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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

June 13, 2005

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

Dear Mayor Boughton and Common Council Members:

Olive Street and Tilden Road Sanitary Sewer
Easement
Project No. 99-2

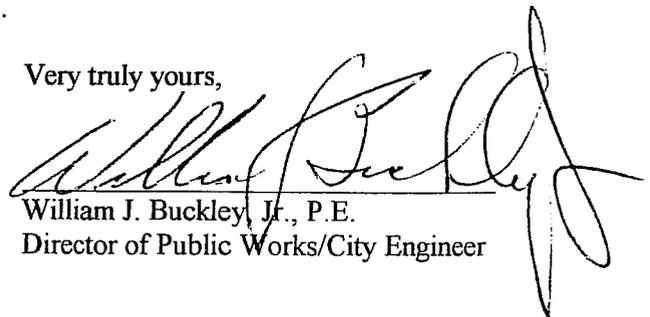
At the request of the property owner, the sanitary sewer easement location for this project has been revised. Enclosed please find copies of the revised easement map and legal description prepared by our department for the above noted sanitary sewer project. The easement required is as follows:

Lot No. K11040 and Barbara J. Sprindis and Robert Sprindis
Lot No. K11041 life use by Helen M. Sprindis
Morgan 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.

Very truly yours,



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

Encl.

C: Eric L. Gottschalk, Esq., with encl. (1 copy each)
Raymond Yamin, Esq., with encl. (3 copies each)



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 extend public sewer lines in the Olive Street / Tilden Road area; and

WHEREAS, the Common Council previously authorized the acquisition of an easement from the property owners identified on EXHIBIT A; and

WHEREAS, said property owners have requested that the City modify the easement as proposed; and

WHEREAS, the Common Council, upon the recommendation of the City Engineer is willing to grant said request; and

WHEREAS, the property interest 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 January 1, 2006.

**A SANITARY SEWER EASEMENT
BARBARA J. SPRINDIS AND ROBERT SPRINDIS
MORGAN AVENUE (TAX ASSESSOR'S LOT No. K11040 & K11041)**

A certain piece or parcel of land containing 5,757 square feet (0.1322 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at Morgan Avenue and known as Tax Assessor's Lot No. K11040 & K11041 (portion of) bounded and described as follows:

Commencing at a point on the westerly street line of Morgan Avenue, which point is the southeasterly corner of land of the Grantors, said point being the southeasterly corner of land herein described, thence running westerly along the southerly boundary line of the Grantors S. 61° 48' 45" W. a distance of 208.95' to a point, thence turning and running northwesterly through land of the Grantors N. 45° 39' 57" W. a distance of 77.74' to a point, thence turning and running northerly along the westerly boundary line of the Grantors the following courses and distances: N. 18° 43' 29" W. a distance of 5.86' to a point, thence N. 16° 52' 22" W. a distance of 20.17' to a point, thence turning and running easterly through land of the Grantors N. 80° 31' 38" E. a distance of 9.46' to a point, thence turning and running southeasterly through land of the Grantors S. 45° 39' 57" E. a distance of 80.38' to a point, thence turning and running easterly through land of the Grantors N. 61° 48' 45" E. a distance of 196.24' to a point on 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 20.10' to the point or place of beginning.

Bounded:

Northerly : By other land of Grantors.

Easterly : By Morgan Avenue and by other land of the Grantors, each in part.

Southerly : By land now or formerly of Donald F. Kennen and Elizabeth K. Kennen and by other land of the Grantors, each in part.

Westerly : By land now or formerly of Kittie M. Holton and by other land of Grantors, each in part.

Together with a 10 foot wide temporary construction easement located adjacent and parallel with the northerly and easterly line of the said permanent easement and a 10 foot wide temporary construction easement located adjacent and parallel with a portion of the southerly line and the westerly line of the said permanent easement all as shown on the below referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed 20 Ft. Wide Sanitary Sewer Easement Through the Land of Barbara J. Sprindis and Robert Sprindis with life use by Helen M. Sprindis Morgan Avenue Danbury, Connecticut Scale: 1" = 20' February 6, 2004" 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 to be filed in the Danbury Land Records.