

Department of Energy and Environmental Protection (DEEP)

**Open Space and Watershed Land Acquisition (OSWA)
Grant Application**

**Majestic Oaks- Wilson Property
South Main Street (Route 17)
Middletown, CT**



Submitted by:

**The City of Middletown
Department of Planning, Conservation and Development
245 deKoven Drive
Middletown, CT 06457**

Date: July 1, 2020

Extended Deadline: July 1, 2020

Department of Energy and Environmental Protection (DEEP)
Open Space and Watershed Land Acquisition (OSWA)
Grant Application
Deadline: June 1, 2020



Property Title: Majestic Oaks- Wilson Property

Applicant: City of Middletown

Applicant Address: 245 deKoven Drive, Middletown, CT 06457

Name and Title of Chief Executive Officer: Mayor Ben Florsheim

Name and Title of Preparer: Marek Kozikowski, AICP City Planner Phone: (860)638-4842

Purchase Price: \$ Appraisal Pending Acquisition: In-Fee Easement Total Acres: 83.2 ac

Your responses to the following questions will be used to evaluate, score and rank your application. Responses should be brief, factual and accurate. Applicants submitting proposals that include inaccurate information, facts, statements or disclosures could be penalized by having the application withdrawn from review or having the grant forfeited should one be offered. Please carefully review the Definitions and Program Conditions attached to this grant application prior to completing the application. Please use extra sheets as necessary when submitting answers.

This application is available in an alternative format upon request in fulfillment of the Department's Americans with Disabilities Act (ADA) requirement.

Important Notice for all Applicants

- Grant awards will be made based on available funding. Only the highest ranked projects will be awarded funding.
- DEEP will score applications using a point-based system that considers preservation, resource conservation, and climate benefits, as well as certain administrative factors.
- Land purchased under this program may not be used for intensive outdoor recreation or residential use.
- Approved properties are expected to be acquired within one year after a grant is awarded. DEEP reserves the right to rescind a grant award after this one year period.
- Land already owned by the applicant is not eligible for an acquisition grant.
- All land acquired must be accessible to the public without limitation. Acquired permanent interest in land (Conservation Easements) shall provide for public access in accordance with Connecticut General Statute Sections 7-131d(e).
- If the applicant is applying for funding to purchase a conservation easement to protect an active farm where public access will be limited, **Section 5 must be completed.**

Please refer to the Frequently Asked Questions (FAQ) guide, included in this application package, if you have questions. More detailed questions can be directed to Allyson Clarke (860) 424-3774 or Holly Lalime (860) 424-4078.

1) Eligibility

- The applicant is the City of Middletown (“the City”), which is a municipality in the State of Connecticut. See Appendix A.
- The City of Middletown is operating under the 2010 Plan of Conservation and Development, which expires August 12, 2020. The City is drafting the 2020 Plan of Conservation and Development with the intent of adoption in August 2020.
- The intent of use of the property is for open space preservation with opportunities for passive recreational use.
- The City was granted an extension to July 8, 2020 to provide evidence of compliance with past OSWA funded properties.
- Public access, including public parking and blazed trails would be provided by the City for enjoyment of the property. See Sections 6 and 7.
- In November 2019, the City of Middletown passed Ordinance No. 07-19 appropriating \$5 million for the acquisition of land and interest therein to preserve open space and farm land in the City of Middletown and authorizing the issuance of \$5 million bonds of the City to meet said appropriation.
- The City is seeking acquisition of land that is currently vacant and in private ownership. The City intends to purchase the property at a negotiated sales price.
- The City will bare the costs related to any in-kind services or incidental cost associated with the acquisition of land.

2) Conservation, Climate, and Recreational Value

- Provide a linkage, create or contribute to a developing or existing greenway? Does this greenway offer opportunities for recreation or non-motorized transportation? If so, please describe such opportunities and plans to develop such recreational or transportation options.

The Majestic Oaks- Wilson Property (“the Property”) is located directly west from the Guida Farm Conservation Area (“Guida”) and will be located within the Guida Farm Greenway in the forthcoming 2020 Middletown Plan of Conservation and Development. Guida is a 99 ac open space preserve containing open fields, watercourses, wooded areas and an extensive passive recreational trail network. See Appendix B. Together with area owned by the Middlesex Land Trust, this purchase would create a preserve close to 200 acres in Middletown. The Property is also adjacent to two undeveloped and forested properties located in Durham which total another 90 acres of unprotected open space.

- Protect or complement existing preserved open space or preserved agricultural land, especially if such protection will aid wildlife migration?

As noted above, the property is located directly west from Guida, and the Property will both protect and complement Guida and other open spaces. Guida would be protected by the acquisition as the alternative use of the property would be for detached, single-family subdivision development, which increases the potential of pollutants from storm water runoff from impervious surfaces and lawn care

maintenance. Guida would be complemented by the acquisition as it will enhance the Guida Farm Greenway, providing continuity in open spaces for wildlife migration.

- Provide for high-quality, passive recreational uses? Please describe such uses and plans to develop such uses, if needed.

The Property provides opportunities for high-quality, passive recreational uses including but not limited to hiking, horseback riding, orienteering, birdwatching, letterboxing, and cross country skiing. The property has sufficient frontage on South Main Street (Route 17) to provide an off street parking lot for passive recreational users. The property has possible opportunities to connect to and extend the existing trail network at the Guida Farm Conservation area, which is an existing 99 ac open space preserve owned by the City of Middletown. Possible connections could be made using an existing access road to the City water tower. If connections cannot be made, the property itself has opportunities to provide its own trail network.

- Provide a valuable resource for recreation, forestry, fishing, wildlife habitat or other natural resources initiatives?

The most valuable resources that this property offers is for passive recreational use, wildlife habitat and core forest preservation.

- Protect lands that preserve high-quality natural waters, drinking water resources, and core forests?

The property in a core forest area. The vegetative growth in the understory includes but is not limited to ferns, moss, phragmites, great bulrush (*Scirpus calidus*), pryoala, and wildflowers that include yarrow, butter and eggs, clover and wild germanium. There are low growing vines, saplings, and shrubs that include winterberry, elderberry, and blackberry bushes. The tree canopy consists of many older oak trees with at least at least 1.5-4' in diameter. Other tree species identified were birch, white birch, hickory black cherry and maple.

- Provide for protection of habitats most at risk from climate change, including forested swamps, lands adjacent to freshwater and tidal wetlands, riparian lands adjacent to cold water streams, beaches and dunes, and areas of potential tidal marsh migration?

The preservation of the property as open space would not necessarily provide direct protection of habitats most at risk from climate change. Indirect protection may be provided by eliminating the harmful effects of low density residential development on this property.

- Protect a naturally-occurring feature such as a shoreline, river, stream, mountainous territory, ridgeline, inland or coastal wetland, estuary, or geological feature?

The property provides very clear and open view to the west where Powder Ridge is visible. The ridgeline is visible in the distance.

While the Eastern Border fault itself is east of Guida, there are outcrops of the rocks that formed from the pebbles and cobbles tumbling down as the central part of the

state formed into a major rift valley. These conglomerate outcrops are visible at Guida, east of Coleman Road, and where Maple Shade Road takes a sudden bend. Loose rocks of this type are also frequently found. It is likely that outcrops are located on the property but with much of the property being overgrown, underlying rocks are not visible.

- Protect a habitat of a plant or animal species that is either threatened, endangered, or of special concern? Only species that are represented by the Natural Diversity Data Base (NDDDB) should be reported, unless a qualified specialist has identified such species.

The property is not located in the Natural Diversity Database.

- Protect a native ecological community that is unique or uncommon?

The acquisition of the land will protect a core forested area that provides a habitat that includes mature forest, overgrown fields, second growth forests, wetlands, small waterbodies, and vernal pools. The land is flush with a diverse mix of native plant and animal species.

The wildlife that has been heard or observed on the property include but is not limited to red tailed hawks, wood thrush, swallows, painted turtles, green frogs, coyote and deer. Evidence of painted turtle trails and deer trails was identified.

There is evidence of invasive species including autumn olive, wild road and bittersweet.

- Enhance or conserve the water quality of the State's lakes, rivers and coastal waters?

The preservation of this property as open space will protect the land from low density single family development which would include storm water runoff from impervious surfaces that may negatively impact nearby rivers and stream.

- Please provide any other information pertinent to your proposal.

In 2011 the Planning and Zoning Commission approved a preliminary 31 lot subdivision that included a new cul de sac road and conservation easement area on the subject property. See Appendix C.

- Supporting Material
 - Topographic Features **See Appendix D.**
 - Road Features **See Appendix E.**
 - Property Boundary Map **See Appendix F.**
 - Aerial Imagery Ortho-photo **See Appendix G.**
 - Provide two or more high-resolution photographs showing flora, fauna, waters or watercourses, summit view sheds, and/or other natural resource-based features (JPEG) **See Appendix H.**

3) Property Cost Estimates

- Two (2) UASFLA a/k/a Yellow Book compliant appraisals.

