

TALARICO, FRIZZELL & OLIVO

ATTORNEYS AT LAW

ROBERT N. TALARICO
THOMAS A. FRIZZELL
STEVEN M. OLIVO

142 DEER HILL AVENUE
DANBURY, CT 06810
TELEPHONE: (203) 792-8333
TELEPHONE: (203) 743-5556
FACSIMILE: (203) 778-9570
E-MAIL: ATTYSTFO@SNET.NET

RICHARD HANNA, OF COUNSEL
GEORGE PAPAZOGLU, OF COUNSEL
THOMAS A. FRIZZELL, JR., OF COUNSEL

JULIUS J. BIELIZNA (1914-1988)
HERBERT B. WANDERER (1902-1979)

August 24, 2005
HAND DELIVERED

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

**RE: POPLAR PARK, LLC
40 DIVISION STREET
SIGHT LINE EASEMENT**

Ladies and Gentlemen:

I have enclosed a copy of the Sight Line Easement Agreement executed by Poplar Park, LLC granting as easement in favor of the City of Danbury for traffic sight lines at the corner of Division Street and Park Avenue in Danbury. This easement was a requirement of a Grant of Special Exception by the Planning Commission for the construction of seventeen (17) townhouse units on the above property.

The Easement Agreement has been reviewed and approved by both the Engineering Department and the Corporation Counsel's Office. The original Agreement and mylar of the referenced map suitable for recording have been given to the Corporation Counsel's Office.

This letter constitutes a request that the Common Council accept the Easement and authorize execution by the Mayor. Please place this request on the September Common Council Agenda.

Thank you.

Very truly yours,



Steven M. Olivo

SMO/mh
Enclosure
cc:Corporation Counsel

SIGHT LINE EASEMENT AGREEMENT

This Agreement dated this _____ day of _____, 2005, by and between **POPLAR PARK, LLC**, of Danbury, Connecticut, (the "Grantor") and **THE CITY OF DANBURY**, Connecticut, a municipal corporation, (the "Grantee").

WITNESSETH

WHEREAS, the Grantor has title to certain real property located in Danbury, Connecticut, shown on a map entitled "Boundary Survey Prepared for Poplar Park, LLC, Danbury, Connecticut" Scale: 1" = 20' Area: 1.021 AC. Zone: RMF-4 Date: November 10, 2004 which map was prepared by New England Land Surveying, P.C., Robert M. Bennison, L.S. #12964 (the "Map") which is filed in the Danbury Town Clerk's Office as map number _____.

WHEREAS, the Grantee wishes to establish and preserve a clearing, to improve traffic sight lines, with no plantings other than ground covers or flowers;

WHEREAS, the Grantor and its successors and assigns are willing, in perpetuity, to help preserve that clearing; and

WHEREAS, the parties wish to create a sight line easement area (the "Easement Area") on and over a portion of said real property.

NOW THEREFORE, in consideration of the sum of ONE DOLLAR & 00/100 (\$1.00) and other valuable consideration, paid by the Grantee to the Grantor, receipt whereof is hereby acknowledged by the parties hereto, the Grantor conveys to the Grantee and its successors and assigns forever a certain perpetual sight line easement (designated on the Map as Parcel A, PROPOSED SIGHT LINE EASEMENT 343 S.F. 0.008 AC.) on and over the Easement Area and agrees for itself and its successors and assigns forever, to certain covenants running with the land as follows:

1. Grantor hereby grants to the Grantee and its successors and assigns, the perpetual right to maintain sight lines, without obstruction, across the Easement Area and shall cultivate no plantings on the Easement Area, other than ground covers or flowers.
2. The Grantor shall neither construct, nor allow to be constructed, any buildings or structures within the Easement Area. Further, the Grantor shall maintain no temporary or movable items, such as motor vehicles, and the Grantor shall plant nothing except ground covers or flowers within the Easement Area.
3. The Grantor shall otherwise leave the Easement Area in a natural and undisturbed state, except that Grantor shall generally maintain the Easement Area and shall be entitled to remove any unsightly fallen trees, limbs, or other debris within the Easement Area. Grantee may enter onto the Easement Area

STATE OF CONNECTICUT

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) ss: Danbury

COUNTY OF FAIRFIELD

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On this, the day of , 2005, before me, , the undersigned officer, personally appeared **Mark D. Boughton**, who acknowledged himself to be Mayor of the **CITY OF DANBURY**, a municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the **CITY OF DANBURY** by himself as Mayor.

In witness whereof I hereunto set my hand.
