

July 15, 2024

SENT VIA PERSONAL DELIVERY & EMAIL

Town of Westport
c/o Zoning Board of Appeals
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
zba@westportct.gov

RE: Supplemental Submission in Further Support of Appeal of Denial of Issuance of Zoning Permit for Pickleball Court for Property Located at 63 Old Hill Road

Dear Zoning Board of Appeals,

As you may be aware, this firm represents Diana G. Coyne and James A. Coyne, Trustees of the Diana G. Coyne Revocable Trust (the “Applicant”), the owner and occupant of 63 Old Hill Road (the “Property”). I write to you today in further the Applicant’s May 8, 2024 Appeal of Denial of Issuance of Zoning Permit for Pickleball Court for Property Located at 63 Old Hill Road (the “Appeal”).¹ In short, the Applicant asserts that although there is a “Right of Way” above and beyond the covered portion of Side Hill Road provided for in the Applicant’s deed, none of the neighboring lots have the right to use the unpaved portion of the right of way and their access is limited to Side Hill Road in its current size and placement. Accordingly, there are no property rights of any adjacent property owners over any portion of the Right of Way other than the current paved portion of the Side Hill Road.

The Zoning Staff’s denial of the Application is premised on the opinion that the “front setback along Side Hill Road is measured from the edge of the Right of Way of Side Hill Road[.]” This language is presumed to be derived, in part, from the Applicant’s warranty deed, which provides for “a Right of Way for all purposes over that tract of land 20 feet in width adjacent to the Northerly boundary of Parcel 1-A extending from Old Hill Road westerly to the Westerly boundary of the premises.”² Side Hill Road occupies a small portion of this “Right of Way” area that is only addressed in the Applicant’s deed. The chart below includes the language in each of the deeds for the properties located on Side Hill Road and shows that, to the extent the properties located on Side Hill Road have a right of way over Applicant’s Property, it is limited to the paved portion of Side Hill Road. As such, the paved portion represents the extent of any right of way

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Appeal.

² A copy of the Warranty Deed is attached to the Appeal.



that other property owners have an interest in and, therefore, that must be the line from which any setback is measured for the Project.

Exhibit	Address	B/P No.	Map No.	Language from Deed
A	6 Side Hill	3459/318	3914	Together with the use of the private road leading from said Plot No. 1 in a general easterly direction to highway Old Hill Road, so-called, as though it were a public highway
B	7 Side Hill	4268/254	8847	TOGETHER WITH a right of way, as may exist, for all purposes, including public utilities, over Side Hill Road, so-called, in common with others
C	8 Side Hill	4193/291	4337	TOGETHER WITH all the right, title, and interest, as may exist, in and to that portion of the private road, Side Hill Road, so-called, adjoining said premises on the Southeast and extending a distance of 14.10 feet beyond the Southerly boundary of said premises to the center line thereof, as may in common with others. TOGETHER WITH all the right, title, and interest, as may exist, in and to that portion of the private roadway designated as "25' Roadway" on said map, adjoining said premises on the South to the center line thereof, in common with others. TOGETHER WITH the right of way, in common with others, to whom a similar right has been or may hereafter be granted, for any and all lawful purposes whatsoever, including public utilities, in, through, over, and upon each and every portion of the private roadways as shown on said map
D	12 Side Hill	1140/33	4337	<p>Together with all the right, title and interest in and to that portion of the private road, Side Hill Road, so-called, adjoining said premises on the East (and extending to a distance of 14.10 feet beyond the Northerly boundary of said premises) to the center line thereof; together with all the right, title and interest in and to that portion of the private roadway designated as 25' roadway on said map adjoining said premises on the North to the center line thereof</p> <p>Together with a right of way in common with other to whom a similar right has been or may hereafter be granted for any and all lawful purposes whatsoever, including public utilities in, through, over and upon each and every portion of the private roadways as shown on said map</p>



E	14 Side Hill	1710/001	4337	<p>TOGETHER WITH all the right, title and interest in and to that portion of the private road, Side Hill Road, co-called, as shown on said map adjoining said premises on the east to the center line there</p> <p>TOGETHER WITH all right, title and interest in and to that portion of the private roadway designated as “25 foot roadway” on said map adjoining said premises on the south to the center line thereof</p>
F	15 Side Hill	3046/120	6073 ³	TOGETHER WITH: A right of way for all purposes over Side Hill Road, leading to Old Hill Road
G	17 Side Hill	1624/102	6072	TOGETHER WITH a right of way, for all lawful purposes, in over, upon and across the highway known as Side Hill Road
H	18 Side Hill	3597/115	4895	<p>TOGETHER with the use of all private roads as shown on Map 4337 on file in the Westport Town Clerk’s office, leading to the public highway, Old Hill Road, so-called, as though they were public highways,</p> <p>TOGETHER with all the right, title and interest in and to that portion of the turnaround and private road, Side Hill Road, so-called, as shown on said map, adjoining said premises on the east to the center line thereof,</p> <p>TOGETHER with all the right, title and interest in and to that portion of the private roadway designated as “25 foot roadway” on said map, adjoining said premises on the north to the center line thereof</p>
I	21 Side Hill	3542/314	5845	<p>TOGETHER WITH all the right, title and interest in and to that portion of the private road, Side Hill Road, so-called, abutting said premises to the center line thereof; together with all right, title and interest in and to the turnaround on said map.</p> <p>TOGETHER WITH a right of way in common with other to whom similar right has been or may hereafter be granted for any and all lawful purposes whatsoever, including public utilities in, through over and upon each and every portion of the private roadway, Side Hill Road, as shown on said map.</p>

³ Applicant believes the reference to Map No. 6073 in this deed is a mistake, as this property is addressed in Map No. 6072.



J	23 Side Hill	436/289	5795	<p>TOGETHER with all the right, title and interest of the Grantors in and to that portion of the private road, Side Hill Road, so-called, abutting said Premises on the center line thereof; TOGETHER with all the right, title and interest in and to the turn around as shown on said map, which the grantors may have.</p> <p>ALSO TOGETHER with a right of way in common with other to whom a similar right has been given or may hereafter be granted for any and all lawful purposes whatsoever, including public utilities, in, through, over and upon each and every portion of the private roadway, Side Hill Road, as shown on said map.</p>
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This position is further supported by the limitations of the Side Hill Road Special Taxing District.⁴ The Special Taxing District addresses only Side Hill Road and no greater area such as the “Right of Way” relied upon by the Zoning Staff. Taking the language of the neighboring deeds and the limitations of the Special Taxing District together shows that the “Right of Way” referenced in the Applicant’s deed is held by none of the neighboring plots. Applicant’s neighbors may only pass over Applicant’s property on the paved portion of Side Hill Road and that is the point the Regulations clearly intend to measure setback from. As such, the Applicant respectfully submits that the Project should be approved in its current form, as any setback larger than the one currently proposed for the Project is an unfair limitation on the Applicant’s use and enjoyment of the Property.

Sincerely,

Eric Bernheim, Esq.


[Enclosures]

⁴ A copy of the Ordinance Organizing The Side Hill Road Special Taxing District, dated March 15, 2001, as recorded in Volume 1834 at Page 233, as may be amended, of the Westport Land Records, is attached at Exhibit K.



EXHIBIT A

After Recording Return To:
Robert J. Yamin, Esq.
Yamin & Yamin, LLP
4 Moss Avenue
Danbury, CT 06810


Doc ID: 002850730003 Type: LAN
Book 3459 Page 318 - 320
File# 1264

WARRANTY DEED

To All People To Whom These Presents Shall Come, Greeting:

KNOW YE, THAT MARK FINELL of the City of **Westport** County of Fairfield and State of Connecticut (hereinafter referred to as the "Grantor"), for the Consideration of **ONE MILLION FIVE HUNDRED EIGHTY FIVE THOUSAND AND 00/100 (\$1,585,000.00)** received to our full satisfaction of **ROBERT T. SIMMELKJAER, II and KATHRYN L. SIMMELKJAER , as Joint Tenants with Rights of Survivorship**, both of New York , NY (hereinafter referred to as the "Grantees"), does hereby give, grant, bargain, sell and confirm unto the said Grantees and unto their heirs and assigns, a certain piece or parcel of land, with the buildings and improvements thereon and appurtenances thereto situated in the City of Westport, County of Fairfield and State of Connecticut, known as **6 Side Hill Road, Westport, CT 06880** and being more particularly described in Schedule "A" attached hereto and made a part of.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto it, the said Grantees and their successors and assigns forever, to their and their own proper use and behoof. And Also, I the said Grantor, do for myself and my, executors, and administrators, covenant with the said Grantees and their successors and assigns, that at and until the ensembling of the presents, I am well seized of the premises, as a good indefeasible estate in Fee Simple; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

AND FURTHERMORE, I the said Grantor, do by these presents bind myself and my heirs, executors, and administrators forever to **WARRANT AND DEFEND** the above granted and bargained premises to it the said Grantees, and their successors and assigns, against all claim and demands whatsoever, except as hereinbefore mentioned.


CONVEYANCE TAX
COLLECTED
Patricia H. Strauss
TOWN CLERK OF WESTPORT


State - \$15,812.50
Town - \$3,962.50

IN WITNESS WHEREOF, I have herunto set my hands and seals this 6th day of August, 2013.

Signed, Sealed and Delivered in the Presence of:


Jonathan T. Hoffman



Mark Finell


Jessica Teixeira

STATE OF CONNECTICUT)
) ss. Stamford
COUNTY OF FAIRFIELD)

August 6, 2013

The foregoing instrument was acknowledged before me this 6th day of August, 2013 by Mark Finell as his free act and deed.


Jonathan T. Hoffman
Commissioner of The Superior Court

SCHEDULE A

The premises situated in the Town of Westport, County of Fairfield and State of Connecticut, in quantity 1.08 acres shown as Plot 1 on "Map Prepared for Edward Hazen Reed and Joan Woodward Reed Westport, Conn. April 1954", on file in the Westport Town Clerk's Office as Map No. 3914, and bounded:

- NORTHERLY: by Plot No. 2 as shown on said map, being land of William C. Keeley and Carol M. Keeley, 295.46 feet;
- EASTERLY: by a private roadway as shown on said map, 110.18 feet;
- SOUTHERLY: by the center line of a private road as shown on said map, 169.47 feet;
- SOUTHWESTERLY: by a private road, 20 feet;
- SOUTHERLY
again: by land now or formerly of Edith H. Power, 115.08 feet;
- WESTERLY: by land now or formerly of Pauline A. Halloran, 195 feet.

Together with the use of the private road leading from said Plot No. 1 in a general easterly direction to highway Old Hill Road, so-called, as though it were a public highway.

Being the same premises described in a map entitled "As Built Prepared for Andrzej Piekarski, Westport, Connecticut May 23, 1997 by Leonard Surveyors" and recorded in the Westport Town Clerk's Office.

