

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on January 4, 2016, and that the same has not been amended or rescinded:

WHEREAS, In January of 2008 Roy B. Fleming submitted a subdivision/re-subdivision application to construct a 4-lot re-subdivision with cul de sac to include a street to be known as “Boulder Trail” on property located at 180 Plain Hill Road, which application was assigned file no. 414; and

WHEREAS, on March 18, 2008 the Commission on the City Plan approved said 4-lot re-subdivision subject to conditions suggested by various departments of the city including the following: the proposed road be lowered 2 ½ feet to reduce disturbance to the wetlands, a sidewalk added to the north side of the proposed cul de sac, road shoulders be modified in accordance with the city engineer’s comments, street lights be added at the end of the cul de sac and at the intersection of the proposed road with Plain Hill Road, the storm water basin be relocated closer to the wetlands, traffic signs be placed as requested by the traffic authority, and easements be prepared to allow access to the city of Norwich to all areas encumbered by drainage features for maintenance; and a bond for \$105,350 for the completion of improvements be posted; and

WHEREAS, said bond was posted and the improvements commenced; and

WHEREAS, the Council of the City of Norwich, by resolution adopted June 2, 2008 authorized City Manager Alan H. Bergren to accept a grant of drainage easements from Roy B. Fleming to the city of Norwich requiring the city of Norwich to maintain or repair any drainage improvements erected in the easement area and requiring Roy B. Fleming and his successors not to block or impede the surface water flow as to defeat the purpose of any drainage improvement within the easement area; and

WHEREAS, such drainage easements were recorded on July 9, 2008 and July 30, 2008 in the Norwich Land Records at volume 2495 page 95 and volume 2499 page 62 respectively; and

WHEREAS, Roy B. Fleming has completed the improvements required by the Commission on the City Plan and the street as constructed has been approved by the city engineer; and

WHEREAS, Roy B. Fleming proposes to dedicate the street to be known as “Boulder Trail” to public use and convey by warranty deed to the city of Norwich a fee interest in the same consisting of 28,847 square feet (0.66 acres) more or less.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that Acting City Manager John Bilda, be and hereby is authorized and directed, subject to the approval of the corporation counsel, to receive and record a warranty deed from Roy B. Fleming, a copy of which is attached hereto as Exhibit A, conveying to the city of Norwich the fee title to the street within said subdivision to be known as “Boulder Trail”, to cause such deed to be recorded on the land records of the city of Norwich, and to execute, deliver, receive and/or record such other documents on behalf of the city of Norwich may be necessary to effectuate this transfer; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that said street shall be known as “Boulder Trail”.

Return To:
City of Norwich Planning & Zoning

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Roy B. Fleming, of the Town of Norwich, County of New London and State of Connecticut County of New London and State of Connecticut (the "Grantor"), for good and valuable consideration received to his full satisfaction of **City of Norwich**, a Connecticut municipality in the County of New London and State of Connecticut (the "Grantee"), does give, grant, bargain, sell and confirm unto the Grantee, its successors and assigns forever, a certain piece or parcel of land, with the improvements thereon and appurtenances thereto, situated in the Town of Norwich, County of New London and State of Connecticut, and more particularly described in Schedule A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above granted and bargained premises unto the Grantee, its successors and assigns forever, to its and their own proper use and behoof.

AND ALSO, the Grantor does for himself and his heirs and assigns, covenant with the Grantee, its successors and assigns, that at and until the ensembling of these presents, he is well seized of the premises as a good indefeasible estate in fee simple and has good right to bargain and sell the same in manner and form as is above written, and that the same are free from all encumbrances whatsoever, except as hereinbefore mentioned.

AND FURTHERMORE, the Grantor does by these presents bind himself and his heirs and assigns to WARRANT AND DEFEND the above granted and bargained premises to the Grantee, its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, the Grantor has executed this warranty deed effective as of the ___ day of December, 2015.

