



# House of Representatives

General Assembly

**File No. 535**

February Session, 2014

Substitute House Bill No. 5550

*House of Representatives, April 14, 2014*

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 24 of special act 07-11, as amended by section 7 of  
2 special act 13-23, is amended to read as follows (*Effective from passage*):

3 (a) Notwithstanding any provision of the general statutes, the  
4 Commissioner of Correction shall convey to the town of East Lyme a  
5 parcel of land located in the town of East Lyme, at a cost equal to the  
6 administrative costs of making such conveyance. Said parcel of land  
7 has an area of approximately twenty acres and is identified as a  
8 portion of the property on Lot 2, on town of East Lyme Tax Assessor's  
9 Map 10 on Roxbury Road. The conveyance shall be subject to the  
10 approval of the State Properties Review Board.

11 (b) The town of East Lyme shall use said parcel of land for  
12 agricultural, open space and recreational purposes. If the town of East

13 Lyme:

14 (1) Does not use said parcel for said purposes;

15 (2) Does not retain ownership of all of said parcel; or

16 (3) Leases all or any portion of said parcel, other than a lease for  
17 agricultural purposes;

18 the parcel shall revert to the state of Connecticut.

19 (c) The State Properties Review Board shall complete its review of  
20 the conveyance of said parcel of land not later than thirty days after it  
21 receives a proposed agreement from the Department of Correction.  
22 The land shall remain under the care and control of said department  
23 until a conveyance is made in accordance with the provisions of this  
24 section. The State Treasurer shall execute and deliver any deed or  
25 instrument necessary for a conveyance under this section, which deed  
26 or instrument shall include provisions to carry out the purposes of  
27 subsection (b) of this section. The Commissioner of Correction shall  
28 have the sole responsibility for all other incidents of such conveyance.

29 Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of  
30 the general statutes, the Commissioner of Correction shall convey to  
31 the Cheshire Community Food Pantry a parcel of land located in the  
32 town of Cheshire, at no cost. Said parcel of land has an area of  
33 approximately 2 acres and is identified as a portion of an  
34 approximately 244.6 acre parcel containing the Cheshire Reformatory.  
35 The conveyance shall be subject to the approval of the State Properties  
36 Review Board.

37 (b) The Cheshire Community Food Pantry shall use said parcel of  
38 land for charitable purposes. If the Cheshire Community Food Pantry:

39 (1) Does not use said parcel for said purposes;

40 (2) Does not retain ownership of all of said parcel; or

41 (3) Leases all or any portion of said parcel;

42 the parcel shall revert to the state of Connecticut;

43 (c) The State Properties Review Board shall complete its review of  
44 the conveyance of said parcel of land not later than thirty days after it  
45 receives a proposed agreement from the Department of Correction.  
46 The land shall remain under the care and control of said department  
47 until a conveyance is made in accordance with the provisions of this  
48 section. The State Treasurer shall execute and deliver any deed or  
49 instrument necessary for a conveyance under this section, which deed  
50 or instrument shall include provisions to carry out the purposes of  
51 subsection (b) of this section. The Commissioner of Correction shall  
52 have the sole responsibility for all other incidents of such conveyance.

53 Sec. 3. (*Effective from passage*) (a) Notwithstanding any provision of  
54 the general statutes, the Commissioner of Administrative Services, on  
55 behalf of the Commissioner of Economic and Community  
56 Development, shall convey to the city of New Haven a parcel of land  
57 located in the city of New Haven and any improvement upon said  
58 parcel, for the sum of one dollar. Said parcel of land has an area of  
59 approximately 6.95 acres and is identified as lot 1100 in Block 603 of  
60 city of New Haven Tax Assessor's Map 181, located at 470 James Street.  
61 The conveyance shall be subject to the approval of the State Properties  
62 Review Board.

63 (b) The city of New Haven shall use said parcel of land and any  
64 improvement upon said parcel for municipal purposes, including the  
65 relocation of public service departments, and for economic  
66 development purposes. If the city of New Haven:

67 (1) Does not use said parcel or improvement for said purposes;

68 (2) Does not retain ownership of all of said parcel or improvement;  
69 or

70 (3) Leases all or any portion of said parcel or improvement;

71 the parcel and improvement shall revert to the state of Connecticut.

72 (c) The State Properties Review Board shall complete its review of  
73 the conveyance of said parcel of land not later than thirty days after it  
74 receives a proposed agreement from the Department of Administrative  
75 Services. The land shall remain under the care and control of the  
76 Department of Economic and Community Development until a  
77 conveyance is made in accordance with the provisions of this section.  
78 The State Treasurer shall execute and deliver any deed or instrument  
79 necessary for a conveyance under this section, which deed or  
80 instrument shall include provisions to carry out the purposes of  
81 subsection (b) of this section. The Commissioner of Administrative  
82 Services shall have the sole responsibility for all other incidents of such  
83 conveyance.

