


## 63 Old Hill Rd - Deed from 1936

Wilberg, Keith <KWILBERG@westportct.gov>

Thu 8/15/2024 1:29 PM

To: Perillie, Michelle <mperillie@westportct.gov>; Montagna, Laurie <lmontagna@westportct.gov>

 1 attachments (826 KB)

Old Hill Rd 63 Vol 65 Page 276 1936.pdf;

Ted was able to find the deed for this parcel prior to its subdivision. The deed calls out WLR 1162 by name which has yet to be assigned that WLR number.

In the deed, it clearly labels the 20' portion at the north of the lot is intended to be considered as a Right-of-Way. This is NOT the 20' north of this parcel, owned by 65 Old Hill Rd.

I realize that the more recent maps have not expressly stated that the entire width (40') of Side Hill Road is a ROW, but this deed seems to clarify that intent.

So would any reasonable assessment of the deeds and maps conclude that the ROW for Side Hill Rd is the 40' as shown on the maps.

Thus, any setback would be from the street line regardless of who owns to the center of the road, as you have correctly stipulated and maintained.

We'll meet in a bit.

Thanks,

Keith

**Keith S. Wilberg, PE, LS**

*Westport Town Engineer, Department of Public Works*

*Town Hall, 110 Myrtle Avenue, Westport, CT 06880*

*203.341.1128 (Office) | 203.515.8427 (Cell) | [kwilberg@westportct.gov](mailto:kwilberg@westportct.gov)*

[ V 65 PG 276 ]

WARRANTY—VOL. 65

To all People to whom these Presents shall come,—GREETING:

KNOW YE, THAT I, William M. Power of the town of Westport, county of Fairfield and state of Connecticut,

for the consideration of one dollar and other valuable considerations

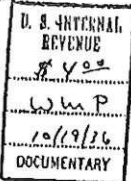
received to my full satisfaction of Minnie E. George of Englewood, New Jersey

Do Give, Grant, Bargain, Sell and Confirm unto the said Minnie E. George, All that certain tract or parcel of land, situate in said town of Westport, in quantity two and five one hundredths (2 5/100) acres, more or less bounded and described as follows: Beginning at a point on the westerly side of Old Hill Road 302.30 feet northwesterly from an iron pipe marking the boundary between property of the grantor and Honora Robertson; running thence N 85d. 00' W for a distance of 274.36 feet; thence N 0d. 30' 40" W for a distance of 298.85 feet; thence N 89d 29' 20" E 286.34 feet to the westerly side of Old Hill Road; thence S 3d. 12' 40" E for a distance of 12.14 feet; thence S 1d. 14' 40" E 182.99 feet; thence following the arc of a curve the radius of which is 453.50 feet and a length of 99.60 feet; thence S 12d. 20' 20" W 31.04 feet to the point or place of beginning. Said premises are bounded Northerly by land of William M. Power; Easterly by Old Hill Road; Southerly and Westerly by land of William M. Power.

Said promises are more particularly delineated on a certain map entitled "Map of Property of William M. Power, Westport, Conn. to be transferred to Minnie E. George Sept. 1936, Scale 1"-100" certified substantially correct, W. J. Wood, Jr. Civil Engineer and Surveyor" which map is to be filed simultaneously herewith. Reserving a right of way for all purposes for myself, my heirs and assigns over the northerly twenty feet of above described property including the curve to Old Hill Road, together with the right to improve said right of way.

It is the intention of this conveyance to also grant to said grantee, her heirs and assigns a right of way for all purposes over that tract of land 20 feet in width adjoining premises herein conveyed along its Northerly boundary from Old Hill Road westerly to the westerly boundary line of the tract herein conveyed.

Said promises are conveyed subject to zoning regulations established by the town of Westport, taxes on the list of 1936 and also those certain covenants and agreements contained in a certain agreement dated December 18th, 1935, recorded Westport Land Records, vol. 64, page 646



TO HAVE AND TO HOLD the above granted and bargained premises, with the privileges and appurtenances thereof, unto her the said grantee, her heirs and assigns, forever, to her and their own proper use and behoof. And also, I the said grantor do for myself, my heirs, executors and administrators covenant with the said grantee her heirs and assigns, that at, and until the ensueing of these presents I am well seized of the premises as a good indefeasible estate in FREE 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 above mentioned.

AND FURTHERMORE, I the said grantor do by these Presents, bind myself and my heirs forever to warrant and defend the above granted and bargained premises to her the said grantee her heirs and assigns, against all claims and demands whatsoever., except as above mentioned.

In Witness Whereof, I have hereunto set my hand and seal this 19th day of October A.D. 19 36.

Signed, Sealed and Delivered } William M. Power (SEAL)
In presence of }
Harry R. Sherwood (SEAL)
L. Livingston George (SEAL)

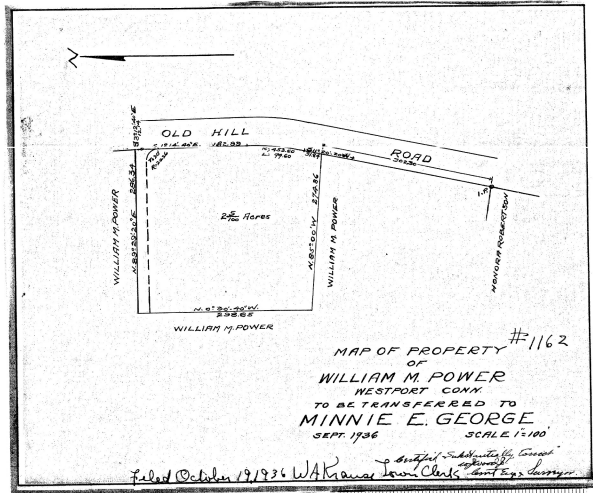
STATE OF CONNECTICUT, FAIRFIELD COUNTY, SS, WESTPORT, October 19th, A.D. 19 36

Personally appeared William M. Power
signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed, before me.

Harry R. Sherwood Notary Public.
Notary Public.
Notary Public.
Notary Public.

Received for Record Oct. 19, 1936
at 12:00 M. Recorded by W.A. Krause Town Clerk.

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