RESOLUTION AUTHORIZING THE ACQUISTION
BY NEGOTIATION OR EMINENT DOMAIN
OF RIGHTS OF WAY
FOR THE STAMFORD URBAN TRANSITWAY PROJECT

Whereas, the City of Stamford has recognized that there is a need for a new or reconstructed Transitway that will provide a link between I-95 at Elm Street to the Stamford Transportation Center and will include Bus/HOV lanes in addition to general-use travel lanes, bike lanes, and pedestrian sidewalks;

Whereas, the City has recognized that this Transitway will require property acquisition including full and partial takings and permanent easements;

Whereas, the Board of Representatives of the City of Stamford has by Resolution No. 2573 adopted on May 1, 2000 authorized the Mayor to file an application with the Secretary of Transportation for a grant to aid in the financing of planning, capital and/or operating assistance for the Stamford Urban Transitway;

Whereas, after newspaper notice, the City conducted a Public Information Meeting on October 9, 2001 to explain the impact upon the parcels located between Elm Street (the easternmost project limit) and Atlantic Street (the westernmost project limit) and the residential family relocations and business relocations that have been identified;

Whereas, the City conducted, after newspaper notice, a Public Hearing on draft Environmental Assessment and 4(f) Evaluation on July 9, 2002 for the Stamford Urban Transitway;

Whereas, the Federal Transit Administration has issued FONSI Approval (Finding of No Significant Impact Issued on project Environmental Assessment Document) on April 4, 2003;

Whereas, after newspaper notice, the City conducted a Public Information Meeting for June 10, 2003 to explain the Stamford Urban Transitway;

Whereas, FTA has issued an approval to enter into Final Design on August 21, 2003;

Whereas, the City has provided public information by creating and updating information to the website on the Stamford Urban Transitway project;

Whereas, there have been meetings at various times over the past three years to receive all necessary approvals from the Planning Board, Board of

Finance and Board of Representatives to approve funding of the City's 20% share of the Stamford Urban Transitway project;

Whereas, the City has entered into an intergovernmental agreement with various parties to perform property acquisition services on approximately seventy (70) parcels, relocation of approximately sixteen (16) businesses, and relocation of approximately thirty-three (33) families, for the Stamford Urban Transitway Right of Way,

Whereas, the Engineering Bureau has prepared or caused to be prepared preliminary taking maps for approximately seventy (70) parcels required for the construction of Urban Transitway Right of Way, posted on the website (*www.cityofstamford.org/engineering/UrbanTransitway/RightOfWay/ImpactedProertyList.asp*),

Whereas, the Board of Representatives along with the Engineering Bureau and Board of Finance has held a public hearing on April 15, 2004 after publication in the local newspaper on and notice by certified, return receipt mail, to all property owners, to authorize the acquisition or condemnation of the parcels necessary for the Stamford Urban Transitway project;

Now therefore, the Board of Representatives hereby declares pursuant to Charter Sections 1-50-1 and 8-60-1 and 8-60-3 that the public necessity, safety, health and welfare require that the Stamford Urban Transitway project go forward;

That the Mayor, Office of Operations and Director of Administration are herby instructed to prepare a report pursuant to Charter Sections 8-60-3 and 8-60-4;

That such report include engineering, surveys, plans, profiles, specifications, cost estimates, estimates of the value of any land proposed to be taken and the amount of damages which should be assessed in favor of each piece of property affected;

That such report shall be filed for public inspection, mailed to all interested persons and that all interested persons be provided with notice of a time and place to be heard in respect to the price of any land proposed to be taken or acquired or in respect to the assessment of damages as well as any benefits under the Uniform Relocation Act; and,

That the Director of Administration shall make a final report to the Board of Representatives pursuant to Charter Sec. 8-60-5 concerning the amounts that should be paid for each of the properties and the cost of the Stamford Urban Transitway project.