Yellow book appraisals are being prepared by Arnold J. Grant Associates, Inc. and Amodia Associates. The appraisals will be submitted by the August 1st deadline.

4) Other Considerations

- Who is the current property owner?

Linda D. Wilson, and Ralph E. Wilson As Trustee of the South Main Street Irrevocable Trust Agreement dated November 18, 2004.

- Has the owner previously sold or donated other permanent protected land?

No.

- Has a title search been conducted on this property?

The property owner provided a title search with the deed history.

- Is the property free from any lien, claim, encumbrance or easement that would prevent the land from being used for open space purposes?

No. The property has two power line easements to Connecticut Light & Power Company but neither would impact the ability to use the property as open space.

- Is the current property owner a willing seller?

Yes.

- Is the site on the market?

No.

- Has a Purchase & Sales Agreement been executed?

No.

- Is there a signed and certified Letter of Intent to sell?

Yes.

- Do the seller and applicant intend to close within one year?

Yes.

- Are there any reserved rights, restrictions or environmental impacts (power lines, landfills, structures, roads, etc.) on or near the proposed site?

Yes. As noted above there are two power line easements to Connecticut Light & Power Company that encumber a portion of the total property.

- Is the site free from environmental contamination?

Yes.

- What physical changes are required to make the site suitable for passive outdoor recreation?
Modest regrading and clearing of overgrowth would be required to install an off street parking lot for passive recreational users. Other selective clearing/ intermittent mowing could enhance habitats for observing grassland birds. The property has opportunities to blaze new trails for passive-recreational use. Bridges or other minor modifications, including selective clearing may be required to ensure proper safety of users and opportunities for accessibility for disabled persons.

- Will the purchase of this property displace any businesses, homes or other establishments?

No.

- Supporting Material
 - Copy of deed/lease **See Appendix I**
 - Copy of Title Search (**See above**)
 - Copy of any lease, lien, encumbrance, agreement or interest in the property **See Appendix J**
 - Letter of Intent. **See Appendix K**
 - Purchase and Sales Agreement **None.**

5) Agricultural Use

- Is there currently any agricultural use or forest management on the property?

No.

- Will agricultural use impede public access in any way?

No.

- Will any structures (barns, sheds, etc.) be excluded from the preserved area?

No.

- Does the property contain prime or important agricultural soils?

Yes.

- Supporting Material
 - Indicate on a map where agriculture use currently takes place and where it will continue.
There are currently no agricultural uses on the Property in spite of having 62% of its areas containing prime agricultural soils.
 - Soils map showing prime or important agricultural soils **See Appendix L.**

6) Public Access/ Recreational Resources

- What recreational resources exist on the property currently? Please indicate, on a map where these resources are located.

There are currently no recreational resources existing on the property.

- Will recreational resources need to be developed? If so, on the required map, please indicate where and to what extent these resources will be developed?

The Property provides opportunities to extend and expand Middletown's passive recreational trail network in the City of Middletown.

The west side of the property is bounded by property South Main Street (Route 17) in Middletown. The property has nearly 1,200ft of frontage along the State road. The topography along the slopes gently for the first ± 100 ft into the property, which provide ample opportunities to feasibly locate and construct off-street parking for public safety and access into the open space preserve.

The northeast side of the property is bounded by an access way to a single family dwelling. In fact there are 3 narrow public access way that together contain one driveway that serves three single-family dwellings that separates the Majestic Oaks-Wilson Property from the Guida Farms Conservation Preserve ("Guida"). Guida contains an extensive public trail network that provide passive recreation. The City would intend of obtaining access easements over the private right-of-ways to provide opportunities to connect the trail network at Guida. See Appendix M.

7) Accessibility for People with Disabilities

- Define how accessibility is to be integrated into the design of the project.

A public parking are can be constructed to comply with ADA requirements. As a consideration of choosing a location of the parking area, the topography and land and natural features can evaluated to maximize opportunities for people with disabilities to access the trail network to the greatest feasibility and/or provide opportunities to view scenic views, vegetation and wildlife.

- If accessibility for people with disabilities cannot be incorporated, place explain why.

Accessibility for people with disabilities will be incorporated to the best ability of the City.

8) Community Impact

- Is the property in close proximity to an urban area of population center?

The property is located ± 4 miles south along Route 17 from Downtown Middletown, which is an urban core.

- Please identify the major service area(s), neighborhood(s), city(s), region(s) that would be affected by this proposed acquisition.

The acquisition and preservation of this property for open space will benefit the entire Middletown community and have positive impacts to the Town of Durham. The property provides open space buffers and protection from development from two adjacent subdivision developments.

- What is the population density of the municipality (per square mile)?

1,140 persons/ square mile (Source: CERC Town Profile 2019). See Appendix N.

- Is the proposed acquisition in an area where significant growth/development has occurred or is planned? If yes, please expand upon the level of growth and the intensity of the development and how this project may compliment that development.

The property is located in the R-45 residential zone, which has an intended development of low density residential housing. The property currently has a preliminary subdivision approval for a low density residential development containing 31 residential lots and some conservation area.

9) Local Support

- How and when was the decision to purchase this property made? What kind of interest has the community expressed in the acquisition?

Upon the adoption of City Ordinance No. 07-19, the City was generating a list of possible open space acquisitions using the \$5 million in funds. Planning, Conservation and Development staff assembled a list of properties that were offered by private land owners for acquisition by the City for open space and farmland preservation. The Property was on the list.

The Commission on Conservation and Agriculture (“the Commission”) appointed members to its Open Space Acquisition Committee (“the Committee”) which consisted of two regular commission members and two alternates with the City Planner as its liaison. The Committee updated its existing open space ranking score sheet to rank priorities the acquisition. With assistance of the City Planner, 15 properties were scored based on information that was accessible by the City’s GIS mapping and other City records. The Committee reviewed these scores and performed site visits for the Top 9 properties based on the initial scoring. Upon the site visit, these properties received an official rank score. The Property ranked third. See Appendix O.

At a special meeting held on June 2, 2020, the Commission approved moving forward with appraisals on the Top 4 ranking properties for possible open space acquisition. See Appendix P.

At a regular meeting held on June 16, 2020 the Commission approved guidelines for determining which properties it will see Open Space and Watershed Land Acquisition Grant (“OSWA Grant”) or other funding. Furthermore, the Commission approved pursuing an OSWA Grant for the Property. See Appendix Q.

- Provide support letter from municipal, regional or executive boards and land trusts that identify how the proposed acquisition addresses an identified need/goal in the local and/or regional Open Space Plan or Conservation and Development.
 - **Letter of Support from Mayor Ben Florsheim. See Appendix R.**
 - **Letter of Support from Elisabeth Holder, Chair of the Commission on Conservation and Agriculture. See Appendix S.**
 - **Additional Letters of Support shall be provided prior to the August 1, 2020 deadline.**

10) Alignment with State & Local Conservation Goals

- How is the proposed acquisition consistent with the Municipal Plan of Conservation and Development?

The 2010 Plan of Conservation and Development for the City of Middletown (“the 2010 POCD”) recognizes the State of Connecticut’s goal to acquire 21% of the state’s land area for open space. It emphasizes the importance of open space preservation to protect critical natural resources, preserve rural character and control sprawl. Exurbs of the Plan can be found in Appendix T.

The City is drafting the 2020 Plan of Conservation and Development (“the 2020 POCD”) with the intent of adoption in August 2020. The 2020 POCD will emphasis the importance for preserving greenway corridors to create pathways and construct off-road connections between green spaces. This network should serve to connect existing green spaces to each other, as well as make them more accessible from residential neighborhoods. The Property will provide connections in the proposed Guida Farm Greenway.

- Has the Municipal Plan of Conservation and Development been completed and approved within the last 10 years?

The City of Middletown is operating under the 2010 POCD, which expires August 12, 2020.

Pursuant to Section 19a of Governor Lamont's Executive Order #71, any municipal POCD that expires during the time period covered by the public health and civil preparedness emergency declaration shall be considered extended by 90 days from its expiration date.

The 2010 POCD was adopted on May 12, 2010 by the Middletown Planning and Zoning Commission. The City began developing the 2020 POCD in the Spring of 2019 and is close to releasing a draft plan for review and adoption. The planning and drafting efforts have been delayed due to COVID-19 related issues.

- Is the proposed acquisition consistent with the State’s Plan of Conservation and Development and applicable State conservation and recreational plans, and State’s Wildlife Action Plan/Comprehensive Wildlife Strategy?

The State Plan of Conservation and Development Policies Plan Update: 2013-2018 adopt the policy to continue to protect permanently preserved open space areas and

facilitate the expansion of the state's open space and greenway network through continued state funding and public/private partnerships for the acquisition and maintenance of important multi-functional land and other priorities identified in the State's Open Space Plan. The proposed acquisition will expand the state's open space and greenway network. Located directly west to Guida, the property would expand the greenway connecting open spaces throughout Middletown and Durham.

