

RETURN TO:

**QUIT CLAIM DEED**

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

**KNOW YE THAT** the City of Hartford, with a mailing address of 550 Main Street, Hartford, Connecticut, acting herein by its Mayor, Luke A. Bronin, herein referred to as the Releasor, for the consideration of **FIVE MILLION AND NO/100 (\$5,000,000.00) DOLLARS**, received to its full satisfaction of the **City of Hartford Municipal Employees Pension Fund**, with a mailing address of c/o Pension Commission, 250 Constitution Plaza, Hartford, Connecticut, herein referred to as the Releasee, does remise, release and forever quit claim unto the said City of Hartford Municipal Employees Pension Fund and unto its successors and assigns forever:

A certain piece or parcel of land situated in the Town of Farmington, County of Hartford and State of Connecticut, situated on the southerly side of Fienemann Road, shown on a certain Map entitled "Property Survey, 'ALTA/NSPS Land Title Survey-2016", Dependent Resurvey, Prepared for City of Hartford, Fienemann Road, Farmington, Connecticut, Date: 5-31-2017, Scale: 1"=100', The Bongiovanni Group, Inc. Land Surveyors," being more particularly bounded and described in a Schedule "A" attached hereto and made a part hereof. Said Map Number \_\_\_\_ was recorded at the Office of the Town Clerk of Farmington on \_\_\_\_\_.

Said property is the same as land transferred under the following deeds:

- a. Warranty Deed from Timothy Collins to The Board of Water Commissioners of the City of Hartford dated February 19, 1895 and recorded February 28, 1895 in Volume 71, Page 95;
- b. Warranty Deed from Timothy Collins to The Board of Water Commissioners of the City of Hartford dated February 19, 1895 and recorded February 28, 1895 in Volume 71, Page 96;

- c. Warranty Deed from Madison J. Black to The Board of Water Commissioners of the City of Hartford dated May 24, 1899 and recorded June 5, 1899 in Volume 71, Page 422;
- d. Warranty Deed from William N. Whitman to The Board of Water Commissioners of the City of Hartford dated October 9, 1899 and recorded October 10, 1899 in Volume 71, Page 439;
- e. Warranty Deed from Charles H. Crocker to The Board of Water Commissioners of the City of Hartford dated April 26, 1901 and recorded April 27, 1901 in Volume 71, Page 492;
- f. Warranty Deed from Frederick M. Steele, Walter P. Steele, Charles E. Steele and Howard M. Steele to The Board of Water Commissioners of the City of Hartford dated August 8, 1904 and recorded August 18, 1904 in Volume 71, Page 668; and
- g. Quit Claim Deed from Albert Fienemann and Fred C. Fienemann to the City of Hartford dated October 16, 1944 and recorded October 16, 1944 in Volume 98, Page 114;

EXCEPTING from the above parcels, land conveyed to Albert H. Fienemann and Fred C. Fienemann dated June 1, 1944 and recorded October 16, 1944 in Volume 98, Page 113; and a Taking by the State of Connecticut set forth in an instrument dated June 11, 1965 and recorded June 17, 1965 in Volume 174, Page 105.

Said premises are subject to a right to discharge water as set forth in a Taking by the State of Connecticut dated June 11, 1965 and recorded June 17, 1965 in Volume 174 at Page 105 of the Farmington Land Records.

Said premises are further subject to the effect, if any, of an easement in favor of The Connecticut Power Co., (now the Hartford Electric Light Company) Volume 115 Page 95 of the Farmington Land Records.

Said premises, at the time of transfer, are exempt from real estate taxes.

***TO HAVE AND TO HOLD*** the premises hereby remised, released and quit-claimed with all the appurtenances unto the said Releasee and to the Releasee's successors and assigns forever, so that neither the Releasor nor the Releasor's

successors or assigns nor any other person claiming under or through the Releasor shall hereafter have any claim, right or title in or to the premises or any part thereof, but therefrom the Releasor and they are by these presents, forever barred and excluded.

