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

(203) 797-4518
(203) 796-8043 FAX

PLEASE REPLY TO:

August 25, 2005

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

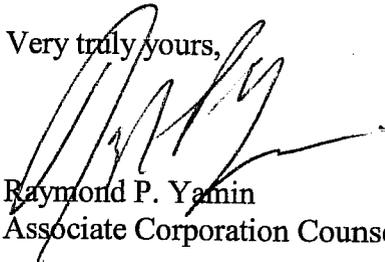
Re: Acquisition of Properties:
East Ditch; Parking Garage/Library Place; Main Street North

Dear Mayor and Council:

The attached resolutions propose to renew the Council's previous approvals of the acquisitions of certain properties by this office in order to facilitate several municipal 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 proposed resolutions. Please feel free to give us a call should you have any questions.

Very truly yours,



Raymond P. Yamin
Associate Corporation Counsel

RPY:ras
Attachments



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, pursuant to authorization through the Vision² bond package, is proceeding, through plans and designs, to make necessary improvements to the East Ditch Storm Sewer; and

WHEREAS, as one phase to said proposed improvements, the City will have to obtain from property owners in order to accomplish project goals; and

WHEREAS, the properties to be acquired are described and identified in EXHIBITS A, B, C, D, E, F, G, H, I, J, K, L, M and N 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, C, D, E, F, G, H, I, J, K, L, M and N 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, by March 1, 2006.

**GEORGE GIANNARAS AND CHRISTINE GIANNARAS
(TAX ASSESSOR'S LOT NO. 115300)**

A certain piece or parcel of land containing 3,403 square feet (0.0781Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 10 Park Place and known as Tax Assessor's Lot No. 115300 (portion of) bounded and described as follows:

Commencing at a point on the southerly street line of Park Place, which point is the northwesterly corner of land herein described, thence running easterly along the southerly street line of Park Place N. 55° 12' 37" E. a distance of 28.64 feet to the northeasterly corner of land of the Grantor, thence turning and running southerly along the easterly boundary line of the land of the Grantor S. 33° 58' 04" E. a distance of 93.23 feet to a point, thence turning and running southwesterly through the land of the Grantor S. 32° 03' 34" W. a distance of 21.40 feet to a point on the southerly boundary line of land of the Grantor, thence turning and running westerly along the southerly boundary line of land of the Grantor S. 55° 05' 12" W. a distance of 73.45 feet to the southwesterly corner of land of the Grantor, thence turning and running northerly along the westerly boundary line of land of the Grantor N. 33° 39' 38" W. a distance of 1.39 feet to a point, thence turning and running northeasterly through the land of the Grantor N. 32° 03' 34" E. a distance of 76.28 feet to a point, thence turning and running northerly through the land of the Grantor on the following courses and distances, N. 33° 51' 25" W. a distance of 27.62 feet to a point, thence N. 56° 08' 35" E. a distance of 2.10 feet to a point, thence N. 33° 51' 25" W. a distance of 13.97 feet to a point, thence S. 56° 08' 35" W. a distance of 2.10 feet to a point, thence N. 33° 51' 25" W. a distance of 22.85 feet to a point, thence N. 76° 52' 07" W. a distance of 8.06 feet to the point or place of beginning.

Bounded:

Northerly : By Park Place

Easterly : By land now or formerly of Stephen W. Small and Emily D. Small.

Southerly : By other land of the Grantor and by land now or formerly of Danbury Commons Limited Partnership, each in part.

Westerly : By other land of the Grantor and by land now or formerly of Helen Kehagias and Emmanuel C. Kehagias, each in part.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the westerly and northwesterly boundary lines of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of George & Christine Giannaras 10 Park Place Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003 " 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.

**LST CORPORATION
TEMPORARY CONSTRUCTION EASEMENT**

A 25 feet wide temporary construction easement running along and parallel with the easterly boundary line of land of the Grantor known as Tax Assessor's Lot No. 114418 as shown on the hereafter referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Easement Through the Land of M.J.A. Realty Associates, Limited Partnership Center Street & State Street Danbury, Connecticut Scale 1" = 20' Sept.10, 2002" 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 on the Danbury Land Records.

