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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DANBURY MUNICIPAL AIRPORT
P.O. BOX 2299
DANBURY, CT. 06813-2299

AIRPORT ADMINISTRATOR
PAUL D. ESTEFAN
(203) 797-4624

December 7, 2015

Mayor Mark D Boughton

Honorable Members of the City Council

Honorable Mayor Boughton & Members of the City Council;

The Federal Aviation Administration New England Region of the Flight Standards Division is requiring the Airport to cut additional trees on the approach to runway 8.

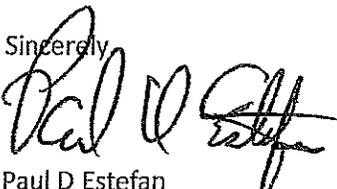
Karen Frink P.E. with the Aviation Firm of Hoyle Tanner and Associates has reviewed the heights of the Trees that are affecting our approach to runway 8. Attached are the property owners whose trees are affecting the approach. At this time I am requesting \$951,000.00 to acquire the easements from these property owners.

Gail Lattrell Lead Planner for the New England Region of the Federal Aviation Administration has stated the following in an email to me "You will need to have the easements in hand (or at least a purchase and sale agreement) prior to the issuance of a grant".

This project when completed the Federal Aviation Administration will pay 90% of the total cost with the State of Connecticut paying .75% of the remaining balance and our share will be .25%.

If you have any questions concerning this request please feel free to contact me.

Sincerely


Paul D Estefan

Airport Administrator

Cc: Runway 8

**DANBURY MUNICIPAL AIRPORT
EASEMENTS TO BE ACQUIRED - RUNWAY 8 APPROACH**

Assessor Map Number	Appraised Value	Estimated Easement Value	Property Owner	Property Address
D19003	\$297,700	\$74,425	LEHENY, JOSEPH D & SANDRA P	50 BRIAR RIDGE RD
D19004	\$327,100	\$81,775	PIRES, JOSE LOURENCO & MICHELLE	4 CEL BRET DR
D19005	\$290,500	\$72,625	CERRONE, JOHN F & KAREN E	6 CEL BRET DR
D19006	\$295,500	\$73,875	TREFNY, SCOTT M & TARRICONE	8 CEL BRET DR
D19009	\$291,300	\$72,825	GIOVANNONE, ANTHONY J JR & JACLYN I	13 CEL BRET DR
E19009	\$267,200	\$66,800	BROWN, LYNN D	98 MIRY BROOK RD
Total all Easements		\$442,325		
Estimated Engineering assistance		\$138,300		
Appraisals/Review Appraisals		\$25,000		
Legal fees		\$150,000		
DXR Admin - ads, audits, etc.		\$5,200		
Subtotal		\$760,825		
Contingencies		\$190,206		
Total		\$951,031		
USE:		\$951,000		

