



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2010

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury, in order to repair and improve drainage on Garfield Avenue, wishes to upgrade existing storm drainage pipes; and

WHEREAS, the City will have to obtain three (3) easements in total, one from each of two property owners on Garfield Avenue, and one from a property owner on Lincoln Avenue, in order to accomplish said drainage project; and

WHEREAS, the properties to be acquired are described and identified in Exhibits A, B, and C attached hereto; and

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

WHEREAS, it is in the best interest of the City of Danbury to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easements set forth on Exhibits A, B and C attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, within six (6) months of approval hereof.

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**A DRAINAGE EASEMENT
ANA MOSHER, 80 GARFIELD AVENUE
TAX ASSESSOR'S LOT No. I15143**

A certain piece or parcel of land containing 624 square feet (0.0143 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 80 Garfield Avenue and known as Tax Assessor's Lot No. I15143 (portion of) bounded and described as follows:

Beginning at a point on the westerly street line of Garfield Avenue, which point is the southeasterly corner of land of the Grantor, said point being the southeasterly corner of land herein described, thence running westerly along the southerly boundary line of land of the Grantor S. 66° 44' 44" W. a distance of 83.38' to a point, said point being the southwestly corner of land of the Grantor and southwestly corner of land herein described, thence turning and running in a northerly direction along the westerly boundary line of land of the Grantor N. 27° 05' 05" W. a distance of 10.02' to a point, thence turning and running easterly and southerly through land of the Grantor the following courses and distances; N. 66° 44' 44" E. a distance of 30.87' to a point, thence S. 23° 15' 16" E. a distance of 4.00' to a point, thence N. 66° 44' 44" E. a distance of 53.04' to a point on the westerly street line of Garfield Avenue, thence turning and running in a southerly direction along the westerly street line of Garfield Avenue S. 24° 35' 32" E. a distance of 6.00' to the point or place of beginning.

Bounded:

Northerly : By other land of the Grantor

Easterly : By Garfield Avenue and by other land of the Grantor, each in part

Southerly : By land now or formerly of Paula Amador, Juan A. Camacho
and Angelina Camacho

Westerly : By land now or formerly of The Pope John Paul II
Center For Health Care, Inc.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Ana Mosher 80 Garfield Avenue Danbury, Connecticut Scale: 1"=10' November 19, 2009" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Michael S. Pierwola, R.L.S. No. 70139, which map is filed as Map # _____ in the Danbury Land Records.