RAPHAEL ESPINAL
(TAX ASSESSOR'S LOT NO. I15297)

A certain piece or parcel of land containing 1,015 square feet (0.0233Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 13 Park Place and known as Tax Assessor's Lot No. I15297 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Park Place, which point is the southeasterly corner of land herein described, thence running westerly along the northerly street line of Park Place S. 56° 27' 25" W. a distance of 21.87 feet to the southwesterly corner of land of the Grantor, thence turning and running northerly along the westerly boundary line of the land of the Grantor N. 30° 28' 50" W. a distance of 104.60 feet to the northwesterly corner of land of the Grantor, thence turning and running easterly along the northerly boundary line of the land of the Grantor N. 54° 42' 08" E. a distance of 9.59 feet to a point, thence turning and running southerly through the land of the Grantor on the following courses and distances, S. 31° 22' 36" E. a distance of 64.92 feet to a point, thence S. 58° 37' 24" W. a distance of 5.72 feet to a point, thence S. 31° 22' 36" E. a distance of 22.59 feet to a point, thence N. 58° 37' 24" E. a distance of 5.72 feet to a point, thence S. 31° 22' 36" E. a distance of 6.44 feet to a point, thence S. 76° 52' 07" E. a distance of 14.94 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Nejame Development, LLC.

Easterly : By other land of the Grantor.

Southerly : By Park Place

Westerly : By land now or formerly of Huoy Leng Chan.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the easterly line of the said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled " Map Showing Proposed Drainage Easement Through the Land of Raphael Espinal 13 Park Place Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003 " 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.

YANKEE GAS SERVICES COMPANY

A certain piece or parcel of land containing 4,409 square feet (0.1012 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at Pahquioque Avenue and known as Tax Assessor's Lot No. I14269 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Pahquioque Avenue, which point being the southwesterly corner of land herein described and the southeasterly corner of land now or formerly of the Redevelopment Agency of the City of Danbury, thence running northerly along the westerly boundary line of the Grantor N. 02° 51' 57" W. a distance of 59.98 feet to a point, thence turning and running westerly along the westerly boundary line of the Grantor N. 89° 48' 44" W. a distance of 6.31 feet to a point, thence turning and running northerly through the land of the Grantor N. 00° 05' 38" W. a distance of 103.16 feet to a point on the northerly boundary line of the Grantor being the southerly boundary line of land now or formerly of The State of Connecticut (Railroad Station), thence turning and running easterly along the northerly boundary line of the Grantor N. 79° 38' 02" E. a distance of 1.33 feet to a point, thence N. 82° 06' 32" E. a distance of 28.96 feet to a point, thence turning and running southerly through the land of the Grantor S. 00° 05' 38" E. a distance of 159.35 feet to a point on the northerly line of Pahquioque Avenue, thence turning and running westerly along the northerly street line of Pahquioque Avenue S. 69° 03' 08" W. a distance of 22.25 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of The State of Connecticut.

Easterly : By the land of the Grantor.

Southerly : By Pahquioque Avenue.

Westerly : By land now or formerly of the Redevelopment Agency of the City of Danbury.

Together with 25 feet wide temporary construction easements located adjacent to and parallel with the easterly and westerly lines of said permanent easement as shown on the below referenced map.

For a more particular description, reference is made to a map entitled " Map Showing Proposed Easements Through the Land of Yankee Gas Services Co. Pahquioque Avenue Danbury, Connecticut Scale 1" = 20' Sept. 10, 2002" 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.

REDEVELOPMENT AGENCY OF THE CITY OF DANBURY

A certain piece or parcel of land containing 506 square feet (0.0116 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at Pahquioque Avenue and Patriot Drive and known as Tax Assessor's Lot No. I14271 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Pahquioque Avenue, which point being the southeasterly corner of land herein described and the southwesterly corner of land now or formerly of Yankee Gas Services Company, thence running westerly along the northerly street line of Pahquioque Avenue S. 68° 58' 02" W. a distance of 4.31 feet to a point, thence S. 54° 53' 56" W. a distance of 15.76 feet to a point, thence turning and running northerly through the land of the Grantor the following courses and distances N. 35° 44' 46" E. a distance of 13.20 feet to a point, thence N. 00° 05' 38" W. a distance of 59.82 feet to a point on the northerly boundary line of the Grantor being the southerly boundary line of land now or formerly of Yankee Gas Services Company, thence turning and running easterly along the northerly boundary line of the Grantor S. 89° 48' 44" E. a distance of 6.31 feet to a point, thence turning and running southerly along the easterly boundary line of the Grantor S. 02° 51' 57" E. a distance of 59.98 feet to the point or place of beginning.

Bounded:

Northerly & Easterly : By land now or formerly of the Yankee Gas Services Company.

Southerly : By Pahquioque Avenue.

Westerly : By land of the Grantor.

Together with temporary construction easement located adjacent to and parallel with the westerly line of the said permanent easement as shown on the below referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Easements Through the Land of Redevelopment Agency of the City of Danbury Patriot Drive and Pahquioque Avenue Danbury, Connecticut Scale 1" = 20' Sept. 10, 2002" 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.