**IN WITNESS WHEREOF**, the Releasor has hereunto set its hand and seal this \_\_\_\_ day of June, 2017.

Signed, Sealed and Delivered  
In the presence of:

The City of Hartford

\_\_\_\_\_  
BY: Luke A. Bronin, Mayor

STATE OF CONNECTICUT:  
COUNTY OF Hartford : ss: Hartford

On this the \_\_\_\_ day of June, 2017, personally appeared, Luke A. Bronin, Mayor of the City of Hartford, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, as his free act and deed and the free act and deed of said company.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary:  
My commission expires:

## Schedule "A"

A certain piece or parcel of land situated in the Town of Farmington, County of Hartford and State of Connecticut, situated on the southerly side of Fienemann Road, and shown on a certain Map entitled "Property Survey, 'ALTA/NSPS Land Title Survey-2016', Dependent Resurvey, Prepared For City of Hartford, Fienemann Road, Farmington, Connecticut, Date: 5-31-17, Scale: 1"=100', The Bongiovanni Group, Inc., Land Surveyors", being more particularly bounded and described as follows:

Commencing at a CHD monument with disk and punch in the southerly street line of Fienemann Road;

Thence S41°-05'-28"E a distance of 783.24 feet in said southerly street line of Fienemann Road to a point;

Thence continuing in said southerly street line of Fienemann Road in a curve to the right having a central angle of 1°-53'-27", a radius of 2388.86 feet and a distance of 78.84 feet to a point in the Town Line of Farmington and New Britain;

Thence along the said Town Line and in the westerly street line of Slater Road, the following six (6) courses:

A curve to the right having a central angle of 86°-23'-02", a radius of 25.00 feet and a length of 37.69 feet to a point;

S47°-07'-31"W a distance of 22.93 feet to a point;

A curve to the left having a central angle of 11°-00'-00", a radius of 549.27 feet and a length of 105.45 feet to a point;

S36°-07'-31"W a distance of 733.91 feet to a point;

A curve to the left having a central angle of 4°-21'-00", a radius of 1525.00 feet and a length of 115.78 feet to a concrete monument with disk and punch;

S31°-46'-31"W a distance of 2.71 feet to a point;

Thence S44°-03'-42"W in the Town Line of Farmington and New Britain and along land now or formerly of Matthew B. Karanian, Stephani Roman, Lester H. & Grace S. Duchnowski, Francisco Cosme, Jr. & Margarita Morales-Cosme, Marciano V. & Patricia P. Bermudez, Julio C. & Carmen I. Ortiz, Renee L. Kolakowski, Thomas J. Zaniewski and Anthony Carudba, in part by each, a distance of 1036.65 feet to a Town Line monument;

Thence N62°-53'-11"W along land now or formerly of The Stanley Works a distance of 301.60 feet to a point;

Thence N62°-13'-49"W along land now or formerly of The Stanley Works a distance of 359.74 feet to a point;

Thence S36°-08'-37"W along said land now or formerly of The Stanley Works a distance of 1209.47 feet to a Hartford Park Department Steel Marker;

Thence S21°-10'-37"W along land now or formerly of Paul A. & Carol A. Ripper and land now or formerly of Michael A. & Madeleine C. Scricca, in part by each, a distance of 571.07 feet to a ¾" iron pin;

Thence S82°-22'-58"W along land now or formerly of Wachovia Development Corporation a distance of 445.65 feet to a ¾" iron pin;

Thence S11°-52'-58"W along said land of Wachovia Development Corporation a distance of 171.18 feet to a 2" iron pin;

Thence N59°-43'-03"W along land now or formerly of Wachovia Services Corporation a distance of 243.65 feet to a ¾" iron pin in the easterly non-access highway line of Yankee Expressway (Interstate Route 84);

Thence in said easterly non-access highway line the following nine (9) courses:

N28°-42'-03"E a distance of 276.03 feet to a CHD monument with disk and punch;

N28°-42'-07"E a distance of 500.01 feet to a CHD monument with disk and punch;

N28°-42'-10"E a distance of 500.01 feet to a CHD monument with disk and punch;

N31°-58'-28"E a distance of 350.58 feet to a CHD monument with disk;

N28°-42'-14"E a distance of 500.01 feet to a CHD monument with disk and punch;

N37°-13'-53"E a distance of 101.12 feet to a CHD monument with disk and punch;

N28°-41'-57"E a distance of 12.63 feet to a CHD monument with disk and punch;

A curve to the left having a central angle of 1°-11'-13", a radius of 11654.16 feet and a length of 241.42 feet to a point;

N08°-14'-53"E a distance of 60.07 feet to a point;

Thence  $N50^{\circ}-17'-45''E$  along land now or formerly of State of Connecticut (Department of Agriculture) a distance of 2142.76 feet to a point in the southerly street line of Fienemann Road;

Thence in said southerly street line of Fienemann Road along a curve to the right having a central angle of  $3^{\circ}-06'-11''$ , a radius of 1637.20 feet and a length of 88.67 feet to the Point and Place of Beginning.

