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CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DIVISION
(203) 797-4641
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FARID L. KHOURI, P.E.
CITY ENGINEER

December 1, 2009

Honorable Mark D. Boughton
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Re: Drainage Easement

Dear Mayor Boughton and Common Council Members:

Enclosed please find a copy of the easement map and legal description prepared by our department for a drainage easement required on 33 Lincoln Avenue to address an existing drainage issue. The easement required is as follows:

- Tax Assessor's Lot No. I15066 The Pope John Paul II Center for Health Care, Inc.
33 Lincoln Avenue

We would appreciate if you would authorize the Corporation Counsel's office to take the steps necessary to acquire this easement.

If you have any questions, please give me a call.

Sincerely,

Farid L. Khouri, P.E.
City Engineer

Enclosures

C: Laszlo Pinter, Esq. (with Enclosures)
Antonio Iadarola, P.E.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____A.D. 2010

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury, in order to repair and improve drainage on Garfield Avenue, wishes to upgrade existing storm drainage pipes; and

WHEREAS, the City will have to obtain three (3) easements in total, one from each of two property owners on Garfield Avenue, and one from a property owner on Lincoln Avenue, in order to accomplish said drainage project; and

WHEREAS, the properties to be acquired are described and identified in Exhibits A, B, and C 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 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 easements set forth on Exhibits A, B and C 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, within six (6) months of approval hereof.

**A DRAINAGE EASEMENT
THE POPE JOHN PAUL II CENTER FOR HEALTH CARE, INC.
33 LINCOLN AVENUE, TAX ASSESSOR'S LOT No. I15066**

A certain piece or parcel of land containing 375 square feet (0.0086 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 33 Lincoln Avenue and known as Tax Assessor's Lot No. I15144 (portion of) bounded and described as follows:

Commencing at a point on the easterly boundary of land of the Grantor, which point is the southwesterly corner of land now or formerly of Ana Mosher, Assessors Lot I15143, thence running in a northerly direction along the easterly boundary of land of the Grantor N. 27° 05' 05" W. a distance of 10.02' to a point, said point being the true point or place of beginning, thence turning and running in a southerly direction along the easterly boundary of land of the Grantor S. 27° 05' 05" a distance of 25.00' to a point, thence turning and running in a westerly direction through the land of the Grantor S. 62° 54' 55" W. a distance of 15.00' to a point, thence turning and running in a northerly direction through the land of the Grantor N. 27° 05' 05" W. a distance of 25.00' to a point, thence turning and running in an easterly direction through the land of the Grantor N. 62° 54' 55" E. a distance of 15.00' to the point or place of beginning.

Bounded:

Northerly : By other land of the Grantor

Easterly : By land now or formerly of Paula Amador, Juan A. Camacho and Angelina Camacho and by land now or formerly of Ana Mosher, each in part

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 Drainage Easement Through the Land of Pope John Paul II Center For Health Care, Inc. 33 Lincoln Avenue Danbury, Connecticut Scale: 1"=10' November 19, 2009" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Michael S. Pierwola, R.L.S. No. 70139, which map is filed as Map # _____ in the Danbury Land Records.