84 Sec. 4. (*Effective from passage*) (a) Notwithstanding any provision of  
85 the general statutes, the Commissioner of Transportation shall convey  
86 to the city of New Haven two parcels of land located in the city of New  
87 Haven, for the sum of one dollar. Said parcels of land have an area of  
88 approximately .99 acre and are identified on a plan entitled "Portion of  
89 North Frontage Road & Route 34 To Be Acquired from The State of  
90 Connecticut New Haven, Connecticut", by URS, dated February 3,  
91 2014. The conveyance shall be subject to the approval of the State  
92 Properties Review Board. Said parcels of land are further identified as  
93 follows:

94 PARCEL 1- Southerly Portion of North Frontage Road

95 Beginning at a point marking the intersection of the centerline of  
96 North Frontage Road and the easterly street line of South Orange  
97 Street;

98 Thence running South 62° 49' 18" East, 87.45 feet, South 52° 58' 04"  
99 East, 134.45 feet, South 50° 00' 00" East, 37.38 feet, easterly on a curve to  
100 the left having a radius of 247.00 feet and an arc length of 196.03 feet,  
101 North 84° 31' 43" East, 151.22 feet and South 57° 18' 09" East, 15.28 feet  
102 along the centerline of North Frontage Road;

103 Thence running South 05° 29' 00" East, 41 feet, more or less, along

104 the westerly street line of State Street;

105 Thence running westerly 6 feet, more or less, northwesterly, 40 feet,  
106 more or less, westerly, 126 feet, more or less, westerly on a curve to the  
107 right having a radius of 272.20 feet and an arc length of 216 feet, more  
108 or less, westerly, 37 feet, more or less, westerly, on a curve to the right  
109 having a radius of 3,870.00 feet and an arc length of 135 feet, more or  
110 less and southwesterly 85 feet, more or less, along the southerly street  
111 line of North Frontage Road, also being the northerly highway line of  
112 Route 34;

113 Thence running North 29° 16' 18" East, 52 feet, more or less, along  
114 the easterly street line of South Orange Street to the point and place of  
115 beginning.

116 PARCEL 2- Portion of Route 34

117 Beginning at a point marking the intersection of the southerly street  
118 line of North Frontage Road also being the northerly highway line of  
119 Route 34 and the westerly street line of State Street;

120 Thence running South 05° 29' 00" East, 10 feet, more or less, along an  
121 extension of the westerly street line of State Street to the northerly face  
122 of the existing bridge abutment and retaining wall running along the  
123 Route 34 roadway;

124 Thence running westerly, 340 feet, more or less, along said northerly  
125 face of the existing bridge abutment and retaining wall running along  
126 the Route 34 roadway, through the Right of Way for Route 34;

127 Thence running southerly, 15 feet, more or less, to the proposed  
128 northerly curb line of the Route 34 roadway, through the Right of Way  
129 for Route 34;

130 Thence running westerly, northwesterly and northerly 370 feet,  
131 more or less, along the proposed northerly curb line of the Route 34  
132 roadway, through the Right of Way for Route 34;

133 Thence running northeasterly 10 feet, more or less, along the  
134 northerly highway line of Route 34 to the easterly street line of South  
135 Orange Street;

136 Thence continuing northeasterly 85 feet, more or less, easterly, on a  
137 curve to the left having a radius of 3,870.00 feet and an arc length of  
138 135 feet, more or less, easterly, 37 feet, more or less, easterly on a curve  
139 to the left having a radius of 272.20 feet and an arc length of 216 feet,  
140 more or less, easterly, 126 feet, more or less, southeasterly, 40 feet,  
141 more or less, and easterly 6 feet, more or less, along the southerly street  
142 line of North Frontage Road, also being the northerly highway line of  
143 Route 34 to the point and place of beginning.

144 (b) The city of New Haven shall use said parcels of land for  
145 economic development purposes. If the city of New Haven:

146 (1) Does not use said parcels for said purposes;

147 (2) Does not retain ownership of all of said parcels; or

148 (3) Leases all or any portion of said parcels;

149 the parcels shall revert to the state of Connecticut.