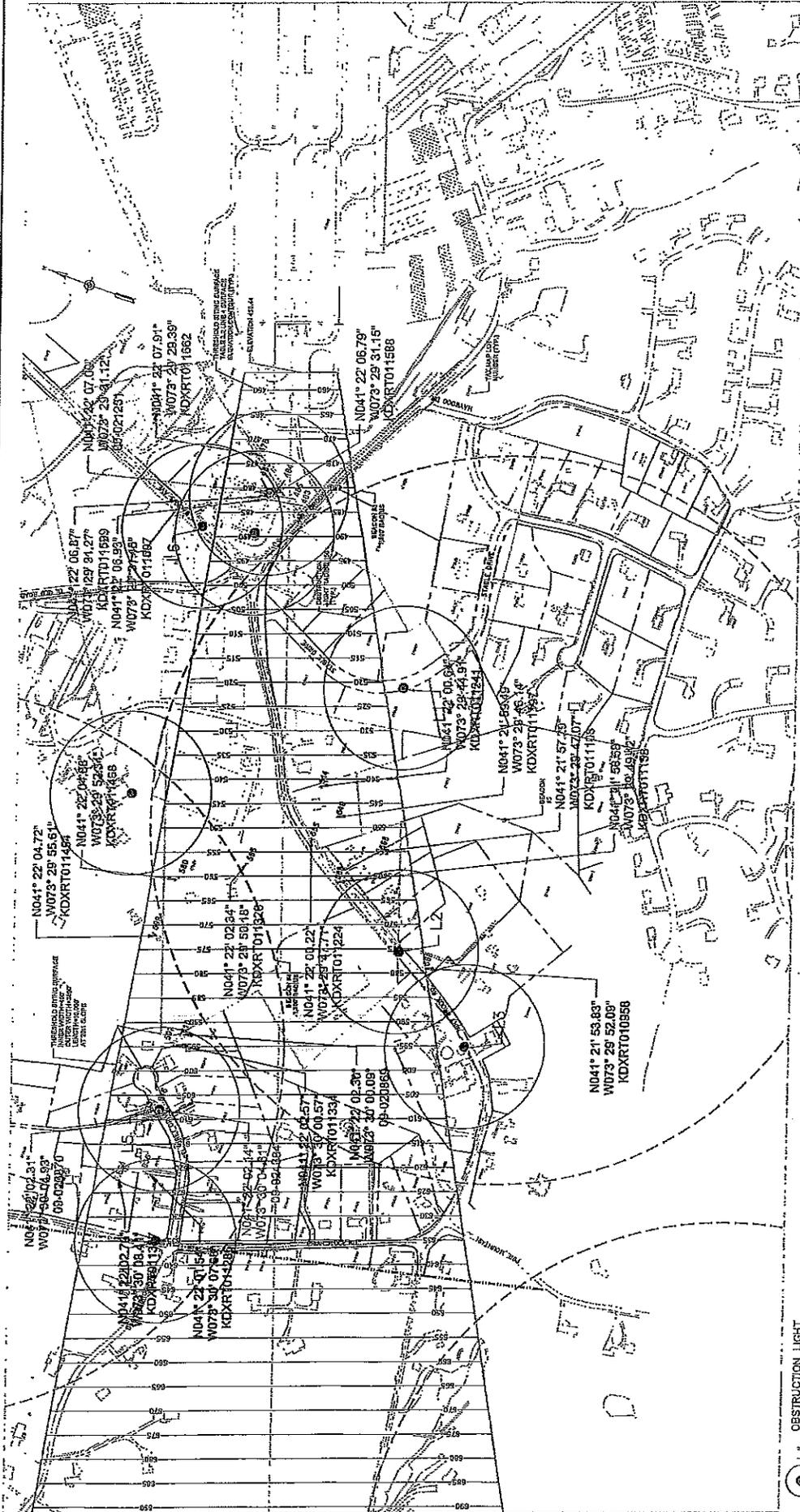
**Danbury Municipal Airport
CIP 2016 to 2026
Cash Flow**

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	Total
Entitlement Balance	\$210,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FY FAA entitlement	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$1,650,000
Purchase SRE (plow truck)	\$250,000											\$250,000
Pavement Analysis - develop PCN's		\$36,000										\$36,000
Runway 8 Easement Acquisitions	\$951,000											\$951,000
Extend Runway 8 safety area, relocate Mity Brook Rd, land acquisition		\$500,000	\$4,500,000	\$450,000	\$780,000	\$644,000						\$6,874,000
Rehab a portion of Taxiway C - design only			\$166,667									\$166,667
Purchase front end loader				\$600,000								\$600,000
Construct portion of Taxiway C				\$2,506,000								\$2,506,000
Rehabilitate Hazard Beacons (#1,2,3,4,9,&10)					\$785,000							\$785,000
Rehab Runway 8-26 including new MIRLS						\$3,547,000						\$3,547,000
Rehab Runway 17-35							\$3,164,000					\$3,164,000
Rehab Taxiway D								\$1,003,000				\$1,003,000
Rehab a portion of Taxiway B									\$660,400			\$660,400
Rehab Taxiway E and BAC apron										\$1,658,000		\$1,658,000
Rehab Tower Ramp												\$1,959,000
Total Project Cost	\$1,201,000	\$536,000	\$4,665,667	\$3,456,000	\$1,566,000	\$4,191,000	\$3,164,000	\$1,003,000	\$660,400	\$1,658,000	\$1,959,000	\$19,959,000
(90%) FAA Share	\$1,080,900	\$482,400	\$4,200,000	\$3,110,400	\$1,408,500	\$3,771,900	\$2,847,600	\$902,700	\$594,360	\$1,492,200	\$1,763,100	\$24,060,067
(7.5%) CDOT Share	\$90,075	\$40,200	\$350,000	\$259,200	\$117,375	\$314,325	\$237,300	\$75,225	\$49,530	\$124,350	\$145,925	\$1,804,505
(2.5%) DXR Share	\$30,025	\$13,400	\$116,667	\$86,400	\$39,125	\$104,775	\$78,100	\$25,075	\$16,510	\$41,450	\$48,975	\$601,502
Federal share carry over to next FY:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Discretionary	\$720,900	\$332,400	\$4,050,000	\$2,960,400	\$1,258,500	\$3,621,900	\$2,697,600	\$762,700	\$444,360	\$1,342,200	\$1,613,100	\$19,794,060