**CONNECTICUT LIGHT AND POWER COMPANY
TEMPORARY CONSTRUCTION EASEMENT
(ASSESSOR'S LOT NO. I14431)**

A 22 feet wide temporary construction easement located adjacent to and parallel with the easterly boundary line of land of the Grantor known as Tax Assessor's Lot No. I14431 as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Temporary Construction Easement Through the Land of Connecticut Light & Power Company State Street Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003" 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.

**M.J.A. REALTY ASSOCIATES, LIMITED PARTNERSHIP
CENTER STREET AND STATE STREET**

A certain piece or parcel of land containing 11,569 square feet (0.2656 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at Center Street and State Street and known as Tax Assessor's Lot Nos. I14402 (portion of), I14403 (portion of), I14419 (portion of) and I14420 (portion of) bounded and described as follows:

Commencing at a point on the southerly street line of Center Street, which point being the northeasterly corner of the land herein described and said point being 121.82 feet westerly from the northeasterly corner of the land of the Grantor, thence running southerly through the land of the Grantor the following courses and distances S. 16° 20' 26" E. a distance of 163.63 feet to a point, thence S. 32° 09' 28" E. a distance of 70.97 feet to a point, thence S. 29° 56' 39" E. a distance of 142.96 feet to a point on the northerly street line of State Street, said point being 69.82 feet westerly from the southeasterly corner of the land of the Grantor, thence turning and running westerly along the northerly street line of State Street S. 55° 20' 00" W. a distance of 29.18 feet to the southwesterly corner of the land of the Grantor, thence turning and running northerly along the westerly boundary line of the Grantor being the easterly boundary line of land now or formerly of LST Corporation N. 31° 08' 47" W. a distance of 143.00 feet to a point at the northeasterly corner of land now or formerly of LST Corporation, thence turning and running northerly through the land of the Grantor the following courses and distances N. 30° 32' 29" W. a distance of 76.33 feet to a point, thence N. 16° 20' 26" W. a distance of 163.24 feet to a point on the southerly street line of Center Street, thence turning and running easterly along the southerly street line of Center Street N. 65° 01' 08" E. a distance of 30.34 feet to the point or place of beginning.

Bounded:

Northerly : By Center Street

Easterly : By land of the Grantor.

Southerly : By State Street

Westerly : By land now or formerly of LST Corporation and by land of the Grantor,
each in part.

Together with 25 feet wide temporary construction easements located adjacent to and parallel with the easterly and westerly lines of the permanent easement as shown on the below referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Easement Through the Land of M.J.A, Realty Associates, Limited Partnership Center Street & State Street Danbury, Connecticut Scale 1" = 20' Sept. 10, 2002" 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 on the Danbury Land Records.

KITTLE REALTY CORPORATION
2 PARK PLACE
(TAX ASSESSOR'S LOT No. 115304)

A certain piece or parcel of land containing 418 square feet (0.0096 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at the rear of 2 Park Place, being a portion of Tax Assessor's Lot No. 115304, bounded and described as follows:

Commencing at a point being the southwesterly corner of the land of the Grantor and also being the southeasterly corner of land now or formerly of Datahr Rehabilitation Institute, Inc., said point being the southwesterly corner of land herein described, thence running northerly along the westerly boundary line of the Grantor N. 29° 38' 04" W. a distance of 9.82 feet to a point, thence turning and running easterly through the land of the Grantor N. 54° 43' 44" E. a distance of 51.99 feet to a point, thence turning and running southerly through the land of the Grantor S. 34° 17' 04" E. a distance of 6.22 feet to a point on the southerly boundary line between the land of the Grantor and land now or formerly of Elmwood Park Realty, LLC, thence turning and running westerly along the southerly boundary line of the Grantor S. 50° 52' 44" W. a distance of 52.97 feet to the point or place of beginning.

Bounded:

- Northerly : by other land of the Grantor.
- Easterly : by other land of the Grantor.
- Southerly : by land now or formerly of Elmwood Park Realty, LLC
- Westerly : by land now or formerly of Datahr Rehabilitation Institute, Inc.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Kittle Realty Corporation 2 Park Place Danbury, Connecticut Scale: 1" = 20" Jan. 23, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, and which map is to be filed in the Danbury Land Records.