150 (c) The State Properties Review Board shall complete its review of  
151 the conveyance of said parcels of land not later than thirty days after it  
152 receives a proposed agreement from the Department of  
153 Transportation. The land shall remain under the care and control of  
154 said department until a conveyance is made in accordance with the  
155 provisions of this section. The State Treasurer shall execute and deliver  
156 any deed or instrument necessary for a conveyance under this section,  
157 which deed or instrument shall include provisions to carry out the  
158 purposes of subsection (b) of this section. The Commissioner of  
159 Transportation shall have the sole responsibility for all other incidents  
160 of such conveyance.

161 Sec. 5. Section 21 of special act 06-10 is amended to read as follows  
162 (*Effective from passage*):

163 (a) Notwithstanding any provision of the general statutes, the  
164 Commissioner of Energy and Environmental Protection shall enter into  
165 an agreement with Heidi L. Zibello [and Richard A. Zibello] for the  
166 exchange of two parcels of land located in the Town of Morris,  
167 simultaneously and each in consideration of the other. The parcel of  
168 land to be conveyed by the Commissioner of Energy and  
169 Environmental Protection in said exchange is identified as part of  
170 Camp Columbia State Forest:

171 All that certain piece or parcel of land situated in the Town of  
172 Morris, County of Litchfield, State of Connecticut being shown as  
173 Parcel B on a certain map entitled "Property/Boundary Survey Map  
174 Showing Boundary Line Revisions Prepared For Heidi L. Zibello  
175 [Richard A. Zibello] and State of Connecticut Route 109 Morris,  
176 Connecticut" scale 1" = 20' [dated] August 2004, Revised October 2006,  
177 Revised September 2007, Revised May 2013 and prepared by Samuel  
178 P. Bertaccini, Jr. RLS # 10383 Litchfield Connecticut. [Parcel B contains  
179 0.027 acre more or less and is more particularly described as follows:

180 Beginning at a point on the south side of Connecticut Route 109  
181 marking the northwest corner of land of Heidi L. and Richard A.  
182 Zibello and the northeast corner of the within described parcel, which  
183 point is located S 81°-29'-07" E 79.44' from a CHD monument, thence  
184 along land of said Zibello S 24°-24'-12" E 18.27' to a point, thence S 12°-  
185 51'-08" W 96.08' to a point at the end of a stonewall in the north line of  
186 land of State of Connecticut which point marks the southwest corner of  
187 land of said Zibello and the southeast corner of the within described  
188 parcel, thence along land of said State of Connecticut the following  
189 courses and distances, N 81°-05'-04" W 10.02' to a point to be marked  
190 by an iron pin which point marks the southwest corner of the within  
191 described parcel, thence N 12°-51'-08" E 91.92' to a point to be marked  
192 by an iron pin, thence N 24°-24'-12" W 23.12' to a point on the south  
193 side of said Connecticut Route 109 to be marked by an iron pin, which  
194 point marks the northwest corner of the within described parcel,  
195 thence along said Connecticut Route 109 S 81°-29'-07" E 12.98' to the  
196 point and place of beginning. Said Parcel B being bounded as follows:

197 Northerly: by public highway known as Connecticut Route 109

198 Easterly: by land of Heidi L. and Richard A. Zibello

199 Southerly: by land of State of Connecticut

200 Westerly: by land of State of Connecticut]

201 The parcel of land to be conveyed by Heidi L. Zibello [and Richard  
202 A. Zibello] in said exchange is identified as:

203 All that certain piece or parcel of land situated in the Town of  
204 Morris, County of Litchfield, State of Connecticut being shown as  
205 Parcel A on a certain map entitled Property/Boundary Survey Map  
206 Showing Boundary Line Revisions Prepared For Heidi L. Zibello  
207 [Richard A. Zibello] and State of Connecticut Route 109 Morris,  
208 Connecticut scale 1" = 20' [dated] August 2004, Revised October 2006,  
209 Revised September 2007, Revised May 2013 and prepared by Samuel  
210 P. Bertaccini, Jr. RLS # 10383 Litchfield Connecticut. [Parcel A contains  
211 0.027 acre more or less and is more particularly described as follows:

212 Beginning at a point on the south side of Connecticut Route 109  
213 marking the northwest corner of land of the State of Connecticut and  
214 the northeast corner of the within described parcel, which point is  
215 located N 81°-29'-07" W 28.39' from a CHD monument, thence along  
216 land of said State of Connecticut the following courses and distances, S  
217 73°-42'-54" W 15.62' to a point, thence S 13°-18'-25" W 105.54' to an iron  
218 pipe at the end of a stonewall which point marks the southeast corner  
219 of the within described parcel, thence along said stonewall N 81°-05'-  
220 04" W 10.03' to a point to be marked by an iron pin which point marks  
221 the southeast corner of land of said Zibello and the southwest corner of  
222 the within described parcel thence along land of said Zibello N 13°-18'-  
223 25" E 112.04' to a point to be marked by an iron pin on the south side of  
224 Connecticut Route 109 which point marks the northeast corner of land  
225 of said Zibello and the northwest corner of the within described parcel,  
226 thence along said Connecticut Route 109 S 81°-29'-07" E 23.67' to the  
227 point and place of beginning. Said Parcel A being bounded as follows:

228 Northerly: by public highway known as Connecticut Route 109

229 Easterly: by land of State of Connecticut

230 Southerly: by land of State of Connecticut

231 Westerly: by land of Heidi L. and Richard A. Zibello]

232 Said exchange shall be subject to the approval of the State Properties  
233 Review Board.

234 (b) The State Properties Review Board shall complete its review of  
235 the exchange of said parcels of land not later than thirty days after it  
236 receives a proposed agreement from the Department of Energy and  
237 Environmental Protection. The state land shall remain under the care  
238 and control of said department until a conveyance is made in  
239 accordance with the provisions of this section. The State Treasurer  
240 shall execute and deliver any deed or instrument necessary for the  
241 conveyance of state land under this section. The Commissioner of  
242 Energy and Environmental Protection shall have the sole responsibility  
243 for all other incidents of such conveyance.

244 Sec. 6. (*Effective from passage*) (a) Notwithstanding any provision of  
245 the general statutes, the Commissioner of Agriculture shall convey to  
246 the Catherine Violet Hubbard Foundation, Inc., a parcel of land located  
247 in the town of Newtown, at a cost equal to the administrative costs of  
248 making such conveyance. Said parcel of land has an area of  
249 approximately 34.44 acres and is bounded on the west by the  
250 Housatonic Railroad right-of-way property line; on the north by the  
251 approximately 37.54 acre parcel sold to the town of Newtown for  
252 economic development; and on the east and south by the  
253 approximately 21.66 acre parcel conveyed to the town of Newtown  
254 along Deep Brook. The conveyance shall be subject to the approval of  
255 the State Properties Review Board.

256 (b) The Catherine Violet Hubbard Foundation, Inc. shall use said  
257 parcel of land for an animal sanctuary, wildlife preserve or other  
258 nature preservation purpose. If the Catherine Violet Hubbard

259 Foundation, Inc.:

260 (1) Does not use said parcel for said purposes;

261 (2) Does not retain ownership of all of said parcel; or

262 (3) Leases all or any portion of said parcel;

263 the parcel shall revert to the state of Connecticut.

264 (c) The state shall reserve unto itself, its successors and assigns and  
265 agricultural lessees of the state, a fifty-foot wide easement extending  
266 approximately 1539.57 feet along the entire general northerly line of  
267 said parcel. The easement shall be for access and ingress and egress to  
268 other state lands and for agricultural purposes.

269 (d) The State Properties Review Board shall complete its review of  
270 the conveyance of said parcel of land not later than thirty days after it  
271 receives a proposed agreement from the Department of Agriculture.  
272 The land shall remain under the care and control of said department  
273 until a conveyance is made in accordance with the provisions of this  
274 section. The State Treasurer shall execute and deliver any deed or  
275 instrument necessary for a conveyance under this section, which deed  
276 or instrument shall include provisions to carry out the purposes of  
277 subsections (b) and (c) of this section. The Commissioner of  
278 Agriculture shall have the sole responsibility for all other incidents of  
279 such conveyance.

280 Sec. 7. (*Effective from passage*) (a) Notwithstanding any provision of  
281 the general statutes, the Commissioner of Energy and Environmental  
282 Protection shall convey to the town of Barkhamsted a parcel of land  
283 located in the town of Barkhamsted and any improvement upon said  
284 parcel, for the sum of one dollar. Said parcel of land has an area of  
285 approximately 2.6 acres and is located in the American Legion and  
286 Peoples State Forests and a portion of said parcel is identified as lot 3,  
287 unit X in Block 13 of town of Barkhamsted Tax Assessor's Map 21,  
288 located at 109 West River Road. The conveyance shall be subject to the  
289 approval of the State Properties Review Board.

290 (b) The town of Barkhamsted shall use said parcel of land and  
291 improvement for a senior and community center and related purposes.  
292 If the town of Barkhamsted:

293 (1) Does not use said parcel or improvement for said purposes;

294 (2) Does not retain ownership of all of said parcel or improvement;  
295 or

296 (3) Leases all or any portion of said parcel or improvement;

297 the parcel and improvement shall revert to the state of Connecticut.