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Danbury Municipal Airport
20:1 Surfaces Penetrations for Runway 08 - Determination
Data Received from FAA Nov 6, 2015

FAA_ID	OBJ_ELEV	DESC	SURF_PEN	LAT	LONG	Comments	Parcel No.	Owner	Book/Page (Sale)	Book/Page (Easement)
09-020867	546	TREE	46.74	412207.88N	0732936.64W	Invalid Point				
09-020883	576	TREE	36.93	412159.45N	0732943.64W	Invalid Point				
09-020884	555	TREE	28.21	412201.01N	0732940.97W	Invalid Point				
09-020868	532	TREE	21.36	412204.98N	0732938.40W	Invalid Point				
09-020873	501	TREE	15.56	412204.44N	0732931.09W	Invalid Point				
09-020874	506	TREE	13.72	412203.56N	0732932.62W	Invalid Point				
09-020879	597	TREE	60.62	412158.37N	0732942.36W	Invalid Point				
KDXRT011468	580	TREE	19.33	412204.88N	0732952.34W	to be removed or topped	E19001	Wooster School Corp.	1950/ 621	2006/402
KDXRT011926	566	TREE	8.6	412202.34N	0732950.18W	to be removed or topped	E19001	Wooster School Corp.	1950/ 621	2006/402
KDXRT011158	568	TREE	6.73	412158.58N	0732949.42W	to be removed or topped	ROW Milry Brook			
KDXRT011224	555	TREE	2.72	412200.22N	0732947.71W	to be removed or topped	ROW Milry Brook			
KDXRT011241	544	TREE	2.47	412200.64N	0732944.91W	to be removed or topped	E19015	George T. Shartouni	1950/ 621	
KDXRT011197	549	TREE	1.06	412159.49N	0732946.14W	to be removed or topped	E19015	George T. Shartouni	1950/ 621	
KDXRT011108	568	TREE	12.88	412157.29N	0732947.07W	to be removed or topped	E19013	Cresco LLC	2330/1023	2009/284
KDXRT011317	616	POLE	7.77	412202.15N	0733004.30W	Lit pole				
09-021384	616	POLE	7.71	412202.14N	0733004.31W	Lit pole (same point as above)				
KDXRT010958	588	TREE	8.86	412153.83N	0732952.09W	within 150' of Obs Lt #2				
09-020870	633	TREE	22.79	412202.31N	0733004.93W	within 150' of Obs Lt #5				
09-020869	610	TREE	17.19	412202.36N	0733000.09W	within 150' of Obs Lt #5	D19009			
KDXRT011285	636	TREE	14.61	412201.54N	0733007.68W	within 150' of Obs Lt #5				
KDXRT011334	597	TREE	2.84	412202.57N	0733000.57W	within 150' of Obs Lt #5				
KDXRT011347	654	TREE	32.19	412202.79N	0733008.41W	within 150' of Obs Lt #5				
KDXRT011662	478	TREE	4.72	412207.91N	0732929.39W	To be trimmed 5' by owner	FedEx			
KDXRT011588	485	TREE	3.46	412206.79N	0732931.15W	To be trimmed 5' by owner	FedEx			
KDXRT011599	484	TREE	2.17	412206.87N	0732931.27W	To be trimmed 5' by owner	FedEx			
09-021231	483	BLDG	1.94	412207.00N	0732931.12W	lit	FedEx			
KDXRT011607	483	TREE	0.63	412206.99N	0732931.45W	To be trimmed 5' by owner	FedEx			
KDXRT011454	599	TREE	26.35	412204.72N	0732955.61W	Outside existing easements	E19001	Wooster School Corp.		



