

## HB Raised Bill No. 6637

**I am not a public speaker, so this is a little terrifying to me. What I am is a devastated land owner. My name is Teri Davis, and I lost the right to get to my property in 2009. My case was called *Savalle/Davis v Hilzinger*.**

**In 2004, we purchased 6 beautiful acres of land in Lebanon, Ct. The land abutted a road that the town discontinued in 2002. In 1959 CGS13a-55 was enacted. This statute protects abutters rights along a discontinued road. Since Lebanon closed Perry Road in 1937 but only discontinued it in 2002, this statute rightfully should apply to our property.**

**Discontinuing a road is more than simply closing it, because it is permanent.**

**There are two requisites for a discontinuance: a writing signed by the selectmen discontinuing the highway, and the town's approbation.**

**The town's approbation is easy to understand, that simply requires a vote. It is the writing signed by the selectmen that caused our problem. A notice of a town meeting is a 'writing', and in Lebanon at least, it is signed by the selectmen. But does that meet the requirement of statute 13a-49? Or should it more precisely be a written act of discontinuing the road, as in a certificate for the taking?**

**And how do you notify the people of such an action? Should it be filed in with the minutes, or recorded on the land deeds, or sent by certified mail to the abutters, or all of the above?**

**It is serious business, so the law should be clear, and the process should be exact and definite.**

**The judge ruled that the town discontinued the road in 1937, even though they used the word closed. Therefore our rights under 13a-55 did not retroactively apply, and that the discontinuance in 2002 was meaningless, therefore we have no rights whatsoever to the road.**

**The judge apparently felt that the signed notice of the meeting constituted the requisite writing requirement of 13a-49. It is clear that**

**the only written act of the selectmen in 1937, was to convene a town meeting.**

**There is a need for the language of CGS 13a-49 to be clarified, so that justice cannot be misconstrued again.**

**So that no other person should suffer because a judge misinterprets an action taken decades ago.**

**There needs to be a precise plan in place to notify those people whose lives may be negatively impacted, so that they may aggrieve the action within the proper timeframe.**

**So that no person is ever denied their right to enjoy their property.**

**So that no person should ever be devastated emotionally and financially again due to a misinterpretation of the law.**

**So that no other person's dream turns into their worst nightmare.**

**I implore you to please help prevent what happened to us to happen to anyone else.**