298 (c) The State Properties Review Board shall complete its review of  
299 the conveyance of said parcel of land and improvement not later than  
300 thirty days after it receives a proposed agreement from the  
301 Department of Energy and Environmental Protection. The land shall  
302 remain under the care and control of said department until a  
303 conveyance is made in accordance with the provisions of this section.  
304 The State Treasurer shall execute and deliver any deed or instrument  
305 necessary for a conveyance under this section, which deed or  
306 instrument shall include provisions to carry out the purposes of  
307 subsection (b) of this section. The Commissioner of Energy and  
308 Environmental Protection shall have the sole responsibility for all other  
309 incidents of such conveyance.

310 Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of  
311 the general statutes, the Commissioner of Energy and Environmental  
312 Protection shall convey to the town of East Haddam three parcels of  
313 land located in the town of East Haddam, at a cost equal to the  
314 administrative costs of making such conveyance. The first parcel of  
315 land is identified as lot 59 on the town of East Haddam Tax Assessor's  
316 Map 39, conveyed to the state of Connecticut by George Comer in a  
317 deed recorded in the town of East Haddam land records at volume 51,  
318 page 413, and has an area of approximately .35 acre. The second parcel  
319 is identified as lot 60 on the town of East Haddam Tax Assessor's Map  
320 39, and has an area of approximately .89 acre. The third parcel is

321 identified as lot 58 on the town of East Haddam Tax Assessor's Map 39  
322 and has an area of approximately 1.2 acres. The second and third  
323 parcels were conveyed to the state of Connecticut by George Comer in  
324 a deed recorded in the town of East Haddam land records at volume  
325 51, page 509. The conveyance shall be subject to the approval of the  
326 State Properties Review Board.

327 (b) The second and third parcels described in subsection (a) of this  
328 section shall remain subject to a certain restriction contained in the  
329 deed from George Comer to the state of Connecticut, dated July 10,  
330 1935, and recorded on October 17, 1935, in the town of East Haddam  
331 Land Records in volume 51, page 509, that the two parcels conveyed in  
332 said deed constituting the second and third parcels described in  
333 subsection (a) of this section are to be used for recreational and  
334 demonstration purposes.

335 (c) The town of Haddam shall use the three parcels for open space  
336 and passive recreational purposes. If the town of East Haddam:

337 (1) Does not use said parcels for open space and passive recreational  
338 purposes;

339 (2) Does not retain ownership of all of said parcels; or

340 (3) Leases all or any portion of said parcels;

341 the parcels shall revert to the state of Connecticut. Nothing in this  
342 section shall terminate any reversionary interest in the second and  
343 third parcels described in subsection (a) of this section that may exist  
344 in the successors and heirs of Captain George Comer.

345 (d) The town of East Haddam shall maintain the Comer monument  
346 in its current location and may construct a driveway at the Comer  
347 monument to access other adjoining open space and municipal  
348 property owned by the town that are located south of said parcels.

349 (e) The State Properties Review Board shall complete its review of  
350 the conveyance of said parcel of land not later than thirty days after it

351 receives a proposed agreement from the Department of Energy and  
352 Environmental Protection. The land shall remain under the care and  
353 control of said department until a conveyance is made in accordance  
354 with the provisions of this section. The State Treasurer shall execute  
355 and deliver any deed or instrument necessary for a conveyance under  
356 this section, which deed or instrument shall include provisions to carry  
357 out the purposes of subsections (b) to (d), inclusive, of this section. The  
358 Commissioner of Energy and Environmental Protection shall have the  
359 sole responsibility for all other incidents of such conveyance.

360       Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of  
361 the general statutes, the Commissioner of Transportation shall convey  
362 to the town of Darien a parcel of land located in the town of Darien, at  
363 a cost equal to the administrative costs of making such conveyance.  
364 Said parcel of land has an area of approximately 2.1 acres and is  
365 identified as lot 8A on the town of Darien Tax Assessor's Map 38, and  
366 is a portion of the parcel depicted on the town of Darien Tax Assessor's  
367 Map 3848. The conveyance shall be subject to the approval of the State  
368 Properties Review Board.

369       (b) The town of Darien shall use said parcel of land for affordable  
370 housing and associated parking purposes. If the town of Darien:

371       (1) Does not use said parcel for said purposes;

372       (2) Does not retain ownership of all of said parcel; or

373       (3) Leases all or any portion of said parcel;

374 the parcel shall revert to the state of Connecticut.

