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Via Hand Delivery

October 29, 2012

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

Re: Conveyance of a strip of The Danbury Hospital Land for Hospital Avenue Road Widening; Hospital Avenue Sidewalk Easements; and Sewer Main Extension

Dear Mayor Boughton and Members of the City Council:

On behalf of our client, The Danbury Hospital (the "Hospital"), I am submitting the enclosed documents in fulfillment of certain approvals for the expansion of the Hospital's Blue Garage and Clinical Tower.

1. Warranty Deed (for road widening on Hospital Avenue)
2. Easement (for Hospital Avenue sidewalks)
3. Bill of Sale (for sewer main extension constructed on Hospital Avenue pursuant to City Council approval on February 3, 2011).

Please allow this letter to serve as the Hospital's request that the City of Danbury accept: the conveyance of the strip of land along Hospital Avenue as indicated in the Warranty Deed; Easement for sidewalks on Hospital Avenue; and the sewer main extension. The city's Office of the Corporation Counsel and Engineering Department are reviewing the required documentation, submitted under separate cover.

We understand that the requested conveyances of the strip of land and sidewalk easement will be referred to the Danbury Planning Commission for its advisory report pursuant to Conn. Gen. Statutes Section 8-24.



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And Members of the City Council
October 29, 2012
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We look forward to your favorable action on these requests.

Sincerely,



Brian R. Smith

Enclosures

Copy to: City of Danbury Corporation Counsel
City of Danbury Engineering Department



Return to:
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
Attn: Brian R. Smith, Esq.

WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING

KNOW YE, THAT, **THE DANBURY HOSPITAL**, a Connecticut non-stock Corporation having an office at 24 Hospital Avenue, Danbury, Connecticut (hereinafter referred to as "Grantor"), for the consideration of **TEN (\$10.00) DOLLARS**, and other valuable consideration the receipt of which is hereby acknowledged, does hereby bargain, convey, give, grant and sell to **THE CITY OF DANBURY, a municipal corporation organized and existing under the laws of the State of Connecticut** (the "Grantee"), and until the Grantee's successors and assigns forever.

All that certain piece or parcel of land shown and designated as "Parcel X To Be Conveyed To The City Of Danbury 1,233 S.F., 0.028 AC." on a map entitled, "Map Showing Proposed Road Improvement Parcel and Sidewalk Easements to be conveyed to the City of Danbury from Danbury Hospital, Hospital Avenue, Danbury, Connecticut", dated October 24, 2012, Scale 1" = 80', prepared by New England Land Surveying, P.C., said map to be filed in the Office of the Danbury Town Clerk, being more particularly described on the attached "Schedule A".

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto it the said Grantee, and unto its successors and assigns forever, to it and its own proper use and behoof.

AND ALSO, the said Grantor does for itself, its successors and assigns forever, covenant with the said Grantee, and with its successors and assigns forever, that at and until the ensembling of these presents, it is well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and has good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as set forth on "Schedule A".

AND FURTHERMORE, the said Grantor does by these presents bind itself, its successors and assigns forever to WARRANT AND DEFEND the above granted and bargained premises to the said Grantee, and to its successors and assigns forever, against all claims and demands whatsoever, except as set forth on "Schedule A".

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this _____ day of _____, 2012.

Signed, sealed and delivered
in the Presence of:

THE DANBURY HOSPITAL

By: _____

Duly authorized

STATE OF CONNECTICUT)
) ss: Danbury
COUNTY OF FAIRFIELD)

Personally appeared _____, _____ of The Danbury Hospital, a Connecticut non-stock corporation, signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed, and the free act and deed of The Danbury Hospital.