Said parcel contains 3,749,483 square feet (86.0763 Acres)

**OFFICE OF THE TOWN MANAGER  
MEMORANDUM**

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**TO:** Town Council Members  
**FROM:** Kathleen A. Eagen, Town Manager  
**RE:** Batterson Park Parcel - Goal 15  
**DATE:** November 14, 2017

**Per the Plan of Conservation and Development, seek to re-zone the 86-acre property at Batterson Park for office and or research and development use including uses eligible for the bioscience zone such as Jackson Labs.**

The Hartford Municipal Employees Retirement Fund (MERF) officially took possession of the Batterson Park parcel from the City of Hartford on July 1, 2017.

The Town of Farmington continues to work with MERF to explore how to best develop this parcel of land. During this quarter, MERF hired Gorman+York Property Advisors, LLC to assist with the development of Lot 1

**In Progress:**

- A quick claim deed from the City of Hartford to the City of Hartford Municipal Employees Retirement Fund was recorded on July 5, 2017 by the Farmington Town Clerk.
- On July 16, 2017 The Pension Commission issued an RFQ to for Consultant Services related to Development of Lot 1 Fienemann Road.
- On September 28, 2017 Nancy Nickerson, Rose Ponte and I attended the Pension Commission monthly board meeting and interviewed Gorman+York Property Advisors.
- On October 25, 2017 Rose Ponte met with members of the Gorman +York team to discuss Farmington's priority concerning Lot 1's development opportunities.
- On October 26 Bill Warner, and Rose Ponte met with Dr. Donald Poland to review land use requirements and permitting procedures for the property.

**OFFICE OF THE TOWN MANAGER  
MEMORANDUM**

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**TO:** Town Council Members  
**FROM:** Kathleen A. Eagen, Town Manager  
**RE:** Batterson Park Parcel - Goal 15  
**DATE:** April 2, 2018

**Per the Plan of Conservation and Development, seek to re-zone the 86-acre property at Batterson Park for office and or research and development use including uses eligible for the bioscience zone such as Jackson Labs.**

The Hartford Municipal Employees Retirement Fund (MERF) officially took possession of the Batterson Park parcel from the City of Hartford on July 1, 2017.

The Town of Farmington continues to work with MERF to explore how to best develop this parcel of land. During this quarter, MERF hired Gorman+York Property Advisors, LLC to assist with the development of Lot 1

**In Progress:**

- On January 17, 2018 we contacted Treasurer Cloud to receive a progress update on the project
- On January 19, 2018 Treasurer Cloud informed us that they were working with a potential end user.
- On February 27, 2018 Treasurer Cloud informed us that they were moving forward with an open bid process to solicit interest in the land parcel.
- On March 23, 2018 attended the Pension Board Monthly Meeting to discuss future steps for the redevelopment of the property.



# CITY OF HARTFORD

OFFICE OF THE CORPORATION COUNSEL

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Hartford, Connecticut 06103



HOWARD G. RIFKIN  
CORPORATION COUNSEL

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ALEXANDRA D. LOMBARDI  
DEPUTY CORPORATION COUNSEL

To: Adam M. Cloud, City Treasurer  
From: Lisa Silvestri, Assistant Corporation Counsel  
Date: September 8, 2016  
Re: Batterson land conveyance

The Hartford Court of Common Council has adopted the 2016-17 budget by ordinance which authorizes the City to transfer certain land in Batterson Park to the Municipal Employees Retirement Fund as part of the City's actuarially determined employer contribution (ADEC) for this year, with a value of five million dollars. This memorandum will discuss the status of the land and the method of transfer.