Received for Record at Town of Westport, CT
On 08/08/2013 At 2:19:48 pm


Patricia H. Strauss, Town Clerk

3914

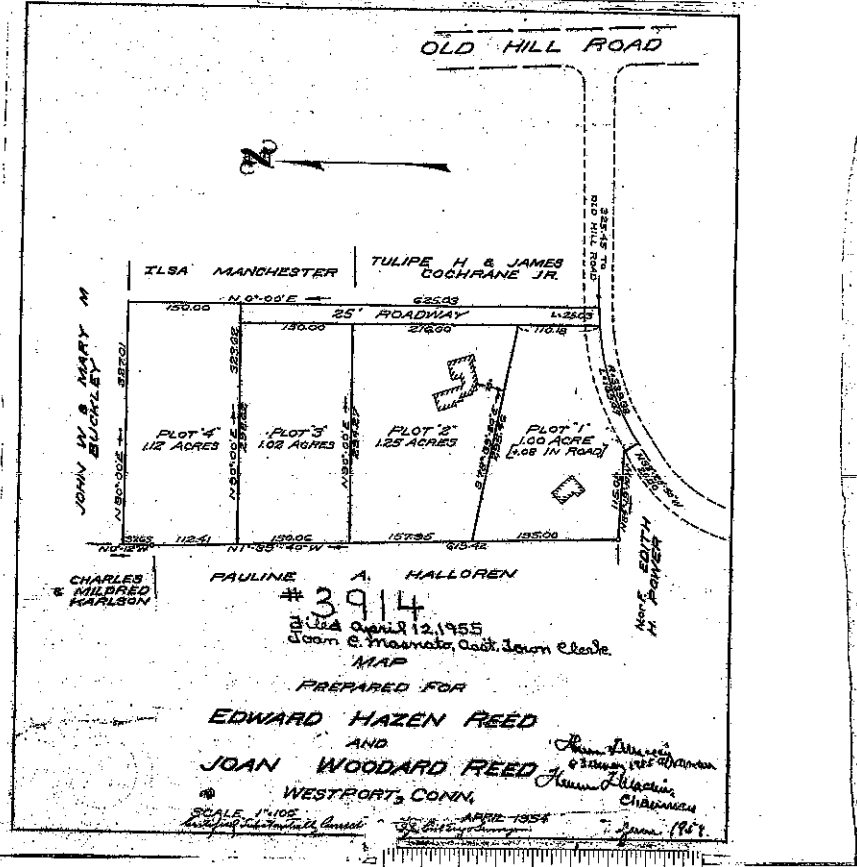


EXHIBIT B



Doc ID: 005221890002 Type: LAM
Book 4268 Page 254 - 255
File# 935

RECORD & RETURN TO:
Atty Kim Rizza
101 Franklin Street
Westport, CT 06880

CONVEYANCE TAX RECEIVED
TOWN: \$8,500.00 STATE: \$47,500.00

Jeffrey Dunkerton
Jeffrey Dunkerton, Town Clerk

WESTPORT, CT TOWN CLERK

WARRANTY DEED - STATUTORY FORM

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE THAT **Luis Urrea and Jennifer Lindstrom** both of 7 Side Hill Road, Westport, CT 06880, for consideration of THREE MILLION FOUR HUNDRED THOUSAND & 00/100 DOLLARS (**\$3,400,000.00**), grant to **Jordan Mendell and Mara Mendell** AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP, with WARRANTY COVENANTS, all that certain real property known as **7 Side Hill Road, Westport, CT 06880**, being more particularly described in *Schedule A* attached hereto and made a part hereof.

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated in Town of Westport, County of Fairfield and State of Connecticut, being formerly known as 0 Side Hill Road and more lately as 7 Side Hill Road, also being known as Parcels "A" and "X" on a certain map entitled, "Map Showing Lot Line Revision Prepared for Meyer House Trust, Westport, Conn. Scale 1" = 40', July 26, 1990", certified "Substantially Correct" by Leo Leonard, P.E. & L.S. Conn. Reg. No. 2496, on file in the Office of Westport Town Clerk as Map No. 8847, reference to such map being hereby made and had for a more particular description hereof.

TOGETHER WITH a right of way, as may exist, for all purposes, including public utilities, over Side Hill Road, so-called, in common with others.

Said Premises are conveyed subject to:

1. Real Estate taxes hereinafter due and payable to the Town of Westport.
2. Grants in favor of The Connecticut Light and Power Company dated December 28, 1930 and recorded in Volume 67 at Page 533 and dated December 28, 1936 and recorded in Volume 70 at Page 30, both of the Westport Land Records.
3. Notice of Side Hill Road Special Taxing District dated March 14, 2001 and recorded in Volume 1834 at Page 233, as amended by a Notice dated March 19, 2001 and recorded in Volume 1836 at Page 108, both of the Westport Land Records.
4. Notice of Special Permit granted by the Town of Westport, Planning and Zoning Commission dated July 26, 2019 and recorded in Volume 3940 at Page 278 of the Westport Land Records.
5. Wetlands line, wetlands delineations, driveway setback line, conservation setback line, septic system setback line, building lines, notations and facts as shown on Map No. 8847 on file in the Office of the Westport Town Clerk.
6. Rights and easements of others in and to Side Hill Road, so-called.

IN WITNESS WHEREOF, the Grantors have caused these presents to be executed on this 26th day of August, 2022

[Signature]
Luis Urrea, Grantor

[Signature]
Jennifer Lindstrom, Grantor

Signed, sealed and delivered in the presence of or attested by:

Witness: [Signature]

Witness: Caualum Connolly
Carolyn Connolly

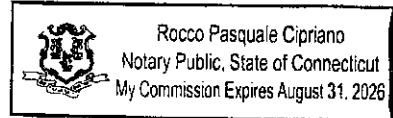
STATE OF CONNECTICUT
COUNTY OF FAIRFIELD

}
} ss. Norwalk
}

Personally appeared Luis Urrea and Jennifer Lindstrom, signers and sealers of the foregoing instrument, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained in the capacity therein stated, before me, on this 26th day of August, 2022.

[Signature]

Notary Public



Received for Record at Westport, CT
On 09/02/2022 At 9:57:18 am

[Signature]
Notary Public, Westport, CT

EXHIBIT C



Return to:
Robert E. Grant
8 Myrtle Avenue
Westport, CT 06880

Doc ID: 004969550003 Type: LAN
Book 4193 Page 291 - 293
File# 3178

CONVEYANCE TAX RECEIVED
TOWN: \$3,625.00 STATE: \$14,125.00

J. M. J. J.
James J. J. J.
WESTPORT, CT TOWN CLERK

WARRANTY DEED
Connecticut Statutory Form

KNOW YE, THAT We, LOUIS A. MANZONE and JOSEPHINE PINA MANZONE, of the Town of Westport, County of Fairfield and State of Connecticut for consideration of ONE MILLION FOUR HUNDRED FIFTY THOUSAND and 00/100ths (\$1,450,000.00) DOLLARS paid, grant to DEBORAH VANGELOS and WILLIAM MICHAEL VANGELOS of Calabasas, California

AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP

All that certain real property known as being more particularly described on Schedule A attached hereto and made a part hereof.

With WARRANTY COVENANTS


Said premises are conveyed subject to the following:


1. Taxes and assessments payable to the Town of Westport which become due and payable after the date hereof, which taxes and assessments the Buyer assumes and agrees to pay.
2. Building lines, zoning regulations and municipal ordinances of the Town of Westport and any and all provisions of public or private law.
3. Sewer use charges of the Town of Westport which become due and payable after the date hereof, which sewer use charges the Buyer assumes and agrees to pay.

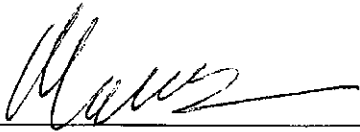
THIS SPACE IS INTENTIONALLY LEFT BLANK

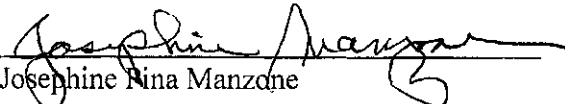
Signed this 15th day of November, 2021

Witnessed by.


Seth L. Cooper


Deborah Serino


Louis A. Manzone


Josephine Pina Manzone

STATE OF CONNECTICUT)


)

ss: Fairfield

COUNTY OF FAIRFIELD)

)

Personally Appeared Louis A. Manzone and Josephine Pina Manzone as Signers and Sealers of the foregoing instrument and acknowledged the same to be his free act and deed before me.


Seth L. Cooper
Commissioner of the Superior Court

SCHEDULE A

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Westport, County of Fairfield, and State of Connecticut, being known and designated as Plot "1", as shown on a certain map entitled, "Map Prepared for Paul C. McAbee, Frances R. McAbee, Westport, Conn.", dated September 1956 and on file in the Westport Town Clerk's Office as Map No. 4337, to which map reference is hereby made, said Plot No. "1" being in quantity 1.15 acres and bounded:

NORTHERLY: by land now or formerly of Pauline A. Halloren, in part, and in part by land now or formerly of Edward Hazen Reed and Joan Woodward Reed, in all, 426.33 feet;
SOUTHEASTERLY: by private road, Side Hill Road, so-called, as shown on said map, 154.98 feet; SOUTHERLY: by a 25-foot roadway, as shown on said map, 311.10 feet; and
WESTERLY: by Plot "2", as shown on said map, being land now or formerly of Derek D. Lord and Winifred C. Lord, 150.65 feet.

Reference is also made to a certain map entitled, "Map Prepared for Paul C. McAbee and Frances R. McAbee, Westport, Conn. Scale 1" = 60', June 1957".

TOGETHER WITH all the right, title, and interest, as may exist, in and to that portion of the private road, Side Hill Road, so-called, adjoining said premises on the Southeast and extending to a distance of 14.10 feet beyond the Southerly boundary of said premises to the center line thereof, as may be in common with others. TOGETHER WITH all the right, title, and interest, as may exist, in and to that portion of the private roadway designated as "25' Roadway" on said map, adjoining said premises on the South to the center line thereof, in common with others. TOGETHER WITH the right of way, in common with others, to whom a similar right has been or may hereafter be granted, for any and all lawful purposes whatsoever, including public utilities, in, through, over, and upon each and every portion of the private roadways as shown on said map.

SUBJECT TO:

1. Conditions as set forth in a deed dated August 21, 1953 and recorded in Volume 110 at Page 78 of the Westport Land Records.
2. Easement in favor of The Connecticut Light and Power Company dated December 18, 1956 and recorded in Volume 145 at Page 182 of the Westport Land Records.
3. Conditions and drainage easement as set forth in a deed dated June 18, 1959 and recorded in Volume 164 at Page 313 of the Westport Land Records.
4. Notice of Formation of the Side Hill Road Special Taxing District dated March 15, 2001, a recorded in Volume 1834 at Page 233, as amended by letter dated March 19, 2001 and recorded Volume 1836 at Page 108, both of the Westport Land Records.
5. Rights of way of others in, through, over and upon each and every portion of the private road shown on Map No. 4337 on file in the Office of the Westport Town Clerk.
6. Rights of others in and to Side Hill Road, so-called, a private road.

