



# OLR RESEARCH REPORT

December 13, 2012

2012-R-0532

## **TURNING POINT PARK**

By: Rute Pinho, Associate Analyst

You asked about a parcel of land conveyed by the state to the city of Hartford, commonly known as Turning Point Park. You want to know whether there are any restrictions on the property that would prevent a neighborhood group from establishing a park there.

The Office of Legislative Research is not authorized to provide legal opinions and this report should not be considered one.

There appear to be no restrictions on the property that would prevent a neighborhood group from establishing a park there. But since the city of Hartford owns the property, the group would need to work with city officials to do so.

[SA 90-37](#), as amended by [PA 92-15 May Special Session](#), [PA 00-168](#), and [SA 03-19](#), required the Department of Transportation commissioner to convey the 2.4 acre parcel to the city of Hartford. The acts allow the city to use the property for (1) economic development purposes, (2) a combined fire and police department headquarters, (3) fire department headquarters, (4) police department headquarters, or (5) park purposes. If the property is not used for one of these enumerated purposes, it reverts back to the state.

Amy Martinez, supervising property agent for the DOT's Office of Rights of Way, provided us with a map, deed, and closing report for the property. We attach these documents for your further review. As the deed indicates, the property was conveyed on October 8, 2003 and is subject to the use restrictions noted above. While there are easements on the property for drainage pipes, utilities, and a slope adjacent to Interstate 84, there appear to be no other restrictions that would preclude a park on the site.

RP:ts

ATTACHMENT 1

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

WHEREAS, in pursuance of and in accordance with the provisions of Section 1 of Special Act No. 90-37 of the General Assembly of the State of Connecticut approved June 6, 1990, the Commissioner of Transportation conveyed to the City of Hartford certain premises situated in the City of Hartford; and

WHEREAS, the State Properties Review Board has approved such conveyance as evidenced by approval therein; and

WHEREAS, the City of Hartford has agreed, by acceptance of that deed, to use said premises solely for the construction of a new combined fire and police department headquarters; and

WHEREAS, Section 28 of Special Act 03-19 of the General Assembly of the State of Connecticut has amended Section 1 of Special Act 90-37, as amended by Section 12 of Public Act 92-15 and Section 4 of Public Act 00-168; and

WHEREAS, in pursuance of and in accordance with the provisions of Section 28 of Special Act No. 03-19 of the General Assembly of the State of Connecticut approved July 2, 2003, the Commissioner of Transportation has been authorized to convey to the City of Hartford the premises hereinafter described, for good and valuable consideration; and

WHEREAS, the State Properties Review Board has approved such conveyance, as evidenced by approval herein; and

WHEREAS, the City of Hartford has agreed to use said premises solely for economic development purposes, for the construction of a new combined fire and police department headquarters or construction of fire department headquarters or police department headquarters or for park purposes; and

WHEREAS, the State Treasurer has been authorized to execute and deliver any deed or conveyance instrument;

City of Hartford  
63-95-38P

NOW THEREFORE, the State of Connecticut, Denise L. Nappier, Treasurer of the State of Connecticut, under authority granted by and pursuant to Section 28 of Special Act No. 03-19, with the advice and consent of the State Properties Review Board, for good and valuable consideration, Grants for economic development purposes, for the construction of a new combined fire and police department headquarters or construction of fire department headquarters or police department headquarters or for park purposes only to the City of Hartford, a municipal corporation existing under the laws of the State of Connecticut and having its territorial limits within the County of Hartford and State of Connecticut, with QUIT-CLAIM COVENANTS,

That certain parcel of land situated in the Town of Hartford, County of Hartford and State of Connecticut, southerly of Present Farmington Avenue, at Present Broad Street, containing 2.40 acres, more or less, bounded and described as follows:

NORTHERLY - by Present Farmington Avenue, a total distance of 451.46 feet, more or less;  
SOUTHEASTERLY - by Present Interstate Route 84 (westbound), 635 feet, more or less, by a line designated "Release Line & Non Access Highway Line", as shown on the map hereinafter referred to;  
WESTERLY - by Present Broad Street, 367.93 feet;  
NORTHWESTERLY - by the intersection of Present Broad Street and Present Farmington Avenue, 19 feet, more or less.

For the State's source of title to the premises conveyed herein, reference is made to an acquisition by the State of Connecticut from the City of Hartford as contained in a Warranty Deed recorded in Volume 1010 at Page 289 of the Hartford Land Records.

The above-described premises are conveyed subject to such rights and easements as may appear of record and to any state of facts which an inspection of the premises may show.

All rights of Ingress and Egress are specifically denied, directly to and from Present Interstate Route 84, from and to the land herein conveyed, as shown on said map.

Reserving unto the State of Connecticut, its successors and assigns, the following full and perpetual easements under, over and across portions of the premises conveyed herein:

1. A drainage right of way containing 15-inch R.C. pipes, 18-inch R.C. pipes, manholes and drop inlet, within an area located between and opposite approximate Stations 943+02 and 949+05 left of the base line of Present Interstate Route 84 Westbound, as more particularly shown on said map.

