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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:

May 25, 2006

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

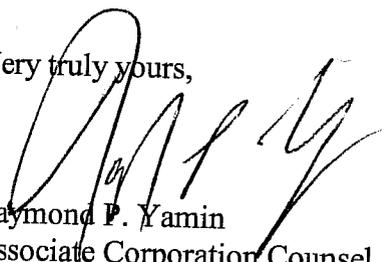
Re: Parking Garage/Library Place

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 this property.

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,


Raymond P. Yamin
Associate Corporation Counsel

:ras
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, pursuant to authorization through the Vision² bond package, is proceeding, through plans and designs, to construct a downtown parking garage; and

WHEREAS, in order to undertake the above referenced project, the City must acquire certain parcels of land or interests in real property as described in the Exhibit attached hereto; and

WHEREAS, said easements and property interests 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 and property interests 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 December 1, 2006.

CHARLES A. DUNCAN, III AND LOUISE K. MICHAEL
238 MAIN STREET
(TAASSESSOR'S LOT NO. I14168)

A certain piece or parcel of land containing 386 square feet (0.0089 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 238 Main Street and known as Tax Assessor's Lot No. I14168 (portion of) bounded and described as follows:

Commencing at a point on the northerly side of land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc. known as a passway and said point being the southwesterly corner of land herein described, thence running northerly along the face of a stone retaining wall N. $33^{\circ} 45' 45''$ W. a distance of 18.40 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of JDM LLC N. $60^{\circ} 30' 05''$ E. a distance of 17.31 feet to a point, thence turning and running southerly through the land of the Grantor S. $42^{\circ} 50' 35''$ E. a distance of 22.96 feet to a point on the northerly boundary line of land now or formerly of First Portuguese Speaking Baptist Church of Danbury, Inc., thence turning and running westerly along the northerly boundary line of land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc. S. $71^{\circ} 08' 40''$ W. a distance of 21.61 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of JDM LLC.

Easterly : By other land of the Grantor..

Southerly : By land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc., known as passway.

Westerly : By land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc.

Together with the rights to use and connect lighting, canopies, trusses and related appurtenances on the southerly brick wall face of the existing building.

For a more particular description reference is made to a map entitled " Map Showing Property of Charles A. Duncan, III and Louise K. Michael to be Acquired by The City of Danbury 238 Main Street Danbury, Connecticut Scale: 1" = 10' May 15, 2003" 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.