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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:

October 20, 2005

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

Re: Acquisition of Properties: Senior Center Phase II

Dear Mayor and Council:

The attached resolution proposes to renew the Council's previous approval of the acquisition of certain properties by this office in order to facilitate the above project. 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 proposed resolution. Please feel free to give us a call should you have any questions.

Very truly yours,

Eric L. Gottschalk  
Deputy Corporation Counsel

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Attachment



## 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 has received HUD financing approval through the HUD Development Block Grant Section 108 Program, for development of the proposed Senior Center Campus; and

**WHEREAS**, the development of the Campus will require the acquisition of several parcels of land in the vicinity of the existing Senior Center; and

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

**WHEREAS**, said property will have to be acquired either by negotiation with the property owner 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 property and proceed with the Senior Center Campus project.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the property 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 owner and holders of mortgages or other inconsistent interests encumbering the properties, if any, by May 1, 2006.

Tax Assessor's Lot No. J15308  
4 Elmwood Place  
Rullo Holding LLC

A parcel of land 6,401 square feet in area located on the south side of Elmwood Place further described as follows:

Beginning at a point located on the southerly line of Elmwood Place said point being located 109.64 feet southwest of the intersection of the southerly line of Elmwood Place and the westerly street line of Main Street, said point also being the northeast corner of the parcel of land being described herein, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of Thomas Cheney et al S 27° 13' 06" E a distance of 82.10 feet to the southeast east corner of the parcel of land being described herein, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of the Estate of John O'Hara S 60° 56' 17" W a distance of 76.50 to the southwest corner of the parcel of land being described herein, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of Ventura Francisco et ux N 28° 30' 50" W a distance of 83.22 feet to a point on the southerly line of Elmwood Place said point being the northwest corner of the parcel of land being described herein, thence turning and running along the southerly line of Elmwood Place N 61° 47' 08" E a distance of 78.35 feet to the point or place of beginning.

Bounded:     Northerly:     by Elmwood Place  
  
                  Easterly:     by land now or formerly of Thomas Cheney et al  
  
                  Southerly:    by land now or formerly of the Estate of John O'Hara and  
                                  by land now or formerly of Mary Magnifico et al, each in  
                                  part  
  
                  Westerly:    by land now or formerly of Ventura Francisco et ux

Reference is made to a map entitled "Map Prepared for Park Garage 4 Elmwood Place Danbury, Connecticut Scale 1" = 40' Aug. 12, 1976" which map was certified as an A-2 survey by Sydney A. Rapp, Jr., R.L.S. No. 7400 and which map is filed as map number 6016 in the Danbury Land Records.