375       (c) The State Properties Review Board shall complete its review of  
376 the conveyance of said parcel of land not later than thirty days after it  
377 receives a proposed agreement from the Department of  
378 Transportation. The land shall remain under the care and control of  
379 said department until a conveyance is made in accordance with the  
380 provisions of this section. The State Treasurer shall execute and deliver  
381 any deed or instrument necessary for a conveyance under this section,

382 which deed or instrument shall include provisions to carry out the  
383 purposes of subsection (b) of this section. The Commissioner of  
384 Transportation shall have the sole responsibility for all other incidents  
385 of such conveyance.

386 Sec. 10. (*Effective from passage*) (a) Notwithstanding any provision of  
387 the general statutes, the Commissioner of Transportation shall convey  
388 to the town of Colchester a parcel of land located in the town of  
389 Colchester at no cost. Said parcel of land has an area of approximately  
390 1.397 acres and is identified as the parcel depicted as "Release  
391 Area=1.397± Acres" on a map entitled "COMPILATION PLAN TOWN  
392 OF COLCHESTER MAP SHOWING LAND RELEASED TO BY THE  
393 STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION  
394 CT ROUTE 85 & SR 637 SCALE 1"=40' JAN. 2008 ARTHUR W.  
395 GRUHN, P.E. P.L.S.#18824 SHEET 1 of 1 PROJ. NO. 28-109 SERIAL  
396 NO. 9A" and certified as substantially correct by Robert J. Baron. The  
397 conveyance shall be subject to the approval of the State Properties  
398 Review Board.

399 (b) The town of Colchester shall use said parcel of land for  
400 municipal purposes. If the town of Colchester:

- 401 (1) Does not use said parcel for said purposes;
- 402 (2) Does not retain ownership of all of said parcel; or
- 403 (3) Leases all or any portion of said parcel;

404 the parcel shall revert to the state of Connecticut.

405 (c) Said parcel shall be subject to an easement to maintain an  
406 endwall in favor of the state of Connecticut and an easement to drain  
407 in favor of the state of Connecticut or its assigns.

408 (d) The State Properties Review Board shall complete its review of  
409 the conveyance of said parcel of land not later than thirty days after it  
410 receives a proposed agreement from the Department of  
411 Transportation. The land shall remain under the care and control of

412 said department until a conveyance is made in accordance with the  
 413 provisions of this section. The State Treasurer shall execute and deliver  
 414 any deed or instrument necessary for a conveyance under this section,  
 415 which deed or instrument shall include provisions to carry out the  
 416 purposes of subsections (b) and (c) of this section. The Commissioner  
 417 of Transportation shall have the sole responsibility for all other  
 418 incidents of such conveyance.

419       Sec. 11. (*Effective from passage*) Notwithstanding any provision of the  
 420 general statutes, the Department of Mental Health and Addiction  
 421 Services shall grant to a nonprofit organization conservation easements  
 422 over certain parcels of land that are the subject of the "Land Title  
 423 Report, Southerly Watershed Properties, Connecticut Valley Hospital  
 424 1866-2007", as prepared by Attorney John E. Hudson prior to applying  
 425 for a permit to abandon the reservoirs on said parcels under section 25-  
 426 33k of the general statutes. Such easements shall be granted for the  
 427 purpose of permanently preserving for conservation the reservoirs and  
 428 their watersheds located on the parcels of land comprising the  
 429 Connecticut Valley Hospital water supply system in the city of  
 430 Middletown. No provision of such easements shall prevent the  
 431 Department of Mental Health and Addiction Services or its successor  
 432 from using said parcels for any activity related to the water supply of  
 433 the Connecticut Valley Hospital in the city of Middletown or from  
 434 taking such steps as the department deems necessary to limit access in  
 435 order to protect the integrity of the water supply.

436       Sec. 12. Section 16 of special act 03-19, section 29 of public act 05-279,  
 437 as amended by section 2 of special act 06-10, section 142 of public act  
 438 12-2 of the June special session, as amended by section 15 of special act  
 439 13-23, and section 16 of special act 13-23 are repealed. (*Effective from*  
 440 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	SA 07-11, Sec. 24
Sec. 2	<i>from passage</i>	New section

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Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	SA 06-10, Sec. 21
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	Repealer section

**GAE**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 15 \$</b>	<b>FY 16 \$</b>
Department of Transportation	TF - Loss of Asset Value	4.3 million	None
Department of Transportation	GF - Cost	See Below	See Below
Correction, Dept.;	GF - Loss of Asset Value	7.6 million	None
Department of Energy and Environmental Protection;			
Department of Agriculture			
Treasurer; Dept. of Administrative Services	GF - Cost	Less than 1,000	None

### **Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 15 \$</b>	<b>FY 16 \$</b>
Various Municipalities	Gain of Asset Value	7.0 million	None