TURGUT KUMANTAS
6 PARK PLACE
(TAX ASSESSOR'S LOT No. I15302)

A certain piece or parcel of land containing 292 square feet (0.0067 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at the rear of 6 Park Place and also known as Tax Assessor's Lot No. I15302 (portion of) bounded and described as follows:

Commencing at a point being the southwesterly corner of land of the Grantor and the southeasterly corner of land now or formerly of Mario Turriago, et al, said point being the southwesterly corner of the land herein described, thence running northerly along the westerly boundary line of the land of the Grantor N. 33° 55' 27" W. a distance of 3.38 feet to a point, thence turning and running easterly through the land of the Grantor N. 54° 43' 44" E. a distance of 80.03 feet to a point on the easterly boundary line of the land of the Grantor, thence turning and running southerly along the easterly boundary line of the land of the Grantor S. 33° 39' 58" E. a distance of 3.93 feet to the southeasterly corner of the land of the Grantor, thence turning and running westerly along the southerly boundary line of the land of the Grantor S. 55° 07' 06" W. a distance of 80.00 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantor.

Easterly : by land now or formerly of Helen Kehagias and Emmanuel G. Kehagias.

Southerly : by land now or formerly of Danbury Commons Limited.

Westerly : by land now or formerly of Mario Turriago, et al.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Turgut Kumantas 6 Park Place Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003" which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despopjado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

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HELEN KEHAGIAS AND EMMANUEL G. KEHAGIAS
8 PARK PLACE
(TAX ASSESSOR'S LOT No. I15301)

Two parcels of land, one parcel being triangular in shape containing 2 square feet (0.0001 acre), more or less, called "Drainage Easement No. 1" and the second parcel containing 54 square feet (0.0012 acre), more or less, called "Drainage Easement No. 2", situated in the City of Danbury, County of Fairfield and State of Connecticut located at the rear of 8 Park Place also known as Tax Assessor's Lot No. I15301 (portion of) bounded and described as follows:

DRAINAGE EASEMENT NO. 1

Commencing at a point being the southeasterly corner of the land of the Grantors also being the southwesterly corner of land now or formerly of George & Christine Giannaras, said point being the southeasterly corner of land herein described, thence running westerly along the southerly boundary line of the land of the Grantors S. 55° 05' 17" W. a distance of 3.24 feet to a point, thence turning and running northeasterly through the land of the Grantors N. 32° 03' 34" E. a distance of 3.56 feet to a point on the easterly boundary line of the Grantors, thence turning and running southerly along the easterly boundary line of the land of the Grantors S. 33° 39' 38" E. a distance of 1.39 feet to the point or place of beginning.

Bounded:

- Northerly : by other land of the Grantors.
- Easterly : by land now or formerly of George & Christine Giannaras.
- Southerly : by land now or formerly of Danbury Commons Limited.

DRAINAGE EASEMENT NO. 2

Commencing at a point being the southwesterly corner of the land of the Grantors also being the southeasterly corner of land now or formerly of Turgut Kumantas, said point being the southwesterly corner of the land herein described, thence running northerly along the westerly boundary line of the Grantors N. 33° 39' 58" W. a distance of 3.93 feet to a point, thence turning and running easterly through the land of the Grantors on the following courses and distances, N. 54° 43' 44" E. a distance of 6.23 feet to a point, thence N. 70° 01' 53" E. a distance of 15.38 feet to a point on the southerly boundary line of the Grantor, thence turning and running westerly along the southerly boundary line of the Grantor S. 55° 05' 17" W. a distance of 21.17 feet to the point or place of beginning.

Bounded:

- Northerly : by other land of the Grantors.
- Easterly : by other land of the Grantors and by land now or formerly of Danbury Commons limited, each in part.
- Southerly : by land now or formerly of Danbury Commons Limited.
- Westerly : by land now or formerly of Turgut Kumantas.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easements as shown on the hereunder referenced map.

For more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easements Through the Land of Helen Kehagias and Emmanuel G. Kehagias 8 Park Place Danbury, Connecticut Scale: 1" = 20' Jan. 29, 2003" which map was 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.

DANBURY COMMONS LIMITED
51 MAIN STREET
(TAX ASSESSOR'S LOT No. I15321)

A certain piece or parcel of land containing 10,835 square feet (0.2487 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 51 Main Street also know as Tax assessor's Lot No. I15321 (portion of) bounded and described as follows:

Commencing at a point being the northwesterly corner of the land of the Grantor and also being the northeasterly corner of land now or formerly of Elmwood Park Realty, LLC, said point being the northwesterly corner of the land herein described, thence running easterly along the northerly boundary line of the land of the Grantor on the following courses and distances, N. 54° 44' 00" E. a distance of 79.33 feet to a point, thence N. 55° 07' 06" E. a distance of 80.00 feet to a point, thence N. 55° 05' 17" E. a distance of 48.00 feet to a point, thence N. 55° 05' 12" E. a distance of 73.45 feet to a point, thence turning and running southerly through the land of the Grantor on the following courses and distances, S. 32° 01' 48" W. a distance of 62.18 feet to a point, thence S. 54° 23' 28" W. a distance of 13.61 feet to a point, thence S. 35° 23' 59" E. a distance of 43.26 feet to a point, thence N. 54° 36' 01" E. a distance of 1.10 feet to a point, thence S. 34° 37' 21" E. a distance of 96.13 feet to a point, thence S. 35° 57' 25" E. a distance of 168.59 feet to a point, thence turning and running westerly through the land of the Grantor S. 54° 02' 35" W. a distance of 20.06 feet to a point, thence turning and running northerly through the land of the Grantor on the following courses and distances, N. 35° 57' 25" W. a distance of 167.83 feet to a point, thence N. 34° 37' 21" W. a distance of 97.09 feet to a point, thence N. 54° 36' 01" E. a distance of 1.12 feet to a point, thence N. 35° 23' 59" W. a distance of 44.12 feet to a point, thence turning and running westerly through the land of the Grantor on the following courses and distances, S. 70° 01' 53" W. a distance of 30.07 feet to a point, thence S. 54° 43' 44" W. a distance of 165.80 feet to a point on the westerly boundary line of the land of the Grantor, thence turning and running northerly along the westerly boundary line of the Grantor N. 25° 40' 20" W. a distance of 16.86 feet to the point or place of beginning.

Bounded:

- Northerly : by land now or formerly of Mario Turriago, et al, by land now or formerly of Turgut Kumantas, by land now or formerly of HeLen Kehagias and Emmanuel G. Kehagias and by land now or formerly of George & Christine Giannaras, each in part.
- Easterly : by other land of the Grantor.
- Southerly : by other land of the Grantor.
- Westerly : by other land of the Grantor and by land now or formerly of Elmwood Park Realty, LLC, each in part.

Together with a 25 feet temporary construction easement located adjacent to and parallel with the easterly, southerly and westerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of Danbury Commons Limited 51 Main Street Danbury, Connecticut Scale: 1" = 20' April 16, 2003" which map was 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.

ELMWOOD PARK REALTY, LLC
58 Main Street
(Tax Assessor's Lot No. I15317)

A certain piece or parcel of land containing 1,767 square feet (0.0406 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at the rear of 58 Main Street also known as Tax Assessor's Lot No. I15317 (portion of) bounded and described as follows:

Commencing at a point being the northeasterly corner of land of the Grantor and also being the northwesterly corner of land now or formerly of Danbury Commons Limited, said point being the northeasterly corner of the land herein described, thence running southerly along the easterly boundary line of the land of the Grantor S. 25° 40' 20" E. a distance of 16.86 feet to a point, thence turning and running westerly through the land of the Grantor on the following courses and distances S. 54° 43' 44" W. a distance of 108.19 feet to a point, thence S. 58° 17' 50" W. a distance of 37.83 feet to a point on the westerly boundary line of the land of the Grantor, thence turning and running northerly along the westerly boundary line of the land of the Grantor N. 27° 19' 14" W. a distance of 7.62 feet to a point on the northerly boundary line of the land of the Grantor, thence turning and running northeasterly along the northerly boundary line of the land of the Grantor on the following courses and distances N. 52° 09' 14" E. a distance of 28.58 feet to a point, thence N. 57° 39' 14" E. a distance of 22.14 feet to a point, thence N. 50° 52' 44" E. a distance of 2.45 feet to a point, thence N. 50° 52' 44" E. a distance of 74.10 feet to a point, thence N. 50° 52' 44" E. a distance of 20.69 feet to the point or place of beginning.

Bounded:

Northerly : by land now or formerly of DATAHR Rehabilitation Institute, Inc., by land now or formerly of Kittle Realty Corporation and by land now or formerly of Mario Turriago, et al, each in part.

Easterly : by land now or formerly of Danbury Commons Limited.

Southerly : by other land of the Grantor.

Westerly : by land now or formerly of General Equities Inc.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the southerly line of said permanent easement 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 Elmwood Park Realty, LLC 59 Main Street Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003" which map was 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.

