



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

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PLEASE REPLY TO:

September 1, 2004

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

Re: Acquisition of Properties:
Shore Road; Parking Garage/Library Place; North Main Street; East Ditch;
Senior Center; Backus Avenue; Olive Street; Cobblestone Trail;

Dear Mayor and Council:

The attached resolutions propose to renew the Council's earlier approvals of the acquisitions of properties by this office in order to facilitate several projects. By state law, your authorization must be re-approved after the expiration of six months, where acquisition has not been completed. We 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 attached resolution. Please feel free to give us a call should you have any questions.

Very truly yours,


Eric L. Gottschalk
Deputy Corporation Counsel

Attachments

cc: William J. Buckley, Jr., P.E. Dir. Public Works/City Engineer
Raymond Yamin, Associate Corporation Counsel



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury seeks to correct drainage problems on Shore Road; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in Schedule A attached hereto containing the legal description of the property involved; and

WHEREAS, eminent domain proceedings will be necessary if the City Of Danbury cannot agree with the owners of said property upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on said Schedule A.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the office of Corporation Counsel, be and hereby is authorized to acquire the property interests as set forth in the attached legal description, on or before March 1, 2005, either by negotiation or by eminent domain through the institution of suit against the property owners, their heirs, executors, administrators, successors and assigns and their respective mortgage holders and encumbrancers, if any.

**ANTHONY J. CHIAPPINELLI AND VIVIAN CHIAPPINELLI
STORM DRAINAGE, TEMPORARY CONSTRUCTION AND TEMPORARY
CONSTRUCTION ACCESS EASEMENTS
(TAX ASSESSOR'S LOT NOS. K02110 AND K02112)**

A certain piece or parcel of land containing 2,627 square feet (0.0603Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 24 Shore Road and known as Tax Assessor's Lot No K02112 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is 45.88 feet from the southwesterly corner of the land of the Grantor and said point being the southwesterly corner of land herein described, thence running northwesterly along the northerly street line of Shore Road N. 28° 54' 30" W. a distance of 15.01 feet to a point, thence turning and running northeasterly through the land of the Grantor in the following courses and distances N. 62° 57' 35" E. a distance of 7.55 feet to a point, thence S. 79° 47' 28" E. a distance of 33.42 feet to a point, thence S. 74° 14' 12" E. a distance of 34.93 feet to a point, thence N. 61° 05' 30" E. a distance of 100.94 feet to a point on the 440 feet contour (elevation) on land now or formerly of Connecticut Light and Power Company, thence turning and running southerly along the 440 feet contour (elevation) a distance of 15 feet, more or less, to the southeasterly corner of land of the Grantor, thence turning and running southwesterly along the southerly boundary line of the Grantor S. 61° 05' 30" W. a distance of 109.45 feet to a point, thence turning and running northwesterly through the land of the Grantor on the following courses and distances N. 74° 14' 07" W. a distance of 49.32 feet to a point, thence N. 67° 53' 40" W. a distance 14.07 feet to a point, thence turning and running southwesterly through the land of the Grantor S. 62° 57' 33" W. a distance of 8.23 feet to the point or place of beginning.

Bounded:

Northerly : By other land of the Grantor.

Easterly : By land now or formerly of Connecticut Light and Power Company.

Southerly : By land now or formerly of Bruce Goldsmith and Deena Goldsmith and by other land of the Grantor, each in part.

Westerly : By Shore Road and by other land of the Grantor, each in part.

Together with a 15 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement and a 15 feet wide x 224 feet long temporary construction access easement located on the westerly side of the land of the Grantor starting from the northerly boundary line of the Grantor and running southerly through land of the Grantor to the northerly line of the temporary construction easement, all as shown on the hereunder referenced map.

For a more particular description reference is made to map entitled " Map Showing Proposed Drainage Easement Through the Land of Anthony J. Chiappinelli and Vivian Chiappinelli No.24 Shore Road Danbury, Connecticut Scale: 1" = 20' March 28, 2003 " which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.