### **Explanation**

The bill has the following fiscal impact:

1. A Transportation Fund loss of asset value of approximately \$4.3 million from the transfer of a property to New Haven, Darien and Colchester;
2. A Transportation Fund cost for a monthly sewer usage fee that DOT will be charged by Colchester for its maintenance facility to be connected to the sewer system. The amount of the monthly fee is not available at the present time.
3. A General Fund loss of asset value of approximately \$7.6 million from the transfer of properties to Barkhamsted, East Haddam, the Cheshire Community Food Pantry and the Catherine Violet Hubbard Foundation, Inc. in Newtown;

4. There is no fiscal impact for Section 3, which transfers property from DECD to New Haven, because the property is under the care and control of DOT;
5. A minimal General Fund cost (less than \$1,000 each) to the Office of the State Treasurer and the State Properties Review Board for making the conveyances;
6. There is no fiscal impact to the General Fund related to payments-in-lieu-of-taxes (PILOT) on state-owned property because the appropriation is insufficient to fully fund the grants and all payments are reduced on a pro rata basis.
7. The conveyances represent a potential revenue loss to the state to the extent that the state could have sold or leased the properties at fair market value.

The land conveyances are subject to the review and approval of the State Properties Review Board, which is required to review each conveyance within 30 days. Deeds or any other instruments necessary for the conveyances must be executed and delivered by the State Treasurer. These activities are part of the respective agencies' normal operations and can be accomplished with existing staff and resources.

The municipal impact for the towns listed in the table below is:

1. A total gain in asset value of approximately \$7.0 million to various municipalities and nonprofit entities;
2. A revenue loss for PILOT payments on state-owned property to the degree that the parcels are eligible for PILOT. It should be noted that PILOT payments are made in arrears so this transfer of land would be reflected on the 2014 Grand List and would be reimbursed by the state in FY 17.

### ***Further Explanation***

Table 1 summarizes sections of the bill with state fiscal impacts. The

parcels must be used for the purposes specified in the bill (labeled “Use Restriction”) or the property will revert to the state. Table 2 summarizes changes in the conditions of prior land conveyances. Table 3 summarizes other provisions in the bill.

<b>Table 1: Sections with a State Fiscal Impact</b>					
<b>Sec.</b>	<b>From</b>	<b>To/Location</b>	<b>Acres</b>	<b>Est. Value \$</b>	<b>Use Restriction</b>
<b><u>Transportation Fund Loss of Asset Value</u></b>					
4	DOT	New Haven	0.99	560,617	Economic development
9	DOT	Darien	2.10	3,659,040	Affordable housing and parking
10	DOT	Colchester	1.40	100,000*	Municipal purposes
			<b>Total</b>	<b>4,319,657</b>	
<b><u>General Fund Loss of Asset Value</u></b>					
2	DOC	Cheshire Community Food Pantry	2.00	1,333,794	Charitable purposes
3	DECD	New Haven	6.95	0**	Municipal and economic development
6	DoAg	Catherine Violet Hubbard Foundation, Inc./Newtown	34.40	4,843,400	Animal sanctuary, wildlife preserve, natural preservation
7	DEEP	Barkhamsted	2.60	1,200,000	Senior and community center
8	DEEP	East Haddam	0.35	173,400	Open space and passive recreation
			0.89		
			1.20		
			<b>Total</b>	<b>7,550,594</b>	
*In addition to the 1.4 acres transferred to Colchester, DOT expended: (1) \$208,000 to install a pump station on the property and (2) \$1,000,000 for sewer lines down to the street.					
**The bill transfers the land from DECD to New Haven. There is no state fiscal impact because the land is under the care and custody of DOT so no transfer will be made.					

<b>Table 2: Changes to Prior Conveyances</b>				
<b>Sec.</b>	<b>From</b>	<b>To</b>	<b>Act/Sec.</b>	<b>Provision</b>
1	DOC	East Lyme	SA 07-11, Sec. 24	Changes use restriction
5	DOT	Morris	SA 06-10, Sec. 21	Technical changes
12	DoAG	Newtown	SA 03-19, Sec. 16	Repeal transfer of two parcels (34.44 acres and 4.00 acres)
12	DOT	East Haven	PA 12-2, (JSS), Sec. 142	Repeal transfer of 0.49 acres
12	DOT	East Haven	SA 13-23, Sec. 16	Repeal transfer of 2,402 sq. ft.