GENERAL EQUITIES, INC.
63 MAIN STREET
(TAX ASSESSOR'S LOT No. I15316)

A certain piece or parcel of land containing 1,036 square feet (0.0238 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 63 Main Street also known as Tax Assessor's Lot No. I15316 (portion of) bounded and described as follows:

Commencing at a point on the easterly street line of Main Street which point is the northwesterly corner of the land of the Grantor and the southwesterly corner of land now or formerly of DATAHR Rehabilitation Institute, Inc., said point being the northwesterly corner of land herein described, thence running easterly along the northerly boundary line of the land of the Grantor on the following courses and distances, N. 62° 50' 21" E. a distance of 60.14 feet to a point, thence N. 61° 02' 44" E. a distance of 25.24 feet to a point, thence N. 57° 11' 44" E. a distance 56.66 feet to a point, thence N. 52° 09' 14" E. a distance of 6.70 feet to the northeasterly corner of the land of the Grantor, thence turning and running southerly along the easterly boundary line of the land of the Grantor S. 27° 19' 14" E. a distance of 7.62 feet to a point, thence turning and running westerly through the land of the Grantor on the following courses and distances S. 58° 17' 50" W. a distance of 52.96 feet to a point, thence N. 27° 15' 00" W. a distance of 0.24 feet to a point, thence S. 62° 44' 57" W. a distance of 49.93 feet to a point, thence S. 27° 14' 55" E. a distance of 4.13 feet to a point, thence S. 58° 17' 50" W. a distance of 47.30 feet to a point on the easterly street line of Main Street, thence turning and running northerly along the easterly street line of Main Street on the following courses and distances N. 27° 18' 46" W. a distance of 2.81 feet to a point, thence N. 17° 41' 46" W. a distance of 9.24 feet to the point or place of beginning.

Bounded:

Northerly : by land now or formerly of Datahr Rehabilitation Institute.

Easterly : by land now or formerly of Elmwood Park Realty, LLC.

Southerly : by land of the Grantor.

Westerly : by Main Street.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the southerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description referenced is made to a map entitled "Map showing Proposed Drainage Easement Through the Land of General Equities, Inc. 63 Main Street Danbury, Connecticut Scale: 1" = 20' Jan. 23, 2003" which map was 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.

DATAHR REHABILITATION INSTITUTE, INC.
65 MAIN STREET
(TAX ASSESSOR'S LOT No. I15306)

A certain piece or parcel of land containing 2,379 square feet (0.0546 acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 65 Main Street and known as Tax Assessor's Lot No. I15306 (portion of) bounded and described as follows:

Commencing at a point on the easterly street line of Main Street which point is the southwesterly corner of land of the Grantor and the northwesterly corner of land now or formerly of General Equities, Inc., said point being the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 24° 10' 28" W. a distance of 8.31 feet to a point, thence turning and running easterly through the land of the Grantor on the following courses and distances, N. 58° 17' 50" E. a distance of 184.01 feet to a point, thence N. 54° 43' 44" E. a distance of 16.75 feet to a point on the easterly boundary line of the Grantor, thence turning and running southerly along the easterly boundary line of the Grantor, thence turning 04" E. a distance of 9.82 feet to the southeasterly corner of the land of the Grantor, thence turning and running westerly along the southerly boundary line of the Grantor on the following courses and distances S. 50° 52' 44" W. a distance of 2.45 feet to a point, thence S. 57° 39' 14" W. a distance of 22.14 feet to a point, thence S. 52° 09' 14" W. a distance of 35.28 feet to a point, thence S. 57° 11' 44" W. a distance of 56.66 feet to a point, thence S. 61° 02' 44" W. a distance of 25.24 feet to a point, thence S. 62° 50' 21" W. a distance of 60.14 feet to the point or place of beginning.

Bounded:

Northerly : by other land of the Grantor.

Easterly : by land now or formerly of Kittle Realty Corporation.

Southerly : by land now or formerly of General Equities, Inc. and by land now or formerly of Elmwood Park Realty, LLC, each in part.

Westerly : by Main Street.

Together with a 25 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Drainage Easement Through the Land of DATAHR Rehabilitation Institute, Inc. 65 Main Street Danbury, Connecticut Scale: 1" = 20' May 2, 2003" which map was 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.



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, pursuant to authorization through the Vision² bond package, is proceeding, through plans and designs, to construct a downtown parking garage; and

WHEREAS, in order to undertake the above referenced project, the City must acquire certain parcels of land or interests in real property as described in the Exhibits attached hereto; and

WHEREAS, said easements and property interests 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 and property interests set forth on EXHIBITS A and B 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, by March 1, 2006.

