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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.

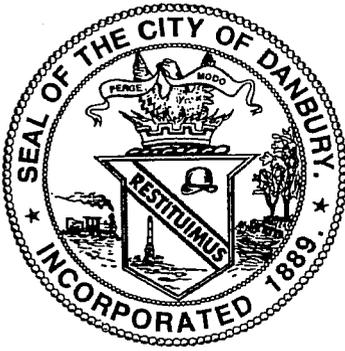
Thank you for your consideration in adopting the attached resolution. Please feel free to give us a call should you have any questions.

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 accept Cobblestone Trail as a city street; and

WHEREAS, as part of the acceptance of Cobblestone Trail, the City of Danbury seeks to correct drainage problems on the road; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in the Schedules A, B and C attached hereto containing the legal descriptions of the properties involved; and

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

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

COBBLESTONE TRAIL

A certain piece or parcel of land containing 40,302 square feet (0.9252 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut and known as Cobblestone Trail, bounded and described as follows:

Commencing at a point on the easterly street line of Chuck Wagon Lane, which point is 200.00 feet northerly of the southwesterly corner of land now or formerly of Kenneth R. Wagner and Theresa R. Wagner (Tax Assessor's Lot No. K25028), thence running northerly along the easterly street line of Chuck Wagon Lane N 01° 49' 10" W a distance of 100.00 feet to a point, thence turning and running along a curve to the left with a delta angle of 90° 00' 00" a radius of 25.00 feet and a length of curve of 39.27 feet, thence N 88° 10' 50" E a distance of 50.00 feet, thence along a curve to the right with a delta angle of 71° 34' 10" a radius of 163.73 feet and a length of curve of 204.52 feet, thence S 20° 15' 00" E a distance of 107.00 feet, thence along a curve to the left with a delta angle of 70° 13' 16" a radius of 170.00 feet and a length of curve of 208.35 feet, thence along a curve to the left with a delta angle of 84° 03' 47" a radius of 25.00 feet and a length of curve of 36.68 feet, thence along a curve to the right with a delta angle of 238° 02' 03" a radius of 50.00 feet and a length of curve of 207.72 feet, thence along a curve to the right with a delta angle of 96° 14' 57" a radius of 220.00 feet and a length of curve of 369.57 feet, thence N 20° 15' 00" W a distance of 107.00 feet, thence along a curve to the left with a delta angle of 71° 34' 10" a radius of 113.73 feet and a length of curve of 142.06 feet, thence S 88° 10' 50" W a distance of 50.00 feet, thence along a curve to the left with a delta angle of 90° 00' 00" a radius of 25.00 feet and a length of curve of 39.27 feet to the point or place of beginning.

Bounded:

- Northerly: by land now or formerly of George S. Quigley, by land now or formerly of Robert M. Toth, Jr. and Sharon R. Toth, by land now or formerly of Wai-Ming Tam, and by land now or formerly of Eugene Waluschka, each in part
- Easterly: by land now or formerly of Herbert R. Lundgren and Joan Lundgren and by land now or formerly of Paul Stevens and Kathryn Stevens, each in part
- Southerly: by land now or formerly of Dewitt B. Dudley and Donna Dudley, by land now or formerly of Paul T. Orsino, Jr. and Suzanne Moss Orsino, by land now or formerly of Kenneth R. Wagner and Theresa R. Wagner, and by land now or formerly of Elaine L. Starrett and James Starrett, each in part
- Westerly: by Chuck Wagon Lane

For a more particular description, reference is made to a map entitled "As-Built Map of Cobblestone Trail Danbury, Connecticut Scale: 1" = 20', January 6, 2004" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E. & L.S. No. 12050, which map is to be filed in the Danbury Land Records.

**7.5 FEET WIDE DRAINAGE EASEMENT
PAUL T. ORSINO JR. AND SUZANNE MOSS ORSINO
COBBLESTONE TRAIL**

A certain piece or parcel of land containing 868 square feet (0.0199 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at No. 3 Cobblestone Trail and known as Tax Assessor's Lot No. K25030 (portion of) bounded and described as follows:

Commencing at a point on the southerly street line of Cobblestone Trail, which point is the northeasterly corner of the land of the Grantors and the northeasterly corner of the land herein described. Thence running southerly along the boundary between the land of the Grantors and land now or formerly of Dewitt B. Dudley and Donna Dudley S $05^{\circ} 36' 30''$ E a distance of 116.00 feet to a point on the City of Danbury/Town of Redding town line, thence turning and running along said town line S $88^{\circ} 10' 50''$ W a distance of 7.52 feet, thence turning and running through the land of the Grantors N $05^{\circ} 36' 30''$ W a distance of 115.63 feet to a point on the southerly line of Cobblestone Trail, thence turning and running along the southerly line of Cobblestone Trail on a curve to the left with a delta angle of $01^{\circ} 57' 13''$ a radius of 220.00 feet and a length of curve of 7.50 feet to the point or place of beginning.

Bounded:

Northerly: by Cobblestone Trail

Easterly: by land now or formerly of Dewitt B. Dudley and Donna Dudley

Southerly: by the City of Danbury /Town of Redding town line

Westerly: by other land of the Grantors

For a more particular description, reference is made to a map entitled "Map Showing Proposed 7.5 Ft. Wide Drainage Easement Through the Land of Paul T. Orsino Jr. and Suzanne Moss Orsino Cobblestone Trail Danbury, Connecticut Scale: 1"= 20', March 3, 2004" prepared by Michael S. Pierwola, R.L.S. No. 70139, which map is to be filed in the Danbury Land Records.

20 FEET WIDE DRAINAGE EASEMENT
DEWITT B. DUDLEY AND DONNA DUDLEY
COBBLESTONE TRAIL

A certain piece or parcel of land containing 2,339 square feet (0.0537 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at No. 5 Cobblestone Trail and known as Tax Assessor's Lot No. K25037 (portion of) bounded and described as follows:

Commencing at a point on the southerly street line of Cobblestone Trail, which point is the northwesterly corner of the land of the Grantors and the northwesterly corner of the land herein described, thence running easterly along the southerly street line of Cobblestone Trail on a curve to the left with a delta angle of $05^{\circ} 12' 57''$ a radius of 220.00 feet and a length of curve of 20.03 feet to a point, thence turning and running $S 05^{\circ} 36' 30'' E$ a distance of 118.24 feet to a point, thence turning and running $S 88^{\circ} 10' 50'' W$ a distance of 20.04 feet to a point, thence turning and running $N 05^{\circ} 36' 30'' W$ a distance of 116.00 feet to the point or place of beginning.

Bounded:

Northerly: by Cobblestone Trail
Easterly: by other land of Grantors
Southerly: by the City of Danbury /Town of Redding town line
Westerly: by land now or formerly of Paul T. Orsino, Jr. and Suzanne Moss Orsino

For a more particular description, reference is made to a map entitled "Map Showing Proposed 20 Ft. Wide Drainage Easement Through the Land of Dewitt B. Dudley and Donna Dudley Cobblestone Trail Danbury, Connecticut Scale: 1"= 20', January 6, 2004" prepared by Ireneo H. Despojado, P.E. & L.S. No. 12050, which map is to be filed in the Danbury Land Records.