 796-8043 FAX

PLEASE REPLY TO:

September 1, 2004

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

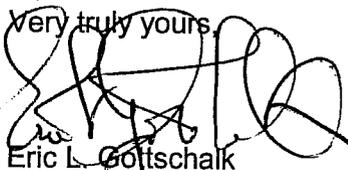
Re: Acquisition of Properties:  
Shore Road; Parking Garage/Library Place; North Main Street; East Ditch;  
Senior Center; Backus Avenue; Olive Street; Cobblestone Trail;

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**, on January 23, 2003, the City of Danbury, acting through its Redevelopment Agency, adopted a Redevelopment Plan, which is designed to further the renewal and revitalization of downtown Danbury; and

**WHEREAS**, said Redevelopment Plan provides for the improvement of a portion of the North Main Street area of Danbury; and

**WHEREAS**, in order to implement said Redevelopment Plan the acquisition of certain pieces or parcels of land will be necessary; and

**WHEREAS**, eminent domain proceedings will be required if the City of Danbury cannot agree with the property owners upon the amount to be paid for their interests in said parcels.

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL** of the City of Danbury, that said Redevelopment Plan is hereby approved and that the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the aforesaid properties, as more particularly described in Exhibits A through G attached hereto, in accordance with procedures established in state law, either by negotiation or by eminent domain through the institution of suit against the interested property owners and holders of mortgages or other encumbrances upon the properties, if any, on or before March 1, 2005.

KAPIL M. BHAVSAR AND PANNA BHAVSAR  
(TAX ASSESSOR'S LOT NO. H13308)

A certain piece or parcel of land containing 3,829 square feet (0.0879 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 363 Main Street and known as Tax Assessor's Lot No. H13308 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 06° 40' 00" W. a distance of 29.90 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Valentine Ventura, Et Al N. 82° 02' 00" E. a distance of 112.00 feet to a point on the westerly boundary line of land now or formerly of Emil Kalil and Louis S. Owens, Jr., thence turning and running southerly along said westerly boundary line of land now or formerly of Emil Kalil and Louis S. Owens, Jr. S. 07° 28' 40" E. a distance of 35.42 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Armindo J. Rebeiro and Larry Sharp S. 79° 17' 25" W. a distance of 67.37 feet to a point on the easterly boundary line of land now or formerly of Richard Donofrio, Et Al, thence turning and running northerly along the easterly boundary line of land now or formerly of Richard Donofrio, Et Al N. 10° 45' 20" W. a distance of 9.45 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Richard Donofrio, Et Al on the following courses and distances S. 80° 25' 00" W. a distance of 38.20 feet to a point, thence N. 09° 31' 14" W. a distance of 0.54 feet to a point, thence S. 80° 43' 00" W. a distance of 6.42 feet to the point or place beginning.

Bounded:

- Northerly : By land now or formerly of Valentine Ventura, Et Al.
- Easterly : By land now or formerly of Emil Kalill and Louis S. Owens, Jr.
- Southerly : By land now or formerly of Armindo J. Rebeiro and Larry Sharp and by land now or formerly of Richard Donofrio, Et Al, each in part.
- Westerly : By Main Street and by land now or formerly of Richard Donofrio, Et Al, each in part.

For a more particular description reference is made to a map entitled " Map Prepared for Joseph A. Fabian - Ronald Whitlock D.B.A. F. & W. Realty 363 Main Street Danbury, Connecticut Scale 1" = 10' February 9, 1977 " prepared by Sydney A. Rapp, Jr. 4 Harmony Street, Danbury, Connecticut and certified substantially correct by Sydney Rapp, Jr. R.L.S. No. 7400, which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 6151.

JOHN A. NAIM and ELHAM NAIM  
(TAX ASSESSOR'S LOT NO. H13259)

A certain piece or parcel of land containing 449 square feet (0.0103 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at Main Street and known as Tax Assessor's Lot No. H13259 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 06° 40' 00" W. a distance of 10.93 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Richard Donofrio, Et Al on the following courses and distances N. 80° 43' 00" E. a distance of 6.42 feet to a point, thence S. 09° 31' 14" E. a distance of 0.54 feet to a point, thence N. 80° 25' 00" E. a distance of 38.20 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly Richard Donofrio, Et Al S. 10° 45' 20" E. a distance of 9.45 feet to a point on the northerly boundary line of land now or formerly of Armindo J. Rebeiro and Larry Sharp, thence turning and running westerly along the northerly boundary line of land now or formerly of Armindo J. Rebeiro and Larry Sharp S. 79° 17' 25" W. a distance of 45.38 feet to the point or place of beginning.