**FIRST PORTUGUESE SPEAKING BAPTIST CHURCH
OF DANBURY, INC.
(TAX ASSESSOR'S LOT NOS. I14162 AND I14169-PORTION OF)**

A certain piece or parcel of land containing 28,783 square feet (0.6608Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 234 Main Street and Library Place and know as Tax Assessor's Lot Nos. I14162 and I14169 (portion of) bounded and described as follows:

Commencing at a point on the westerly street line of Main Street said point being the southeasterly corner of land now or formerly of Charles A. Duncan, III and Louise K. Michael and the northeasterly corner of land herein described, thence running southerly along the westerly street line of Main Street S. 41° 29' 15" E. a distance of 10.11 feet to a point, thence turning and running westerly through the land of the Grantor and along the northerly brick face of the existing building S. 61° 15' 18" W. a distance of 143.11 feet to a point, thence turning and running southerly through the land of the Grantor S. 28° 40' 00" E. a distance of 39.89 feet to a point on the southerly boundary line of land of the Grantor, thence turning and running westerly along the southerly boundary line of land of the Grantor on the following courses and distances S. 62° 04' 25" W. a distance of 91.01 feet to point, thence S. 62° 04' 25" W. a distance of 10.16 feet to a point, thence S. 61° 35' 35" W. a distance of 81.25 feet to the southwesterly corner of land of the Grantor, thence turning and running northerly along the westerly boundary line of land of the Grantor N. 35° 19' 25" W. a distance of 110.00 feet to the northwesterly boundary corner of land of the Grantor, thence turning and running easterly along the southerly boundary line of land now or formerly of the Estate of Joseph DaSilva and Maria DaSilva N. 61° 31' 45" E. a distance of 55.31 feet to a point, thence turning and running northerly along the easterly boundary line of land now or formerly of the Estate of Joseph DaSilva and Maria DaSilva N. 36° 27' 35" W. a distance of 106.28 feet to a point on the southerly street line of Library Place, thence turning and running easterly along the southerly street line of Library Place N. 53° 32' 25" E. a distance of 55.00 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of the City of Danbury S. 36° 27' 35" E. a distance of 114.00 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of the City of Danbury and land now or formerly of The Daniels Agency of New York, Inc, each in part N. 61° 31' 45" E. a distance of 89.52 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of JDM LLC and land now or formerly of Charles A. Duncan, III and Louise K. Michael, each in part, on the following courses and distances S. 42° 50' 35" E. a distance of 40.00 feet to a point, thence S. 60° 30' 05" W. a distance of 2.45 feet to a point, thence S. 33° 45' 45" E. a distance of 18.40 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Charles A. Duncan, III and Louise K. Michael on the following courses and distances N. 71° 08' 41" E. a distance of 27.10 feet to a point, thence N. 60° 30' 05" E. a distance of 100.00 feet to the point or place of beginning.

Bounded:

- Northerly : By Library Place, by land now or formerly of Estate of Joseph DaSilva and Maria DaSilva, by land now or formerly of the City of Danbury, by land now or formerly of The Daniels Agency of New York, Inc., by land now or formerly of Charles A. Duncan, III and Louise K. Michael, each in part.
- Easterly : By Main Street, by land now or formerly of the City of Danbury, by land now or formerly of JDM LLC, by land now or formerly of Charles A. Duncan, III and Louise K. Michael and by other land of the Grantor, each in part.
- Southerly : By other land of the Grantor, by land now or formerly of Union Savings Bank and by land now or formerly of James Nolan and Kim E. Nolan, Trustees of the Arline A. Nolan Revocable Trust Indenture, each in part.
- Westerly : By land now or formerly of James Nolan, by land now or formerly of The Vincent Administration Limited Liability Partnership, by land now or formerly Juan Gonzalez and Eustolia Gonzalez and by land now or formerly of Estate of Joseph DaSilva and Maria DaSilva, each in part.

Together with the rights to use and connect lighting, canopies, trusses and related appurtenances on the northerly brick face of the existing building.

Subject to passway rights in favor of Charles A. Duncan, III and Louise K. Michael and JDM LLC as more particularly described in Vol. 91, Pg. 572, Vol. 92, Pg. 538, Vol. 416, Pg. 89 and Vol. 619, Pg. 822 of the D.L.R.

For a more particular description reference is made to a map entitled " Map Showing Property of First Portuguese Speaking Baptist Church of Danbury, Inc. to be Acquired by The City of Danbury Main Street and Library Place Danbury, Connecticut Scale 1" = 20' May 15, 2003" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despopjado, P.E. &L.S, No. 12050, which map is to be filed on the Danbury Land Records.

**UNION SAVINGS BANK
PROPOSED 25 FEET WIDE TEMPORARY CONSTRUCTION EASEMENT
AND 20 FEET WIDE TEMPORARY CONSTRUCTION ACCESS EASEMENT
(TAX ASSESSOR'S LOT NO. 114170)**

A 25 feet wide temporary construction easement containing 2,625 square feet, more or less, located adjacent to and parallel with the northerly boundary line (portion of) of the Grantor and a 130 feet long by 20 feet wide temporary construction access easement located along the westerly boundary line of the Grantor starting at Chapel Street and running northerly through the existing driveway and parking lot of the Grantor to the southerly line of the temporary construction easement, all as shown on the hereunder referenced map.