The Property is located in a Conservation Opportunity Area in the Wildlife Action Plan/Comprehensive Wildlife Strategy, which identifies priority areas for places to conserve Connecticut's wildlife, fish and their habitats See Appendix U.

- Is the proposed acquisition consistent with the State's 2016-2020 Green Plan (Comprehensive Open Space Acquisition Strategy)? Explain/provide supporting justification that this proposed acquisition meets one or more of the four land acquisition priorities and targeted goals as addressed in the 5-year Action Strategy Section

The property is located within a Forested Focal Area as shown in Figure 4 of the 2016-2020 Green Plan. See Appendix V. The Map identifies current and potential forest bird focal areas in Connecticut. Focal areas are concentrated where larger, intact forest tracts remain in the state.

The acquisition of the Property would be consistent with the Green Plans land acquisition priorities by contributing to the State's natural resource-based outdoor recreation areas. As noted in Sections 6, the property provides opportunity to expand the City's trail network system and provides possible connection so the existing trail network at the Guida Conservation Area. Furthermore, the acquisition of this property would contribute 84 acres of land of the target of 2,000 acres of protected land to close gaps in the state's major recreational trails.

- Provide supporting justification that this proposed acquisition complies with a documented need and addressed in a local or regional open space conservation & development plan.

The City of Middletown does not have a local open space conservation and development plan document that is separate from the 2010 POCD. Justification to compliance with the 2010 is noted above. Middletown is a member of the Lower Connecticut River Valley Council of Governments ("RiverCOG"). RiverCOG is currently developing its 2020 Regional Plan of Conservation and Development.

11) Funding Mechanism

- Explain how match funds will be provided. Will the applicant apply for other grant funds?

In November 2019, the City of Middletown passed Ordinance No. 07-19 appropriating \$5 million for the acquisition of land and interest therein to preserve open space and farm land in the City of Middletown and authorizing the issuance of \$5 million bonds of the City to meet said appropriation. The monies are allocated and appear as a line item in the budget. See Appendix W.

The City's goal is to seek grant funding through the Open Space and Watershed Land Acquisition Program. If the City fails to obtain funding from this sources at this time, it is likely that the land will be lost to residential subdivision development.

12) Operation, Maintenance, and Stewardship Capabilities

- Provide evidence of the applicant's capability to operate and maintain the property.

The Commission has an established Open Space Management Committee that is charged with management and coordinating maintenance of the City's open space property. The City's Public Works department offers maintenance and repair as needed.

- What organizations(s) will manage the property and what is their management expertise? Will the maintenance of this property be a cooperative effort between a municipality, a land conservation organization(s) and/or a local community groups?

As noted above, the Commission has an established Open Space Management Committee that is charged with management and coordinating maintenance of the City's open space property. As a bootstrap committee, with the assistance with City staff, the committee has managed the City's open space preserves and conservation areas keeping areas clean, safe and accessible.

- Does stewardship funding exist or when will it be in place?

Ordinance No 07-19 allows for funding to be used for improvements to any open spaces and farm land in the City, including but not limited to, signage, parking lots, bridges, bog walks, and other structures.

The 2020 POCD will identify seeing stewardship funding as a priority objective and to be listed as a line item in annual City budgets.

13) Past Grant Compliance

- Has the applicant received an OSWA grant in the past? If so, provide a brief update on the property(s). How has each site been maintained? How has the public reacted to the acquisition(s)?

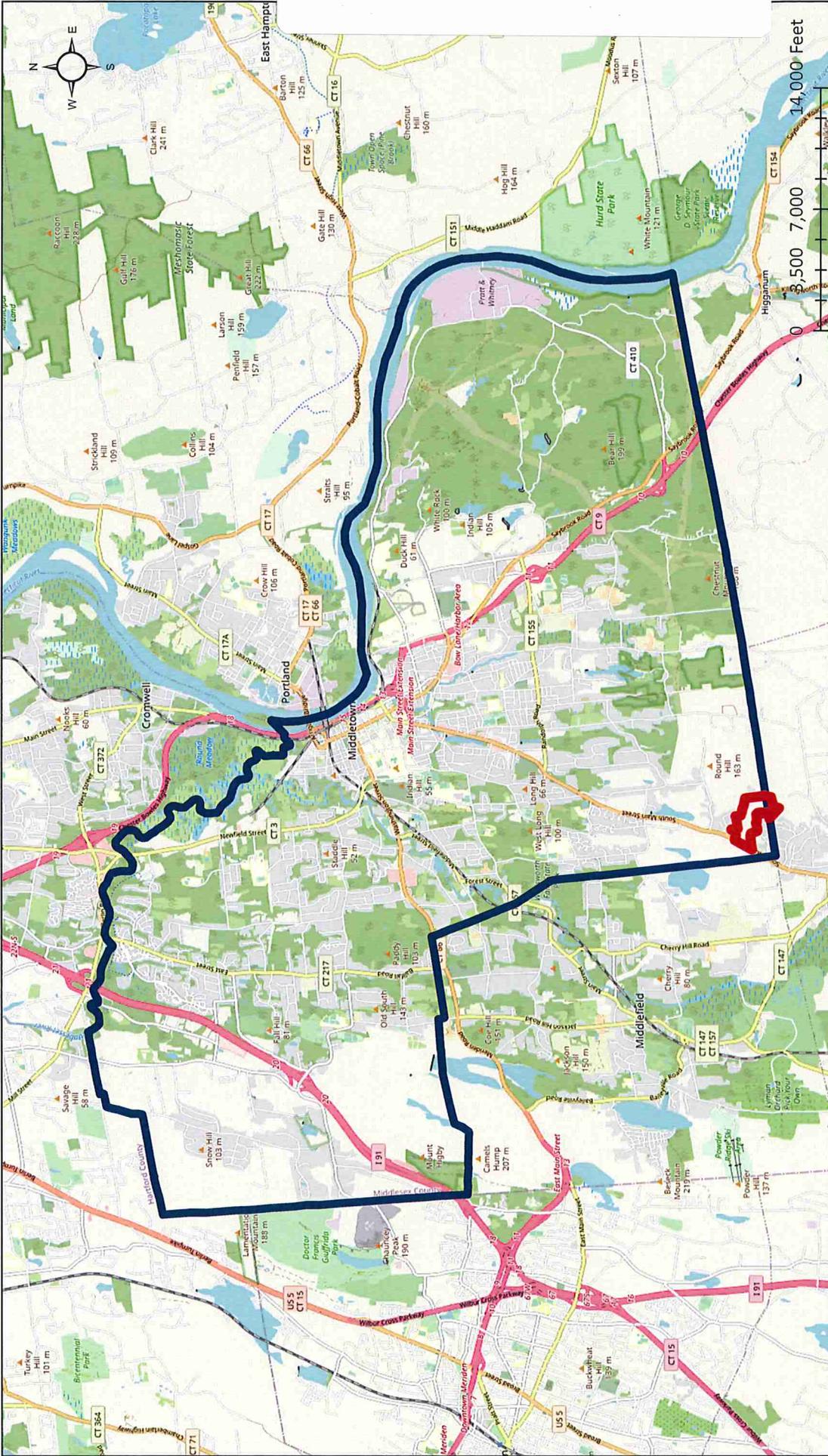
The City has obtained OSWA grant funding for a total of 14 projects since its inception in 1998. The properties include:

Property Name	Area (Ac)	Grant Amount
Sumner Brook Watershed	119.167	\$231,075
Mount Higby Preservation	0.000	
Lamentation Mtn./Metacomet Ridge	0.000	
Wilcox Prop. Lamentation Mtn.	71.493	\$209,108
Graves Farm	0.000	
Guida Farm Exp	8.390	\$45,500

Daniels Farm	24.230	\$94,250
Hubbard Property	118.360	\$500,000
Brock Farm Easement	43.400	\$500,000
Jablonski Subdivision	29.019	\$165,750
Pierce Property	119.000	\$243,750
Peterson Oil Property	1.490	\$178,750
Lamantation Mtn. Preserve	111.475	\$283,400
Wesleyan Property	97.740	\$275,000

The City was granted an extension to July 8, 2020 to provide evidence of compliance with past OSWA funded properties. See Appendix X.