Received for Record at Westport, CT
On 11/18/2021 At 2:49:16 pm


WESTPORT TOWN CLERK

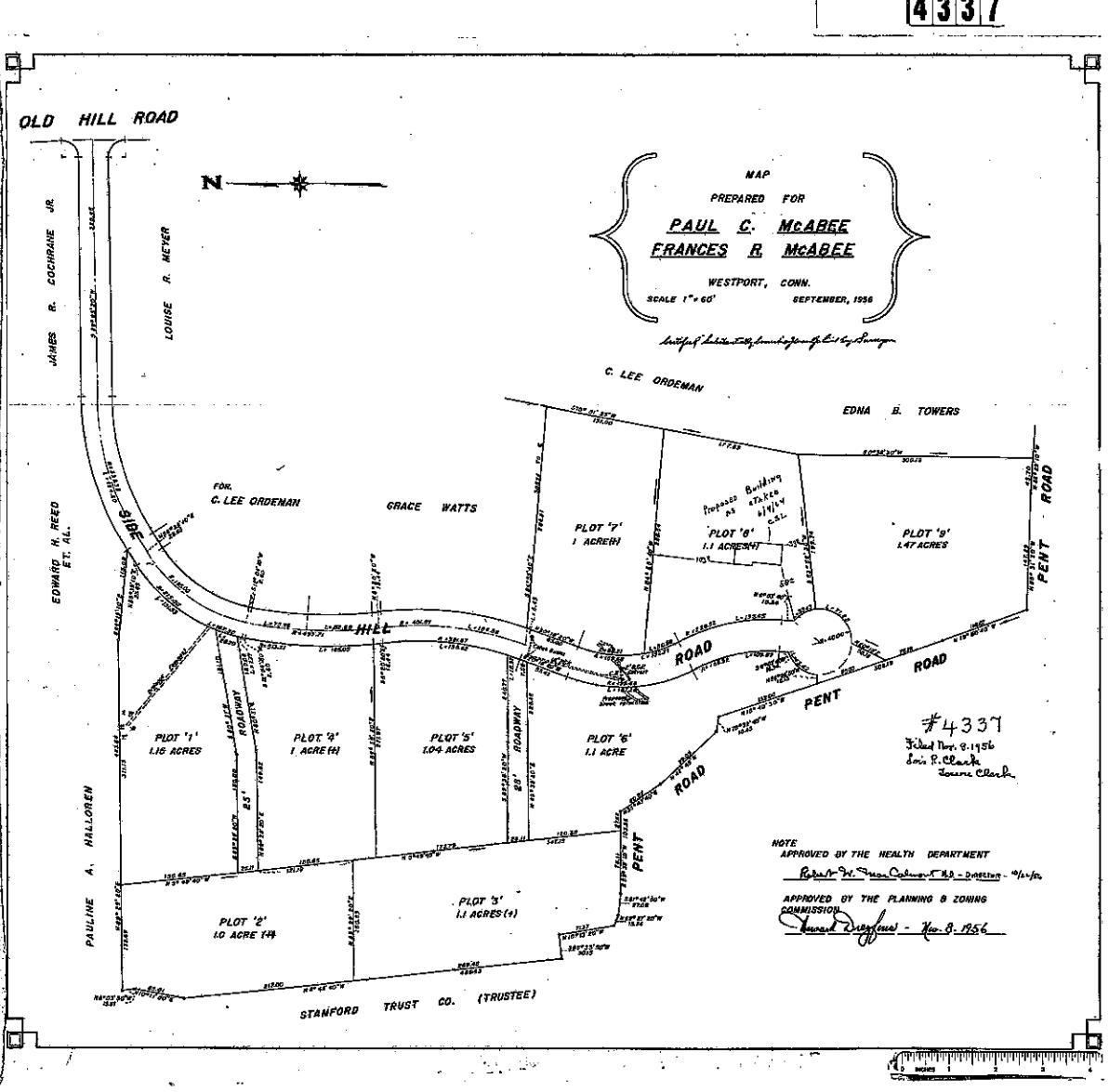
4337

OLD HILL ROAD



MAP
 PREPARED FOR
PAUL C. McABEE
FRANCES R. McABEE
 WESTPORT, CONN.
 SCALE 1" = 60' SEPTEMBER, 1956

Map of Hillside property of Paul C. Mcabee



#4337
 Filed Nov. 8, 1956
 Louis P. Clark
 Town Clerk

NOTE
 APPROVED BY THE HEALTH DEPARTMENT
 Robert W. Swanwick - Director - 11/8/56
 APPROVED BY THE PLANNING & ZONING
 COMMISSION
 Samuel D. [unclear] - Nov. 8, 1956

STANFORD TRUST CO. (TRUSTEE)



EXHIBIT D

BOOK 1140 PAGE 33
WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, THAT ANTHONY R. STEWART, acting herein by ELIZABETH S. STEWART, his lawful Attorney-in-Fact, hereunto duly authorized by Power of Attorney dated December 27, 1991, and ELIZABETH S. STEWART, both of 2350 Yuma Lane North, Plymouth, Minnesota, hereinafter designated GRANTOR, for the consideration of \$400,000.00 received to the full satisfaction of Grantor from JOHN D. MORIO, of 12 Side Hill Road, Westport, Connecticut, hereinafter designated GRANTEE, does give, grant, bargain, sell and confirm to Grantee the premises situated in the Town of Westport, County of Fairfield and State of Connecticut, designated as Plot 4 on map entitled, "Map of Property for Paul C. McAbee, Grandson of R. McAbee, Westport, Conn. Scale 1" = 60' September 1956", which map is on file in the Westport Town Clerk's Office as Map No. 4337, and bounded:

NORTHERLY by a 25 foot roadway as shown on said map, 299.70 feet;
EASTERLY by Side Hill Road as shown on said map, 175.42 feet;
SOUTHERLY by Plot 5 as shown on said map, 271.87 feet; and
WESTERLY in part by Plot 3 and in part by Plot 2 as shown on said map, 150.65 feet.

Said premises are also shown on map entitled, "Survey Prepared for Eugene R. McMaster, Westport, Conn. July 1963", which map is on file in the Westport Town Clerk's Office as Map No. 5600.

Together with all the right, title and interest in and to that portion of the private road, Side Hill Road, so-called, adjoining said premises on the East (and extending to a distance of 14.10 feet beyond the Northerly boundary of said premises) to the center line thereof; together with all the right, title and interest in and to that portion of the private roadway designated as 25' roadway on said map adjoining said premises on the North to the center line thereof.

Together with a right of way in common with others to whom a similar right has been or may hereafter be granted for any and all lawful purposes whatsoever, including public utilities in, through, over and upon each and every portion of the private roadways as shown on said map.

Said premises are conveyed subject to public and private laws; taxes to the Town of Westport hereinafter due and payable, which taxes the Grantee herein assumes and agrees to pay; easement to The Connecticut Light & Power Company, recorded Volume 145, Page 182; agreement to pay proportionate share of maintenance of private road contained in Deeds recorded Volume 146, Page 194 and Volume 164, Page 313; right of way over portions of roadways as reserved in Deed recorded Volume 201, Page 161; and restriction as set out in Deed recorded Volume 110, Page 78, all of the Westport Land Records; and rights of others in and to the roads as shown on the aforesaid Map No. 4337.

TO HAVE AND TO HOLD the above granted and bargained premises with the appurtenances thereof to Grantee and to the heirs and assigns of Grantee forever, to the proper use and behoof of Grantee and the heirs and assigns of Grantee. AND ALSO Grantor, individually, and for the heirs, executors and administrators of Grantor, covenants with Grantee and with the heirs and assigns of Grantee that at and until the ensembling of these presents Grantor 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 the manner and form as above written, and that the same is free from all encumbrances whatsoever, except as above stated.

AND FURTHERMORE, Grantor does by these presents bind Grantor and the heirs of Grantor forever to WARRANT and DEFEND the above granted and bargained premises to Grantee and to the heirs and assigns of Grantee against all claims and demands whatsoever, except as above stated.

IN WITNESS WHEREOF Grantor has hereunto set the hand and seal of Grantor this 18th day of February A. D. 1992.

Signed, Sealed and Delivered in the presence of

Edwin K. Dimes
EDWIN K. DIMES

Susan M. Lyons
SUSAN M. LYONS

ANTHONY R. STEWART

BY: *Elizabeth S. Stewart* L.S.
ELIZABETH S. STEWART
Attorney-in-Fact L.S.
Elizabeth S. Stewart L.S.
ELIZABETH S. STEWART L.S.

STATE OF CONNECTICUT, FAIRFIELD COUNTY: ss Westport February 18, 1992

PERSONALLY APPEARED Elizabeth S. Stewart, individually and as Attorney-in-Fact, aforesaid, Grantor, signer and sealer of the foregoing instrument and acknowledged the same to be the free act and deed of Grantor, before me,

Edwin K. Dimes
Commissioner of the Superior Court
EDWIN K. DIMES

RECEIVED FOR RECORD FEBRUARY 21, 1992 at 4:15 P.M. & RECORDED BY *John M. Hyde*
Westport Town Clerk