Commissioner of Superior Court
Notary Public
My Commission Expires:

Schedule A

All that certain piece or parcel of land shown and designated as "Parcel X To Be Conveyed To The City of Danbury 1,233 SF, 0.028 AC" on a map entitled "Map Showing Proposed Road Improvement Parcel and Sidewalk Easements to be conveyed to the City of Danbury from Danbury Hospital, Hospital Avenue, Danbury, Connecticut" dated October 24, 2012, Scale 1" = 80', prepared by New England Land Surveying, P.C., which map will be filed in the Danbury Town Clerk's Office,

And subject to the following:

1. Any and all provisions of any municipal regulation or ordinance, and any Federal, State, or Local public or private laws, with special reference to the provisions of any zoning rules and regulations governing the subject premises.
2. Such facts as an accurate survey and/or physical inspection of said premises might reveal.
3. Any assessments or pending assessments for which a lien or liens have not as yet been filed or recorded in the Town Clerk's Office.
4. Rights of present tenants, lessees or parties in possession not shown by the public records.
5. Any lien or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Easements or other rights arising by adverse use or prescription, or otherwise, and not appearing in the chain of title for the Statutory period, including but not necessarily limited to pole lines, wires, pipes, culverts, riparian rights, underground encroachments and any right the public may have in highways upon the land.
7. No liability is assumed for compliance with the requirements of any consumer protection, environmental protection, truth-in-lending, settlement procedures act, or similar law.
8. Real Estate Taxes on the List of October 1, 2011 due and payable July 1, 2012, October 1, 2012, January 1, 2013 and April 1, 2013. NOTE: The premises are tax exempt. Map: 112 Block: -- Lot: 001.
9. Real Estate Taxes on the Grand List of October 1, 2012, not yet due and payable.
10. Water and sewer use and/or assessment charges as may be due and payable to the City of Danbury.
11. Mechanic's Lien in favor of Vanzelm, Heywood & Shadford, Inc. in the amount of \$48,378.90, dated August 25, 2006 and recorded in Volume 1878 at Page 413 of the Danbury Land Records.

12. Notice of Lease to Metro Mobile CTS of Fairfield County, Inc. dated September 18, 1987 and recorded in Volume 859 at Page 785; as assigned to Cellco Partnershp, by Assignment dated July 1, 1995 and recorded in Volume 1183 at Page 551 and as re-recorded in Volume 1207 at Page 127; as amended by Amendment dated August 16, 2000 and recorded in Volume 1319 at Page 1142; as further amended by Amendment dated April 5, 2007 and recorded in Volume 1924 at Page 503, all of the Danbury Land Records.
13. Variance Certificate dated January 27, 1983 and recorded in Volume 674 at Page 308 of the Danbury Land Records.
14. Variance Certificate dated February 10, 1983 and recorded in Volume 675 at Page 39 of the Danbury Land Records.
15. Variance Certificate dated November 9, 1989 and recorded in Volume 942 at Page 134 of the Danbury Land Records.
16. Variance Certificate dated April 26, 1990 and recorded in Volume 953 at Page 746 of the Danbury Land Records.
17. Variance Certificate dated September 27, 1990 and recorded in Volume 964 at Page 1034 of the Danbury Land Records.
18. Variance Certificate dated March 11, 1993 and recorded in Volume 1042 at Page 1050 of the Danbury Land Records.
19. Grant of Special Exception dated December 15, 1999 and recorded in Volume 1294 at Page 560 of the Danbury Land Records.
20. Notice of Variance dated December 13, 2001 and recorded in Volume 1425 at Page 1 of the Danbury Land Records.
21. Grant of Special Exception dated October 1, 2003 and recorded in Volume 1609 at Page 684 of the Danbury Land Records.
22. Grant of Special Exception dated July 21, 2004 and recorded in Volume 1693 at Page 21 of the Danbury Land Records.
23. Grant of Special Exception dated January 19, 2005 and recorded in Volume 1742 at Page 517 of the Danbury Land Records.
24. Electric Distribution Easement in favor of The Connecticut Light and Power Company dated December 19, 2006 and recorded in Volume 1911 at Page 204 of the Danbury Land Records.
25. Easement to the City of Danbury dated March 19, 2008 and recorded in Volume 1988 at Page 1191 of the Danbury Land Records.