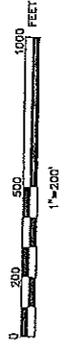
① # OBSTRUCTION LIGHT LOCATION AND ID NUMBER WITH 150' RADIUS

LAT, LONG FAA ID WITHIN 150' RADIUS

LAT, LONG FAA ID TO BE SUPPLIED BY OWNER

LAT, LONG FAA ID OUTSIDE 150' RADIUS WITHIN EASEMENT AREA

LAT, LONG FAA ID OUTSIDE 150' RADIUS AND OUTSIDE EASEMENT AREA



**DANBURY MUNICIPAL AIRPORT
DANBURY, CONNECTICUT
BEACON AND OBSTRUCTION LIGHT LOCATIONS
THRESHOLD SITING SURFACE 4 (TABLE 3.2)
2015 FAA POINT DATABASE NOV2015**

11/06/15

Hoyle, Tanner & Associates, Inc.
 70 Dow Street
 Manchester, NH 03101-2277
 Tel: 603-684-6500
 Fax: 603-684-6505
 Web Page: www.hoyletanner.com
 HoyleTanner Associates, Inc.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2016

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, in order to enhance airport safety, the City of Danbury wishes to acquire property or interest in property or land specified in accordance with attachments hereto including Tax Assessor's lots nos. D19003, D19004, D19005, D19006, D19009 and E19009, all as more particularly described in Schedules A, B, C, D, E and F attached hereto; and

WHEREAS, the City has sought and received the opinion of the Commissioner of the Connecticut Department of Transportation that public convenience, necessity or safety require the acquisition of said land in accordance with relevant state statutes; and

WHEREAS, said land will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, the City of Danbury intends to apply to the Federal Aviation Administration for grant funding for the purpose of obtaining reimbursement for the cost of acquiring said land; and

WHEREAS, pursuant to the Federal Aviation Administration grant application process, 90% of the grant funds will be committed by the Federal Aviation Administration, 7.5% of the grant funds will be committed by the State of Connecticut and the City will be responsible to fund 2.5% of the total grant amount, if the City ultimately secures said grant.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the office of Corporation Counsel, be and hereby is authorized to acquire the said land as set forth in Schedules A, B, C, D, E & F within six (6) months of approval hereof, either by negotiation or eminent domain, through the institution of suit against the interested property owners, their heirs, executors, administrators, successors and assigns and their respective mortgage holders and encumbrancers;

AND BE IT FURTHER RESOLVED THAT the City Council authorizes Mayor Mark D. Boughton and/or Paul D. Estefan, Airport Administrator, to apply to the Federal Aviation Administration to obtain grant funding for reimbursement for the cost of acquiring the above-mentioned real property, to obtain the real property appraisals as are necessary to file the grant application, to appropriate the 2.5% of the total grant amount, if the grant is approved, to execute any necessary documents, and to take any additional actions necessary to effectuate the purposes hereof.

SCHEDULE A

A certain piece or parcel of land together with the buildings and improvements contained thereon, situated in the Town of Danbury, County of Fairfield, State of Connecticut and more particularly identified and described as Lot No. Two (2) on a certain map entitled "Evans 'Section D' Property of DanCon Corporation, Briar Ridge Road" which map was certified substantially correct in April of 1965 by Arthur H. Howland, R.L.S., New Milford, Connecticut, and which map is known as Town Clerk Map #3709 in the office of the Town Clerk of said Danbury.

Subject to the following Easements:

1. From DanCon Corporation to the Connecticut Light and Power Company dated July 27, 1965 and recorded in Vol. 425 at Page 191 of the Danbury Land Records.
2. A utility easement to the Southern New England Telephone Company dated August 31, 1965 and recorded in Vol. 427 at Page 440 of the Danbury Land Records.
3. Drainage easements reserved in favor of DanCon Corporation as set forth on Danbury Town Clerk Map No. 3079.