Appendix A



Majestic Oaks - Wilson Property Overall Municipal Map

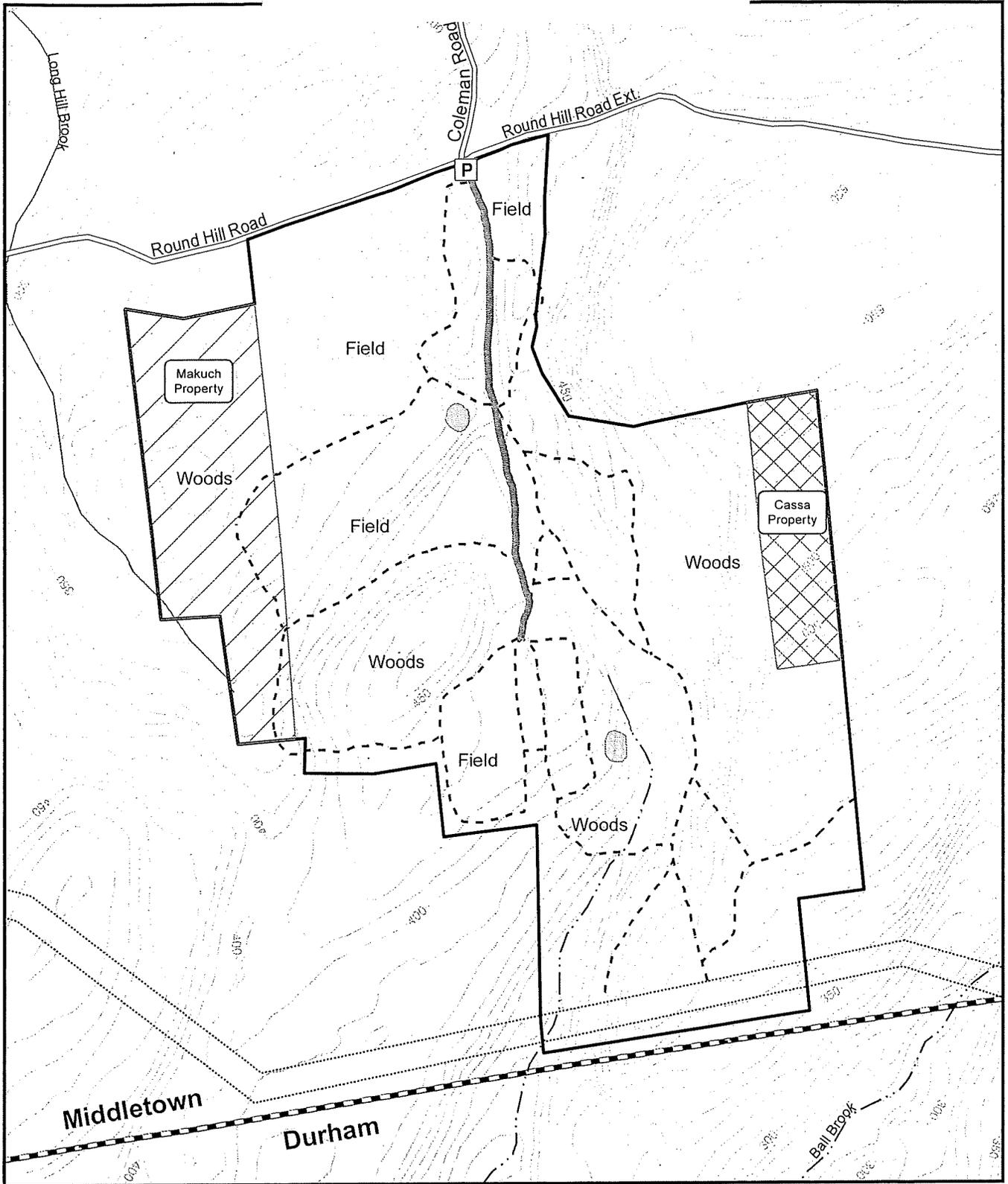
City of Middletown, CT
Department of Planning, Conservation & Development

June 2020

Source: OpenStreetMap contributors, CC-BY-SA

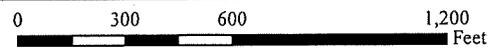
 Majestic Oaks - Wilson Property
 Municipal Boundary

Appendix B

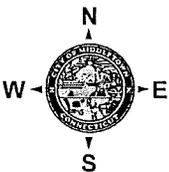


Guida Farm Conservation Area

99 Acres

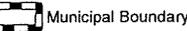
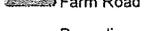
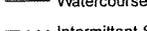
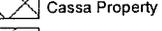
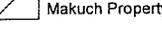


1 inch = 500 feet



Property boundaries are approximate as shown. Owners of properties who make their land available for recreational use of the trails depicted herein are subject to limited liability under Connecticut State Statute 52-557f, g, h, and i

LEGEND

	Parking		Guida Property		Trail
	Municipal Boundary		Farm Road		Watercourse
	Cassa Property		Powerline		Intermittent Stream
	Makuch Property		Road		Waterbody
			Welland		

Guida Farm Conservation Area

Directions: From Route 17 south (toward Durham), take the first left after Dooley Pond onto Round Hill Road. Continue straight for 0.5 miles to a stop sign at the intersection of Coleman and Round Hill Roads. Turn right (south) into the parking area.

Parking: There is parking for several cars at the property entrance.

Terrain: The property varies from open fields to wet areas, and young wooded areas to mature hardwood forest. The main trail is mostly level to gently sloped, but some of the wooded trails have steep sections.

General: This area consists of three contiguous parcels, the Guida Farm Conservation Area, the Cassa Property, and the Makuch Preserve.

The property is owned by the City of Middletown and is a 99-acre parcel containing eight open fields, two ponds, some old field habitat of black birch and eastern red cedar, and mixed deciduous woodland. The open fields are still actively farmed. Large portions of the wooded areas between the fields are invaded by Japanese barberry, oriental bittersweet and multiflora rose. A unique feature is the exposed Jurassic conglomerate rock formation (a very coarse-grained sedimentary rock) running north/south along the eastern border of the property. Fewer than a dozen places on earth display this type of formation so prominently.

Green frogs, bullfrogs, and painted turtles are often sighted at the first pond. Cardinal flowers and foraging ruby-throated hummingbirds can be seen in August in the wet meadow north of the second pond. Both ponds provide early spring breeding habitat for spotted salamanders and several frog species. Follow Coleman Road when you leave the conservation area to pass by the Guida family homesteads and the Sunshine Dairy that was the heart of the Guida milk business. Proceed slowly—the road is narrow, scenic and curvy.

