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CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

March 24, 2014

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

Re: Still River Chanel Maintenance
Temporary- Right- of Entry from State of Connecticut
18 Patriot Drive/Metro-North Commuter Railroad

Dear Mayor and Council Members:

The City has been authorized by the Department of the Army Corps of Engineers to institute a Still River Flood Damage Reduction project to regularly maintain the watercourse capacity of the Still River and to minimize potential flooding. In order to complete the project it is necessary for the City to obtain authority to access the Still River from various adjoining property owners. The State of Connecticut is requesting that the City execute a Temporary- Right-of Entry ("the Agreement") to enable it obtain temporary access to the Still River through its property on Patriot Drive abutting the Metro-North Commuter Railroad. For your convenience enclosed please find a map depicting the access way and work area. Maintenance of the channel will commence after the Agreement is executed.

Given the fact that time is of the essence, due to the necessity to commence the maintenance project in the Still River, our office respectfully requests that this matter be placed on the consent calendar, and that the Mayor be authorized to execute the Agreement subject to provisions of the enclosed Resolution. The Resolution authorizes the Mayor to execute all necessary documentation, subject to the completion of any necessary modifications in a form acceptable to the Office of the Corporation Counsel.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Robin L. Edwards
Assistant Corporation Counsel

Enclosures

cc: Laszlo L. Pinter, Deputy Corporation Counsel
Farid Khouri, P.E., City Engineer

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RESOLUTION

17-1

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2014

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury has been authorized by the Department of the Army Corps of Engineers to institute a Still River Flood Damage Reduction project; and

WHEREAS, the purpose of the project is to regularly maintain the watercourse capacity of the Still River and to minimize potential flooding; and

WHEREAS, in order to perform the project it is necessary for the City to obtain access to the Still River from adjoining property owners; and

WHEREAS, toward that end, the State of Connecticut is requesting that the City execute a Temporary Right of Entry Agreement to enable the City to obtain temporary access to the Still River through its railroad right-of-way property on 18 Patriot Drive, Lot Numbers I13290, I14268.

NOW THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, is hereby authorized to sign any documents necessary to effectuate said Temporary Right of Entry Agreement, subject to the completion of any necessary modifications in a form acceptable to the Office of the Corporation Counsel, and to execute on behalf of the City of Danbury all required documents, and to take all actions necessary to effectuate the purposes hereof.