Subject to the following Restrictions:

1. Wherever used herein, the word "grantor" shall mean the grantors, their heirs, successors or assigns, and the term "grantee" shall mean any persons, firm or corporation, and their heirs, successors, representatives or assigns.
2. No building or other structure shall be erected on any one lot other than one dwelling not more than two stories in height, with an attached garage, which dwelling shall be designed and used for the occupancy of not more than one family.
3. No building shall be erected on any lot until plans, specifications, color scheme, exterior finish, plumbing, and location of the building on the lot, shall have first been approved in writing by the grantor, nor shall any building be altered in any way unless approved by the grantor.
4. No poultry, swine, cattle or livestock of any kind, shall be kept or maintained on the premises and no domestic animals other than one dog and one cat shall be kept or maintained on said premises.
5. No outside toilets or other structure shall be erected or maintained upon any part of said lot.
6. All sewage shall be disposed of by the owner of any residence by septic tank system or other approved method, so as to conform to the sewage disposal regulations of the City of Danbury.
7. Said premises shall be used for residential purposes only, and no commercial vehicle in excess of a one-half ton truck may be kept on the premises. All permitted vehicles must be garaged on the premises.
8. No house or garage shall be erected or maintained within forty (40) feet of the roadway lines bounding said premises, nor within thirty-five (35) feet of the rear boundary lines, nor within thirty (30) feet of the side line boundaries of the said premises.
9. The grantor reserves the right to re-locate the proposed roads and/or passways as shown on the map herein mentioned, or to change the course or grade of any proposed road and/or passways.
10. The imposition of the restrictive covenants, agreements, and provisions herein contained shall not impose any restrictive covenants, agreements or provisions

whatsoever, either expressed, implied, equitable or otherwise on any of the premises of the grantor shown on said map, or other premises which the grantor now owns or may hereafter acquire in the same vicinity, and the grantor reserves the right to change or modify any setback lines or restrictions already imposed whenever it seems to it necessary or desirable to do so.

- 11. No fence or wall or hedge over four feet high shall be erected or maintained on said premises without the written consent of the grantor. Clothes lines may only be maintained in the rear of the dwelling.
- 12. The grantor reserves the right to lay and maintain gas, oil, and water pipes, drain pipes, trenches and surface water drains, and to erect or maintain electric lights, power or telephone poles or fixtures within fifteen feet of any front, side or rear boundary line of the above described premises.
- 13. The grantee, his heirs and assigns, shall not himself nor shall he permit his employees or agents to change or reduce the grade of his property over or adjoining any water main or pipe owned by the grantor, and being a part of the grantor's water system, if said change or reduction in grade would result in less than forty-two (42) inches of earth materials covering said mains and pipes.
- 14. No signs whatsoever shall be displayed upon said premises except a sign not larger than two square feet, displaying only the owner's name.
- 15. Failure of the grantor to enforce any of the restrictions herein contained shall in no event be deemed a waiver of its right to do so.
- 16. In the event the grantee desires to sell said premises to a bona fide purchaser, he shall give the grantor notice in writing, by registered mail, of his intention to sell, and the proposed terms and conditions, and shall also mail to the grantor a signed, executed copy of the contract to sell, and the grantor shall have the option of purchasing said premises within thirty (30) days from the receipt of said notice and the copy of the contract; said option to be on the same terms and conditions as said contract. The terms of this paragraph shall not be applicable to any bank, insurance company or other lending institution in the event that such bank, insurance company or lending institution acquires title by foreclosure proceedings or through any other manner.
- 17. The construction of a dwelling and the landscaping of the premises must be completed within nine (9) months from the commencement of the excavation work for the foundation. Occupancy of a dwelling shall not be permitted until the building is completed.
- 18. The restrictive covenants set forth above shall continue in full force and effect until January 1, 1986.

SCHEDULE B

All that certain piece or parcel of land together with the buildings and improvements thereon situate in the City of Danbury, County of Fairfield and State of Connecticut, shown and designated as Lot No. 3 on a certain map entitled "Evans Section D, Property of Dancon Corporation, Briar Ridge Road, Town of Danbury, County of Fairfield, State of Connecticut, Scale 1" = 100', April, 1965, and is on file in the Office of the Town Clerk of said Danbury as Map No. 3709.

Together with the right to pass and repass for all purposes whatsoever over and across all roadways as shown on said map for the purpose of gaining access to the public highway.