CONVEYANCE TAX COLLECTED
John M. Hyde
TOWN CLERK OF WESTPORT

*State 2000 -
Town 440*

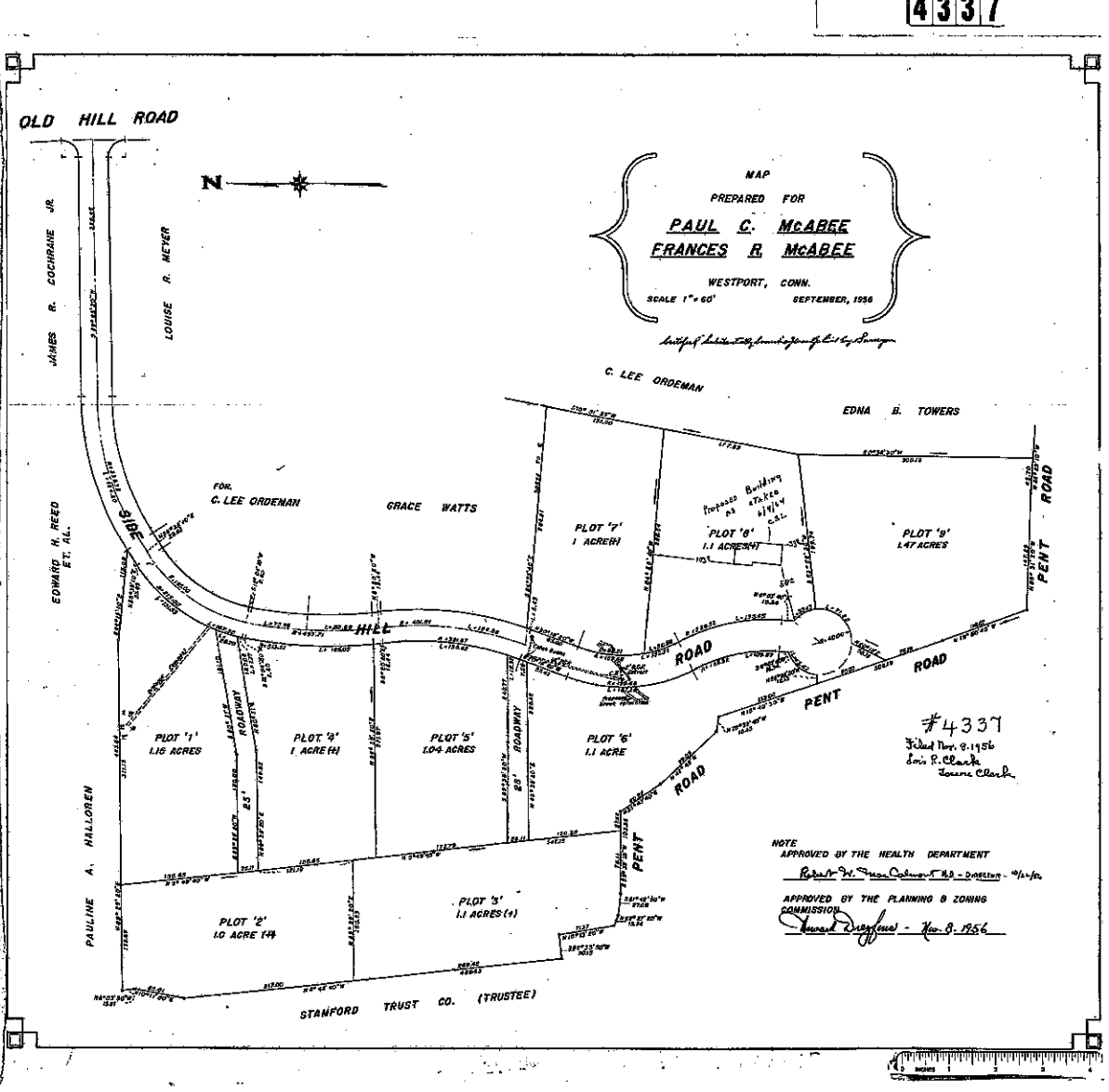
4337

OLD HILL ROAD



MAP
 PREPARED FOR
PAUL C. McABEE
FRANCES R. McABEE
 WESTPORT, CONN.
 SCALE 1" = 60' SEPTEMBER, 1956

Lot of 1.15 acres bounded by Old Hill Road



#4337
 Filed Nov. 9, 1956
 Louis P. Clark
 Town Clerk

NOTE
 APPROVED BY THE HEALTH DEPARTMENT
Robert W. Swanwick, M.D. - Director - 9/14/56
 APPROVED BY THE PLANNING & ZONING COMMISSION
Edward D. [unclear] - Nov. 8, 1956

EXHIBIT E

VOL 1710 PG 001

WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, THAT, **PIERRE G. MICOTTIS** and **KAY J. MICOTTIS**, both of Westport, Connecticut (hereinafter collectively referred to as "Grantors"), for the consideration of **EIGHT HUNDRED FORTY THOUSAND AND 00/100 DOLLARS (\$840,000.00)** received to the full satisfaction of the Grantors, from **KEVIN RAKIN** and **ALISON N. HOFFMAN** both of West Hartford, Connecticut (hereinafter collectively referred to as "Grantees") does give, grant, bargain, sell and confirm unto the said Grantees as **JOINT TENANTS**, unto the survivor of them and unto such survivor's heirs and assigns forever, that certain piece or parcel of land, together with any improvements thereon, known as 14 Side Hill Road in the Town of Westport, County of Fairfield and State of Connecticut, more particularly described in **Schedule A** attached hereto and made a part hereof (the "Premises").

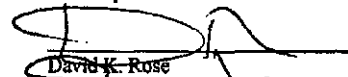
TO HAVE AND TO HOLD the above granted and bargained Premises, with the appurtenances thereof, unto the said Grantees, and unto the survivor of them, and unto such survivor's heirs and assigns forever, to them and their own proper use and behoof.

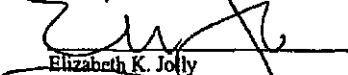
AND ALSO, the said Grantors do for themselves, their heirs, executors, administrators and assigns, covenant with the said Grantees, and with the survivor of them and such survivor's heirs and assigns, that at and until the ensembling of these presents, they are well seized of the Premises, as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as set forth in Schedule A.

AND FURTHERMORE, the said Grantors do by these presents bind themselves, their heirs, executors, administrators and assigns forever, to WARRANT AND DEFEND the above granted and bargained Premises to the said Grantees, and to the survivor of them and such survivor's heirs and assigns, against all claims and demands whatsoever, except as set forth in Schedule A.

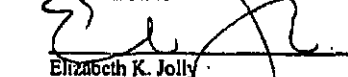
IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals this 1st day of July, 1999.

Signed, sealed and delivered
in the presence of:


David K. Rose


Elizabeth K. Jolly


David K. Rose


Elizabeth K. Jolly

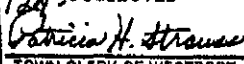

PIERRE G. MICOTTIS



KAY J. MICOTTIS

STATE OF CONNECTICUT)
COUNTY OF FAIRFIELD) Westport

On this the 1st day of July 1999, before me, the undersigned officer, personally appeared, Pierre G. Micottis and Kay J. Micottis, known to me to be the persons described in the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained as their free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand.

State 4400 -
Town 924 -

TOWN CLERK OF WESTPORT


David K. Rose
Commissioner of Superior Court

VOL 1710 PG002

SCHEDULE A

ALL THAT CERTAIN tract or parcel of land, together with the buildings and improvements thereon, situated in the Town of Westport, County of Fairfield and State of Connecticut known as 14 Side Hill Road, shown and designated as Plot '5' on a certain map entitled "Map of Property for Paul C. McAbee and Frances R. McAbee, Westport, Connecticut, Scale 1"=60', September 1856" which map is on file in the Westport Town Clerk's Office bearing Map No. 4337, and bounded;

NORTHERLY: 271.87 feet by Plot '4', as shown on said map;

EASTERLY : 174.06 feet by Side Hill Road, so-called;

SOUTHERLY: 240.77 feet by a 25 foot roadway, as shown on said map;

WESTERLY : 172.79 feet by Plot '3' being land now or formerly of William J. Horn and Lillian M. Horn, as shown on said map.

TOGETHER WITH all the right, title and interest in and to that portion of the private road, Side Hill Road, so-called, as shown on said map adjoining said premises on the east to the center line thereof.

TOGETHER WITH all right, title and interest in and to that portion of the private roadway designated as "25 foot roadway" on said map adjoining said premises on the south to the center line thereof.

TOGETHER WITH a right of way, in common with others to whom a similar right has been or may hereafter be granted, for any and all lawful purposes whatsoever, including public utilities in, through, over and upon each and every portion of the private roadways as shown on said map.

The premises being conveyed are subject to the following:

1. Building lines, if established, and the provisions of all local, municipal, state or federal ordinances, rules, regulations or limitations of law which may affect the premises.
2. Real Estate taxes of the Town of Westport hereinafter becoming due and payable.
3. Easement in favor of The Connecticut Light and Power Company recorded in Volume 145 at Page 182, Westport Land Records.
4. Rights of others in and to the westerly one-half of Side Hill Road and the northerly one-half of said "25 foot roadway" adjoining said premises and rights of others in and to the private roadways as shown on the map hereinabove referred to.
5. Agreement to pay proportionate share of the cost of maintaining the private road in common with the owners of Plots 1 through 4 and Plots 6 through 9 on Map No. 4337, as contained in a deed to George E. Hopkins recorded in Volume 175 at Page 295, Westport Land Records.
6. Restrictions as contained in Volume 110 at Page 78, Westport Land Records.

RECEIVED FOR RECORD JULY 1,

1999 AT 1:04 P.M.

BY Patricia H. Strawn
WESTPORT TOWN CLERK

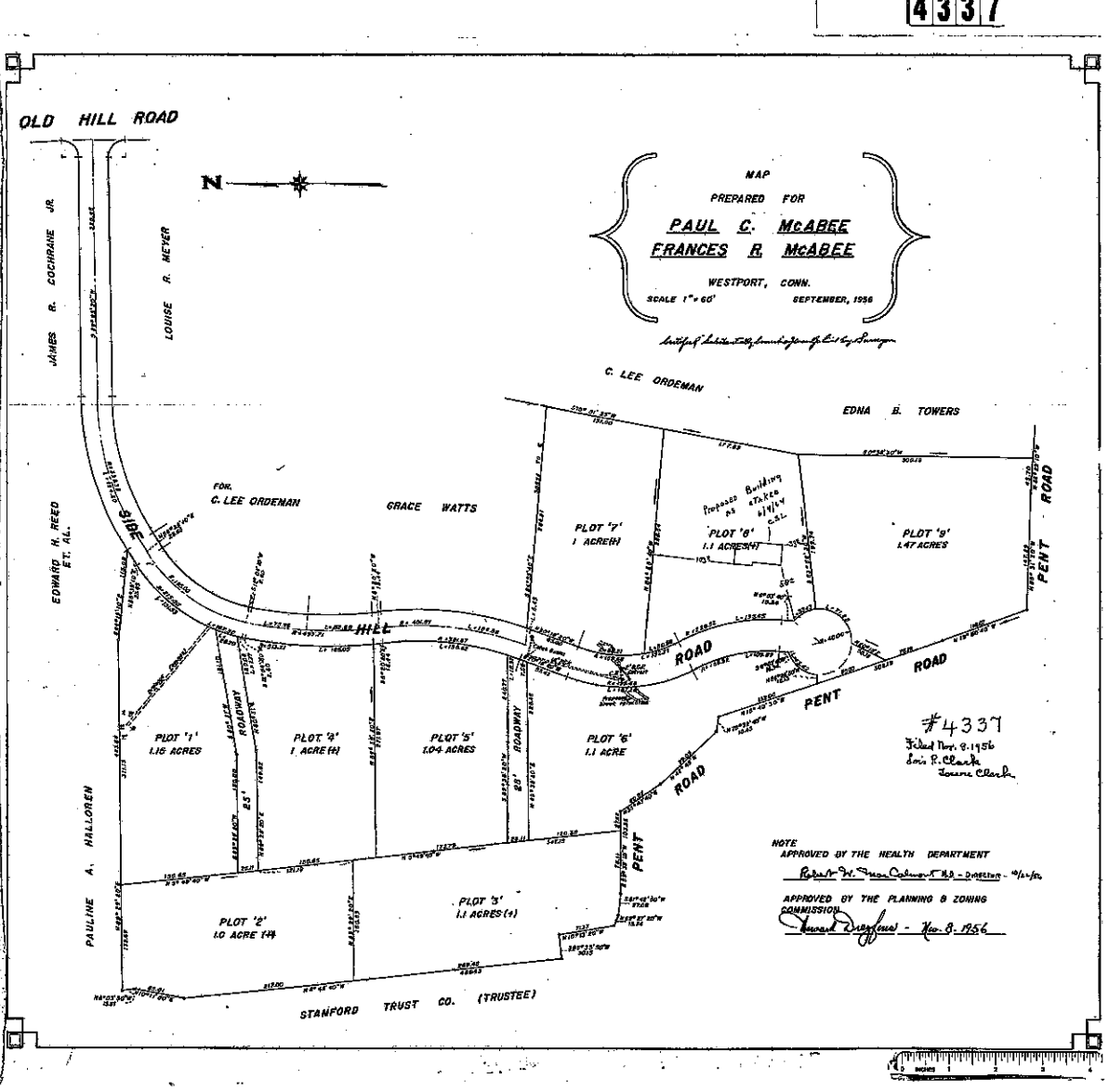
4337

OLD HILL ROAD



MAP
 PREPARED FOR
PAUL C. McABEE
FRANCES R. McABEE
 WESTPORT, CONN.
 SCALE 1" = 60' SEPTEMBER, 1956

Map of Hillside property of Paul C. Mcabee



#4337
 Filed Nov. 8, 1956
 Louis P. Clark
 Town Clerk

NOTE
 APPROVED BY THE HEALTH DEPARTMENT
 Robert W. Swanwick, Esq. - Director - 9/14/56
 APPROVED BY THE PLANNING & ZONING COMMISSION
 Samuel D. [unclear] - Nov. 8, 1956



EXHIBIT F



Doc ID: 001601800002 Type: LAN
Book 3046 Page 120 - 121
File# 3323

**WARRANTY DEED
STATUTORY FORM**

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE THAT **GARY FULLENBAUM AND MICHELLE PICKER** of 15 Side Hill Road, Westport, CT, for consideration of **NINE HUNDRED AND FORTY-TWO THOUSAND & 00/100 DOLLARS (\$942,000.00)**, grants to **GLENN SIEGEL** of 71 Aiken Street, #E4, Norwalk, CT with WARRANTY COVENANTS all that certain real property known as 15 Side Hill Road, Westport, CT, being more particularly described in Schedule A attached hereto and made a part hereof.

