



CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

(203) 797-4518
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PLEASE REPLY TO:

May 9, 2006

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

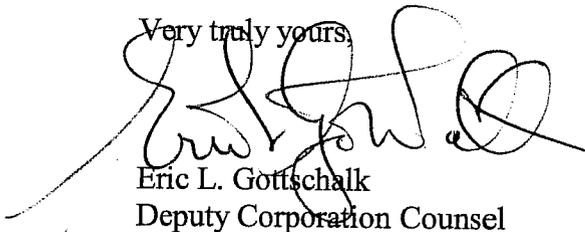
Re: Irving Place Acceptance – acquisition of property

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

: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 seeks to accept Irving Place as a city street; and

WHEREAS, as part of the acceptance of Irving Place, the City of Danbury seeks to acquire title to the road right of way, sewer and water lines and all necessary easements; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in the Schedules A, B, C and D attached hereto containing the legal descriptions of the properties involved; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of said properties upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on said schedules.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire on or prior to December 1, 2006, property interests as set forth in the attached legal descriptions either by negotiation or by eminent domain through the institution of suit against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrances, if any.

**A WATER MAIN EASEMENT
CARLOS MARIO MEDEIROS AND MARGARET MEDEIROS
47 HAKIM STREET EXTENSION (TAX ASSESSOR'S LOT No. G13052)**

A certain piece or parcel of land containing 1,914 square feet (0.0439 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 47 Hakim Street Extension and known as Tax Assessor's Lot No. G13052 (portion of) bounded and described as follows:

Commencing at a point on the easterly street line of Hakim Street Extension, which point is the northwesterly corner of land of the Grantor, said point being the northwesterly corner of land herein described, thence running easterly along the northerly boundary line of the Grantor N. 88° 18' 39" E. a distance of 128.10' to a point, thence turning and running southerly along the easterly boundary line of the Grantor S. 02° 17' 20" W. a distance of 15.04' to a point, thence turning and running westerly through the land of the Grantor S. 88° 18' 39" W. a distance of 127.06' to a point, thence turning and running northerly along the easterly street line of Hakim Street Extension N. 01° 41' 21" W. a distance of 15.00' to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Eunice M. Mansfield.

Easterly : By land now or formerly of George L. Schneider.

Southerly : By other land of Grantor.

Westerly : By Hakim Street Extension.

For a more particular description reference is made to a map entitled "Map Showing Existing 15 ft. Wide Water Main Easement Through the Land of Carlos Mario Medeiros and Margaret Medeiros to be Acquired by the City of Danbury 47 Hakim Street Ext., Danbury, Connecticut Scale: 1" = 20' March 4, 2005" 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.

**A FIRE HYDRANT EASEMENT
ACF PROPERTIES, LLC.
27 IRVING PLACE (TAX ASSESSOR'S LOT No. G13094)**

A certain piece or parcel of land containing 60 square feet (0.0014 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 27 Irving Place and known as Tax Assessor's Lot No. G13094 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Irving Place, which point is the southeasterly corner of land of the Grantor, thence running westerly along the northerly street line of Irving Place S. $71^{\circ} 01' 52''$ W. a distance of 55.12' to a point, said point being the southeasterly corner of land herein described and the true point or place of beginning, thence continuing along the northerly street line of Irving Place S. $71^{\circ} 01' 52''$ W. a distance of 10.00' to a point, thence turning and running northerly through the land of the Grantor N. $18^{\circ} 58' 08''$ W. a distance of 6.00' to a point, thence turning and running easterly through the land of the Grantor N. $71^{\circ} 01' 52''$ E. a distance of 10.00' to a point, thence turning and running southerly through the land of the Grantor S. $18^{\circ} 58' 08''$ E. a distance of 6.00' to the point or place of beginning.

Bounded:

Northerly : By other land of Grantor.

Easterly : By other land of Grantor.

Southerly : By Irving Place.

Westerly : By other land of Grantor.

For a more particular description reference is made to a map entitled "Map Showing Proposed 10 ft. Wide Easement For Fire Hydrant Through the Land of ACF Properties, LLC. to be Acquired by the City of Danbury 27 Irving Place, Danbury, Connecticut Scale: 1" = 20' March 4, 2005" 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.

**A WATER MAIN EASEMENT
GEORGE L. SCHNEIDER
32 IRVING PLACE (TAX ASSESSOR'S LOT No. G13093)**

A certain piece or parcel of land containing 1,015 square feet (0.0233 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 32 Irving Place and known as Tax Assessor's Lot No. G13093 (portion of) bounded and described as follows:

Commencing at a point on the southerly street line of Irving Place, which point is the northeasterly corner of land of the Grantor, thence running westerly along the southerly street line of Irving Place the following courses and distances: S. 71° 01' 52" W. a distance of 15.15' to a point, thence along a curve to the right having a radius of 50.00' and a length of 18.65' to a point, said point being the northeasterly corner of land herein described and the true point or place of beginning, thence turning and running southerly through the land of the grantor the following courses and distances; S. 34° 55' 24" W. a distance of 31.67' to a point, thence S. 76° 56' 13" W. a distance of 5.84' to a point, thence S. 13° 03' 47" E. a distance of 5.27' to a point, thence S. 34° 55' 24" W. a distance of 26.68' to a point, thence S. 88° 18' 39" W. a distance of 14.23' to a point, thence turning and running northerly along the westerly boundary line of the Grantor N. 02° 17' 20" E. a distance of 15.04' to a point, thence turning and running northerly through the land of the grantor the following courses and distances: N. 88° 18' 39" E. a distance of 5.64' to a point, thence N. 34° 55' 24" E. a distance of 52.27' to a point on the southerly street line of Irving Place, thence turning and running easterly along the southerly street line of Irving Place along a curve to the left having a radius of 50.00' and a length of 16.39' to the point or place of beginning.