SCHEDULE C

ALL that certain piece of parcel of land, situate in the City of Danbury, County of Fairfield and State of Connecticut, together with buildings and improvements thereon, shown and designated as Lot No. 4 on a certain map entitled, "Evans, Section D, Property of Dancon Corporation, Briar Ridge Road, Town of Danbury, County of Fairfield, State of Connecticut, Scale 1" = 100'," which map is certified substantially correct by Arthur H. Howland, is dated April, 1965 and is on file in the office of the Town Clerk of the said City of Danbury as Map No. 3709.

SAID Lot No. 4 being bounded and described as follows:

SOUTHERLY: by Cel Bret Drive, 121.74 feet;
WESTERLY: by Lots No. 2 and 3, as shown on said map, each in part, 394.51 feet;
NORTHERLY: by Lot No. 1, as shown on said map, 89.20 feet; and
EASTERLY: by Lot No. 5, as shown on said map, 376.72 feet.

Said lot No. 4 containing 0.975 acres more or less.

TOGETHER with the right to pass and repass for all purposes whatsoever over and across all roads as shown on said map until such time as each said roadway is dedicated and conveyed to the City of Danbury.

SAID premises are subject to the following:

1. Any and all provisions of any ordinance, municipal regulations or public or private law.
2. Taxes hereinafter becoming due and payable to the City of Danbury.
3. A reservation in favor of Dancon Corporation, its successors and assigns, of a fifteen (15) foot easement over and across the front, rear and side boundary lines of said Lot No. 4 for the purpose of installing and maintaining surface water drainage ditches, trenches or pipes, and gas, oil, water and electric pipes, shut-off valves, wires or conduits.
4. A utility easement to The Connecticut Light and Power Company dated July 27, 1965, recorded in the Danbury Land Records in Volume 425 at Page 191.
5. A utility easement to The Southern New England Telephone Company dated September 30, 1965, recorded in the Danbury Land Records in Volume 427 at Page 440.
6. Certain covenants and restrictions and easements set forth in Declaration of Restrictions of Briar Ridge Estate, dated June 12, 1969, recorded in Volume 474 at Page 628 of the Danbury Land Records, as amended by instrument dated July 30, 1969, recorded in Volume 476 at Page 600 of the Danbury Land Records.

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SCHEDULE D

Property: 8 Cel Bret Drive, Danbury, CT 06810

ALL THAT CERTAIN piece of parcel of land, together with the buildings and improvements thereon, situate in the City of Danbury, County of Fairfield and State of Connecticut, shown and designated as Lot No. 5 on a certain map entitled, "EVANS SECTION D, PROPERTY OF DANCON CORPORATION, BRIAR RIDGE ROAD, TOWN OF DANBURY, COUNTY OF FAIRFIELD, STATE OF CONNECTICUT", Scale 1" = 100'," which map is certified substantially correct by Arthur H. Howland, is dated April 1965, and is on file in the office of the Town Clerk of said Danbury as Map No. 3709.

SAID Lot No. 5 being bounded and described as follows:

- SOUTHERLY: by Cel Bret Drive, so called, 186.32 feet;
- WESTERLY: by Lot No. 4 and Lot No. 1, each in part, as shown on said map, 486.72 feet;
- NORTHERLY: by land now or formerly of Dancon Corporation, 50 feet;
- EASTERLY: by Lot No. 6, as shown on said map, 405.50 feet.

Said lot No. 5 containing 0.987 acres, more or less.

TOGETHER with the right to pass and re-pass for all purposes whatsoever over and across all roadways as shown on said map for the purpose of gaining access to the public highway.

SUBJECT TO:

1. Any and all provisions of any ordinance, municipal regulations or public or private law.
2. Current real estate taxes and water use charges to the City of Danbury.
3. Notes, lines and easements, etc. as appear on Map No. 3709.
4. A reservation in favor of Dancon Corporation, its successors and assigns, of a fifteen foot easement over and across the front, rear and side boundary lines of Lot No. 5 for the purpose of installing and maintaining surface water drainage ditches, trenches or pipes, and gas, oil, water and electric pipes, shut-off valves, wires or conduits.
5. A utility easement to The Connecticut Light and Power Company dated July 27, 1965, recorded in Volume 425 at Page 191 of the Danbury Land Records.
6. A utility easement to The Southern New England Telephone Company dated September 30, 1965, recorded in Volume 427 at Page 440 of the Danbury Land Records.
7. Agreements and restrictions as contained in a certain document entitled, "Restrictions of Briar Ridge, Danbury, Connecticut", dated April 8, 1969 and recorded in Volume 472 at Page 128 of the Danbury Land Records.
8. Certain covenants and restrictions and easements as set forth in Declaration of Restrictions of Briar Ridge Estates dated June 12, 1969 and recorded in Volume 474 at page 628 of the Danbury Land Records, as amended by instrument dated July 30, 1969 and recorded in Volume 476 at Page 600 of the Danbury land Records.

