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YAMIN & YAMIN, LLP

ATTORNEYS AND COUNSELLORS

Raymond P. Yamin*
Robert J. Yamin*
Dianne E. Yamin

*ALSO ADMITTED IN NEW YORK
Website: www.yaminlaw.com

Four Moss Avenue
Danbury, Connecticut 06810

Telephone: 203 / 744-7090
Facsimile: 203 / 744-7044
e-mail: lawyers@yaminlaw.com

June 28, 2010

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

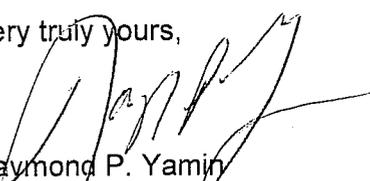
Re: Donation of easements by The Land Trust of Danbury for the Ives Trail Greenway
over Tax Assessor's Lots Nos. I24008, J23004, J23007-2, J23009 and K24064

Dear Mayor and Council:

The attached resolution proposes to obtain your approval to accept the donation of easements from The Land Trust of Danbury for the purpose of continuation of the Ives Trail Greenway, which donations are offered to the City on the terms expressed in the attached letter from the Land Trust of Danbury, and for no other consideration. Said easements have been identified as suitable for the purposes of the Ives Trail Greenway, therefore we recommend your acceptance thereof.

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

RPY:la
Enclosure

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2010



RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury seeks to continue to preserve open space throughout the City, and to that end the citizens of Danbury approved an open space initiative and Open Space Bond Acquisition in 2008; and

WHEREAS, the City has established the Ives Trail Task Force to locate appropriate properties for the purpose of establishing and extending the Ives Trail Greenway and to conserve open space throughout said Ives Trail Greenway; and

WHEREAS, through the efforts of the Ives Trail Task Force and others, certain properties owned by The Land Trust of Danbury, Inc., more particularly described in Exhibits A - D attached hereto, have been found to be desirable for purposes of the open space initiative and the Ives Trail Greenway; and

WHEREAS, by approval of the Council, authority will be granted to the City to accept a donation of easements from The Land Trust of Danbury, Inc. on the terms set forth in a letter from The Land Trust of Danbury, Inc., addressed to the Council, which is attached hereto as Exhibit E, for the purpose of allowing the Ives Trail Greenway to pass over said donated properties; and

WHEREAS, it will be necessary for the City to appropriate \$6,400.00 for costs associated with acquiring said easements, including costs for implementing the terms of the easements, installing ATV barriers thereon, and fees for professional services.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of the Corporation Counsel, be and hereby is authorized to accept the donation of easements from The Land Trust of Danbury, Inc. over the properties described in Exhibits A - D attached hereto, on terms substantially similar to those set forth in the letter attached hereto as Exhibit E, within six (6) months of approval hereof, in accordance with the procedures established by State law, either by negotiation or by eminent domain through the institution of suit against the interested property owners and holders of the mortgages encumbering the properties, if any; and

BE IT FURTHER RESOLVED THAT the sum of \$6,400.00 shall be appropriated from the Open Space Bond fund for costs associated with acquiring said easements, including costs for implementing the terms of the easements, installing ATV barriers thereon, if necessary, and fees for professional services.

EXHIBIT A

Easement on Property of
The Land Trust of Danbury, Inc.
Danbury Tax Assessor's Lot No. J23007-2

A perpetual easement in favor of the City of Danbury to permit the general public to walk, hike, cross-country ski, and walk dogs on leashes in, to and over that certain piece or parcel of land located in the City of Danbury, County of Fairfield and State of Connecticut and shown as "Proposed 100.00' Easement (Area Site No. 8 = 5.771 Acres)" on two maps both entitled, "Ives Trail Corridor Survey, Map Showing Easements To Be Acquired By The City Of Danbury For The Ives Hiking Trail Between Long Ridge Road And Firelight Drive, Danbury, Connecticut", being sheets 2 of 4 and 3 of 4, respectively, each being dated Feb. 18, 2010 and prepared by Sydney A. Rapp, Jr., L.S. License No. 7400; and which maps are to be filed in the office of the Town Clerk of the City of Danbury.