** and Sarah Siegel as joint tenants with rights of survivorship*

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed on this 9th day of December, 2009.

By: *Gary Fullenbaum*
Gary Fullenbaum
Michelle Picker
Michelle Picker

Signed, sealed and delivered in the presence of or attested by:

Witness: *Denise Gross*

Witness: *Candice Savin*

STATE OF CONNECTICUT

ss. Westport

COUNTY OF FAIRFIELD

Personally appeared Gary Fullenbaum and Michelle Picker, signers and sealers of the foregoing instrument, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained in the capacity therein stated, before me, on this 9th day of December, 2009.

Candice Savin
Candice Savin
Commissioner of the Superior Court

State \$5420.00
CONVEYANCE TAX
COLLECTED
Patricia H. Strauss
TOWN CLERK OF WESTPORT
TOWN \$2355.00

Schedule A

ALL THAT CERTAIN piece or parcel of land, with the buildings and improvements thereon, shown and designated as Parcel "B" on a certain map entitled "Map of Lots A & B on Side Hill Road, Westport, Conn. Prepared for Estelle D. Sachs, Scale 1" = 40' October 28, 1965", which map is on file in the Westport Town Clerk's Office as Map No. 6073, said premises being bounded:

NORTHERLY: by land now or formerly of Louise R. Meyer, 285.92 feet;

EASTERLY: by land now or formerly of Estelle D. Sachs, 200.64 feet;

SOUTHERLY,

SOUTHWESTERLY AND

SOUTHERLY AGAIN: by Lot A, as shown on said map, 263.13 feet;

WESTERLY: by private roadway, Side Hill Road, so-called, 151.57 feet.

TOGETHER WITH:

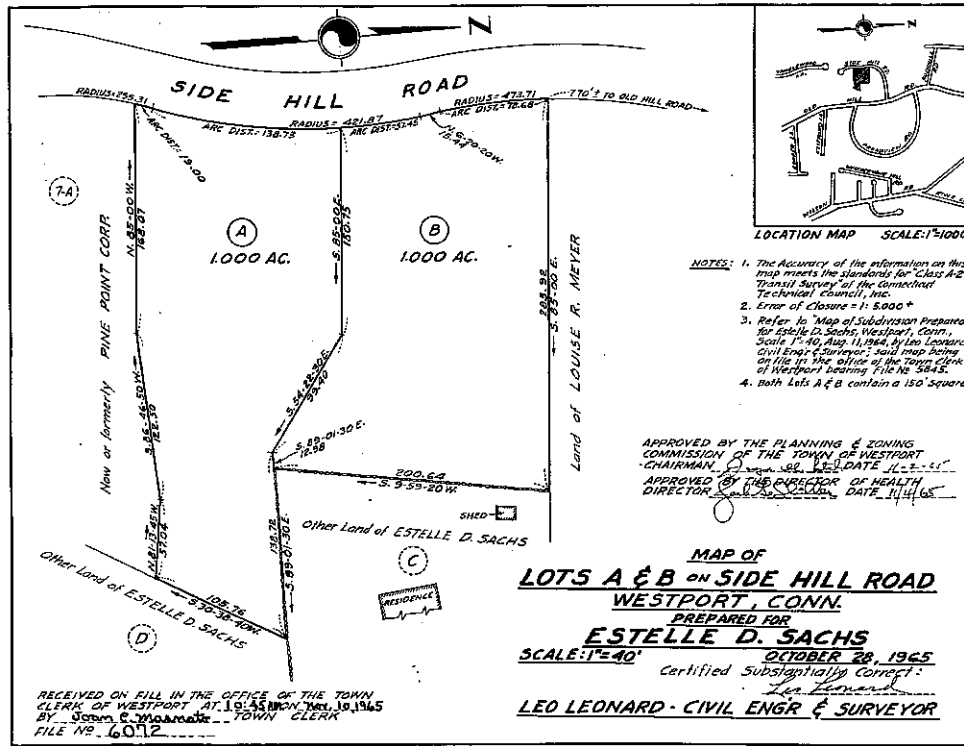
A right of way for all purposes over Side Hill Road, leading to Old Hill Road;

SUBJECT TO:

1. The effect if any, of Grant to The Connecticut Light and Power Company recorded in Volume 73 at Page 270 and in Volume 74 at Page 495, both of the Westport Land Records;
2. Restrictions set forth in Volume 233 at Page 366, Volume 244 at Page 640 and in Volume 270 at Page 490, all of the Westport Land Records;
3. Terms and conditions of Side Hill Special Taxing District recorded in Volume 1834 at Page 233 of the Westport Land Records.

Received for Record at Town of Westport, CT
On 12/15/2009 At 12:15:32 pm


Patricia H. Strauss, Town Clerk



LOCATION MAP SCALE: 1"=1000'

- NOTES:
1. The Accuracy of the information on this map meets the standards for Class A-2 Transit Survey of the Connecticut Technical Council, Inc.
 2. Error of Closure = 1: 5,000 +
 3. Refer to "Map of Subdivision Prepared for Estelle D. Sachs, Westport, Conn., Scale 1"=40', Aug. 11, 1964, by Leo Leonard, Civil Engr & Surveyor; said map being on file in the office of the Town Clerk of Westport bearing File No. 5843.
 4. Both Lots A & B contain a 150' square.

APPROVED BY THE PLANNING & ZONING COMMISSION OF THE TOWN OF WESTPORT
 CHAIRMAN, *[Signature]* DATE 11-2-65
 APPROVED BY THE DIRECTOR OF HEALTH
 DIRECTOR, *[Signature]* DATE 11/11/65

MAP OF
LOTS A & B ON SIDE HILL ROAD
WESTPORT, CONN.
 PREPARED FOR
ESTELLE D. SACHS
 SCALE: 1"=40' **OCTOBER 28, 1965**
 Certified Substantially Correct:
[Signature]
LEO LEONARD - CIVIL ENGR & SURVEYOR

RECEIVED ON FILE IN THE OFFICE OF THE TOWN CLERK OF WESTPORT AT 10:45 AM ON Nov. 10, 1965
 BY *[Signature]* TOWN CLERK
 FILE NO. 6072

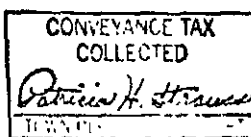
EXHIBIT G

VOL 1624 PG 102

To all People to Whom these Presents shall Come, Greetings:

Know ye, that Christopher Ashby and Amy Donnelly Ashby of 17 Side Hill Road, Westport, CT 06880 herein referred to as the Grantors, for the consideration of Six Hundred Fifty Thousand Dollars (\$650,000.00) received to their full satisfaction, do hereby give, grant, bargain, sell and convey to Malcolm J. Kimble and Tami Caldwell-Kimble of 175 East 96th Street, New York, NY, herein referred to as the Grantees, and to the survivor of them and to such survivor's heirs and assigns forever

state
\$ 3250⁰⁰
town
\$ 715⁰⁰



See Schedule A - Legal Description

To Have and to Hold the premises hereby conveyed, with the appurtenances thereof, unto the Grantees and unto the survivor of them and unto such survivor's heirs and assigns forever, and to them and their own proper use and behoof; And the Grantors do for themselves, and their heirs and assigns covenant with the Grantees and with the survivor of them and with such survivor's heirs and assigns that at and until the unsealing of these presents the Grantors are well seized of the premises as a good indefeasible estate in FEE SIMPLE; and have good right to grant and convey the same in manner and form as herein written and the same are free from all encumbrances whatsoever, except as herein stated.

VOL 1624 PG 103

AND FURTHERMORE, the Grantors by these presents do bind themselves and their heirs, and assigns forever to WARRANT AND DEFEND the premises herein conveyed to the Grantees, and to the survivor of them and to such survivor's heirs and assigns against all claims and demands whatsoever, except as herein stated.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seal this 14th day of August, 1998.

Signed, Sealed and delivered in the presence of

Tina B. Enge
Tina B. Enge

GAIL P. BIALECKI
GAIL P. BIALECKI

Christopher Ashby by William O'Brien
attorney-in-fact
Christopher Ashby

Amy Donnelly Ashby by William O'Brien
attorney-in-fact
Amy Donnelly Ashby

State of Connecticut)
) ss. Westport
County of Fairfield)

August 14, 1998

Before me personally appeared William O'Brien, attorney-in-fact for Christopher Ashby and Amy Donnelly Ashby, the signer and sealer of the foregoing instrument, who acknowledged the same to be their free act and deed, as of the date above written.

Michael A. Naylor
Michael A. Naylor
Commissioner of the Superior Court
State of Connecticut

VOL 1624 PG 104

SCHEDULE A

ALL THAT CERTAIN piece, parcel or tract of land, together with the buildings and improvements thereon, situated in the Town of Westport, County of Fairfield and State of Connecticut, containing in area 1.000 acres and being shown and designated as Lot A on a certain map entitled "Map of Lots A & B on Side Hill Road, Westport, Conn. Prepared for Estelle D. Sachs Scale: 1"=40' October 28, 1965". Said map is certified "Substantially Correct" by Leo Lennard Civil Eng'r and Surveyor and is on file in the Office of the Town Clerk of said Town of Westport and bears File No. 6072. In accordance with said map, said premises are bounded as follows:

NORTHERLY : by land now or formerly of Alexander and Beverly R. MacGregor, 150.75 feet, as shown on said map;
 NORTHEASTERLY : by land now or formerly of Alexander and Beverly R. MacGregor, 99.49 feet, as shown on said map;
 NORTHERLY AGAIN: by land now or formerly of Estelle D. Sachs, 138.72 feet, as shown on said map;
 EASTERLY : by land now or formerly of John B. Santamaris, 105.76 feet, as shown on said map;
 SOUTHERLY : by land now or formerly of Albert J. Copersino and Betty Copersino, 347.61 feet in an irregular line, as shown on said map; and
 WESTERLY : by Side Hill Road, as shown on said map, 151.73 feet.