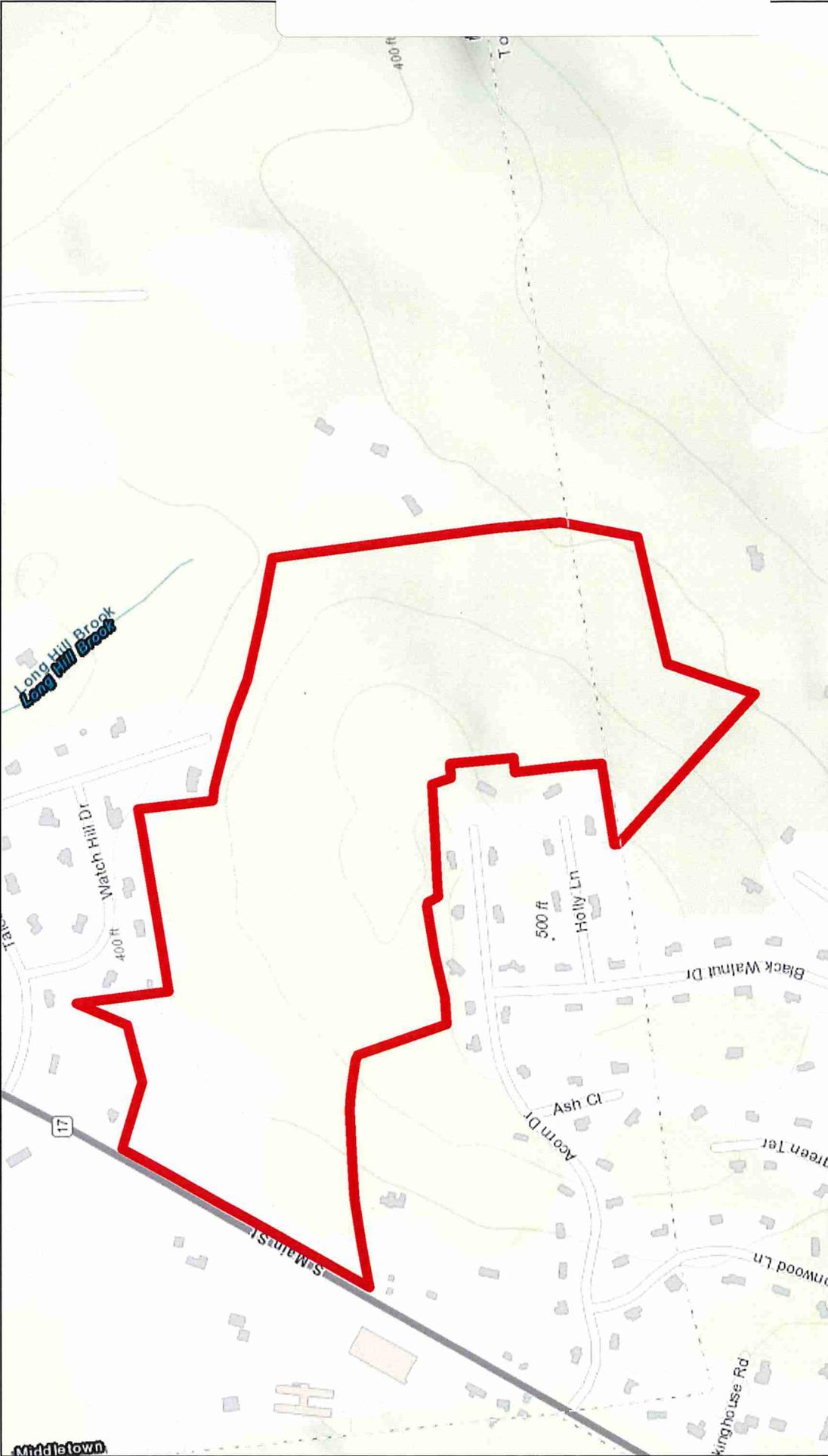


Photo: Michelle Ford



Photo: Pat Rasch

Appendix D



Majestic Oaks- Wilson Property Topographic Map

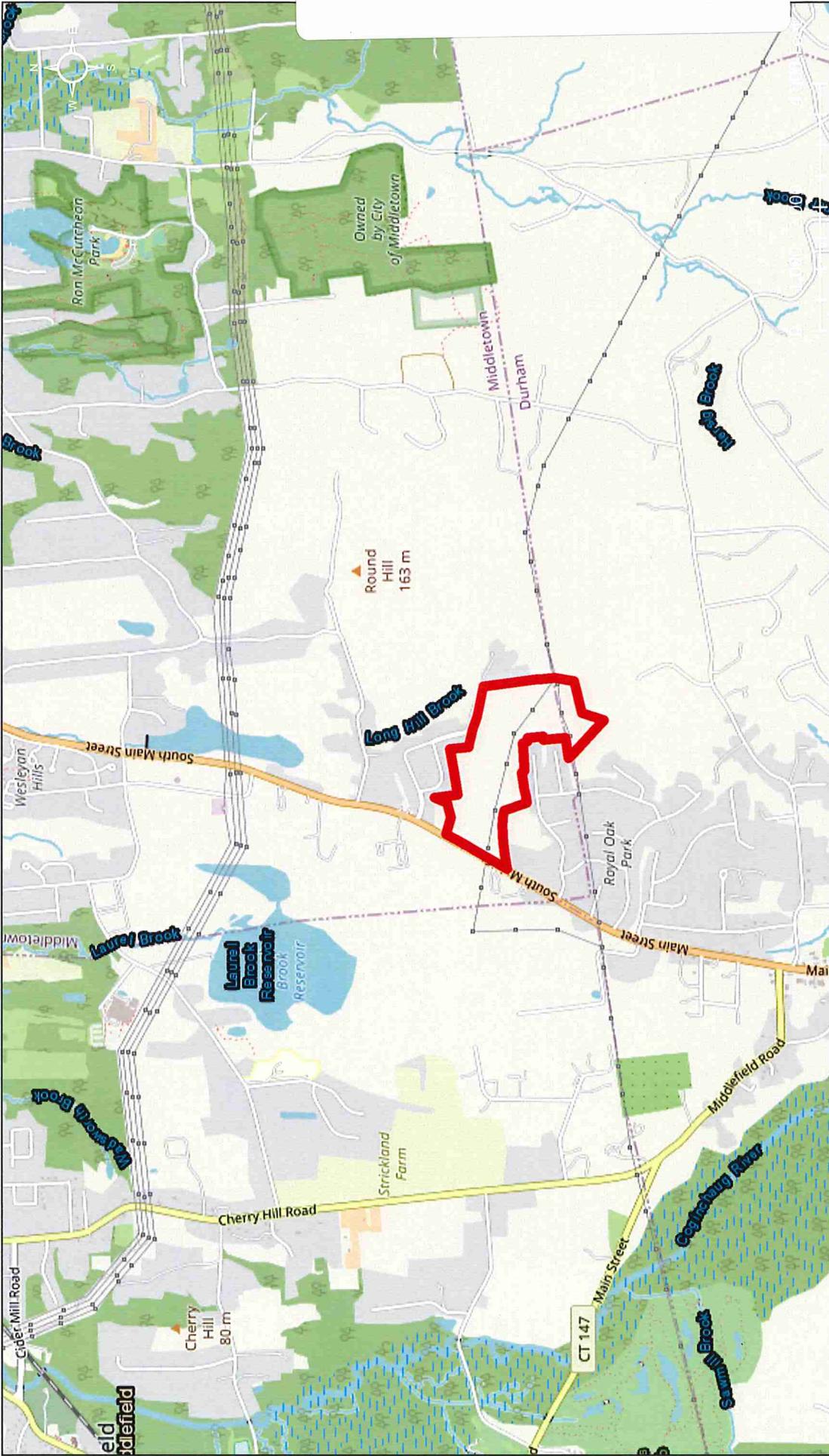
City of Middletown, CT
Department of Planning, Conservation & Development
June 2020

Property Boundary

 Majestic Oaks - Wilson Property

Source: ESRI, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community.

Appendix E



Majestic Oaks- Wilson Property Road Feature Map

City of Middletown, CT
Department of Planning, Conservation & Development
June 2020

Property Boundary
Majestic Oaks - Wilson Property

Appendix G



**Majestic Oaks- Wilson Property
Aerial Imagery Ortho-photo Map**

Property Boundary
Majestic Oaks - Wilson Property

City of Middletown, CT
Department of Planning, Conservation & Development
June 2020

Source: ESRI, Maxar, Geo Eye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. ESRI, HERE, Garmin, (c) OpenStreetMap Contributors, and the GIS user community.

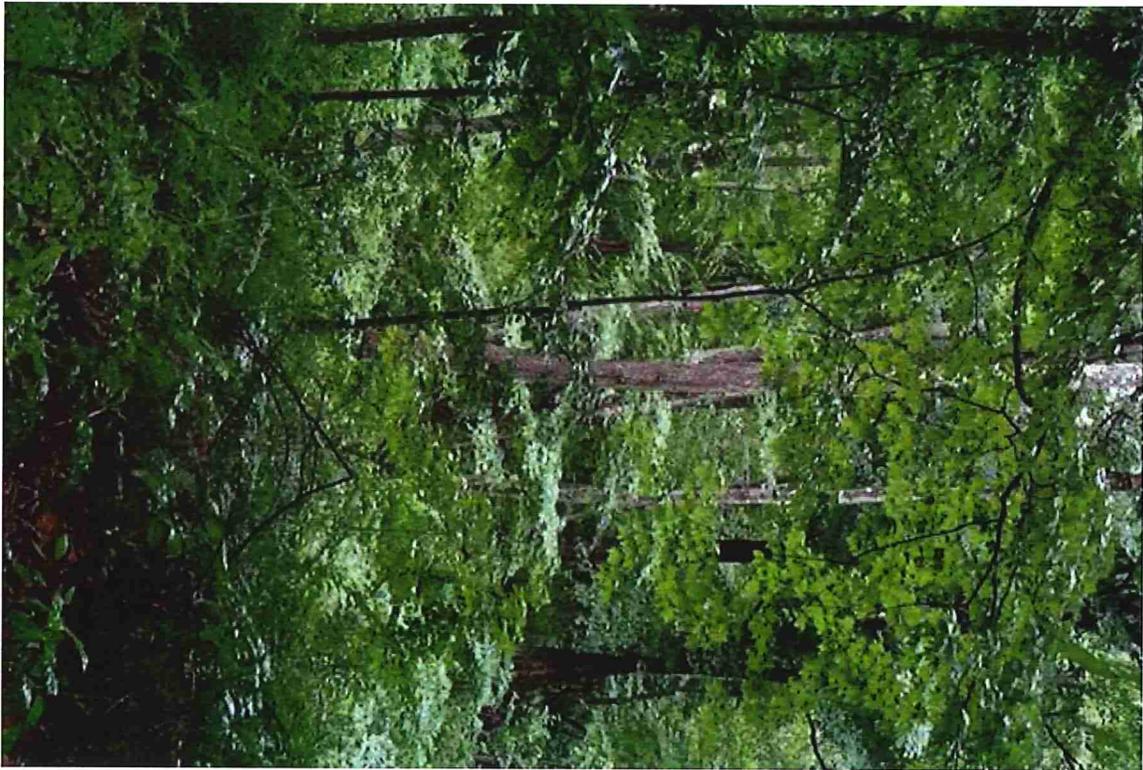
Appendix H

















Appendix I

Present Deed
Large Parcel

STATUTORY WARRANTY DEED

I, LINDA D. WILSON, of Middletown, Connecticut (the "Grantor") for no consideration, but rather as a gift, do hereby grant to RALPH E. WILSON, AS TRUSTEE OF THE SOUTH MAIN STREET IRREVOCABLE TRUST AGREEMENT DATED NOVEMBER 18, 2004, of Middletown, Connecticut (the "Grantee")

with WARRANTY COVENANTS

an undivided one-half (1/2) interest in that certain piece or parcel of land, together with all improvements thereon, situated in the Towns of Middletown and Durham, County of Middlesex and State of Connecticut, more particularly described in Schedule A attached hereto and made a part hereof (the "Premises").