Bounded:

Northerly  
and : By land now or formerly of Richard Donofrio, Et Al.  
Easterly

Southerly : By land now or formerly of Armindo J. Rebeiro and Larry Sharp.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Prepared for Joseph A. Fabian - Ronald Whitlock D.B.A. F & W. Realty Main Street Danbury, Connecticut Scale 1" = 5' February 8, 1977 " prepared by Sydney A. Rapp, Jr. 4 Harmony Street, Danbury, Connecticut and certified substantially correct by Sydney A. Rapp, Jr. R.L.S. No. 7400, which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 6152.

MARIA DASILVA  
(TAX ASSESSOR'S LOT NO. H13311)

A certain piece or parcel of land containing 11,819 square feet (0.2713 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 373 Main Street and known as Tax Assessor's Lot No. H13311 bounded and described as follows:

Commencing at a point marked by an iron pin located on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 04° 40' 00" W. a distance of 54.00 feet to an iron pin located on the northwesterly corner of land of the Grantor, thence turning and running easterly along the southerly boundary line of land now or formerly of Mitchell M. Kelly on the following courses and distances N. 84° 18' 00" E. a distance of 129.00 feet to an iron pin, thence S. 02° 02' 00" E. a distance of 11.00 feet to an iron pin, thence N. 81° 28' 20" E. a distance of 81.00 feet to an iron pin located on the northeasterly corner of land of the Grantor, thence turning and running southerly along the westerly boundary line of land now or formerly of Risdon Manufacturing Company S. 04° 05' 50" E. a distance of 57.00 feet to an iron pin located on the southeasterly corner of land of the Grantor, thence turning and running westerly along the northerly boundary line of land now or formerly of Michael Showah on the following courses and distances S. 85° 29' 00" W. a distance of 140.84 feet to an iron pin, thence N. 18° 26' 00" W. a distance of 5.83 feet to an iron pin, thence S. 85° 29' 00" W. a distance of 66.50 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Mitchell M. Kelly.

Easterly : By land now or formerly of Risdon Manufacturing Company.

Southerly : By land now or formerly of Michael Showah.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Property of Louis Showah Danbury, Conn. Scale 1" = 20' Oct. 28, 1965" certified substantially correct by Charles J. Osborne R.L.S.# 07398 of New Milford, Conn., which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 3831.

ST. JOSEPH'S ROMAN CATHOLIC CHURCH CORPORATION  
(TAX ASSESSOR'S LOT NOS. H13310 AND H13309)

Two parcels of land, one containing 31,486 square feet (0.7228 Acres), more or less, to be called "Parcel 1" and the second parcel containing 13,118 square feet (0.3011 Acres), more or less, to be called "Parcel 2", situated in the City of Danbury, County of Fairfield and State of Connecticut at 365 and 369 Main Street and known as Tax Assessor's Lot Nos. H13309 and H13310 respectively, bounded and described as follows:

PARCEL 1 (TAX ASSESSOR'S LOT NO. H13310)

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 02° 47' 10" W. a distance of 73.04 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Evelyn Panasis, Trustee on the following courses and distances N. 87° 34' 30" E. a distance of 66.50 feet to a point, thence S. 16° 20' 30" E. a distance of 5.83 feet to a point, thence N. 87° 34' 30" E. a distance of 140.84 feet to a point on the westerly boundary line of land now or formerly of The Bunker-Ramo Corporation, thence turning and running southerly along the westerly boundary line of land now or formerly of The Bunker-Ramo Corporation S. 00° 20' 30" E. a distance of 86.26 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Emil Kalil and Louis S. Owen Jr. N. 86° 34' 00" W. a distance of 86.16 feet to a point on the easterly boundary line of "Parcel 2" hereunder described, thence turning and running northerly along the easterly boundary line of "Parcel 2" N. 04° 57' 37" W. a distance of 6.40 feet to a point, thence turning and running westerly along the northerly boundary line of "Parcel 2" on the following courses and distances N. 86° 48' 20" W. a distance of 20.99 feet to a point, thence S. 87° 12' 45" W. a distance of 17.89 feet to a point, thence S. 88° 47' 30" W. a distance of 80.37 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Evelyn Panasis, Trustee.

Easterly : By land now or formerly of The Bunker-Ramo Corporation.

Southerly : By land now or formerly of Emil Kalil and Louis S. Owen, Jr. and by "Parcel 2" hereunder described, each in part.

Westerly : By Main Street.

PARCEL 2 (TAX ASSESSOR'S LOT NO. H13309)

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 05° 32' 20" W. a distance of 63.08 feet to a point, thence turning and running easterly along the southerly boundary line of "Parcel 1" hereinabove described on the following courses and distances N. 88° 47' 30" E. a distance of 80.37 feet to a point, thence

N.  $87^{\circ} 12' 45''$  E. a distance of 17.89 feet, thence S.  $86^{\circ} 48' 20''$  E. a distance of 20.99 feet to a point, thence turning and running southerly S.  $04^{\circ} 57' 37''$  E. a distance of 6.40 feet to the northwesterly corner of land now or formerly of Emil Kalil and Louis S. Owen, Jr., thence continuing southerly along the westerly boundary line of land now or formerly Emil Kalil and Louis S. Owen, Jr. S.  $02^{\circ} 15' 04''$  E. a distance of 40.92 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Lewis F. Zurlo S.  $81^{\circ} 38' 43''$  W. a distance of 116.50 feet to the point or place of beginning.

