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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

September 24, 2012

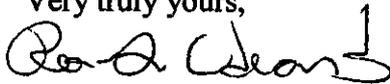
Honorable Mark D. Boughton, Mayor
Members of the City Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Easement/Rights to Drain to be granted to the City
41 Grand Street

Dear Mayor Boughton and Council Members:

Please accept this letter in conjunction with the attached letter from Attorney Randall J. Carreira regarding the drainage easement that his client is required to grant to the City pursuant to Special Exception Approval #592. In accordance with your usual procedure, we respectfully request that you refer the review of this easement and accompanying documents to the Planning Commission for a review pursuant to C.G.S. Section 8-24. Attorney Carreria has been working with our office and the Division of Engineering to provide the necessary documents.

Our office and the Division of Engineering have reviewed the easement documentation and find it generally satisfactory. Accordingly, if you wish you may approve the drainage easement subject to a favorable recommendation from Planning Commission. Our office and the Division of Engineering will continue to work with Attorney Carreria to finalize the documentation. If you have any questions, please feel free to contact me.

Very truly yours,

Robin L. Edwards
Assistant Corporation Counsel

cc: Dennis I. Elpern, Planning Director
Farid Khouri, P.E., City Engineer
Laszlo L. Pinter, Deputy Corporation Counsel
Randall J. Carreira, Esq.

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17-1

EASEMENT
RIGHTS TO DRAIN

KNOW ALL MEN BY THESE PRESENTS:

THAT JOHN U. FARLEY, JR, and JOHN U. FARLEY, III, TRUSTEES OF THE 41 GRAND STREET LAND TRUST DATED OCTOBER 21, 2011, having an office at 7 New Street, Suite 100, Danbury, CT 06810 (hereinafter designated as the "Grantors") for the consideration of ONE DOLLAR (\$1.00) and other valuable consideration, received to the their full satisfaction from the CITY OF DANBURY (hereinafter designated as the "Grantee"), a municipal corporation located at 155 Deer Hill Ave., and organized and existing under the laws of the State of Connecticut do hereby give, grant, bargain, sell and confirm unto the said Grantee, its successors and assigns forever, the right, privilege, authority and easement to drain storm water through, over, across and upon the property of the Grantors as further described herein.

The land affected by said easement is more particularly described on Schedule "A" attached hereto and made a part hereof.

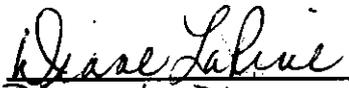
The Grantors herein reserve the right to themselves, their heirs, successors and assigns, to continue to use the land within which the aforesaid easement has been granted for any uses and purposes which do not materially interfere with the use thereof by the Grantee, its successors and assigns, in fulfilling the purposes for which this easement is granted.

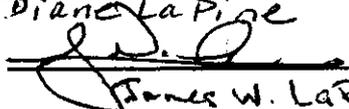
Rights to Drain to be granted to the City of Danbury. The drainage system (pipe downstream of the catch basin #5 in the easterly gutter line of Grand Street just to the north of the driveway in the site beginning at the outlet of the before mentioned catch basin #5, manholes, on-site catch basins, flared ends, rip rap and detention basin) located on private property downstream of the catch basin #5 installed in Grand Street will remain private and will be the property owners' responsibility to maintain. The City of Danbury will own and maintain only the catch basin #5 in Grand Street.

TO HAVE AND TO HOLD the above granted rights, privileges and authority unto said Grantee, its successors and assigns forever, to its own proper use and behoof.

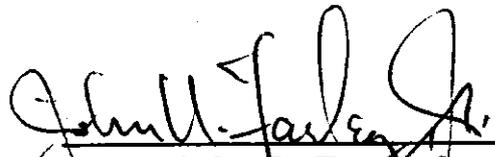
IN WITNESS WHEREOF, the Grantor(s) have hereunto set their hands and seals this 13th day of September, 2012.

**Signed, Sealed and Delivered
in the Presence of:**



Diane LaPine


James W. LaPine



John U. Farley, Jr., Trustee of
The 41 Grand Street Land Trust
Dated October 21, 2011

Wiane LaPine
Wiane LaPine
James W. LaPine

✓ John U. Farley III

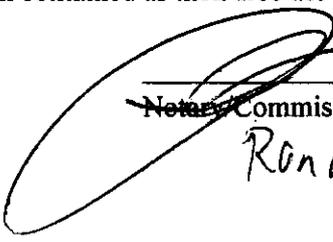
John U. Farley, III, Trustee of
The 41 Grand Street Land Trust
Dated October 21, 2011

STATE OF CONNECTICUT)

COUNTY OF Fairfield) ss: Danbury

September 13, 2012

On this 13 day of September, 2012, before me, the undersigned officers, personally appeared **JOHN U. FARLEY, JR, and JOHN U. FARLEY, III, TRUSTEES OF THE 41 GRAND STREET LAND TRUST DATED OCTOBER 21, 2011**, signers and sealors of the foregoing instrument and acknowledge the same for the purposed herein contained as their free act and deed.