Said premises are conveyed subject to:

1. Building lines, if established, and any and all provisions of any statute, ordinance, municipal regulation, zoning, planning and wetlands laws and regulation or public or private law, local, state or federal.
2. Property Taxes due the City of Middletown and Town of Durham on the List of October 1, 2003, first half paid, second half not yet due and payable, and on the List of October 1, 2004, one-half (1/2) of which the Grantee herein accepts and agrees to pay as part consideration for this Deed.
3. Easements, restrictions, agreements and covenants as of record may appear, provided they do not render title to the property unmarketable.

Signed November 18, 2004.

Witnessed by:

Barbara A. Taylor *Linda D. Wilson*
 Print name: Barbara A. Taylor Linda D. Wilson

Robert J. Mullen Jr.
 Print name: ROBERT J. MULLEN JR.

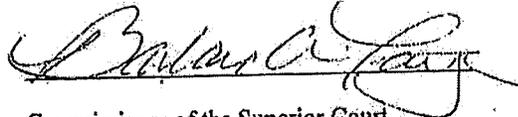
No Conveyance Tax Collected
Robert J. Mullen Jr.
 Town Clerk of Middletown

ST-0-

STATE OF CONNECTICUT)
) ss. Hartford
COUNTY OF HARTFORD)

On this the 18th day of November, 2004, before me, the undersigned officer, personally appeared LINDA D. WILSON, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained, as her free act and deed.

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

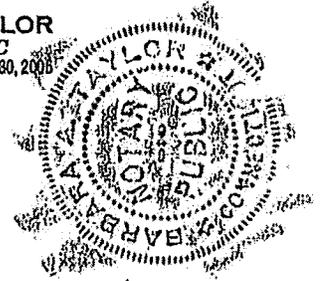


Commissioner of the Superior Court
Notary Public
My Commission Expires:

Grantee's Address:
591 Bow Lane
Middletown, CT 06457

After recording, return to:
Frederick J. Mullen, Jr., Esq.
Reid and Riege, P.C.
One Financial Plaza
Hartford, CT 06103

BARBARA A. TAYLOR
NOTARY PUBLIC
MY COMMISSION EXPIRES NOV. 30, 2008



Schedule A

POOR ORIGINAL

a certain piece or parcel of land, together with the improvements thereon and the appurtenances thereto, situate on the southeasterly side of St Rts 17, a/k/a South Main Street, in the Towns of Middletown and Durham in the County of Middlesex and State of Connecticut, shown on a map entitled "Gowac, Cushing, Brookes & Urban South Main Street Middletown & Durham, Connecticut Perimeter Survey Dated April 22, 2000 Scale 1"=100' Sheets 1 and 2 of 2, Warren Surveying, Gregory F. Warren-L.S.," which map is on file in the Middletown and Durham Town Clerk's offices, being more particularly bounded and described as set forth on Schedule "A" attached hereto.

Said premises are subject to a right of way in favor of The Connecticut Light and Power Company as set forth in Volume 178 Pages 424 and 426 of the Middletown Land Records and in Volume 39 Pages 161 and 164 of the Durham Land Records and a private property permit to Connecticut Power Company as set forth in Volume 188 Page 686 of the Middletown Land Records.

Said premises are conveyed subject to zoning and other regulations imposed by governmental authority and to taxes and other assessments due the Towns of Middletown and Durham on the List of October 1, 1999.

beginning at an iron pin said iron pin being on the easterly R.O.W. of South Main Street (A.K.A. Rte. 17) and said iron pin being the northwesterly corner of the herein described parcel of land;

thence S 87°51'23" E a distance of 216.54' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 87°51'23" E a distance of 158.73' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 87°51'23" E a distance of 126.29' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 87°51'23" E a distance of 194.57' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 88°46'15" E a distance of 108.61' continuing along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 89°03'40" E a distance of 55.00' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 89°15'19" E a distance of 603.61' along land N/F of Jamal to an ip;

thence S 89°15'07" E a distance of 98.01' along land N/F of Bramato to an ip;

thence S 04°24'02" W a distance of 314.86' along land N/F of Bartolotta to an ip;

thence S 73°34'20" E a distance of 54.30' along land N/F of Bartolotta to an ip;

thence S 68°51'28" E a distance of 176.90' along land N/F of Bartolotta to an ip;

thence S 68°27'00" E a distance of 113.34' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 58°08'26" E a distance of 178.02' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 65°39'44" E a distance of 263.53' along land N/F of Talcott Ridge L.L.C. to a point on a stone wall;

thence S 67°36'51" E a distance of 237.10' along land N/F of Talcott Ridge L.L.C. to a ditto;

thence S 01°11'20" W a distance of 150.68' along land N/F of Talcott Ridge L.L.C. to a POINT ON A STONE WALL;

thence S 04°00'22" W a distance of 343.40' along land N/F of Talcott Ridge L.L.C. to a point on a stone wall;

thence S 04°04'09" W a distance of 242.71' along land N/F of Talcott Ridge L.L.C. to a point at the intersection of two stone walls;

thence S 04°22'59" W a distance of 160.15' along land N/F of Talcott Ridge L.L.C. to a point on a stone wall;

thence S 06°41'42" W a distance of 229.67' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 05°05'00" W a distance of 69.28' along land N/F of Talcott Ridge L.L.C. to an ip on the town line between the towns of Middletown and Durham;

thence S 03°05'00" W a distance of 28.61' along land N/F of Scobitsky to an ip;

thence S 17°52'36" W a distance of 158.85' along land N/F of Scobitsky to a fence post;

thence S 15°32'58" W a distance of 162.08' along land N/F of Scobitsky to an iron stake;

thence N 89°42'33" W a distance of 171.55' along land N/F of Scobitsky to an ip;

thence S 89°29'51" W a distance of 192.38' along land N/F of Ianuzzi Construction to a point on a stone wall;

thence S 88°59'58" W a distance of 166.30' along land N/F of Ianuzzi Construction to an ip;

thence S 25°24'42" W a distance of 100.92' along land N/F of Ianuzzi Construction to an ip;

thence S 25°45'19" W a distance of 107.04' along land N/F of Ianuzzi Construction to a fence post in a stone wall;

thence S 21°24'15" W a distance of 33.28' along land N/F of Ianuzzi Construction to an ip;

POOR ORIGINAL

thence S 22°11'05" W a distance of 61.59' along land H/F of Ianuzzi Construction to an ip;

thence S 31°11'58" W a distance of 66.60' along land H/F of Ianuzzi Construction to an ip;

thence N 40°37'22" W a distance of 102.30' along land H/F of Barten to a point on a stone wall;

thence N 36°49'51" W a distance of 93.59' along land H/F of Barten to a point on a stone wall;

thence N 36°25'06" W a distance of 104.05' along land H/F of Barten to a point on a stone wall;

thence N 35°55'30" W a distance of 73.63' along land H/F of Barten to a point on a stone wall;

thence N 38° 09' 46" W a distance of 258.21' along land H/F of Barten to the northerly end of a stone wall;

thence N 38°09'48" W a distance of 101.26' along land H/F of Barten to a point;

thence N 01°03'40" E a distance of 15.39' along land H/F of Barten to an ip;

thence S 88°56'20" E a distance of 174.00' along land H/F of Barten to an ip;

thence N 66°58'50" E a distance of 56.33' along land H/F of Barten to an angle point in a stone wall;

thence S 84°50'27" E a distance of 96.40' along land H/F of Barten to a stone wall intersection;

thence N 05° 03' 58" E a distance of 2.84' along land H/F of Barten to a point

thence N 05°03'58" E a distance of 27.19' along land H/F of Barten to an ip;

thence N 03°58'53" E a distance of 2.74' along land H/F of Barten to an ip;

thence N 03° 38' 53" E a distance of 221.19' along land H/F of Barten to a point;

thence N 02°42'26" E a distance of 150.38' along land H/F of Barten to an ip;

thence S 84°56'30" E a distance of 60.00' along land H/F of Bohan to an ip;

thence N 05°03'30" E a distance of 252.76' along land H/F of Bohan to an ip;

thence N 84°56'30" W a distance of 60.00' along land H/F of Bohan to an ip;

thence N 05°26'03" E a distance of 79.93' along land H/F of Bogen to a chd;

thence N 84°57'26" W a distance of 192.06' along land H/F of Bogen to a point;