In 1929, the General Assembly granted a charter to create the Metropolitan District Commission. All land previously owned by the City's Board of Water Commissioners was transferred to the MDC, except that the General Assembly gave Batterson Park, by Special Act 197 of 1931, to the City of Hartford. In later years, the legislature passed a series of special acts governing the City's use and disposition of the land. In 1947, S.A. 292 authorized the City to transfer away certain parcels of Batterson Park, provided the City's Board of Park Commissioners determined they were not suitable for park purposes. In 1957, S.A. 475 extended the City's authority to sell to all parts of the land, but the use after sale was restricted to recreational, educational or other charitable purposes. Finally, in 1967, S.A. 48 authorized the City to sell any or all of the Batterson land by a vote of seven council members, with no restriction as to use. The 1967 special act impliedly repealed the conditions and restrictions

imposed by the earlier acts. The City Council's 2016 vote on the budget ordinance is sufficient to meet the seven vote requirement. What remains is for the City to transfer the land by deed.

It should be noted that the acquisition of this land is unique and distinct from the City's acquisition of other land. The transfer approved in the budget, and the subsequent deed over to the MERF, will have no effect on the protected status of other parks. Each of the City's large parks was given as a gift or bequest which restricted the land to public park use. The City has no power or authority to sell those parks, and will gain none through this transaction. Moreover, the authority to sell Parcel Two of Batterson Park does not authorize the sale of any other part of it. The sale or transfer of any other portion, which is not contemplated, would require an additional council vote and public hearing.

The land to be transferred, Parcel Two, contains 86 acres on Fienemann Road in Farmington. Approximately 10 to 14 acres adjacent to the road is buildable. The rest includes wetlands, with a portion known as "Deadwood Swamp". The transfer should include the entire parcel so that the whole buildable area fronting on Fienemann Road may be developed without creating a landlocked interior parcel. The development of the land will be subject to Farmington land use controls, which will not allow the creation of a parcel without frontage. The remainder will serve as open space to balance the new development.

Municipal Code §2-487 requires that money from the sale of park land shall go to Hartford Parks Trust Fund. Section (b) (2) (a) specifically applies this requirement to the sale of any portion of Batterson Park. The transfer from the City to the MERF will not have proceeds per se, but does have an assigned value of five million dollars. The further transactions that will create income to the MERF can be viewed as proceeds of the transfer of the land. For these reasons, the City must amend the ordinance and remove reference to this sale.

Introduced by:

Luke A. Bronin, Mayor

HEADING  
AND  
PURPOSE

**AN ORDINANCE AMENDING THE ORDINANCE ESTABLISHING A PARKS TRUST FUND AND ALLOWING PROCEEDS OF SALE OR CONVEYANCE OF BATTERSON PARK LAND TO BE DEPOSITED OTHER THAN IN THE PARKS TRUST FUND**

COURT OF COMMON COUNCIL  
CITY OF HARTFORD  
September 12, 2016

Be It Hereby Ordained by the Court of Common Council of the City of Hartford:

That Chapter 2 Section 487 of the Hartford Municipal Code is hereby amended as follows:

**Chapter 2 ADMINISTRATION**

**Sec. 2-487. Use of proceeds from sale of city park property**

(a) The avails from the sale of any park land shall be forthwith deposited in a permanent endowment fund known as the Hartford Parks Trust Fund as established in subsection (b) of this section.

(b) There is hereby established a permanent endowment fund known as the Hartford Parks Trust Fund. Such fund is established under authority of the General Statutes and pursuant to section 2-484 for the exclusive purpose of funding capital improvements and nonrecurring expenses in the parks and cemeteries of the City including the acquisition of replacement land for park purposes.

(1) Capital improvements shall include but not be limited to the following:

- a. Purchase price;
- b. Construction cost;
- c. Professional fees, including but not limited to architectural, legal, and accounting fees;
- d. transportation costs, such as freight charges;
- e. Legal claims directly attributable to the asset acquisition;
- f. Title fees;
- g. Closing costs;
- h. Appraisal and negotiation fees;
- i. Surveying fees;
- j. Damage payments;

- k. Land preparation costs;
- l. Demolition and remediation costs;
- m. Insurance premiums during the construction phase;
- n. Capitalized interest.

