



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
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WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

March 29, 2005

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

Dear Mayor Boughton and Common Council Members:

Jackson Drive Area Sanitary Sewer
Easements
Project No. 02 - 01

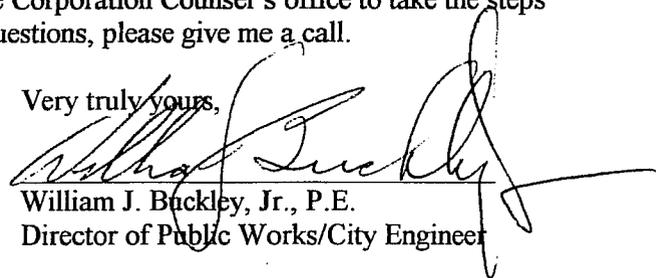
As a result of the State DOT policy change relative to the approval of utility installations within the I-84 highway right of way limits, the plans for the section the Jackson Drive area sanitary sewer between Rockwell Road and the Lexington Mews Association, Inc. property had to be revised.

Enclosed please find copies of two easement maps and proposed legal descriptions prepared for the Jackson Drive Area sanitary sewer project. The easements required are as follows:

- | | |
|----------------|---|
| Lot No. K09098 | Lexington Mews Association, Inc.
Old Brookfield Road |
| Lot No. K10008 | David Torielli
Rockwell Road |

We would appreciate if you would authorize the Corporation Counsel's office to take the steps necessary to acquire these easements. If you have any questions, please give me a call.

Very truly yours,



William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

Encl.

C: Eric L. Gottschalk, Esq., with encl.



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 specifications to make necessary improvements to the Jackson Drive area sanitary sewer design; and

WHEREAS, the properties to be acquired are described and identified in EXHIBITS A and B 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 and B 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 October 1, 2005.

**SANITARY SEWER EASEMENT
TO BE ACQUIRED BY
THE CITY OF DANBURY
FROM
LEXINGTON MEWS ASSOCIATION, INC.**

A CERTAIN PIECE OR PARCEL OF LAND SITUATED OFF OLD BROOKFIELD ROAD IN THE CITY OF DANBURY, CONNECTICUT AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED ON THE NORTHERLY SIDE OF THE MONUMENTED STATE HIGHWAY LINE OF INTERSTATE 84, SAID POINT MARKING THE SOUTHEASTERLY CORNER OF LAND OF DAVID TORIELLI AND THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT; THENCE RUNNING IN A NORTHWESTERLY AND NORTHEASTERLY DIRECTION ALONG LAND OF DAVID TORIELLI THE FOLLOWING COURSES AND DISTANCES; N16°31'35"W, A DISTANCE OF 8.56' TO A POINT; THENCE N02°19'50"E, A DISTANCE OF 12.844' TO A POINT MARKING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT.

THENCE TURNING AND RUNNING IN A NORTHEASTERLY AND NORTHWESTERLY DIRECTION THROUGH LAND OF LEXINGTON MEWS ASSOCIATION, INC. THE FOLLOWING COURSES AND DISTANCES; N66°00'50"E, A DISTANCE OF 328.984' TO A POINT, THENCE N32°55'27"E, A DISTANCE OF 67.255' TO A POINT; THENCE N03°19'27"W, A DISTANCE OF 163.56" TO A POINT.

THENCE TURNING AND RUNNING IN A NORTHEASTERLY DIRECTION ALONG LAND NOW OR FORMERLY OF BAKER RESIDENTIAL LIMITED PARTNERSHIP N65°28'09"E, A DISTANCE OF 21.45' TO A POINT MARKING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE TURNING AND RUNNING IN A SOUTHEASTERLY AND SOUTHWESTERLY DIRECTION THROUGH LAND OF LEXINGTON MEWS ASSOCIATION, INC. THE FOLLOWING COURSES AND DISTANCES, S03°19'27"E, A DISTANCE OF 177.87' TO A POINT, THENCE S32°55'27"W, A DISTANCE OF 79.77' TO A POINT MARKING THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE TURNING AND RUNNING IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHERLY SIDE OF THE MONUMENTED STATE HIGHWAY LINE OF INTERSTATE 84 THE FOLLOWING COURSES AND DISTANCES: S66°00'50"W, A DISTANCE OF 300.29' TO A POINT MARKED BY A CHD MONUMENT; THENCE S66°00'50"W, A DISTANCE OF 41.42' TO A POINT MARKING THE POINT OR PLACE OF BEGINNING.

THE ABOVE DESCRIPTION INCLUDES AN AREA OF 11,608 SQUARE FEET.