TOGETHER WITH a right of way, for all lawful purposes,
 in over, upon and across the highway known as Side Hill Road.

Said premises are conveyed subject to:

1. Any restrictions or limitations imposed or to be imposed by governmental authority, including the zoning and planning rules and regulations of the City or Town and region or district, if any, in which the premises are situated.
2. Taxes of the Town of Westport which become due and payable hereafter, which taxes the Grantees herein assume and agree to pay as part of the consideration for this deed.
3. Public improvement assessments and/or installments which become due and payable hereafter, which assessments and/or installments the Grantees herein assumes and agrees to pay as part of the consideration for this deed.
4. Restriction contained in Volume 110 at Page 78 of the Westport Land Records.
5. Restriction contained in Volume 234 at Page 500 of the Westport Land Records.
6. Road maintenance agreement as set forth in a deed from Paul C. McAbee and Frances R. McAbee to Derek B. Lord and Winifred C. Lord recorded in Volume 146 at Page 194 of the Westport Land Records.
7. Grant to The Connecticut Light and Power Co. recorded in Volume 145 at Page 182 of the Westport Land Records.
8. The provisions, if applicable, of any inland/wetlands or coastal wetlands statutes, ordinances, rules and regulations.

RECEIVED FOR RECORD ON AUGUST 19, 1998 AT 3:17 P.M.

BY Patricia H. Strauss
 PATRICIA H. STRAUSS, TOWN CLERK

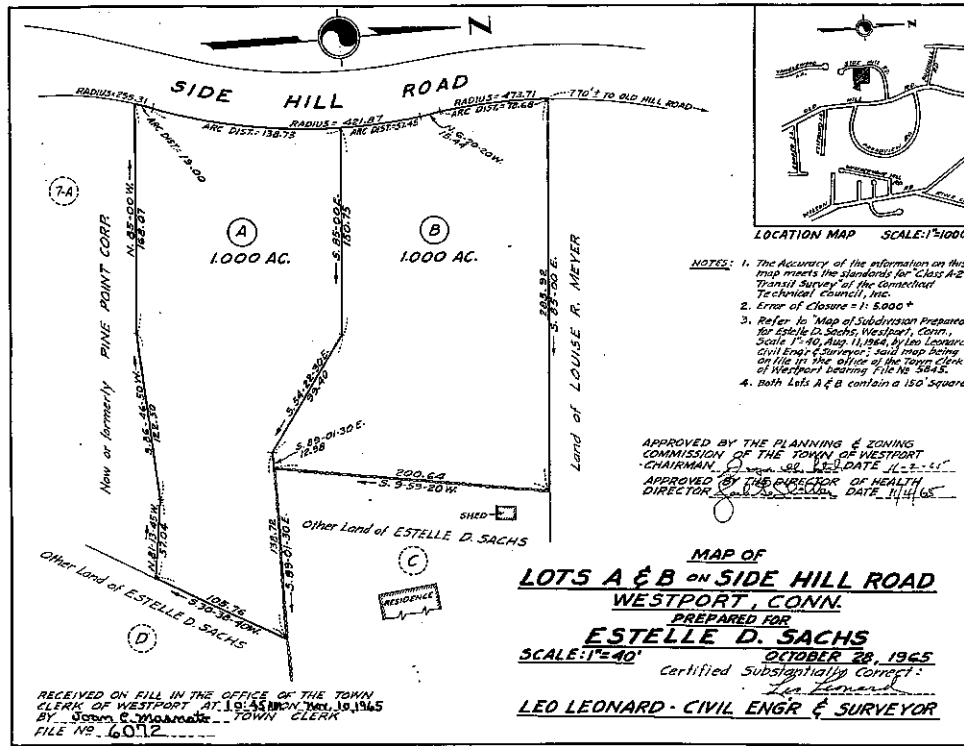


EXHIBIT H



Doc ID: 003590000001 Type: LAN
Book 3597 Page 115
File# 4898

RETURN TO:

Robert E. Grant, Esq.
P.O. Box 302
Westport, CT 06881

CERTIFICATE OF DEVISE,
DESCENT, OR DISTRIBUTION
PC-250 REV. 10/08

STATE OF CONNECTICUT

COURT OF PROBATE

[Type or print in black ink. File certificate with town clerk
where real property is situated.]

COURT OF PROBATE,	WESTPORT	DISTRICT NO. 50
ESTATE OF JUDITH H. CUTHBERT (20-12-125)		DATE OF DEATH July 12, 2012
deceased		

Pursuant to C.G.S. §45a-450, this certifies that as appears from the records of this Court, said deceased died on the date above written, and the following real property of the decedent is devised or distributed or set out or divided or descends to: [Give name, place of residence, and share of distributee. Give street or lot number of real property or, if none, a brief description of the location. C.G.S. §45a-450.]

To: Judith J. Cuthbert
348 Knappe Highway
Fairfield, Connecticut 06825

A one hundred (100%) percent interest in and to the following real property known as 18 Side Hill Road, Westport, Connecticut 06880:

ALL that certain tract or parcel of land with the buildings and improvements thereon, situated in the Town of WESTPORT, County of Fairfield and State of Connecticut, in quantity 1.10 acres and being shown and designated on map entitled "Survey Prepared for Paul C. McAbee and Frances R. McAbee, Westport, Conn. Scale 1" = 60' Dec. 1959" as Plot No. 6, said map being on file in the Westport Town Clerk's office and numbered 4895; said Plot 6 being bounded:

- NORTHERLY 229.46 feet by a 25 foot roadway;
- EASTERLY and SOUTHEASTERLY 394.55 feet by roadway, Side Hill Road, so-called;
- SOUTHERLY 12.13 feet by land formerly of Paul C. and Frances R. McAbee, being Plot 9;
- WESTERLY, SOUTHERLY, SOUTHWESTERLY and again SOUTHERLY 337.83 feet by Pent Road, so-called;
- WESTERLY again 120.38 feet by land of William J. and Lillian M. Horn, being Plot 3.

All as shown on said map and all said boundaries being now or formerly.

TOGETHER with the use of all private roads as shown on Map 4337 on file in the Westport Town Clerk's office, leading to the public highway, Old Hill Road, so-called, as though they were public highways.

TOGETHER with all the right, title and interest in and to that portion of the turnaround and private road, Side Hill Road, so-called, as shown on said map, adjoining said premises on the east to the center line thereof;
TOGETHER with all right, title and interest in and to that portion of the private roadway designated as "25 foot roadway" on said map, adjoining said premises on the north to the center line thereof.

For a more particular description, reference should be made to the records of said probate court.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of this Court

on this 5th day of November, 2014

Court Seal

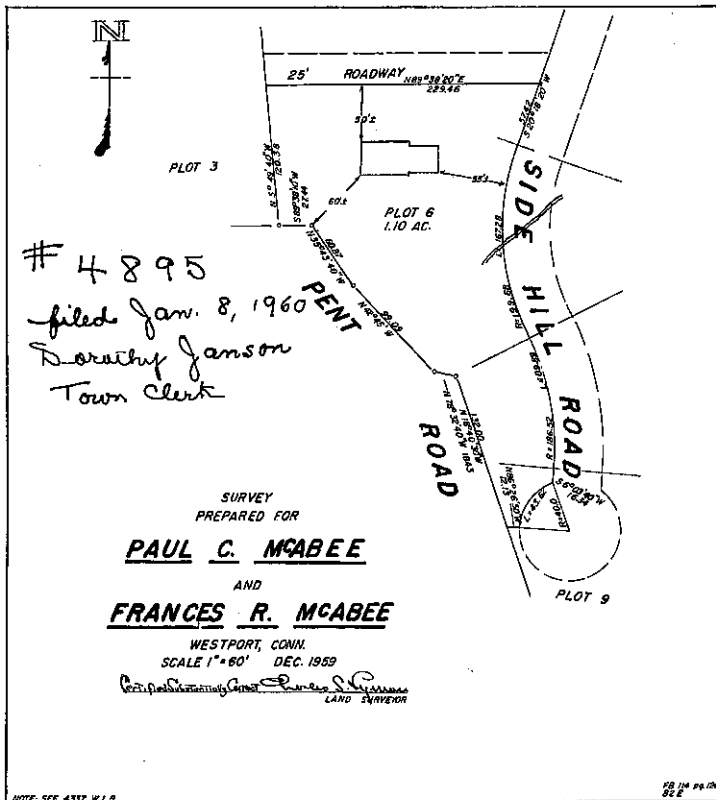
Judge Clerk Ass't Clerk

FOR TOWN CLERK'S USE ONLY	FOR COURT USE ONLY
	Original to:
	Date sent:

CERTIFICATE OF DEVISE, DESCENT, OR DISTRIBUTION
PC-250

Received for Record at Westport, CT
On 03/24/2015 At 4:03:32 pm

Patricia H. Strauss, Town Clerk



4895
 filed Jan. 8, 1960
 Dorothy Janson
 Town Clerk

SURVEY
 PREPARED FOR
PAUL C. McCABEE
 AND
FRANCES R. McCABEE

WESTPORT, CONN.
 SCALE 1"=60' DEC. 1959
 LAND SURVEYOR



NOTE: SEE 4337 W.L.D.

18 14 26 28 30 32

EXHIBIT I

R/B Hermenze e Marcanonio LLC
19 Ludlow Rd STE 101
Westport, CT, 06880

TRUSTEE'S DEED



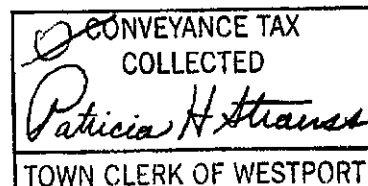
Doc ID: 003356710003 Type: LAN
Book 3542 Page 314 - 316
File# 567

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, that BETTY L. COPERSINO, TRUSTEE UNDER ARTICLES I AND II OF THE ALBERT J. COPERSINO 2006 REVOCABLE LIVING TRUST dated July 28, 2006, for no consideration, pursuant to Disclaimers recorded in Book 3401, Pages 150-158 of Westport Land Records, grants to BETTY L. COPERSINO, TRUSTEE (OR HER SUCCESSORS IN TRUST) OF THE ALBERT J. COPERSINO DISCLAIMER ESTATE TAX SHELTERED TRUST UNDER ARTICLE II.B.2 OF THE ALBERT J. COPERSINO 2006 REVOCABLE LIVING TRUST dated July 28, 2006, all right, title, and interest to that certain piece or parcel of land, with the buildings and improvements thereon, known as 21 Side Hill Road, situated in the Town of Westport, County of Fairfield, and State of Connecticut, and more particularly described in Schedule A attached hereto and made a part hereof.

This deed pertains to the 50% undivided interest in 21 Side Hill Road, Westport, Connecticut, owned by Albert J. Copersino.

