

MARK D. NIELSEN
Attorney at Law

29

August 16, 2004

Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Council Members:

I write to you on behalf of 6 Concord Street LLC, the owner of Lot #16, also known as 6 Concord Street, Danbury. 6 Concord Street LLC has filed a Consolidated Permit Application seeking approval to build a 2-family structure on this lot.

Lot #16 was created pursuant to a 1929 subdivision depicted on Map 327A on file in the Office of the Town Clerk. Whereas other streets shown on Map 327A have become Danbury city streets, the portion of Concord Street north of the intersection of Concord and Merrimac Street has remained a private road that is not maintained by the City. Concord Street is, however, served by City water and sewer lines.

A question has been raised by the Office of Corporation Counsel concerning the City's ownership of the real estate through which these water and sewer lines pass. No applicable conveyance has been found, and it would be impossible to locate the heirs of the property owners who created the 1929 subdivision.

In order to clarify the situation, and to facilitate any needed improvements to the utility lines under Concord Street, my client would like to request that the Common Council authorize a condemnation of a utility easement under the street.

Please let me know if you require additional information at this time. Thank you for your attention to this matter.

Sincerely,



cc: William Buckley, City Engineer
Eric Gottschalk, Deputy Corporation Counsel



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

August 20, 2004

Mark D. Nielsen, Esq.
3 Encampment Place
Ridgefield, CT 06877

Dear Attorney Nielsen:

6 Concord Street

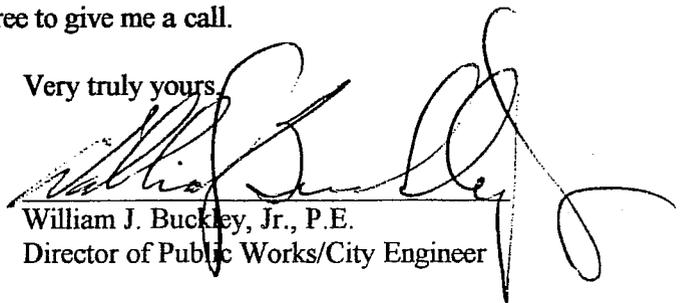
I am in receipt of a copy of your August 16, 2004 letter to the Common Council asking them to authorize the condemnation of a utility easement on the northerly leg of Concord Street. I can support this request.

What you also need to do is to petition the Common Council to allow your client to install a water main in Concord Street in accordance with the standard conditions of approval for water line extensions. (One of these conditions is that easements be provided to the City as warranted when title to the water line is transferred to the City. Your August 16, 2004 request begins this process.)

I recommend that you submit a request for a water line extension as soon as possible to allow the Common Council to address both issues at the same time.

If you have any questions, please feel free to give me a call.

Very truly yours,



William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

C: Mark D. Boughton, Mayor
Common Council ✓
Eric L. Gottschalk, Esq.