Signed, Sealed and Delivered
In the Presence of:

Roy B. Fleming

EXHIBIT A

STATE OF CONNECTICUT

ss: Norwich

COUNTY OF NEW LONDON

On this, the ___ day of December, 2015, before me, the undersigned officer, personally appeared Roy B. Fleming, signer and sealer of the foregoing instrument who acknowledged the signing of the same to be his free act and deed.

Commissioner of the Superior Court
Notary Public
My Comm. Expires: _____

EXHIBIT A

“SCHEDULE A”

A certain tract of land located westerly of Plain Hill Road in the City of Norwich, County of New London State of Connecticut, being more particularly depicted as “Boulder Trail” on a plan entitled “RESUBDIVISION PLAN PREPARED FOR ROY B. FLEMING 180 PLAIN HILL ROAD NORWICH, CONNECTICUT SCALES AS SHOWN DECEMBER 2007 LAST REVISED 3-18-08 JOB I.D. NO.: 07-0047 SHEETS 1-8 OF 8”, Prepared by Camp Land Surveyors, LLC, Susan F. Camp, L.S., 148 Route 2, Preston, Connecticut 06365, (860) 889-1999. Said road right of way is also depicted on a plan entitled, “IMPROVEMENT LOCATION SURVEY DEPICTING ‘BOULDER TRAIL’ PREPARED FOR ROY B. FLEMING 180 PLAIN HILL ROAD NORWICH, CONNECTICUT SCALE: 1”=40’ DATE: MARCH 2013 JOB I.D. NO.: 07-0047” Prepared by Mattern & Stefon Land Surveyors, LLC, 148 Route 2, Preston, Connecticut 06365, (860) 889-1999.

Beginning at a rebar/cap set at the face intersection of a stonewall on the westerly existing street line of Plain Hill Road and abutting lands now or formerly of Mark J. Marcy to the south.

Thence along said Marcy, along a stonewall centerline the following courses and distances:
N 72°-49’-07” W, 69.21’ to a point,
S 78°-39’-15” W, 7.90’ to a rebar with cap set at a stonewall intersection, abutting Lot #1 as depicted on said plan to the west.

Thence along said Lot #1, the following:

N 30°-07’-37” E, 6.43’ to a rebar/cap set,
N 72°-08’-01” W, 125.37’ to a rebar/cap set,
N 72°-08’-01” W, 83.32’ to a monument set at a point of curvature,
Along a curve deflecting to the right having a central angle of 23°-00’-48”, a radius of 175.00’, an arc length of 70.29’, a tangent length of 35.63’, a chord bearing of N 60°-37’-37” W and a chord length of 69.82’ to a monument set at a point of tangency,
N 49°-07’-13” W, 67.84’ to a monument set at a point of curvature,
Along a curve deflecting to the left having a central angle of 48°-11’-23”, a radius of 25.00’, an arc length of 21.03’, a tangent length of 11.18’, a chord bearing of N 73°-12’-54” W and a chord length of 20.41’ to a monument set at a point of reverse curvature,
Along a curve deflecting to the right having a central angle of 35°-09’-02”, a radius of 50.00’, an arc length of 30.67’, a tangent length of 15.84’, a chord bearing of N 79°-44’-05” W and a chord length of 30.20’ to a point, abutting Lot #2 as depicted on said plan to the west.

Thence along said Lot #2, along a curve deflecting to the right having a central angle of 100°-32’-26”, a radius of 50.00’, an arc length of 87.74’, a tangent length of 60.16’, a chord bearing of N 11°-53’-21” W and a chord length of 76.91’ to a rebar with cap set, abutting Lot #3 as depicted on said plan to the north and east.

Thence along said Lot #3, the following:

Along a curve deflecting to the right having a central angle of 140°-41’-18”, a radius of 50.00’, an arc length of 122.77’, a tangent length of 139.98’, a chord bearing of S 71°-16’-29” E and a chord length of 94.17’ to a monument set at a point of reverse curvature,

EXHIBIT A.