(2) The principal of the Hartford Parks Trust Fund shall consist of the following:

- a. The proceeds of any sale of any portion of Batterson Park consummated prior to July 11, 1988, which proceeds were not previously deposited in the capital improvements fund [and the proceeds of any future sale or transfer of any portion of Batterson Park];
- b. Any gifts or grants made to the City and designated for park or cemetery improvement purposes;
- c. The proceeds of any sale, conveyance or taking of any park land owned by the City, except for the proceeds of the transfer, in fiscal year 2016-17, of a portion of Batterson Park to the Municipal Employees Retirement Fund as partial payment of the City's annual actuarial determined employer contribution;
- d. Any funds from any source designated by the council to be added to this permanent endowment fund.

(3) The principal of the Hartford Parks Trust Fund shall be permanent and nonexpendable and shall be invested as follows:

- a. Such funds are to be invested under a trust agreement with a trust company as a managing agent in accordance with section 2-484;
- b. The investment of such funds shall be with the objective of generating income and growth of income over time consistent with preservation of capital.

(4) Investment income, including capital gains and dividends, is to be expended in the following manner:

- a. Upon recommendation of the mayor and with the approval of the council, the investment income from the fund may be transferred to the capital improvements fund and appropriated for capital improvements, and nonrecurring expenses in the parks and cemeteries of the City, including the acquisition, development, improvement, maintenance and expansion of park, cemetery and recreation lands, provided that the mayor, in consultation with the city treasurer, determines that sufficient funds remain in the trust fund, after the transfer, to preserve the true value of the principal and to continue to provide a sustainable level of income for the fund into the future.

b. The mayor is authorized to expend annually an amount not to exceed twenty-five (25) percent of the investment income from the fund for acquisition, erection, installation, maintenance, improvement, repair and replacement of park or recreation facilities and equipment, any other capital or nonrecurring expenditure incurred for park or recreational purposes or cemeteries.

c. The mayor is authorized to expend annually up to five (5) percent of the investment income for the Hartford Tree Account, pursuant to section 28-164.

d. Any remaining investment income shall be held in reserve for future transfer and appropriation.

e. Each year, the mayor shall recommend a priority list of capital improvement projects and nonrecurring expenses for the approval of the council. This list may be amended as the need arises, provided the amendments are also approved by the council. A primary factor in establishing such a priority list shall be the frequency of use by the public of the existing resource to be improved, or, in the instance of a proposed new project, the frequency of use by the public of the park or cemetery in which the proposed new project would be located. No funds allocated to or generated by the fund shall be appropriated or spent until the priority list, as may be amended, has been approved by the council.

(5) No funds allocated to or generated by this permanent endowment shall be used for normal operating expenses or routine maintenance or repairs.

(6) No budget proposed or approved or appropriation made for park or recreational purposes or cemetery maintenance shall be reduced, ratably or otherwise, in consideration of any moneys in the fund.

Notwithstanding anything in this Section to the contrary, this Ordinance [Ordinance No. 49-11] as amended shall apply to all such capital improvements which have been approved by the Mayor and Court of Common Council in the City's approved budget for fiscal year 2011-2012 and all future approved budgets.

This Ordinance shall take effect upon its adoption by the Court of Common Council.



CITY OF HARTFORD  
OFFICE OF THE TREASURER

Adam M. Cloud  
CITY TREASURER

September 9, 2016

**Re: Batterson Park Land Transfer**

The following provides documents related to and an outline of the steps associated with the transfer in fiscal year 2016-17 of Lot 2, Fienemann Rd., aka ("Batterson Parcel") to the Municipal Employees' Retirement Fund ("MERF") as partial payment of the City's annual actuarially determined employee contribution ("ADEC") to the MERF. Documents included are:

- Memo from Corporation Counsel regarding legal history of Batterson Parcel
- Draft Ordinance regarding amending Section 2-487 of the Municipal Code
- BL Companies - Land Development Study
- CBRE Market Assessment & Valuation for Fienemann Road Site
- Fienemann Rd. property map

**Process Steps to Effect Transfer:**

**City Council process**

- 9/12/16 – Council to consider Ordinance amending Code Section 2-487
- 9/15/16 – Presentation by Mayor and City Treasurer to Public Works, Parks and Environment committee
- 9/17/16 – Public hearing date

**MERF process (based on Council approval of amended Ordinance)**

- 10/28/16 – Treasurer recommends to Pension Commission to accept Batterson Parcel as partial payment of fiscal year 2016-17 ADEC
- 10/28/16 – Pension Commission approval of Treasurer's recommendation
- TBD – MERF to issue RFI/RFP for services of advisors/development partner(s)