<b>Table 3: Other Provisions</b>	
<u>Sec.</u>	<u>Provision</u>
11	DMHAS is required to grant a conservation easement to a nonprofit organization prior to applying for a permit to abandon the reservoirs associated with the Connecticut Valley Hospital water supply system

### ***The Out Years***

***State Impact:*** None

***Municipal Impact:*** The minimal revenue loss of PILOT payments noted above would continue into the future.

**OLR Bill Analysis****sHB 5550****AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.****SUMMARY:**

This bill (1) authorizes conveyances in the towns of Barkhamsted, Cheshire, Colchester, Darien, East Haddam, New Haven, and Newtown; (2) amends prior conveyances and land exchanges in East Lyme and Morris; (3) requires the Department of Mental Health and Addiction Services (DMHAS) to grant a conservation easement in Middletown; and (4) repeals conveyances in Newtown and East Haven.

EFFECTIVE DATE: Upon passage

**§§ 2-4 & 6-10 — NEW CONVEYANCES**

As described in Table 1, the bill authorizes the following conveyances of state property for the purposes noted. Except where specified, the town is the recipient of the property.

**Table 1: New Conveyances**

<b>Section</b>	<b>Town (Recipient)</b>	<b>Agency</b>	<b>Description/Purpose</b>	<b>Cost</b>
2	Cheshire (Cheshire Community Food Pantry)	Correction (DOC)	Two acres for charitable purposes (unspecified portion of a 244.6 acre parcel containing the Cheshire Reformatory)	No cost
3	New Haven	Administrative Services, on behalf of Economic and Community Development (DECD)*	6.95 acres, including improvements, for municipal purposes, including the relocation of public service departments and for economic development	\$1
4	New Haven	Transportation (DOT)	Two parcels totaling 0.99 acre for economic development	\$1

			purposes	
6	Newtown (Catherine Violet Hubbard Foundation, Inc.)	Agriculture	34.44 acres for an animal sanctuary, wildlife preserve, or other nature preservation purpose; the state reserves a 50-foot-wide easement of 1,539.57 feet in length to allow ingress and egress to other state lands and for agricultural purposes	Administrative costs
7	Barkhamsted	Energy and Environmental Protection (DEEP)	2.6 acres, including improvements, for a senior and community center and related purposes	\$1
8	East Haddam	DEEP	Three parcels totaling 2.44 acres for open space and passive recreation; town must maintain the Comer monument and may construct a driveway to access other adjoining open space and municipal property	Administrative costs
9	Darien	DOT	2.1 acres for affordable housing and associated parking purposes	Administrative costs
10	Colchester	DOT	1.397 acres for municipal purposes; parcel is subject to easements to maintain an endwall and to drain in favor of the state	No cost

\* It is not clear which agency actually owns the property.

The conveyances in East Haddam do not terminate any reversionary interest in two of the parcels that may be held by the successors and heirs of Captain George Comer.

Each conveyance is subject to the State Properties Review Board's approval within 30 days. The land remains under the care and control of the transferring department until the conveyance is completed. Conveyances revert to the state if the recipient (1) does not use the parcel for the specified purposes, (2) does not retain ownership of the entire parcel, or (3) leases all or any part of the parcel. It is unclear how New Haven could use its conveyances for economic development purposes in light of the second and third of these conditions, since the city could not sell or lease the land.

## § 1 & 15 — AMENDED CONVEYANCES AND LAND EXCHANGES

The bill amends a 2007 conveyance from DOC to East Lyme to allow the town to lease the parcel for agricultural purposes; the town is currently barred from leasing the property at all. It removes Richard A. Zibello as a party in a 2006 land exchange with DEEP in Morris and makes technical changes to this exchange.

### **§ 11 — CONSERVATION EASEMENT**

The bill requires DMHAS to grant easements over certain parcels in Middletown to a nonprofit conservation organization. The parcels are those described in the “Land Title Report, Southerly Watershed Properties, Connecticut Valley Hospital 1866-2007,” that Attorney John E. Hudson prepared before applying for a permit to abandon the reservoirs as water supply sources. The easements are meant to preserve, for conservation, the reservoirs and their watersheds located on the parcels comprising the Connecticut Valley Hospital water supply system. The easements do not prevent DMHAS or its successor from using the parcels for any activity related to supplying water to the hospital or taking steps as DMHAS deems necessary to limit access in order to protect the integrity of the water supply.

### **§ 12 — CONVEYANCES REPEALED**

The bill repeals conveyances of:

1. two parcels in Newtown, having an area of approximately 34.44 acres and 4.0 acres, for open space and recreational purposes and, under certain circumstances, for economic development purposes;
2. a parcel containing approximately 0.49 acres to East Haven for economic development purposes; and
3. a parcel containing approximately 2,402 square feet to East Haven for municipal purposes.

### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/24/2014)