And the State of Connecticut further reserves unto itself, its successors and assigns forever, a full and perpetual right and privilege to enter upon the said premises by its officers, employees, servants and agents for the purpose of constructing, building, maintaining, cleaning, repairing, reconstructing and inspecting, at all times said pipes and facilities, with appurtenances thereto, upon, over, under and across said easement, together with the further right to flow water through said pipes and facilities.

City of Hartford  
63-95-38P

2. An easement to slope within an area located between and opposite approximate Stations 942+80 and 949+48 left of said base line, as more particularly shown on said map.
3. An easement for existing utilities, as more particularly shown on said map.

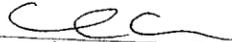
The State of Connecticut herein relinquishes all title, interest, and rights of enforcement in and to those portions of the Highway Line Non Access of Present Broad Street and Present Farmington Avenue, as shown on said map.

By the acceptance of this deed, the City of Hartford agrees for itself, its successors and assigns to use said parcel of land for economic development purposes, for the construction of a new combined fire and police department headquarters or construction of fire department headquarters or police department headquarters or for park purposes. If said parcel is not used for said purpose, it shall revert to the State of Connecticut. If the Town and City of Hartford sells said parcel of land for economic development purposes, the Town and City of Hartford shall pay the proceeds from the sale to the State Treasurer who shall deposit said proceeds in the Special Transportation Fund established in Section 13b-68 of the general statutes.

For a more particular description of the above-described premises, reference is made to a map on file in the Hartford Town Clerk's Office, entitled: "TOWN OF HARTFORD, MAP SHOWING LAND RELEASED TO CITY OF HARTFORD BY THE STATE OF CONNECTICUT INTERSTATE ROUTE 84 (LIMITED ACCESS HIGHWAY), SCALE 1" = 40', April 1991, ROBERT W. GUBALA, TRANSPORTATION CHIEF ENGINEER BUREAU OF HIGHWAYS." Town No. 63, Project No. 63-95, Serial No. 38P, Sheet 1 of 1 Sheet.

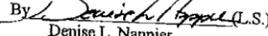
Signed this 8th day of October, A.D. 2003.

Witnessed by:

  
Cambria E. Allen

State of Connecticut

  
Morgan S. Roane

By  (I.S.)  
Denise L. Nappier  
Treasurer  
Duly Authorized

City of Hartford  
63-95-38P

STATE OF CONNECTICUT )  
COUNTY OF HARTFORD ) ss: Hartford

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of October, A.D. 2003, by Denise L. Nappier, Treasurer of the State of Connecticut.

My Commission Expires Madame M. Dziedzic Marianne Dziedzic  
Notary Public Notary Public  
My Commission Expires April 30, 2007

This conveyance is made with the approval of the undersigned in conformity with Section 28 of Special Act 03-19 of the General Assembly of the State of Connecticut, dated July 2, 2003.

State Properties Review Board

By Pasquale A. Pepe 10/20/03  
(Date)  
PASQUALE A. PEPE  
CHAIRMAN

APPROVED AS TO FORM:  
[Signature]  
Attorney General

Date: 11/4/03



RELEASE NEGOTIATION AND CLOSING REPORT

TYPE OF SALE Special Act 03-19 - Amendment to Quitclaim Deed

BUYERS NAME(S)  
(AS TO APPEAR ON DEED)

City of Hartford TOWN Hartford

ROAD I-84 @ Broad St & Farmington Ave.

FILE NO. 63-95-38P

ADDRESS 550 Main Street, Hartford, CT 06518

CONTACT AT Carl R. Nasto, Ass't Corporation Counsel (860) 522-4888 x6231

REG. VALUE N/A RELEASE PRICE \$ -0-

TERMS OF SALE N/A DEPOSIT -0-

MISC. EXPENSES -0-

TYPE OF LAND 2.40 acres BALANCE DUE -0-

RESERVATIONS IN RELEASE DEED See Section 28 of Special Act 03-19

FORMER OWNER(S) City of Hartford

STATE FILE NO. 63-95-38 FED. PROJ. NO. \_\_\_\_\_

APPROXIMATE ORIGINAL DATE OF DEED(S) OR \_\_\_\_\_

PURCHASE PRICE \$ n/a CONDEMNATION(S) 1/9/92

TITLE BY DEED Quitclaim RESERVATIONS \_\_\_\_\_

FED. PARTICIPATING N/A ORIG. CODING \_\_\_\_\_

REMARKS \_\_\_\_\_

CODING 201.100

ROW/CONST. MAP NOS. \_\_\_\_\_

Joseph P. Hilliard 7/16/03  
SIGNED DATE

RELEASE DEED DELIVERED IN PERSON AS TO 2/00/09  
SIGNED STEPHEN S. PINSKY DATE  
ASS'T. CORP. COUNSEL

RELEASE DEED DELIVERED BY MAIL \_\_\_\_\_  
SIGNED \_\_\_\_\_ DATE \_\_\_\_\_  
Joseph P. Hilliard 2/20/04  
AGENCY REPRESENTATIVE DATE

CLOSEREP