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CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
(203) 797-4518 (203) 796-8043 FAX

October 29, 2010

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

Re: West Side Sewer Interceptor
Acceptance of Land from Interstate Business Center, LLC
For Sewer Pump Station Site

Dear Mayor and Council:

The attached Resolution proposes to obtain your approval to accept a deed of conveyance from Interstate Business Center, LLC, for no consideration, of a parcel of land on which the City will be constructing and maintaining a sewer pump station. The City previously acquired an easement to construct the sewer pump station on this site, but it was always the intention of the parties to ultimately have the City acquire this parcel in fee simple, since the City will have the exclusive use of it and it will be of no further use to Interstate Business Center, LLC.

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
Enclosures



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 is extending its sewer availability in order to serve portions of the west side of the City; and

WHEREAS, in furtherance of the project, known as the West Side Interceptor, the City has acquired easements for sewer, water and telecommunications from Interstate Business Center, LLC; and

WHEREAS, among such acquisitions was an easement to construct, maintain and operate a sewer pump station on the premises of Interstate Business Center, LLC; and

WHEREAS, Interstate Business Center, LLC wishes to convey to the City of Danbury, for no consideration, the parcel of land on which such sewer pump station is to be constructed, more particularly described in Exhibit A attached hereto, so that the City has the fee simple interest therein, and all rights and all obligations related to said parcel; and

WHEREAS, such acquisition of a fee simple interest in said parcel is in the best interests of the City of Danbury.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to accept a deed of conveyance of the premises described in Exhibit A attached hereto from Interstate Business Center, LLC, for no consideration.

EXHIBIT A

BEGINNING AT A POINT LOCATED S74°40'00"E, 41.20' FROM THE NORTHWESTERLY CORNER OF THE HERETOFORE DESCRIBED EASEMENT NO. 3 (SANITARY SEWER AND WATER) AS MEASURED THRU LAND OF INTERSTATE BUSINESS CENTER, LLC ALONG THE NORTHERLY BOUNDARY LINE OF SAID EASEMENT NO. 3. SAID NORTHWESTERLY CORNER OF EASEMENT NO. 3 BEING LOCATED ALONG THE WESTERLY BOUNDARY LINE OF LAND OF INTERSTATE BUSINESS CENTER, LLC 123.38' NORTHWESTERLY FROM THE SOUTHWESTERLY CORNER OF LAND OF INTERSTATE BUSINESS CENTER, LLC AND THE SOUTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF DANBURY ACQUISITION CORP. AS MEASURED ALONG SAID WESTERLY BOUNDARY LINE OF LAND OF INTERSTATE BUSINESS CENTER, LLC;

RUNNING THENCE FROM SAID POINT OF BEGINNING THRU LAND OF INTERSTATE BUSINESS CENTER, LLC, THE FOLLOWING COURSES AND DISTANCES: (N33°25'00"E, 28.79'), (N26°28'00"W, 43.41') AND (N42°56'00"E, 64.28') TO A POINT;

THENCE TURNING AND CONTINUING THRU SAID LAND OF INTERSTATE BUSINESS CENTER, LLC, THE FOLLOWING COURSES AND DISTANCES: (S57°08'00"E, 98.71'), (S32°09'00"E, 20.77') AND (S01°24'00"W, 41.13') TO A POINT;

THENCE TURNING AND CONTINUING THRU SAID LAND OF INTERSTATE BUSINESS CENTER, LLC N74°40'00"W, 35.65' TO A POINT;

THENCE TURNING AND CONTINUING THRU SAID LAND OF INTERSTATE BUSINESS CENTER, LLC S15°20'00"W, 33.00' TO A POINT LYING ALONG THE AFOREMENTIONED NORTHERLY BOUNDARY LINE OF EASEMENT NO. 3;

THENCE TURNING AND CONTINUING THRU SAID LAND OF INTERSTATE BUSINESS CENTER, LLC, ALONG SAID NORTHERLY BOUNDARY LINE OF EASEMENT NO. 3 N74°40'00"W, 93.47' TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION INCLUDES AN AREA OF 11,645 SQUARE FEET AND THE DEVELOPMENT RIGHTS CONVEYED THEREON ARE CONVEYED TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT 70' IN WIDTH CONTIGUOUS WITH A PORTION OF ITS WESTERLY BOUNDARY LINE AND 20' IN WIDTH CONTIGUOUS WITH ITS NORTHERLY, EASTERLY AND A PORTION OF ITS SOUTHERLY BOUNDARY LINE ALL OF WHICH IS MORE PARTICULARLY SHOWN ON MAP ENTITLED: " EASEMENT PLAN FOR WEST SIDE SANITARY SEWER PROJECT EASEMENT AREAS TO BE GRANTED TO CITY OF DANBURY OVER PROPERTY OF INTERSTATE BUSINESS CENTER, LLC AND DANBURY ACQUISITION CORP. PRINDLE LANE-DANBURY, CONNECTICUT SCALE: 1"=100' PROPOSED EASEMENT AREA: (AS SHOWN) DATE: AUGUST 24, 2006, REVISED SEPT. 25, 2006, REVISED DECEMBER 21, 2006, NOTES AND REFERENCES ADDED JUNE 4, 2007, REVISED MARCH 9, 2009, REVISED MAY 14, 2009, REVISED JUNE 23, 2009 (SEE GENERAL NOTE 8), REVISED DECEMBER 11, 2009", CERTIFIED SUBSTANTIALLY CORRECT BY PAUL M. FAGAN, L.S. #7756.