Bounded:

Northerly : By Irving Place and by other land of Grantor.

Easterly : By other land of Grantor.

Southerly : By other land of Grantor.

Westerly : By land now or formerly of Carlos Mario Medeiros and Margaret Medeiros.

For a more particular description reference is made to a map entitled "Map Showing Proposed 15 ft. Wide Water Main Easement Through the Land of George L. Schneider to be Acquired by the City of Danbury 32 Irving Place, Danbury, Connecticut Scale: 1" = 20' March 4, 2005" 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.

IRVING PLACE

A certain piece or parcel of land containing 65,089 square feet (1.4942 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut and known as Irving Place, bounded and described as follows:

Commencing at a point on the westerly street line of Sleepy Hollow Drive, which point is the southeasterly corner property known as 30 Sleepy Hollow Drive, thence running northerly along the westerly street line of Sleepy Hollow Drive N. 34° 40' 00" E. a distance of 40.52' to a point, said point being the southwesterly corner of land herein described and the true point or place of beginning, thence along a curve to the left having a radius of 30.00' and a length of 43.77' to a point, thence along a curve to the right having a radius of 260' and a length of 255.53' to a point, thence N. 07° 23' 00" E. a distance of 63.94' to a point, thence along a curve to the left having a radius of 100.00' and a length of 32.67' to a point, thence along a curve to the left having a radius of 110.00' and a length of 274.86' to a point, thence along a curve to the right having a radius of 255.00' and a length of 202.64' to a point, thence S. 71° 01' 52" W. a distance of 291.75' to a point, thence along a curve to the right having a radius of 50.00' and a length of 96.91' to a point, thence N. 02° 17' 20" E. a distance of 27.59' to a point, thence turning and running northeasterly along a curve to the right having a radius 3729.31' a length of 27.59' and a chord of N. 60° 09' 21" E. a distance of 27.59' to a point, thence along a curve to the right having a radius of 50.00' and a length of 68.98' to a point, thence along a curve to the left having a radius of 30.00' and a length of 35.59' to a point, thence N. 71° 01' 52" E. a distance of 217.59' to a point, thence along a curve to the left having a radius of 205.00' and a length of 162.91' to a point, thence along a curve to the right having a radius of 160.00' and a length of 399.80' to a point, thence along a curve to the right having a radius of 150.00' and a length of 49.00' to a point, thence S. 07° 23' 00" W. a distance of 63.94' to a point, thence along a curve to the left having a radius of 210.00' and a length of 191.87' to a point, thence along a curve to the left having a radius of 30.00' and a length of 52.90' to a point, thence turning and running southerly along the westerly street line of Sleepy Hollow Drive S. 34° 40' 00" W. a distance of 111.50' to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of ACF Properties LLC., by land now or formerly of Gladis Espinal and Jose L. Almonte, by land now or formerly of Jose R. Lliguizaca, by land now or formerly of Joye E. Ferris and Mark W. Ferris, by land now or formerly of Luis H. Minchala and Julia Chacon, and by land now or formerly of Giovanni Siciliano, Ida Monteleone Siciliano, Fortunato Multari and Filomena Multari, each in part.

Easterly : By land now or formerly of ACF Properties LLC., by land now or formerly of Jose E. Nunes and Luisa P. Nunes, by land now or formerly of Nitun C. Kharawla and Meeta N. Kharawla, by land now or formerly of Edward J. Schork, Jr., and by land now or

formerly of Jose E. Casanova and Maria E. Casanova, each in part.

Southerly : By land now or formerly of George L. Schneider, by land now or formerly of Donald Morgenstern and Patricia Morgenstern, by land now or formerly of John Gonzalez, by land now or formerly of Marlon V. Cabrera and Sonia M. Zanbrano, by land now or formerly of David Lau Real Estate Management, LLC., by land now or formerly of ACF Properties LLC., by land now or formerly of Patrice Nadeau and Jeanne Nadeau, by land now or formerly of Ivan Sig-Tu and David Sig-Tu, and by land now or formerly of ACF Properties LLC., each in part.

Westerly : By land now or formerly of by land now or formerly of George L. Schneider, by land now or formerly of ACF Properties LLC., by land now or formerly of James Morabito and Patricia Morabito, by land now or formerly of Patricia Morabito, by land now or formerly of Nurul Huq and Parveen Huq (two lots), by land now or formerly of Carlos S. Soriano and Elizabeth M. Soriano, and by land now or formerly of San Sok Lim and Diana Ly Lim f/k/a/ Chantha Lim., each in part.

For a more particular description reference is made to a map entitled "As-Built Map Irving Place Sleepy Hollow-Section 3 Danbury, Connecticut Scale: 1" = 40' March 4, 2005" 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.