thence N 84°26'47" W a distance of 248.77' along land H/F of Bogen to a point;

thence N 84°24'12" W a distance of 42.25' along land H/F of Horn to an ip;

thence N 08°00'37" W a distance of 47.72' along land H/F of Horn to a point;

thence N 50°01'18" W a distance of 15.53' along land H/F of Horn to an ip;

thence N 86°30'49" W a distance of 79.23' along land H/F of Horn to a point;

thence S 86°48'12" W a distance of 127.18' along land H/F of Horn to an ip;

thence S 86°35'01" W a distance of 11.01' along land H/F of Phan to a point;

thence S 85°37'51" W a distance of 172.86' along land H/F of Phan to a point;

thence N 84°22'29" W a distance of 58.91' along land H/F of Phan to a point;

thence N 78°05'14" W a distance of 43.77' along land H/F of Phan to an ip;

thence N 10°12'27" W a distance of 40.95' along land H/F of Moore to a point;

thence N 08°10'38" W a distance of 87.15' along land H/F of Moore to a fence post;

thence N 07°41'07" W a distance of 92.25' along land H/F of Moore to a fence post;

thence N 07°26'55" W a distance of 108.34' along land H/F of Moore to a fence post;

thence N 13°39'15" W a distance of 55.75' along land H/F of Moore to an ip;

thence N 69°36'12" W a distance of 111.92' along land H/F of Moore to a fence post;

thence N 73°14'01" W a distance of 46.39' along land H/F of Moore to an ip;

thence N 80°54'24" W a distance of 111.62' along land H/F of Renna to a fence post;

thence N 82°20'31" W a distance of 253.90' along land H/F of Renna to a fence post;

thence N 85°55'48" W a distance of 124.59' along land H/F of Renna to a fence post;

thence S 89°17'58" W a distance of 127.49' along land H/F of Renna to a fence post;

thence S 89°30'16" W a distance of 91.49' along land H/F of Renna to a fence post;

thence N 88°55'49" W a distance of 79.74' along land H/F of Renna to an ip;

thence N 39°08'38" E a distance of 10.58' along the easterly streetline of south Main Street to a CHD;

thence N 39°04'57" E a distance of 130.16' along the easterly streetline of South Main Street to a CHD;

thence N 39°09'41" E a distance of 381.20' to the point of place of beginning

The herein described parcel of land having an area of 3490645.1 square feet, 80.14 acres

Being an undivided one-half (1/2) interest in the same premises conveyed to Linda D. Wilson by the Lorraine Gowao, Carol Cushing, Donald J. Brookes and Joseph Urban by Warranty Deed dated April 30, 2000 and recorded May 2, 2000 in Volume 1230, Page 781 of the Middletown Land Records.

Rec'd for Record November 18, 2001 4:00P at HMM
 Recorded by *[Signature]*

Present Deed

Lot 3A

STATUTORY WARRANTY DEED

I, LINDA D. WILSON, of Middletown, Connecticut (the "Grantor") for no consideration, but rather as a gift, do hereby grant to RALPH E. WILSON, AS TRUSTEE OF THE SOUTH MAIN STREET IRREVOCABLE TRUST AGREEMENT DATED NOVEMBER 18, 2004, of Middletown, Connecticut (the "Grantee")

with WARRANTY COVENANTS

an undivided one-half (1/2) interest in that certain piece or parcel of land, together with all improvements thereon, situated in the Town of Middletown, County of Middlesex and State of Connecticut, more particularly described in Schedule A attached hereto and made a part hereof (the "Premises").

Said premises are conveyed subject to:

1. Building lines, if established, and any and all provisions of any statute, ordinance, municipal regulation, zoning, planning and wetlands laws and regulation or public or private law, local, state or federal.
2. Property Taxes due the City of Middletown on the List of October 1, 2003, first half paid, second half not yet due and payable, and on the List of October 1, 2004, one-half (1/2) of which the Grantee herein accepts and agrees to pay as part consideration for this Deed.
3. Easements, restrictions, agreements and covenants as of record may appear, provided they do not render title to the property unmarketable.

Signed November 18, 2004.

Witnessed by:

Barbara A. Taylor *Linda D. Wilson*
 Print name: Barbara A. Taylor Linda D. Wilson

Frederick W. Miller Sr.
 Print name: Frederick W. Miller Sr.

No Conveyance Tax Collected
Joseph P. Miller
Town Clerk of Middletown

ST-05

Schedule A

POOR ORIGINAL

is certain piece or parcel of land, together with the buildings and improvements thereon and the appurtenances thereto situate on the southeasterly side of South Main Street in the Town of Middletown, County of Middlesex and State of Connecticut shown as Lot 3A containing 3.60 acres on a map entitled, "Gowac, Urban and Brokkes et al South Main Street Middletown, Connecticut Perimeter Survey Date: April 5, 2000 Scale 1"=40' Warren Surveying Gregory F. Warren L.S." which map is on file in the Middletown Town Clerk's office, being more particularly bounded and described as follows:

Beginning at a point marked by an iron pipe set on the southeasterly side of South Main Street, which point marks the southwesterly corner of the premises herein described; thence running N39°08'17"E a distance of 19.51 feet along South Main Street to a point marked by a concrete monument; thence running N39°05'48"E a distance of 317.49 feet along South Main Street to a point marked by an iron pin; thence running S63°39'45"E a distance of 271.13 feet along land now or formerly of Downs to a point marked by a concrete monument; thence running N82°46'18"E a distance of 232.13 feet along land of said Downs to a point marked by a concrete monument; thence running N17°21'32"E a distance of 210.43 feet along said land of Downs to a point marked by an iron pipe; thence running S03°07'50"W a distance of 368.25 feet following a stone wall along land now or formerly of Scirpo to a point marked by an iron pipe; thence running N88°48'15"W a distance of 108.61 feet along land now or formerly of Urban to a point marked by an iron pipe set at the end of a stone wall; thence running N87°51'23"W a distance of 698.13 feet along land of said Urban to the point or place of beginning.

Said premises are conveyed subject to zoning and other regulations approved by governmental authority and to taxes on the List of October 1, 1999 due the Town of Middletown.

Said portion of the premises described in Volume 1123 Page 411 of the Middletown Land Records.

Being an undivided one-half (1/2) interest in the same premises conveyed to Linda D. Wilson by the Lorraine Gowac and Carol Cushing by Warranty Deed dated April 30, 2000 and recorded May 2, 2000 in Volume 1230, Page 779 of the Middletown Land Records.

17583.004/337143.1

Rec'd for Record November 18, 2004 4:05 P
at HmM
Recorded by Linda D. Wilson
Town Clerk

Durham
Piece of
Parcel
Designation



Make checks payable to:
Tax Collector - Town of Durham
 P. O. Box 428
 Durham, CT 06422-0428
 Attn: Martin French

REAL ESTATE TAX BILL

Property Location: HEMLOCK CT
 Map/Block/Lot: 07 19
 Volume/Page: 168 206

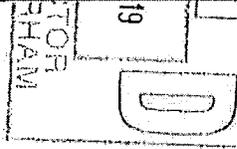
TAXPAYER'S COPY C
 (visit www.townofdurhamct.org for additional information)

The 2019-2020 budget for the Town of Durham, estimates that \$3,782,082 will be received from the State of Connecticut for various state financed programs. Without this assistance, your 2019, 2020 property taxes would be calculated at 41.75 mills.

LIST NUMBER	DIST	BANK	ON GRAND LIST		TOTAL TAX DUE	PAYMENT DUE	PAYMENT DUE
2018 01 0002929			OCTOBER 1, 2018			July 1, 2019	January 1, 2020
MILL RATE	GROSS ASSESSMENT	EXEMPTION	NET ASSESSMENT			\$346.70	\$346.70
35.8900	19,320	0	19,320				
						DELINQUENT AFTER AUG 1, 2019	DELINQUENT AFTER FEB 3, 2020

U0242500

T5 P1411 *****ALL FOR AADC 060
 WILSON LINDA D + WILSON RALPH E TRUSTE
 591 BOW LN
 MIDDLETOWN CT 06457-4808



Tax Collector's Office Hours: Monday - Thursday 8:30am to 4:30pm, Friday 8:30am to 3pm; or by appointment as necessary.
 Additional Office Hours: Every Tuesday in July & January and the first Tuesday of all months 8:30am to 7pm. Saturday, July 27, 2019 - 10am to noon;
 Saturday, January 25, 2020 - 10am to noon.

REAL ESTATE TAX BILL



Make checks payable to:
Tax Collector - Town of Durham
 P. O. Box 428
 Durham, CT 06422-0428
 Attn: Martin French

Property Location: HEMLOCK CT
 Map/Block/Lot: 07 19
 Volume/Page: 168 206

RETURN WITH 2nd PAYMENT B
 (visit www.townofdurhamct.org for additional information)

Payments that are even 1 day late are charged 3% interest. (1.5% for both January & February)
 Make Credit Card payments at www.townofdurhamct.org. Click on "View & Pay Taxes"
 Phone (860) 349-1165, Fax (860) 343-6733, e-mail: mfrench@townofdurhamct.org.

