

TOWN OF MONTVILLE
NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given that the Town Council of the Town of Montville, at a special meeting held September 20, 2022 adopted the following Ordinance.

ORDINANCE NO. 2022-06

**AN ORDINANCE REGARDING THE CONVEYANCE OF
FORT SHANTOK ROAD (EAST), SUNNY HILL DRIVE AND A PORTION
OF SHANTOK HEIGHTS ROAD**

THE TOWN OF MONTVILLE HEREBY ORDAINS:

Section 1.

The Mayor is hereby authorized to convey by Quit Claim Deed Fort Shantok Road (East), Sunny Hill Drive and a portion of Shantok Heights Road to The Mohegan Tribe of Indians of Connecticut for no consideration, but on the terms and conditions contained in an "Agreement Concerning Road Discontinuance, Property Transfer and Snow Removal Obligations" by and between The Mohegan Tribe of Indians of Connecticut and the Town of Montville dated August 13, 2021. The roads are further described on Schedule A attached hereto.

Section 2.

The Mayor is hereby authorized to execute and deliver a quit claim deed to said roads; which deed shall be approved by the Town Attorney as to form, content and legality. The Mayor is also authorized to execute such other documents as are required to complete the conveyance of said roads and to carry out the purposes of this Ordinance.

Section 3.

This ordinance shall become effective thirty (30) days from the date of its adoption.

Dated at Montville, Connecticut this 21st day of September, 2022.

Katie Haring, Montville Town Clerk

SCHEDULE A

That certain piece or parcel of land, together with the improvements thereon situated easterly of Fort Shantok Road and commonly referred to as **the easterly portion of the roadway** known as **Fort Shantok Road**, in the Town of Montville, County of New London and State of Connecticut, and being more particularly bounded and described as follows:

Beginning at a rebar with cap set at a point in the southeasterly street line of Fort Shantok Road, said rebar with cap being the southwesterly corner of the parcel herein described, said point also lying in the northerly non-access highway line of Connecticut Route 2A and being located at Connecticut grid coordinates N 736722.02, E 1181668.70, as more particularly shown on the herein referenced survey plan,

Thence running N 19° 33' 17" W, by and along the remaining portion of the roadway known as Fort Shantok Road, a distance of 52.52' to an iron pipe recovered at the northwesterly corner of the herein described parcel, said point also being the southwesterly corner of land of The United States Of America In Trust For The Mohegan Tribe Of Indians Of Connecticut;

Thence by and along said land of The United States Of America in Trust For The Mohegan Tribe Of Indians Of Connecticut, for the following courses and distances:

N 83° 48'58" E, a distance of 515.18' to a nail recovered in ledge at Connecticut grid coordinates N 736826.99, E 1182163.10,

N 84° 03'18" E, a distance of 199.92' to a point,

N 83° 46'08" E, a distance of 429.13' to a point,

N 14° 59'44" W, a distance of 0.21' to an iron pipe recovered,

N 83° 46'32" E, a distance of 164.96' to a spike set,

N 06° 13'28" W, a distance of 40.00' to a rebar set,

N 83° 46'32" E, a distance of 88.82' to a rebar set,

Thence running S 05° 41'09" E, bounded in part northeasterly by said land of The United States Of America In Trust For The Mohegan Tribe Of Indians Of Connecticut and in part by and along the southwesterly non-access highway line of Connecticut Route 2A, a distance of 90.00' to a spike set at the southeasterly corner of the herein described parcel at Connecticut grid coordinates N 736872.18, E 1183045.32,

Thence running S 83° 46' 32" W, by and along said non-access highway line of Connecticut Route 2A, a distance of 1385.00' to the point and place of beginning.

Said parcel contains 1.69 acres, more or less (73,521 square feet, more or less), and is more particularly shown on a survey plan entitled: **"Survey Plan – Fort Shantok Road Prepared for The Mohegan Tribe of Indians of Connecticut Address: Fort Shantok Road Town/City/State Montville (Uncasville) CT Sheet Title: Showing Land of the Town of Montville (Fort Shantok Road), Montville, Connecticut To Be Released To The Mohegan Tribe Of Indians Of Connecticut Date: 9/12/2019 Scale: 1"=60' Project # 2018-100 Drawn By: SRM/LAQ File Name: Fort Shantok RD_Survey PLAN_FINAL.dwg S-1 Sheet Number 1/1"** Prepared By The Mohegan Tribe, CAD/GIS Document Control Department.

Said premises is conveyed together with an easement for purposes of discharging surface water from drainage facilities located on the hereinbefore described premises into the drainage system of the State of Connecticut as conveyed in a Quitclaim Deed from the State of Connecticut

to the Town of Montville, dated September 9, 1968 and recorded in Volume 102, Page 171 of the Montville Land Records.

