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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

March 15, 2011

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

Re: Drainage Easements – Ford Lane/Clapboard Ridge
(Renewal of Authority)

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 are near agreement, but 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,

Laszlo L. Pinter
Deputy Corporation Counsel

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Attachment



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2011

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury, in order to improve drainage on Ford Lane, wishes to install storm drainage pipes; and

WHEREAS, the City will have to obtain easements from two (2) property owners, one on Ford Lane and the other on Clapboard Ridge Road, in order to accomplish said drainage project; and

WHEREAS, the properties to be acquired are described and identified in Exhibits A and B attached hereto; and

WHEREAS, said easements 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 easements set forth on Exhibits A and B 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 owner and holder(s) of mortgage(s) encumbering the properties, if any, within six (6) months of approval hereof.

February 28, 2011

11-2

**A DRAINAGE EASEMENT
DAVID W. SCHIERING AND MARY ROSE SCHIERING
4 FORD LANE TAX ASSESSOR'S LOT No. H11067**

A certain triangular piece or parcel of land containing 204 square feet (0.0047 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 4 Ford Lane and known as Tax Assessor's Lot No. H11067 (portion of) bounded and described as follows:

Beginning at a point on the westerly street line of Ford Lane, which point is the northeasterly corner of land of the Grantors and the northeasterly corner of land herein described, thence running in a southerly direction along the easterly street line of Ford Lane S. $00^{\circ} 38' 00''$ E. a distance of 24.96' to a point, thence turning and running in a northwesterly direction through the land of the Grantors N. $33^{\circ} 53' 44''$ W. a distance of 29.85' to a point on the northerly boundary line of the land of the Grantors, thence turning and running in an easterly direction along the northerly boundary line of the land of the Grantors N. $89^{\circ} 22' 00''$ E. a distance of 16.37' to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of The United Methodist
Church Of Danbury.

Easterly : By Ford Lane.

Southwesterly : By other land of the Grantor.

For a more particular description reference is made to a map entitled "Map Showing Proposed Storm Drainage Easement Across the Land of David W. Schiering and Mary Rose Schiering 4 Ford Lane Danbury, Connecticut Assessors Lot H11067 Scale: 1" = 10' December 2, 2009" 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 filed as Map # _____ in the Danbury Land Records.

February 28, 2011

11-3

**A DRAINAGE EASEMENT
THE UNITED METHODIST CHURCH OF DANBURY
5 CLAPBOARD RIDGE ROAD TAX ASSESSOR'S LOT No. G11087**

A certain piece or parcel of land containing 167 square feet (0.0038 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 5 Clapboard Ridge Road and known as Tax Assessor's Lot No. G11087 (portion of) bounded and described as follows:

Beginning at a point on the southeasterly corner of land of the Grantor and the southeasterly corner of land herein described, thence running in a westerly direction along the southerly boundary line of land of the Grantor S. 89° 22' 00" W. a distance of 16.37' to a point, thence turning and running in a northerly direction through the land of the Grantor N. 00° 38' 00" W. a distance of 10.00' to a point, thence turning and running in an easterly direction through the land of the Grantor N. 89° 22' 00" E. a distance of 17.01' to a point on the easterly boundary line of the land of the Grantors, thence turning and running in a southerly direction along the easterly boundary line of the land of the Grantors S. 03° 03' 35" W. a distance of 10.02' to the point or place of beginning.

Bounded:

Northerly : By other land of the Grantor.

Easterly : By land now or formerly of Donna M. Butler.

Southerly : By land now or formerly of David W. Schiering
and Mary Rose Schiering.

Westerly: By other land of the Grantor.

For a more particular description reference is made to a map entitled "Map Showing Proposed Storm Drainage Easement Across the Land of The United Methodist Church Of Danbury 5 Clapboard Ridge Road Danbury, Connecticut Assessors Lot G11087 Scale: 1" = 10' December 3, 2009" 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 filed as Map # _____ in the Danbury Land Records.