TO HAVE AND TO HOLD the above-granted premises with the appurtenances thereof, unto the said Grantee, and unto such Grantee's successors and assigns forever, to them and their own proper use and behoof forever. The undersigned Trustee does hereby state that she has full power and authority, as Trustee, to grant and convey the above-described premises in manner and form aforesaid, and for herself and her successors, do hereby covenant to warrant and defend the same to the said Grantee and her successors and assigns, against the claims of



any person or persons claiming by, from, or under the undersigned as Trustee.

SIGNED this 29th day of July, 2014.

Nancy V. Clark
Witness Nancy V. Clark

Nyolee S. Costello
Witness Nyolee S. Costello

Betty L. Copersino, Trustee
BETTY L. COPERSINO, Trustee

STATE OF CONNECTICUT)
)
COUNTY OF FAIRFIELD) ss: Westport

Personally appeared, BETTY L. COPERSINO, Trustee, signer and sealer of the foregoing instrument, who acknowledged the same to be her free act and deed, in said capacity, before me.

Nyolee S. Costello
Notary Public
~~Commissioner of the Superior Court~~

Nyolee S. Costello
NOTARY PUBLIC
State of Connecticut
My Commission Expires 1/31/2017

SCHEDULE A

All that certain tract, piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Westport, County of Fairfield and State of Connecticut, shown and designated as Lot 7A and Parcel E on a certain map entitled "Map of Subdivision Prepared for Estelle D. Sachs, Westport, Conn. Scale 1" = 40' Aug. 11, 1964" certified "Substantially Correct" Leo Leonard, Jr., Civil Engineer and Land Surveyor, which map is on file in the Westport Town Clerk's Office under File No. 5845, and in accordance with which map said premises are more particularly bounded and described as follows:

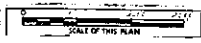
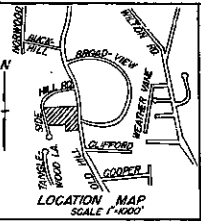
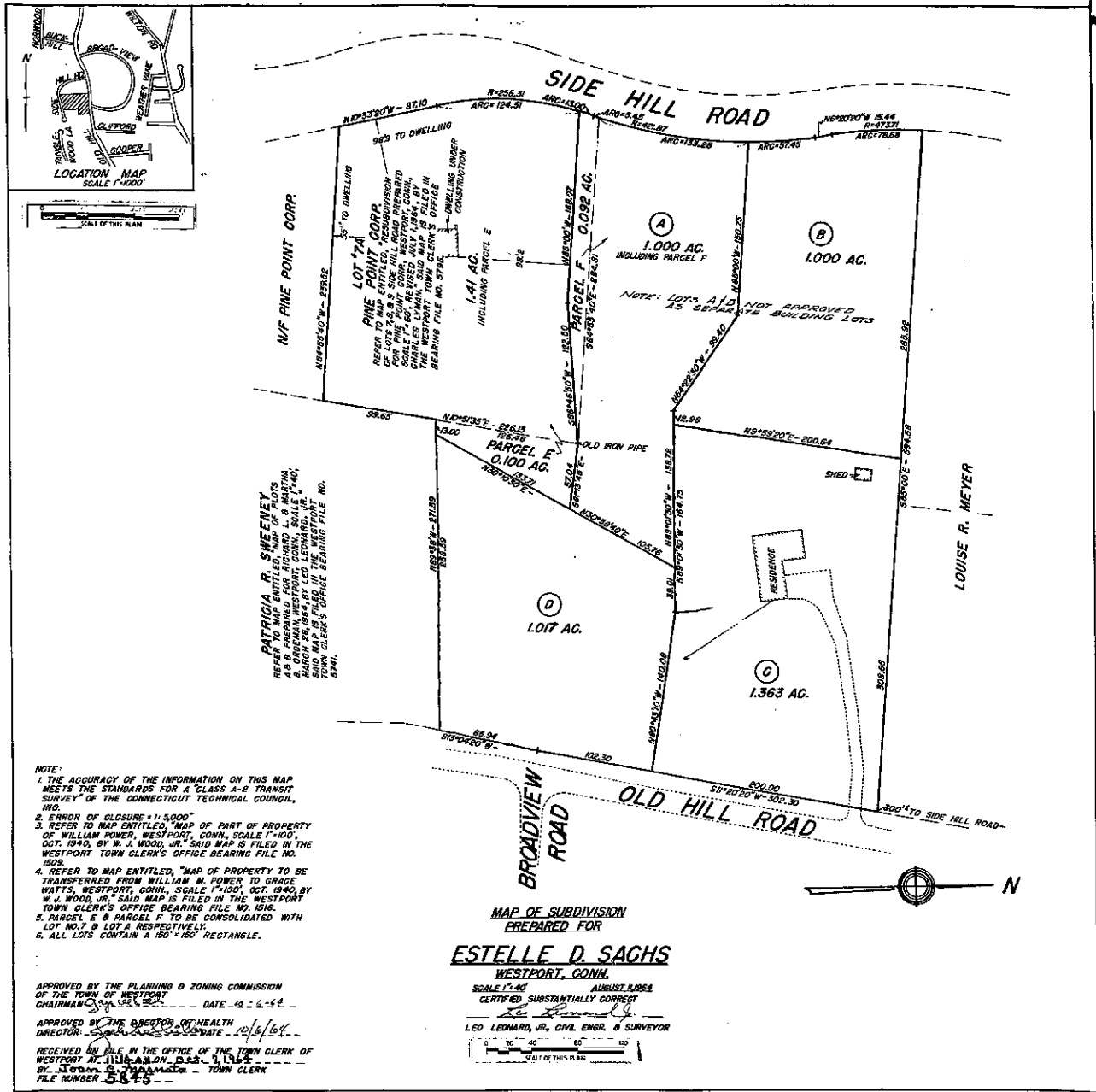
WESTERLY: By private road, Side Hill Road, so-called, 211.61 feet;
NORTHERLY: in part by Lot A and in part by Parcel F, being land now or formerly of Estelle D. Sachs, in all, 347.61 feet;
NORTHEASTERLY: By Lot D, being land now or formerly of Estelle D. Sachs, 133.71 feet;
SOUTHERLY: By land now or formerly of Patricia R. Sweeney, 13.00 feet;
EASTERLY: By land now or formerly of Patricia R. Sweeney, 99.65 feet;
SOUTHERLY AGAIN: By land now or formerly of Grant Umberger and Sally L. Umberger, 239.52 feet.

TOGETHER WITH all the right, title and interest in and to that portion of the private road, Side Hill Road, so-called, abutting said premises to the center line thereof; together with all right, title and interest in and to the turn-around as shown on said map.

TOGETHER WITH a right of way in common with others to whom similar right has been or may hereafter be granted for any and all lawful purposes whatsoever, including public utilities in, through over and upon each and every portion of the private roadway, Side Hill Road, as shown on said map.

Received for Record at Westport, CT
On 07/31/2014 At 3:01:44 pm


Patricia H. Strauss, Town Clerk



PATRICIA R. SWEENEY
 REFER TO MAP ENTITLED "MAP OF LOTS 4, 5 & 6 PREPARED FOR RICHARD L. & MARTHA B. DREMAN, WESTPORT, CONN., SCALE 1\"/>

- NOTE:**
1. THE ACCURACY OF THE INFORMATION ON THIS MAP MEETS THE STANDARDS FOR A CLASS A-B TRANSIT SURVEY OF THE CONNECTICUT TECHNICAL COUNCIL, INC.
 2. ERROR OF CLOSURE $\pm 1/3000$
 3. REFER TO MAP ENTITLED, "MAP OF PART OF PROPERTY OF WILLIAM POWERS, WESTPORT, CONN., SCALE 1\"/>

**MAP OF SUBDIVISION
 PREPARED FOR
 ESTELLE D. SAGHS
 WESTPORT, CONN.**

SCALE 1\"/>

APPROVED BY THE PLANNING & ZONING COMMISSION OF THE TOWN OF WESTPORT
 CHAIRMAN: _____ DATE: 12-2-64

APPROVED BY THE DIRECTOR OF HEALTH
 DIRECTOR: _____ DATE: 12/6/64

RECEIVED BY FILE IN THE OFFICE OF THE TOWN CLERK OF WESTPORT AT 11:18 A.M. ON 12-2-64
 BY: _____ TOWN CLERK
 FILE NUMBER: 5845

EXHIBIT J

To all People to Whom these Presents shall Come, Greeting:

Know Ye, That WE, ROBERT L. CUMMINGS and CAROL W. CUMMINGS,
both of the Town of Westport, County of Fairfield and State of
Connecticut,

for the consideration of ONE HUNDRED THIRTY-TWO THOUSAND NINE HUNDRED
DOLLARS (\$132,900.00)

received to our full satisfaction of MICHAEL J. HERBST and CANDACE
HERBST of 23 Side Hill Road, Westport, Connecticut

do give, grant, bargain, sell and confirm unto the said MICHAEL J. HERBST and
CANDACE HERBST

and unto the survivor of them, and unto such survivor's heirs and assigns forever

ALL THAT CERTAIN piece or parcel of land, together with the
buildings and improvements thereon, situated at 23 Side Hill Road in
the Town of Westport, County of Fairfield, State of Connecticut,
shown and designated as Lot "8" on that certain map entitled "Resub-
division of Lots 7, 8, and 9, Side Hill Road Prepared for Pine Point
Corp. Westport, Conn. Scale 1" = 60' Map 25, 1964 Revised July 1, 1964"
certified "Substantially Correct" Charles S. Lyman, Land Surveyor,
which map is on file in the Westport Town Clerk's Office bearing File
No. 5795, and bounded and described as follows:

NORTHERLY: 239.52 feet by Lot "7" as shown on said map;

EASTERLY : 267.95 feet by land now or formerly of Patricia R. Sweeney
and land now or formerly of Edna B. Towers, each in
part, as shown on said map;

SOUTHERLY: 228.81 feet by Lot "9" as shown on said map; and

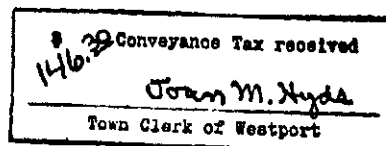
WESTERLY : 174.43 feet by Side Hill Road as shown on said map.

TOGETHER with all the right, title and interest of the Grantors
in and to that portion of the private road, Side Hill Road, so-called,
abutting said Premises to the center line thereof; TOGETHER with all
the right, title and interest in and to the turn around as shown on
said map, which the grantors may have.

ALSO TOGETHER with a right of way in common with others to whom
a similar right has been given or may hereafter be granted for any and
all lawful purposes whatsoever, including public utilities, in,
through, over and upon each and every portion of the private roadway,
Side Hill Road, as shown on said map.

SAID PREMISES are conveyed subject to the following:

1. Building, planning and zoning rules and regulations of the
Town of Westport.
2. Taxes of the Town of Westport hereafter becoming due and
payable.
3. Rights of others in and to the private roadways as shown on
said map.