Notary Commissioner of the Superior Court
Randall Carrington

SCHEDULE A

“FINAL AS BUILT ZONING LOCATION SURVEY prepared for JOHN U. FARLEY, III & JOHN U. FARLEY, JR., #41 GRAND STREET, DANBURY, CONNECTICUT SCALE – 1” = 20 ‘: (AS SHOWN) DATED: NOVEMBER 3, 2011 revised SEPT. 5, 2012, AREA= 33,247 Square Feet= 0.763 acres Zone- R-3 & C-CBD” prepared by Michael J. Riordan L.S. #14666, RIORDAN LAND SURVEYING, 701 Middleroad Turnpike, Woodbury, CT 06798.

It being agreed that the City of Danbury, its successors and assigns, will only own and maintain the catch basin #5 in the easterly gutter line of Grand Street just to the north of the driveway on the site. The onsite-drainage system (pipe downstream of the catch basin #5 in the easterly gutter line of Grand Street just north of the driveway to the site beginning at the outlet of the before mentioned catch basin #5, manholes, on-site catch basins, flared ends, rip rap and detention basis) will remain private and will be the property owners' responsibility to maintain.



REF
JAMES M. & SARAH
KARFELD
VOL. 1478, P. 1083
THE MAP IS CORRECT AS OF 11/28/20

REF
FLANNED PARENTHOOD OF CONNECTICUT, INC.
VOL. 1448, P. 008

REF
EMANUEL ARMSTRONG OF OGDEN CHURCH
VOL. 1524, P. 512
SA. MAP 1 001

REF
ARMSTRONG MEMORIAL
VOL. 1562, P. 1440
PARCELS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

REF
CONSTRUCTION CONSULTANTS, LLC
VOL. 1588, P. 472
UNAPPROVED CONSTRUCTION
REF 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

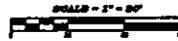
REF
TOWER INVESTMENTS GROUP
VOL. 179, P. 50
SA. MAP 1 002

REF
JAMES M. FRANCHINA,
BARON
VOL. 1514, P. 201
THE MAP IS CORRECT AS OF 11/28/20

DRAINAGE MAINTENANCE NOTE:
THE CITY OF DANBURY WILL OWN AND MAINTAIN ONLY CS 9 S.
THE ON-SITE DRAINAGE SYSTEM, WHICH BEGINS AT THE DOWNSTREAM
OUTLET OF GASTON BASIN 9 S. REMAINS THE PROPERTY OF THE BARRON,
FLANNED BROS, REF RAP AND DETENTION BASIN WILL REMAIN PRIVATE
AND WILL BE THE PROPERTY OWNERS' RESPONSIBILITY TO MAINTAIN.

**FINAL AS-BUILT
ZONING LOCATION SURVEY**
PREPARED FOR
**JOHN U. FARLEY, III &
JOHN U. FARLEY, JR.**
641 GRAND STREET
DANBURY, CONNECTICUT
AREA = 28,247 sq. ft.
= 0.768 acres
ZONE - R3 & C-CB

NOV. 3, 2011
REVISED 08/27/12



DRIVEWAY AS-BUILT GRADES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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THIS SURVEY WAS PREPARED PURSUANT TO THE
LAND ACTS OF CONNECTICUT STATE ARCHIVES SECTION
36-101. THROUGH SECTION 36-103. THE SURVEYOR HAS
EXAMINED THE RECORDS OF THE REGISTERED LAND
SURVEYORS OF THE STATE OF CONNECTICUT AND
ADHERES TO THE CONVENTIONS AND STANDARDS OF LAND
SURVEYING, P.L. 86-363, AS AMENDED P.L. 94-142.

TYPE OF SURVEY - "ZONING LOCATION SURVEY"
BOUNDARY ADJUSTMENT CATEGORY - "IMPORTANT RE SURVEY"
CLASS OF ACCURACY - "A"

TO THE BEST OF MY KNOWLEDGE AND BELIEF
THIS MAP AND SURVEY ARE MATERIALLY
CORRECT AS NOTED HEREON.

RODOLPH J. BORDAN
LICENSED LAND SURVEYOR, REG. # 4488
RODOLPH LAND SURVEYING
300 WILMINGTON PLAZA
DANBURY, CT 06810
203-753-1171, FAX 203-753-1180

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