For a more particular description referenced is made to a map entitled "Map Showing Proposed Construction and Access Easement Over the Land of Union Savings Bank to be Acquired by The City of Danbury Chapel Place, Danbury, Connecticut Scale: 1" = 20' May 15, 2003" 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 on the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, on January 23, 2003, the City of Danbury, acting through its Redevelopment Agency, adopted a Redevelopment Plan, which is designed to further the renewal and revitalization of downtown Danbury; and

WHEREAS, said Redevelopment Plan provides for the improvement of a portion of the North Main Street area of Danbury; and

WHEREAS, in order to implement said Redevelopment Plan the acquisition of certain pieces or parcels of land will be necessary; and

WHEREAS, eminent domain proceedings will be required if the City of Danbury cannot agree with the property owners upon the amount to be paid for their interests in said parcels.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL of the City of Danbury, that said Redevelopment Plan is hereby approved and that the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the aforesaid properties, as more particularly described in Exhibits A and B attached hereto, in accordance with procedures established in state law, either by negotiation or by eminent domain through the institution of suit against the interested property owners and holders of mortgages or other encumbrances upon the properties, if any, on or before March 1, 2006.

MARIA DASILVA
(TAX ASSESSOR'S LOT NO. H13311)

A certain piece or parcel of land containing 11,819 square feet (0.2713 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 373 Main Street and known as Tax Assessor's Lot No. H13311 bounded and described as follows:

Commencing at a point marked by an iron pin located on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. $04^{\circ} 40' 00''$ W. a distance of 54.00 feet to an iron pin located on the northwesterly corner of land of the Grantor, thence turning and running easterly along the southerly boundary line of land now or formerly of Mitchell M. Kelly on the following courses and distances N. $84^{\circ} 18' 00''$ E. a distance of 129.00 feet to an iron pin, thence S. $02^{\circ} 02' 00''$ E. a distance of 11.00 feet to an iron pin, thence N. $81^{\circ} 28' 20''$ E. a distance of 81.00 feet to an iron pin located on the northeasterly corner of land of the Grantor, thence turning and running southerly along the westerly boundary line of land now or formerly of Risdon Manufacturing Company S. $04^{\circ} 05' 50''$ E. a distance of 57.00 feet to an iron pin located on the southeasterly corner of land of the Grantor, thence turning and running westerly along the northerly boundary line of land now or formerly of Michael Showah on the following courses and distances S. $85^{\circ} 29' 00''$ W. a distance of 140.84 feet to an iron pin, thence N. $18^{\circ} 26' 00''$ W. a distance of 5.83 feet to an iron pin, thence S. $85^{\circ} 29' 00''$ W. a distance of 66.50 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Mitchell M. Kelly.

Easterly : By land now or formerly of Risdon Manufacturing Company.

Southerly : By land now or formerly of Michael Showah.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled "Property of Louis Showah Danbury, Conn. Scale 1" = 20' Oct. 28, 1965" certified substantially correct by Charles J. Osborne R.L.S.# 07398 of New Milford, Conn., which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 3831.

**THE ESTATE OF JOSEPH DASILVA
359 – 361 MAIN STREET
(TAX ASSESSOR'S LOT NO. H13307)**

A certain piece or parcel of land containing 7,569 square feet (0.1738Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 359 – 361 Main Street and known as Tax Assessor's Lot No. H13307 bounded and described as follows:

Commencing at the northeasterly corner of the intersection of Main Street and East Franklin Street which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street on the following courses and distances N. $36^{\circ} 32' 13''$ W. a distance of 31.82 feet to a point, thence N. $30^{\circ} 42' 13''$ W. a distance of 13.00 feet to a point thence N. $18^{\circ} 42' 26''$ W. a distance of 30.00 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of John A. Naim and Elham Naim and land now or formerly of Kapil M. and Panna Bhavsar, each in part N. $67^{\circ} 15' 01''$ E. a distance of 111.50 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen S. $31^{\circ} 40' 14''$ E. a distance of 56.85 feet to a point on the northerly street line of East Franklin Street, thence turning and running westerly along the northerly street line of East Franklin Street S. $58^{\circ} 25' 38''$ W. a distance of 114.40 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of John A. Naim and Elham Naim and by land now or formerly of Kapil M. Bhavsar and Panna Bhavsar, each in part.

Easterly : By land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen.

Southerly : By East Franklin Street.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Showing Property of The Estate of Joseph DaSilva to be Acquired by The City of Danbury 359 – 361 Main Street Danbury, Connecticut Scale: 1" = 20' March 14, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despopjado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.