

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Hinckley Allen
20 Church Street
Hartford, CT 06103
Attn: Lisa Catarino Riccio, Esq.

Space Above for Recorder's Use

PUBLIC ACCESS EASEMENT
(Sliney Field Access Road)

THIS PUBLIC ACCESS EASEMENT (this “**Agreement**”) is made and entered into as of the ____ day of _____, 2021, by and between the **HOUSING AUTHORITY OF THE TOWN OF BRANFORD**, a municipal authority organized and existing under the laws of the State of Connecticut in the Town of Branford, County of New Haven, and State of Connecticut (the “**Grantor**”), having a mailing address of 115 S. Montowese Street, Branford, Connecticut 06405, and the **TOWN OF BRANFORD**, a municipal corporation, located in the County of New Haven and State of Connecticut (the “**Grantee**”), having a mailing address of 1019 Main St., Branford, Connecticut 06405. The Town of Branford and the Housing Authority are referred to herein collectively as the “**Parties**” and individually as a “**Party**”.

WHEREAS, Grantor is the owner of real property known as 115 South Montowese Road, Branford, Connecticut (the “**Housing Authority Property**”); and

WHEREAS, in connection with the development of the Housing Authority Property, the Town of Branford Planning and Zoning Commission has requested that Grantor grant a non-exclusive public access easement in favor of Grantee confirming the right of vehicular, pedestrian and bicycle public access over a portion of the Housing Authority Property known as the Sliney Field Access Road, shown on the Easement Map attached hereto as **Exhibit A** and legally described in **Exhibit B** attached hereto and incorporated by reference herein (the “**Sliney Road Access Easement Area**”); and

WHEREAS, Grantor has agreed to grant such easement, subject to and in accordance with the terms, conditions and provisions of this Agreement.

NOW THEREFORE, for good and valuable consideration and the mutual promises contained herein, the receipt and adequacy of which is hereby acknowledged, the Parties hereto agree as follows:

1. Grant of Public Access Easement. Grantor hereby grants to Grantee, and dedicates for use by the citizens and general public of Branford, New Haven County, Connecticut, a non-exclusive easement, subject to the terms and conditions of this Agreement, for vehicular, pedestrian and bicycle passage, including but not limited to passage by employees of the Town of Branford for access to the parking lot in the rear of the Board of Education Family Resource Center, over and across the paved roadway constructed or installed from time to time on and over the Sliney Road Access

Easement Area. The foregoing grant of easement for access shall not be deemed to include any other rights or easements in the Sliney Road Access Easement Area (without limiting the generality of the foregoing, no rights in, under, upon or through the Sliney Road Access Easement Area are granted herein for the installation of public utility, sewer, water, drainage, or other public utilities or facilities). Grantee agrees that use of the Sliney Road Access Easement Area by the citizens and general public of Branford, New Haven County, Connecticut shall not unreasonably interfere with the Grantor's use of the Sliney Road Access Easement Area. Grantee further agrees that it shall repair and replace any disruption to the Sliney Road Access Easement Area caused by use of this public easement.

2. Reserved Rights. Grantor reserves and retains all rights to use the Sliney Road Access Easement Area above and below the surface for any and all purposes that do not interfere with or obstruct exercise of the easements granted hereunder for the purposes and uses provided herein. Grantor's reserved rights include, without limitation, the right to use the surface of the Sliney Road Access Easement Area for the construction, maintenance and operation of paved roads, driveways, walks, curbing, curb island, or other surface improvements or other like uses, and the right to install or grant to others the right to install, operate and maintain other utilities or service lines and related facilities above or below the surface of the Sliney Road Access Easement Area, provided that such other improvements and installations do not materially interfere with or obstruct the easement rights hereunder.

3. Miscellaneous.

a. An executed original of this Agreement shall be recorded in the Land Records of the Town of Branford. This Agreement shall run with the land of the Sliney Road Access Easement Area and is binding on the Parties hereto and each of their respective successors and assigns.

b. This Agreement may be executed in multiple counterparts and signature pages from any counterpart may be appended to any other counterpart. All counterparts shall constitute a single, unified instrument.

c. This Agreement shall be interpreted, construed, and enforced in accordance with the laws of the State of Connecticut.

d. All notices, requests and other communication required or permitted to be given under this Agreement shall be in writing and shall be delivered by hand delivery or overnight delivery service, to the mailing address set forth in this Agreement or at such other address as the Grantor or Grantee may hereafter designate by notice given in accordance herewith. Notice shall be deemed to have been given when so delivered.

[SIGNATURES FOLLOW THIS PAGE.]

EXHIBIT A

Easement Map

(The Easement Map follows this page.)

EXHIBIT B

Sliney Road Access Easement Area Legal Description

All that certain piece or parcel of land as shown and or depicted as Access Easement, situated in the Town of Branford, State of Connecticut depicted on map entitled "Easement Map – Access Easement, Prepared For TPA Design Group, 115 South Montowese Street, Branford, Connecticut, dated August 6,2021, Connecticut, prepared by Godfrey Hoffman Hodge, LLC, bounded and described as follows:

Beginning at the northeast corner of herein described parcel, said point being marked POB,

Thence; South 03 degrees 38 minutes 51 seconds East, along the westerly street line of South Montowese Street, a distance of 27.91 feet,

Thence; South 55 degrees 39 minutes 09 seconds West, through land now or formerly of The Housing Authority of the Town of Branford, a distance of 276.00 feet,

Thence; North 15 degrees 32 minutes 08 seconds East along land now or formerly of The Town Of Branford (Indian Neck School), a distance of 37.25 feet,

Thence; North 55 degrees 39 minutes 09 seconds East along land now or formerly of The Town Of Branford (Indian Neck School), a distance of 261.77 feet to the point and place of beginning.

Said parcel contains 6,453 Square Feet.