Said premises is further conveyed together with the right to maintain and utilize a paved ditch, an endwall and a 30 inch A.C.C.M. pipe located on land formerly of Albert Elbaum, et al., northerly of and between approximate stations 71 + 72 and 72 + 50 of the base line of Connecticut Route 2A.

Meaning and intending to convey the same parcel conveyed in a Quit Claim Deed from The State Of Connecticut to the Town of Montville, dated September 9, 1968 in Volume 102 Page 171 of the Town of Montville Land Records.

That certain piece or parcel of land, together with the improvements thereon situated northerly of Fort Shantok Road and commonly referred to as **the roadway known as Sunny Hill Drive** and commonly referred to as **a portion of the roadway known as Shantok Heights Road**, in the Town of Montville, County of New London and State of Connecticut, and being more particularly bounded and described as follows:

Beginning at an iron pipe recovered in the intersection of the northerly street line of Fort Shantok Road and the easterly street line of Sunny Hill Drive, said iron pipe being the southeasterly corner of the parcel herein described and the southerly corner of land of The United States Of America In Trust For The Mohegan Tribe Of Indians Of Connecticut, as more particularly shown on the herein referenced survey plan,

Thence by and along said land of The United States Of America In Trust For The Mohegan Tribe of Indians of Connecticut, for the following courses and distances:

Northwesterly along the arc of a curve to the right having a central angle of $59^{\circ}05'53''$, a radius of 25.00', a chord distance of 24.66', a chord bearing of $N 31^{\circ}15'49'' W$, an arc length of 25.79' to a point, $N 01^{\circ}42'53'' W$, a distance of 213.27' to a point,

Northerly along the arc of a curve to the right having a central angle of $18^{\circ}01'27''$, a radius of 290.00', a chord distance of 90.85', a chord bearing of $N 07^{\circ}17'51'' E$, an arc length of 91.23' to a point, $N 16^{\circ}18'34'' E$, a distance of 122.13' to a point,

Northeasterly along the arc of a curve to the left having a central angle of $15^{\circ}16'22''$, a radius of 575.00', a chord distance of 152.82', a chord bearing of $N 08^{\circ}40'23'' E$, an arc length of 153.27' to a point,

Northeasterly along the arc of a curve to the right having a central angle of $24^{\circ}09'31''$, a radius of 75.00', a chord distance of 31.39', a chord bearing of $N 13^{\circ}06'57'' E$, an arc length of 31.62' to a point, $N 25^{\circ}11'43'' E$, a distance of 155.60' to a point,

Northeasterly along the arc of a curve to the right having a central angle of $10^{\circ}12'30''$, a radius of 275.00', a chord distance of 48.93', a chord bearing of $N 30^{\circ}17'58'' E$, an arc length of 49.00' to a point,

$N 35^{\circ}24'13'' E$, a distance of 195.09' to a point,

Northeasterly along the arc of a curve to the right having a central angle of $38^{\circ}48'58''$, a radius of 425.00', a chord distance of 282.45', a chord bearing of $N 54^{\circ}48'42'' E$, an arc length of 287.92' to a point,

Easterly along the arc of a curve to the right having a central angle of $41^{\circ}38'52''$, a radius of 21.50', a chord distance of 15.29', a chord bearing of $S 84^{\circ}57'23'' E$, an arc length of 15.63' to a point,

Easterly, northerly and westerly along the arc of a curve to the left having a central angle of $260^{\circ}36'21''$, a radius of 40.00', a chord distance of 61.01', a chord bearing of $N 142^{\circ}6'07'' W$, an arc length of 181.94' to a point,

Southwesterly along the arc of a curve to the right having a central angle of $38^{\circ}57'29''$, a radius of 25.00', a chord distance of 16.67', a chord bearing of $S 54^{\circ}44'27'' W$, an arc length of 17.00' to a point,

Southwesterly along the arc of a curve to the left having a central angle of $38^{\circ}48'58''$, a radius of 475.00', a chord distance of 315.68', a chord bearing of $S\ 54^{\circ}48'42''\ W$, an arc length of 321.80' to a point,

$S\ 35^{\circ}24'13''\ W$, a distance of 195.09' to a point,

Southwesterly along the arc of a curve to the left having a central angle of $10^{\circ}12'30''$, a radius of 325.00', a chord distance of 57.83', a chord bearing of $S\ 30^{\circ}17'58''\ W$, an arc length of 57.91' to a point,

$S\ 25^{\circ}11'43''\ W$, a distance of 22.15' to a concrete monument recovered, said point being at the intersection of the northwesterly street line of said Sunny Hill Drive with the northwesterly street line of Shantok Heights Road,

Southwesterly along the arc of a curve to the right having a central angle of $57^{\circ}21'11''$, a radius of 30.00', a chord distance of 28.79', a chord bearing of $S\ 53^{\circ}39'58''\ W$, an arc length of 30.03' to a point,