EXHIBIT B

Easement on Property of
The Land Trust of Danbury, Inc.
Danbury Tax Assessor's Lot No. K24064, Now or Formerly

A perpetual easement in favor of the City of Danbury to permit the general public to walk, hike, cross-country ski, and walk dogs on leashes in, to and over that certain piece or parcel of land located in the City of Danbury, County of Fairfield and State of Connecticut and shown as "Proposed 100.00' Easement (Area Site No. 19 = 4.065 Acres)" on two maps both entitled, "Ives Trail Corridor Survey, Map Showing Easements To Be Acquired By The City Of Danbury For The Ives Hiking Trail Between Long Ridge Road And Firelight Drive, Danbury, Connecticut", being sheets 3 of 4 and 4 of 4, respectively, each being dated Feb. 18, 2010 and prepared by Sydney A. Rapp, Jr., L.S. License No. 7400; and which maps are to be filed in the office of the Town Clerk of the City of Danbury.

EXHIBIT C

Easement over "Old Lane" adjacent to
Danbury Tax Assessor's Lots Nos. J23004 and J23009,
Being Properties of The Land Trust of Danbury, Inc.,

A perpetual easement in favor of the City of Danbury, in common with others, to permit the general public to walk, hike, cross-country ski, and walk dogs on leashes in, to and over that certain piece or parcel of land located in the City of Danbury, County of Fairfield and State of Connecticut and shown as "Old Lane" on two maps both entitled, "Ives Trail Corridor Survey, Map Showing Easements To Be Acquired By The City Of Danbury For The Ives Hiking Trail Between Long Ridge Road And Firelight Drive, Danbury, Connecticut", being sheets 1 of 4 and 2 of 4, respectively, each being dated Feb. 18, 2010 and prepared by Sydney A. Rapp, Jr., L.S. License No. 7400; and which maps are to be filed in the office of the Town Clerk of the City of Danbury.

Being the same rights in, to and over said roadway or passway as were acquired by the grantor in a certain Warranty Deed from Monique W. Wiedel dated October 1, 1999 and recorded October 1, 1999 in Volume 1282 at Page 519 of the Danbury Land Records.

Said easement shall be in addition to any rights or interests that the City of Danbury or the general public may already have in, to and over said Old Lane.

EXHIBIT D

Easement on Property of
The Land Trust of Danbury, Inc.
Danbury Tax Assessor's Lot No. I24008

A perpetual easement in favor of the City of Danbury to permit the general public to walk, hike, cross-country ski, and walk dogs on leashes in, to and over that certain piece or parcel of land located in the City of Danbury, County of Fairfield and State of Connecticut and shown as "Proposed Easement 'D' For Hiking Trail Area = 16,689 Sq. Ft. (Shaded Area)" on a certain map entitled, "Ives Trail Corridor Survey, Map Showing Easements To Be Acquired By The City Of Danbury For The Ives Hiking Trail, Old Post Road And Starrs Plain Road To Long Ridge Road - Danbury, Connecticut, Sheet 6 of 6", Scale 1" = 50', dated January 15, 2010, revised February 8, 2010, and prepared by Sydney A. Rapp, Jr., L.S. License No. 7400, which map is to be filed in the office of the Town Clerk of the City of Danbury.

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EXHIBIT E



May 21, 2010

Honorable Mayor Mark Boughton and Honorable City Council Members
 City of Danbury
 55 Deer Hill Avenue
 Danbury, Connecticut 06810

Dear Mr. Mayor and City Council Members:

The Land Trust has highly valued its work with the City of Danbury on many initiatives to protect and manage important natural areas. In particular, we were one of the original members appointed by the Mayor to the Ives Trail & Greenway Task Force on July 25, 2003, and have served quite actively since.

Over the past 18 months, the Ives Trail and Greenway has been proposed to pass through five of our properties. Jack Kozuchowski made formal requests to our Board of Directors to donate easements thorough these properties with the following Tax Assessor lot numbers: I24008, J23004, J23007-2, J23009, and K24064. The Board has approved donation of these easements, with the proviso that the City be responsible for any and all maintenance of the trail corridors and for the erection of barriers – against ATVs and similar vehicles – at points where the corridors can be accessed.

Surveys of these specific corridors have been recently recorded on maps prepared by Sydney Rapp Land Surveying.

Since the last remaining Ives Trail & Greenway private property easements will be presented to the City Council in June and/or July, Mr. Kozuchowski has asked us to request that the City Council accept these Land Trust donations at this time.

The Ives Trail and Greenway represents a great opportunity for the City and the Region, and The Land Trust of Danbury is pleased to be a collaborating partner with these donations.

If you or your staffs have any questions, I would be happy to hear from you.

Sincerely,

William S. Montgomery
 William S. Montgomery
 President

Copy to: Jack Kozuchowski
 Jean Natafe