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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:

November 30, 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 properties to be acquired are described and identified in EXHIBIT A attached hereto; and

WHEREAS, said properties 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 properties 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 properties 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 or other inconsistent interests encumbering the properties, if any, by June 1, 2006.

Edward S. Youngberg, Sr.
Tax Assessor's Lot Nos. I15269 and I15268
65 and 67Grand Street

Parcel One:

A certain piece or parcel of land containing 9,350 square feet (0.2146 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut on Grand Street and known as Tax Assessor's Lot No. I15268, bounded and described as follows:

Beginning at a point on the easterly street line of Grand Street at a point being the northwest corner of land now or formerly of The Danbury Square Box Company and being the southwest corner of the parcel of land being described herein, then running northerly along the easterly street line of Grand Street N 27° 41' 42" W a distance of 104.24 feet to a point, thence turning and running along the boundary line between the land of the Grantor and Parcel Two, also owned by the Grantor and described below, N 62° 41'40" E a distance of 107.90 feet to a point, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of The Danbury Square Box Company S 27° 50' 27" E a distance of 88.14 feet to a point, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of The Danbury Square Box Company S 64° 21' 23" W a distance of 108.19 feet to the point or place of beginning.

Bounded:

Northerly:	by other land of the Grantor (Parcel Two described below)
Easterly:	by land now or formerly of The Danbury Square Box Company
Southerly:	by land now or formerly of The Danbury Square Box Company
Westerly:	by Grand Street

For a more particular description reference is made to a map entitled "Map Prepared for the City of Danbury Grand Street and Elmwood Place Danbury, Connecticut Scale 1" = 20' May 13, 2002" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed on the Danbury Land Records.

Parcel Two:

A certain piece or parcel of land containing 7,334 square feet (0.1684 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut on Grand Street and known as Tax Assessor's Lot No. I15269 bounded and described as follows:

Beginning at a point on the easterly street line of Grand Street at a point being the northwest corner of other land of the Grantor (Parcel One described above) and being the southwest corner of the parcel of land being described herein, then running northerly along the easterly street line to Grand Street N 26° 59' 07" W a distance of 48.68 feet to a point, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of Antonio A. Sousa and Ana P. Sousa N 62° 26'28" E a distance of 107.12 feet to a point, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of The Danbury Square Box Company S 27° 50' 27" E a distance of 68.40 feet to a point, thence turning and running along the boundary line between the land of the Grantor and other land of the Grantor, being Parcel One described above, S 64° 41' 40" W a distance of 107.90 feet to the point or place of beginning.

Bounded:

Northerly:	by land now or formerly of Antonio A. Sousa and Ana P. Sousa
Easterly:	by land now or formerly of The Danbury Square Box Company
Southerly:	by other land of the Grantor (Parcel One described above)
Westerly:	by Grand Street

For a more particular description reference is made to a map entitled "Map Prepared for the City of Danbury Grand Street and Elmwood Place Danbury, Connecticut Scale 1" = 20' May 13, 2002" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed on the Danbury Land Records.