$S\ 82^{\circ}20'34''\ W$, a distance of 141.28' to a northwesterly corner of the herein described parcel and the southeasterly corner of land now or formerly of Michael J. Cedio and Barbara J. Cedio,

Thence running $S\ 00^{\circ}00'43''\ E$, bounded westerly by other land of the Town of Montville known as "Shantok Heights Road", a distance of 50.34' to a southwesterly corner of the herein described parcel, said point also being the northeasterly corner of land now or formerly of Michael J. Cedio and Barbara J. Cedio and the northwesterly corner of land of The United States Of America In Trust For The Mohegan Tribe Of Indians Of Connecticut, as more particularly shown on the herein referenced survey plan,

Thence by and along said land of The United States Of America In Trust For The Mohegan Tribe Of Indians Of Connecticut, for the following courses and distances:

$N\ 82^{\circ}20'34''\ E$, a distance of 77.52' to a concrete monument recovered,

Southeasterly along the arc of a curve to the right having a central angle of $121^{\circ}19'57''$, a radius of 30.00', a chord distance of 52.31', a chord bearing of $S\ 36^{\circ}01'38''\ E$, an arc length of 63.53' to a concrete monument recovered, said point being at the intersection of the southeasterly street line of said Shantok Heights Road with the northwesterly street line of Sunny Hill Drive,

$S\ 25^{\circ}11'43''\ W$, a distance of 2.83' to a point,

Southwesterly along the arc of a curve to the left having a central angle of $24^{\circ}09'31''$, a radius of 125.00', a chord distance of 52.32', a chord bearing of $S\ 13^{\circ}06'57''\ W$, an arc length of 52.71' to a point,

Southwesterly along the arc of a curve to the right having a central angle of $15^{\circ}16'22''$, a radius of 525.00', a chord distance of 139.53', a chord bearing of $S\ 08^{\circ}40'23''\ W$, an arc length of 139.94' to a point,

$S\ 16^{\circ}18'34''\ W$, a distance of 122.13' to a point,

Southwesterly along the arc of a curve to the left having a central angle of $18^{\circ}01'27''$, a radius of 340.00', a chord distance of 106.52', a chord bearing of $S\ 07^{\circ}17'51''\ W$, an arc length of 106.96' to a point,

$S\ 01^{\circ}42'53''\ E$, a distance of 203.32' to a point,

Southwesterly along the arc of a curve to the right having a central angle of $59^{\circ}05'24''$, a radius of 25.00', a chord distance of 24.66', a chord bearing of $S\ 27^{\circ}49'50''\ W$, an arc length of 25.78' to an iron pipe recovered at a southwesterly corner of the herein described parcel, said point lying in the northeasterly street line of Fort Shantok Road,

Thence running $S\ 84^{\circ}05'22''\ E$, by and along said northeasterly street line of Fort Shantok Road, a distance of 74.98' to the point and place of beginning.

Said parcel contains 1.85 acres, more or less (80,775 square feet, more or less), and is more particularly shown as "LAND TO BE CONVEYED FROM THE TOWN OF MONTVILLE TO THE UNITED STATES OF AMERICA IN TRUST FOR THE MOHEGAN TRIBE OF INDIANS OF CONNECTICUT" on a survey plan entitled: "**Right of Way Acquisition Survey Sunny Hill Drive & Shantok Heights Road Mohegan Tribe of Indians of Connecticut Address: Sunny Hill Drive Town/City, State Montville CT Sheet Title: LAND TO BE CONVEYED FROM THE TOWN OF MONTVILLE TO THE UNITED STATES OF AMERICA FOR THE MOHEGAN TRIBE OF INDIANS OF CONNECTICUT Date: 9/25/2019 Revision 1 Survey Notes Revised and Minor Cartographic Edits 11/07/2019 Scale: 1"=60' Project #2019-01 Drawn By: SRM/LAQ File Name: Sunny Hill ROW Acquisition SP-01 Sheet number 1/1**" Prepared By Mohegan Tribe.

Said premises is conveyed together with all of the rights, benefits and privileges, but subject to the obligations and servitudes contained in that certain Agreement Concerning Road Discontinuance, Property Transfer and Snow Removal Operations by and between The Mohegan Tribe of Indians of Connecticut and the Town of Montville dated August 13, 2021 and recorded immediately prior hereto in the Montville, Connecticut Land Records.

Being the same premises conveyed to the Town of Montville in a Warrantee Deed from Glenn Realty, dated November 29, 1972 and recorded December 7, 1972 in Volume 118 Page 152 of the Montville Land Records and in a Quit Claim Deed from Glenn Realty, dated July 5, 1974 and recorded July 5, 1974 in Volume 122 Page 592 of the Montville Land Records.