Bounded:

Northerly : By "Parcel 1" hereinabove described.

Easterly : By land now or formerly of Emil Kalil and Louis S. Owen, Jr. and by "Parcel 1" hereinabove described, each in part.

Southerly : By land of now or formerly Lewis F. Zurlo.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled "Surveyor's Certificate Property Surveyed for ST. JOSEPHS CHURCH Location MAIN STREET, Danbury, Connecticut. Refer to Vol. 585, page 1021 and Vol.510, page 353, Danbury Land Records. Scale 1" = 20' November 21, 1983" prepared by John M. Farnsworth & Associates, New Milford. Connecticut and certified substantially correct by John M. Farnsworth R.L.S. No. 3743, which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 7711.

LU LI  
377 MAIN STREET  
(TAX ASSESSOR'S LOT NO. H13313)

A certain piece or parcel of land containing 14,244 square feet (0.3270Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 377 Main Street and known as Tax Assessor's Lot No. H13313 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 14° 43' 09" W. a distance of 76.77 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of the City of Danbury Housing Authority N. 76° 11' 10" E. a distance of 197.40 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of Aberdeen Development, LLC S. 19° 51' 53" E. a distance of 65.63 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Michael K. Will and Lisa Marie Will S. 72° 56' 47" W. a distance of 203.43 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of The City of Danbury Housing Authority.

Easterly : By land now or formerly of Aberdeen Development, LLC.

Southerly : By land now or formerly of Michael K. Will and Lisa Marie Will.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Showing Property of Lu Li to be Acquired by the City of Danbury 377 Main Street Danbury, Connecticut Scale: 1" = 20' March 14, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Irene H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

MICHAEL K. WILL AND LISA MARIE WILL  
375 MAIN STREET  
(TAX ASSESSOR'S LOT NO. H13312)

A certain piece or parcel of land containing 10,438 square feet (0.2396 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 375 Main Street and known as Tax Assessor's Lot No. H13312 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N.  $14^{\circ} 35' 30''$  W. a distance of 45.50 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Lu Li N.  $72^{\circ} 56' 47''$  E. a distance of 203.43 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of Aberdeen Development, LLC S.  $17^{\circ} 09' 50''$  E. a distance of 56.53 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Maria DaSilva on the following courses and distances S.  $71^{\circ} 04' 47''$  W. a distance of 79.05 feet to a point, thence N.  $16^{\circ} 36' 11''$  W. a distance of 11.00 feet to a point, thence S.  $74^{\circ} 08' 45''$  W. a distance of 126.60 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Lu Li.

Easterly : By land now or formerly of Aberdeen Development, LLC.

Southerly : By land now or formerly of Maria DaSilva.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Showing Property of Michael K. Will & Lisa Marie Will to be Acquired by The City of Danbury 375 Main Street Danbury, Connecticut Scale: 1" = 20' March 14, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S., which map is to be filed in the Danbury Land Records.

THE ESTATE OF JOSEPH DASILVA  
359 - 361 MAIN STREET  
( TAX ASSESSOR'S LOT NO. H13307)

A certain piece or parcel of land containing 7,569 square feet (0.1738Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 359 - 361 Main Street and known as Tax Assessor's Lot No. H13307 bounded and described as follows:

Commencing at the northeasterly corner of the intersection of Main Street and East Franklin Street which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street on the following courses and distances N. 36° 32' 13" W. a distance of 31.82 feet to a point, thence N. 30° 42' 13" W. a distance of 13.00 feet to a point thence N. 18° 42' 26" W. a distance of 30.00 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of John A. Naim and Elham Naim and land now or formerly of Kapil M. and Panna Bhavsar, each in part N. 67° 15' 01" E. a distance of 111.50 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen S. 31° 40' 14" E. a distance of 56.85 feet to a point on the northerly street line of East Franklin Street, thence turning and running westerly along the northerly street line of East Franklin Street S. 58° 25' 38" W. a distance of 114.40 feet to the point or place of beginning.

Bounded:

- Northerly : By land now or formerly of John A. Naim and Elham Naim and by land now or formerly of Kapil M. Bhavsar and Panna Bhavsar, each in part.
- Easterly : By land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen.
- Southerly : By East Franklin Street.
- Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Showing Property of The Estate of Joseph DaSilva to be Acquired by The City of Danbury 359 - 361 Main Street Danbury, Connecticut Scale: 1" = 20' March 14, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despopjado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.