436 PAGE 290

4. Easement to The Connecticut Light & Power Company recorded in Volume 145 at Page 182 of the Westport Land Records.
5. Restrictions as recorded in Volume 126 at Page 148 of the Westport Land Records.
6. The road maintenance agreement as recorded in Volume 146 at Page 195 of the Westport Land Records.
7. Such state of facts as an accurate survey and personal inspection might disclose.

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto them the said grantees, and unto the survivor of them, and unto such survivor's heirs and assigns forever, to them and their own proper use and behoof.

And also, we, the said grantors, do for ourselves, our heirs, executors, administrators, and assigns, covenant with the said grantees and with the survivor of them, and with such survivor's heirs and assigns, that at and until the enrolling of these presents we are well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, we, the said grantors, do by these presents bind ourselves and our heirs, and assigns forever to WARRANT AND DEFEND the above granted and bargained premises to them the said grantees, and to the survivor of them and to such survivor's heirs and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

VOL 436 291

In Witness Whereof, we have hereunto set our hands and seals this first day of December in the year of our Lord nineteen hundred and seventy-six.

Signed, Sealed and Delivered in presence of

Ed G Moran Jr
Edward G. Moran, Jr.

Robert L. Cummings
Robert L. Cummings

Michael A. Laux
Michael A. Laux

Carol W. Cummings
Carol W. Cummings

State of Connecticut.

County of FAIRFIELD

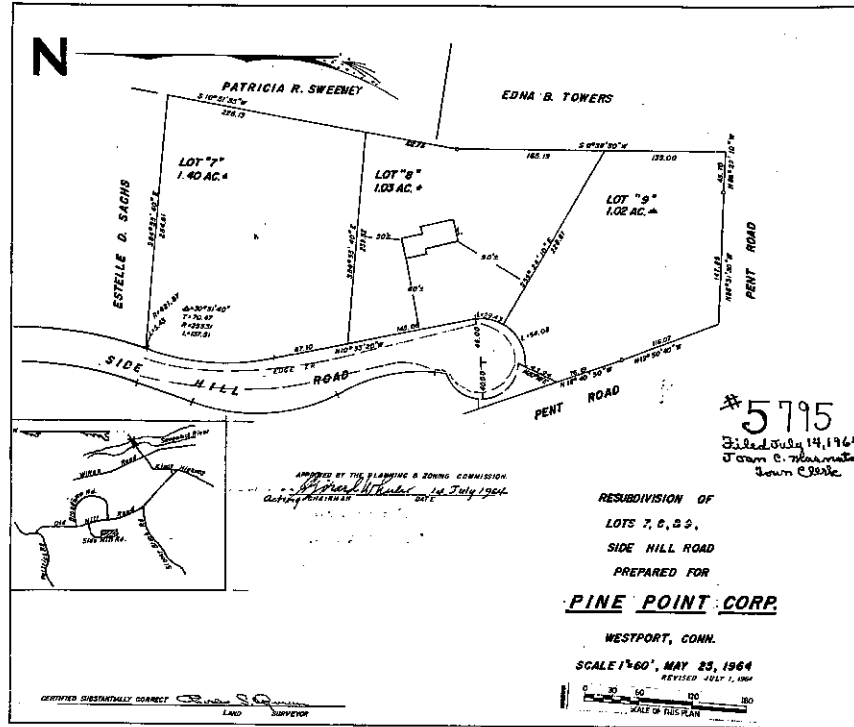
} 88. December 1, A. D. 1976

Personally Appeared ROBERT L. CUMMINGS and CAROL W. CUMMINGS

Signers and Sealers of the foregoing Instrument, and acknowledged the same to be their free act and deed before me.

Ed G Moran Jr
Edward G. Moran, Jr. Notary Public
My Commission Expires 4/1/81
Commissioner of the Superior Court

Received for record Dec. 1, 1976 at 12:41 P.M. and recorded by Joan M. Hyde Westport Town Clerk



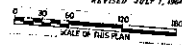
#5795
 Filed July 14, 1964
 Town of Westport
 Town Clerk

APPROVED BY THE PLANNING & ZONING COMMISSION
 July 14, 1964

RESUBDIVISION OF
 LOTS 7, 8, & 9,
 SIDE HILL ROAD
 PREPARED FOR
PINE POINT CORP.

WESTPORT, CONN.

SCALE 1"=60', MAY 23, 1964



CERTIFIED SUBSTANTIALLY CORRECT
 [Signature]
 LAND SURVEYOR

EXHIBIT K

VOL 1834 PG 233

SIDE HILL ROAD SPECIAL TAXING DISTRICT

Tami Caldwell-Kimble, Clerk
17 Side Hill Road
Westport, Connecticut 06880

March 15, 2001

HAND DELIVERED

Ms. Patricia Strauss
Town Clerk
Westport Town Hall
110 Myrtle Avenue
Westport, CT 06880

Re: Formation of the Side Hill Road Special Taxing District

Dear Sir or Madam:

Pursuant to §7-325(c) of the Connecticut General Statutes, please be advised that the Side Hill Road Special Taxing District ("District") was duly formed at a Board of Selectmen's meeting last night, March 14, 2001.

The directors and officers of the District, duly elected on March 14, 2001, to serve until the first Annual Meeting which has been called for May 3, 2001, are:

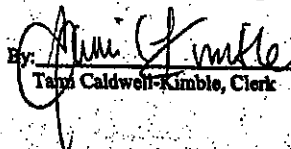
- President and Director - Michael J. Herbst
- Vice President and Director - Mark Jay Finell
- Clerk, Treasurer and Director - Tami Caldwell-Kimble
- Director - Linda W. Maikis
- Director - Connie F. Finell

The boundary of the District is as shown on the petition to the Selectmen, a copy of which is attached. An ordinance organizing the District was duly passed by a meeting called for that purpose and a copy of which is also attached.

The attorney representing the District is Eugene E. Coderbaum, Esquire, Wake, See Dimes & Bymiczka, 27 Imperial Avenue, Post Office Box 777, Westport CT 06881-0777.

Yours truly,

Side Hill Road Special Taxing District

By: 
Tami Caldwell-Kimble, Clerk

Enclosures

VOL 1834 PG 234

P E T I T I O N

The undersigned, electors of the Town of Westport, County of Fairfield, State of Connecticut, residing on Side Hill Road in the Town of Westport, hereby petition the Selectmen of the Town of Westport, pursuant to §7-325 of the Connecticut General Statutes, to call a meeting to form a Special Taxing District, as defined in §7-324 of the Connecticut General Statutes, for the following purposes:

For the maintenance of all of the properties on Side Hill Road, a private road located in the Town of Westport, Connecticut, including those two roadways running from Side Hill Road in a general westerly direction which provides access for tax assessor's lot numbers 37-2 and 37-3 to Side Hill Road and also including that certain roadway running in a general northerly direction which provides access for tax assessor lot numbers 36-4, 36-3 and 36-2 to Side Hill Road to include the repair, repaving and safety of said road, snow removal and other usual and reasonably necessary maintenance-related activities, as permitted by law.

The limits of the proposed District consist of the following properties, each of which is shown on Assessor's Map Nos. 5270-1 on file in the office of the Tax Assessor of the Town of Westport:

Property Address	Assessor's Map and Lot	Owners
<u>SIDE HILL ROAD</u>		
no number	5270-1 38	Florence Wallach, Trustee
2	5270-1 36-3	Dennis Paul Horstman Nancy Anne Horstman, Trustees
4	5270-1 36-2	Vivra Reynolds
5	5270-1 36-4	Eli S. Eisner Marilyn W. Eisner
6	5270-1 36-1	Connie F. Finelli Mark Jay Finelli
8	5270-1 37-1	Josephine Pina Manzoni Louis Anthony Manzoni
10	5270-1 37-2	Joel Harold Treisman Marjorie J. Treisman
12	5270-1 37-4	John Durkin Morio
14	5270-1 37-5	Pierre G. Micottis Kay J. Micottis
15	5270-1 27-B	Gustav W. Maikish Linda W. Maikish
16	5270-1 37-3	Deborah Y. Holt Thomas J. Holt
17	5270-1 27-A	Malcolm Kimble Tami Caldwell-Kimble
18	5270-1 37-6	Judith H. Cuthbert
21	5270-1 37-7	Albert J. Coperano Betsy L. Coperano
23	5270-1 37-8	Candace D. Herbat
25	5270-1 37-9	Joseph R. Sexton
<u>OLD HILL ROAD</u>		
63	5270-1 167	Diana G. Coyne James A. Coyne
65	5270-1 1-B	Lillian S. Luterman Gerald Luterman

VOL 1834 PG 235

**ORDINANCE ORGANIZING
THE SIDE HILL ROAD SPECIAL TAXING DISTRICT**

§1. **Organization and Purpose.** On February 13, 2001, the requisite number of owners of real property and voters residing in homes adjoining Side Hill Road situated in the Town of Westport, County of Fairfield and State of Connecticut petitioned the Selectmen of the Town of Westport for the establishment of a Special Taxing District as defined in §7-324 of the Connecticut General Statutes for the maintenance of Side Hill Road including repair, repaving and safety of said road, snow removal and other usual and reasonably necessary maintenance-related activities. By vote of the Board of Selectmen on March 14, 2001, such petition was accepted and the special taxing district established.

§2. **Name.** The special taxing district shall be known as the Side Hill Road Special Taxing District ("District").

§3. **Meetings.**

§3.1 The annual meeting of the District shall be called in May of each year and shall be duly noticed in accordance with law. The first such meeting shall be duly called for May 7, 2001.

§3.2 Among other business to come before the District at Annual Meetings shall be the adoption of an annual budget and the election of officers and directors.

§3.3 Special Meetings of the District may be called from time to time in accordance with law.

§3.4 To the extent permitted by law, voting at Annual and Special Meetings of the District may be by written proxy substantially in the following form:

PROXY

I, _____, do hereby constitute and appoint _____ attorney and agent for me, and in my name, place, and stead, to vote as my proxy at any meeting of the Side Hill Road Special Taxing District ("District") to be

VOL 1834 PG 236

held between the date of this proxy and _____, 20____, unless sooner revoked, with full power to cast my vote as if I were then personally present, and authorize _____ to act for me and in my name and stead as fully as I could act if I were present, giving to _____, attorney and agent, full power of substitution and revocation. This proxy shall be deemed to revoke all previous proxies executed by me for the purposes set forth herein.

IN WITNESS WHEREOF, I have executed this proxy on _____, 20____.

In the presence of:

[Witness]

§4. Directors and Officers. The offices of the District shall be President, Vice President and Clerk/Treasurer who have those duties and responsibilities as provided by Chapter 105 of the Connecticut General Statutes. There shall be a minimum of five members of the Board of Directors or such other minimum number as may be required by Chapter 105 of the Connecticut General Statutes.

§5. Governing Law. The District shall be governed by the provisions of §7-324, et seq. of the Connecticut General Statutes, as the same may be from time to time amended and by ordinances and regulations promulgated by the District from time to time in accordance with law.

§6. Fiscal Year. The fiscal year of the District shall end June 30th of each year.

RECEIVED FOR RECORD MARCH 15, 2001 AT 1:01 P.M.

BY *Patricia H. Strauss*
WESTPORT TOWN CLERK