FOR A MORE PARTICULAR DESCRIPTION, REFERENCE IS MADE TO MAP ENTITLED: "EASEMENT MAP, MAP SHOWING PROPOSED SANITARY SEWER EASEMENT TO BE ACQUIRED BY THE CITY OF DANBURY FROM LEXINGTON MEWS ASSOCIATION, INC. OLD BROOKFIELD ROAD, DANBURY, CONNECTICUT SCALE: 1"=40', JULY 15, 2004, REVISED JULY 22, 2004", REVISED MARCH 24, 2005, CERTIFIED SUBSTANTIALLY CORRECT BY SYDNEY A. RAPP, JR. L.S.#7400.

TOGETHER WITH THE TEMPORARY CONSTRUCTION EASEMENTS SHOWN ON THE ABOVE REFERENCED MAP.

**SANITARY SEWER EASEMENT
TO BE ACQUIRED BY
THE CITY OF DANBURY
FROM
DAVID TORIELLI**

A CERTAIN PIECE OR PARCEL OF LAND SITUATED ON THE EASTERLY SIDE OF ROCKWELL ROAD IN THE CITY OF DANBURY, CONNECTICUT AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED ON THE EASTERLY SIDE OF ROCKWELL ROAD LOCATED N35°33'30"W, A DISTANCE OF 2.603' FROM THE SOUTHWESTERLY CORNER OF LAND OF DAVID TORIELLI, SAID POINT MARKING THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT AND THE TRUE POINT OF BEGINNING;

THENCE RUNNING IN A NORTHWESTERLY DIRECTION ALONG THE EASTERLY SIDE OF ROCKWELL ROAD N35°33'30"W, A DISTANCE OF 20.014' TO A POINT MARKING THE NORTHWESTERLY CORNER OF HEREIN DESCRIBED EASEMENT;

THENCE TURNING AND RUNNING IN A NORTHEASTERLY DIRECTION THROUGH LAND OF DAVID TORIELLI THE FOLLOWING COURSES AND DISTANCES, N52°16'43"E, A DISTANCE OF 256.188' TO A POINT, THENCE N81°38'29"E, A DISTANCE OF 301.451' TO A POINT, THENCE N66°00'50"E, A DISTANCE OF 176.311' TO A POINT MARKING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED EASEMENT;

THENCE TURNING AND RUNNING IN A SOUTHWESTERLY AND SOUTHEASTERLY DIRECTION ALONG LAND NOW OR FORMERLY OF LEXINGTON MEWS ASSOCIATION, INC. THE FOLLOWING COURSES AND DISTANCES, S02°19'50"W, A DISTANCE OF 12.844' TO A POINT, THENCE S16°31'35"E, A DISTANCE OF 8.56' TO A POINT ON THE NORTHERLY SIDE OF THE MONUMENTED STATE HIGHWAY LINE OF INTERSTATE 84, SAID POINT MARKING THE SOUTHEASTERLY CORNER OF HEREIN DESCRIBED EASEMENT;

THENCE TURNING AND RUNNING IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHERLY SIDE OF THE MONUMENTED STATE HIGHWAY LINE OF INTERSTATE 84 S66°00'50"W, A DISTANCE OF 172.230' TO A POINT;

THENCE RUNNING IN A SOUTHWESTERLY DIRECTION THROUGH LAND OF DAVID TORIELLI THE FOLLOWING COURSES AND DISTANCES: S81°38'29"W, A DISTANCE OF 298.965' TO A POINT, THENCE S52°16'43"W, A DISTANCE OF 251.715' TO A POINT ON THE EASTERLY SIDE OF ROCKWELL ROAD, SAID POINT MARKING THE TRUE POINT OR PLACE OF BEGINNING.

THE ABOVE DESCRIPTION INCLUDES AN AREA OF 14,548 SQUARE FEET.

FOR A MORE PARTICULAR DESCRIPTION, REFERENCE IS MADE TO MAP ENTITLED "EASEMENT MAP, MAP SHOWING PROPOSED SANITARY SEWER EASEMENT TO BE ACQUIRED BY THE CITY OF DANBURY FROM DAVID TORIELLI, ROCKWELL ROAD, DANBURY, CONNECTICUT, SCALE: 1"=40' MARCH 24, 2005", CERTIFIED SUBSTANTIALLY CORRECT BY SYDNEY A. RAPP, JR. L.S.#7400.

TOGETHER WITH THE TEMPORARY CONSTRUCTION EASEMENT SHOWN ON THE ABOVE REFERENCED MAP.