Along a curve deflecting to the left having a central angle of $48^{\circ}-11'-23''$, a radius of 25.00', an arc length of 21.03', a tangent length of 11.18', a chord bearing of $S\ 25^{\circ}-01'-31''\ E$ and a chord length of 20.41' to a monument set at a point of tangency,

$S\ 49^{\circ}-07'-13''\ E$, 67.84' to a monument set at a point of curvature,

Along a curve deflecting to the left having a central angle of $23^{\circ}-00'-48''$, a radius of 125.00', an arc length of 50.21', a tangent length of 25.45', a chord bearing of $S\ 60^{\circ}-37'-37''\ E$ and a chord length of 49.87' to a monument set at a point of tangency, at the southeast corner of said Lot #3 and the southwest corner of Lot #4 as depicted on said plan.

Thence along said Lot #4, the following courses and distances:

$S\ 72^{\circ}-08'-01''\ E$, 130.00' to a rebar/cap set,

$S\ 72^{\circ}-08'-01''\ E$, 145.87' to a rebar/cap set on the westerly existing streetline of Plain Hill Road, at the southeast corner of said Lot #4.

Thence along said westerly existing streetline of Plain Hill Road, the following courses and distances:

$S\ 09^{\circ}-22'-15''\ W$, 24.84' to a point,

$S\ 09^{\circ}-42'-17''\ W$, 17.10' to a point,

$S\ 09^{\circ}-37'-32''\ W$, 10.21' to the point and place of beginning.

Said road right of way contains 28,846 square feet or 0.66 acre of land more or less.

LAW OFFICES OF CHINIGO, LEONE & MARUZO, LLP

P.O. BOX 510, 141 BROADWAY NORWICH, CONNECTICUT 06360 JURIS # 106188 (860) 889-8900

Dated at Norwich, Connecticut this 5th day of January 2016.

ATTEST:

Betsy M. Barrett

Betsy M. Barrett
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on January 4, 2016, and that the same has not been amended or rescinded:

WHEREAS, the City of Norwich owns the property known as 77 Chestnut Street, (Map 102 Block 3 Lot 11); and

WHEREAS, the premises at 89 Chestnut Street (Map 93 Block 3 Lot 33) includes a private residence owned by Anthony D. and Roseanna Heft; and

WHEREAS, 77 Chestnut Street and 89 Chestnut Street are located within an area of the City that has been the focus of efforts for economic redevelopment and reuse in order to enhance property values; and

WHEREAS, the property at 89 Chestnut Street includes a driveway that is immediately adjacent to the property at 77 Chestnut Street; and

WHEREAS, the driveway at 89 Chestnut Street is too narrow for purposes of providing pedestrian access and vehicle parking; and

WHEREAS, Anthony D. Heft, a resident of 89 Chestnut Street, has requested that the City of Norwich grant a license, personal to him, permitting him use of a portion of the parcel at 77 Chestnut Street measuring approximately 11 feet by 102 feet to provide better pedestrian access to, and additional vehicle parking space at 89 Chestnut Street reducing the need for on street parking and improving the safe use of the property; and

WHEREAS, the City of Norwich has no immediate need for the property at 77 Chestnut Street but anticipates that it will be improved or developed in connection with other property or independently within the next several years; and

WHEREAS, the City of Norwich and Anthony D. Heft propose to enter into a license agreement permitting use of the City property as proposed by Anthony D. Heft but terminable at any time at the sole discretion of the City of Norwich; and

WHEREAS, the City of Norwich and Anthony D. Heft agree that this license agreement shall automatically terminate if Anthony D. Heft no longer resides at 89 Chestnut Street; and

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, Acting City Manager John Bilda, be and hereby is authorized and directed to execute a license agreement that is satisfactory to him, but substantially including the terms set out in the foregoing, on behalf of the City of Norwich and to deliver the document to Anthony D. Heft for execution. The original executed license agreement shall be retained by the City of Norwich with a copy provided to Anthony D. Heft and recorded on the land records solely at the option of the City of Norwich.

Dated at Norwich, Connecticut this 5th day of January 2016.

ATTEST:



Betsy M. Barrett
City Clerk