- 26. Grant of Special Exception recorded May 7, 1997 and recorded in Volume 1180 at Page 941 of the Danbury Land Records.
- 27. Grant of Special Exception recorded December 4, 1997 and recorded in Volume 1200 at Page 356 of the Danbury Land Records.
- 28. Variance recorded December 8, 1997 and recorded in Volume 1200 at Page 859 of the Danbury Land Records.
- 29. Notice of Variance dated December 9, 2010 and recorded in Volume 2121 at Page 721 of the Danbury Land Records.
- 30. Notice of Variance dated December 9, 2010 and recorded in Volume 2121 at Page 723 of the Danbury Land Records.
- 31. Grant of Special Exception recorded May 11, 2011 in Volume 2135 at Page 371 of the Danbury Land Records.
- 32. Memorandum of Lease by and between Danbury Hospital and Total Renal Care, Inc. recorded August 13, 2012 in Volume 2193 at Page 593 of the Danbury Land Records.

Return to:
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
Attn: Brian R. Smith, Esq.

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **THE DANBURY HOSPITAL**, a Connecticut non-stock corporation, with an office at 24 Hospital Avenue, Danbury, Connecticut 06810, for One Dollar and No/100 (\$1.00) and other valuable consideration received to its full satisfaction of the **CITY OF DANBURY**, County of Fairfield and State of Connecticut, does hereby give, grant, bargain, sell and confirm unto the said **CITY OF DANBURY**, its successors, heirs and assigns:

The perpetual rights, privilege, authority and easement for the following purposes:

1. As a sidewalk for passing and repassing by the general public;

The easement area is over and across that certain piece or parcel of land of the Grantor being more particularly shown and delineated as follows:

“EASEMENT H-1, Area 1,190 SF, 0.027 AC; and EASEMENT H-2, Area 336 SF, 0.008 AC” on a certain map entitled **“Map Showing Proposed Road Improvement Parcel and Sidewalk Easements to be Conveyed to The City of Danbury from Danbury Hospital, Hospital Avenue Danbury, Connecticut”** Scale 1” = 80’, certified substantially correct and prepared by New England Land Surveying, P.C., Robert M. Bennison, L.S. #12964, said map to be filed with the Office of the Town Clerk of Danbury.

The Grantor herein reserves the right to continue to use the land within which the aforesaid easement has been granted for any uses or purposes, except the erection of any

buildings on said easement, which do not in any way interfere with the use thereof by the Grantee in fulfilling the purposes for which this easement is granted.

TO HAVE AND TO HOLD the above granted rights, privileges, reservations, authority, and easement unto the said Grantor and Grantee, their respective heirs, successors and assigns forever, to their own proper use and behoof.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal, this ____ day of _____, 2012.

Signed, Sealed and Delivered
in the Presence of:

THE DANBURY HOSPITAL

By: _____

Its _____ Officer

STATE OF CONNECTICUT)
) ss: Danbury
COUNTY OF FAIRFIELD)

Personally appeared _____, _____ of The Danbury Hospital, a Connecticut non-stock corporation, signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed, and the free act and deed of The Danbury Hospital.

Commissioner of Superior Court
Notary Public
My Commission Expires:

SCHEDULE A

All sanitary sewer mains, pipes, manholes and other appurtenances as shown on the record drawing entitled:

“SANITARY SEWER MAIN AS-BUILT PLAN AND PROFILE, HOSPITAL AVENUE AND TAMARACK AVENUE, DANBURY, CONNECTICUT” prepared by the Bongiovanni Group, Inc. Land Surveyors, dated July 9, 2012, and revised August 6, 2012 and October 11, 2012, said map to be filed with the Office of the City Engineer of the City of Danbury.

It being further agreed that the City of Danbury, its successors and assigns, has no responsibility for the maintenance or repair of individual sanitary sewer services.