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SCHEDULE E

ALL that certain piece of parcel of land, together with the buildings thereon, situate in the City of Danbury, County of Fairfield and State of Connecticut, shown and designated as Lot No. 8 on a certain map entitled, "REVISED EVANS SECTION D, DANCON CORPORATION, CEL BRET DRIVE, CITY OF DANBURY, COUNTY OF FAIRFIELD, STATE OF CONNECTICUT", Scale 1" = 100'," which map is dated June, 1970, and is certified substantially correct by Arthur H. Howland, R.L.S. and is on file in the office of the Town Clerk of the said Danbury as Map No. 4680.

SAID premises are also subject to the following:

1. Any restrictions or limitations imposed or to be imposed by governmental authority, including the zoning and planning rules and regulations of the City or Town, and region or district, if any, in which the Premises are situated.
2. Taxes of the City or Town and/or Tax district in which the Premises are situated and any fees or charges of any private Association which hereinafter become due and payable.
3. Public improvement assessments, and/or any unpaid installments thereof which are referred to herein, which assessment and/or installments hereinafter become due and payable.
4. A reservation in favor of Dancon Corporation, its successors and assigns, of a fifteen foot easement over and across the front, rear and side boundary lines of said Lot No. 8 for the purpose of installing and maintaining surface water drainage ditches, trenches or pipes and gas, oil water and electric pipes, shut-off valves, wires or conduits as set forth in Volume 495 at Page 270 and as shown on Map No. 3709 of the Danbury Land Records.
5. A Utility Easement to the C.L.& P. Co. dated 7/27/65 and recorded in Volume 425 at Page 191 of the Danbury Land Records.
6. A Utility Easement to the S.N.E.T. Co. dated 9/30/65 and recorded in Volume 427 at Page 440 of the Danbury Land Records.
7. Agreements and restrictions as contained in a document dated April 8, 1969, and recorded in Volume 472 at Page 128 of the Danbury Land Records.
8. Certain Covenants and Restrictions and Easements as set forth in Declaration of Restrictions of Briar Ridge Estates dated 6/12/69 and recorded in Volume 474 at Page 600 of the Danbury Land Records and as further amended in Volume 629 at Page 445 of the Danbury Land Records.
9. Notes and notations as contained on Map Nos. 4680 and 3709 of the Danbury Land Records.

SCHEDULE F

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, TOGETHER WITH THE BUILDINGS AND IMPROVEMENTS THEREON, situated in the City of Danbury and County of Fairfield, Connecticut and more particularly described in a map filed in the Danbury Land Records being Map Number 9342 entitled "MAP PREPARED FOR WOOSTER SCHOOL CORPORATION, 98 MIRY BROOK ROAD, DANBURY, CONNECTICUT SCALE 1" = 40' " dated November 28, 1989 (revised April 27, 1990) prepared by Sydney A. Rapp, Jr. & Associates, Land Surveyors, 11 Harmony Street, Danbury, Connecticut.

TOGETHER WITH AND SUBJECT TO:

1. Any and all provisions of any ordinance, municipal regulation, public or private law, including but not limited to zoning, planning and subdivision regulations of the City of Danbury.
2. Pole line easement in favor of The Danbury and Bethel Gas and Electric Light Company (now The C.L. & P. Co.) dated November 14, 1947 and recorded in the Danbury Land Records in Volume 229 at Page 285.
3. A mortgage from the grantors and the grantee herein to Gateway Bank dated May 1, 1990 and recorded in the Danbury Land Records on May 2, 1990 at 3:49 p.m.
4. A Corrected Access Agreement recorded in Volume 960, page 575 of the Danbury Land Records dated August 13, 1990.