LIST NUMBER	DIST	BANK	ON GRAND LIST		TOTAL TAX DUE	PAYMENT DUE	PAYMENT DUE
2018 01 0002929			OCTOBER 1, 2018			July 1, 2019	January 1, 2020
MILL RATE	GROSS ASSESSMENT	EXEMPTION	NET ASSESSMENT		\$693.40	\$346.70	
35.8900	19,320	0	19,320				
						DELINQUENT AFTER AUG 1, 2019	DELINQUENT AFTER FEB 3, 2020

U0242500

WILSON LINDA D + WILSON RALPH E TRUSTE
 591 BOW LN
 MIDDLETOWN CT 06457-4808



Reminder: No additional bill will be sent for the Jan. 1, 2020 installment.

REAL ESTATE TAX BILL



Make checks payable to:
Tax Collector - Town of Durham
 P. O. Box 428
 Durham, CT 06422-0428
 Attn: Martin French

Property Location: HEMLOCK CT
 Map/Block/Lot: 07 19
 Volume/Page: 168 206

RETURN WITH 1st PAYMENT A
 (visit www.townofdurhamct.org for additional information)

Payments that are even 1 day late are charged 3% interest. (1.5% for both July & August)
 Make Credit Card payments at www.townofdurhamct.org. Click on "View & Pay Taxes"
 Phone (860) 349-1165, Fax (860) 343-6733, e-mail: mfrench@townofdurhamct.org.

LIST NUMBER	DIST	BANK	ON GRAND LIST		TOTAL TAX DUE	PAYMENT DUE	PAYMENT DUE
2018 01 0002929			OCTOBER 1, 2018			July 1, 2019	January 1, 2020
MILL RATE	GROSS ASSESSMENT	EXEMPTION	NET ASSESSMENT		\$693.40	\$346.70	
35.8900	19,320	0	19,320				
						DELINQUENT AFTER AUG 1, 2019	DELINQUENT AFTER FEB 3, 2020

U0242500

WILSON LINDA D + WILSON RALPH E TRUSTE
 591 BOW LN
 MIDDLETOWN CT 06457-4808



Release of
Private Property
Permit

TERMINATION OF PRIVATE
PROPERTY PERMIT

This Termination of Private Property Permit is made by and between Ralph B. Wilson, Trustee of the South Main Street Involucable Trust Agreement dated November 18, 2004 and Linda D. Wilson (collectively, the "Owners") of Middletown, Connecticut and The Connecticut Light and Power Company, having a principal place of business at 107 Selden Street, Berlin, Connecticut ("CL&P").

RECITALS:

1. The predecessor in title to Owners to property at 2200 South Main Street in Middletown, Connecticut (the "Property"); Anna Kucharcik, conveyed to Connecticut Power Company a Private Property Permit dated March 6, 1940, recorded in the Middletown Land Records in Volume 198, Page 686 (the "Private Property Permit").
2. CL&P is the successor by merger to Connecticut Power Company.
3. The Private Property Permit was for the purpose of providing electric service to a residence.
4. Such electric service under the Private Property Permit is no longer provided to the Property.
5. Under the Private Property Permit in Article Fifth, the permit shall continue in effect until the owner or her successors and assigns, order that facilities installed under that Private Property Permit be removed.
6. Owners and CL&P agree that the Private Property Permit should be deemed terminated because it is not needed at the present time.

NOW, THEREFORE, Owners and CL&P do mutually agree:

1. That the Private Property Permit shall be deemed terminated, that no electric service shall be provided thereunder, and CL&P need not remove any electric distribution facilities installed thereunder from the Property.
2. Upon the execution and delivery of this Termination, neither Owners nor CL&P shall have any remaining obligation under the Private Property Permit to each other.
3. This Termination inures to and is binding on the respective heirs, administrators, successors and assigns of the parties.

(W14567812)

IN WITNESS WHEREOF, the parties hereto have executed this instrument this 28th day of December, 2006.

[Signature]
JOANN CRISOUA

[Signature]
FLETCHER H. STANWELL

[Signature]
Ralph B. Wilson, Trustee of the
South Main Street Irrevocable
Trust Agreement

Dated: 12/28, 2006

[Signature]
JOANN CRISOUA

[Signature]
FLETCHER H. STANWELL

[Signature]
Linda D. Wilson

Dated: 12/28, 2006

THE CONNECTICUT LIGHT
AND POWER COMPANY

By: NORTHRIST
UTILITIES SERVICE
COMPANY, ITS AGENT

[Signature]
MICHAEL J. GREGG

[Signature]
BARBARA CANNON

[Signature]
By: Salvatore Giuliano
Vice Manager, Corporate Property
Management

STATE OF Conn)
COUNTY OF Hartford) ss.

On this 28th day of NOVEMBER, 2006, before me, the undersigned ~~attorney~~, personally appeared SALVATORE GILLIANO, who acknowledged himself to be the ~~MANAGER, CORP. Safety Dept.~~ of Northeast Utilities Service Company, a corporation, and that, as such officer, being authorized to do so by The Connecticut Light and Power Company, executed the foregoing instrument for the purposes therein contained as the free act and deed of said corporation.

In witness whereof, I herewith set my hand and official seal.

Barbara Oakley

Commissioner of the Superior Court
Notary Public
My Commission Expires: 2-31-08



RECEIVED
07 JAN -5 AM 9:29
TORN CLERK
HEDDLETON CORP.
Salvatore Gilliano

[W1462112]

Legal office

31 2nd Appr 2002

LEGAL NOTICE

NOTICE OF DECISION BY THE MIDDLETOWN PLANNING AND ZONING COMMISSION AT ITS REGULAR MEETING OF JANUARY 25, 2012

1. Adopted a Zoning Code text amendment to modify Section 61.01.08 to add the I-2 zone with an effective date of February 10, 2012. A copy of the adopted text is on file in the Office of the Town Clerk. Applicant/agent Fred Astaire Franchised Dance Studio Z2011-5
2. Approved a thirty-one (31) lot resubdivision with a Special Exception for a cluster development and rear lots of the property of Linda D. Wilson and South Main Street Irrevocable Trust located on South Main Street between the Talcoit Ridge Subdivision and Royal Oak Park near the Durham town line to be known as Majestic Oak with the following conditions; 1) open space corridor behind lots 21, 23 & 24 be removed; open space trail to go out to road between lots 25 and 26, up public sidewalk to open space east of lot 20 with maximum tree preservation within the first 50 feet of lots 20, 22 & 25; 2) if blasting is required, developer shall notify all property owners within 500 feet via registered mail and offer a pre-blast survey. Applicant/agent Linda D. Wilson and South Main Street Irrevocable Trust S2012-1
3. Approved location for a general repairer under G.S. Sec. 14-54 at 167 North Main St. in the IRA zone. Applicant/agent Joseph & Krys Santora d/b/a Brake Pro

Richard Pelletier, Chair
Planning and Zoning Commission

P. O. No. 2003-01785, Account No. 067419

The above legal notice to appear in the Hartford Courant ONCE

Thursday, February 2, 2012

THE MUNICIPAL BUILDING IS WHEELCHAIR ACCESSIBLE

Legal office

25 Hof Approad (

LEGAL NOTICE

NOTICE OF DECISION BY THE MIDDLETOWN PLANNING AND ZONING COMMISSION at its regular meeting of April 27, 2005

- 1. Granted Preliminary Approval of a twenty-five (25) lot resubdivision of the property of Linda D. Wilson and Ralph Wilson, Trustee of the South Main Street Irrevocable Trust Agreement, located on South Main Street between the Talcott Ridge Subdivision and Royal Oak Park near the Durham town line to be known as Majestic Oak with the condition that: 1) The driveway to Lot #1 go to South Main Street; and 2) that all properties located within five hundred (500') feet of the blast site be notified via certified mail ten (10) days prior to blasting. Approved a request for a waiver of the sidewalk regulations to allow construction of sidewalks on only side of the street. Applicant/agent Linda Wilson, Ralph Wilson, Trustee of the South Main Street Irrevocable Trust Agreement S2004-7

Barbara Plum, Chair
Planning and Zoning Commission

P. O. No. 2003-01785, Account No. 067419

The above legal notice to appear in the Hartford Courant ONCE

Tuesday, May 10, 2005

THE MUNICIPAL

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <i>[Signature]</i> Agent</p> <p>B. Received by (Printed Name) <i>[Signature]</i> Address</p> <p>C. Date of Delivery <i>WORK DAY 5/10/05</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <i>NO</i></p>	
<p>1. Article Addressed to: <i>Linda Wilson, Ralph Wilson, Trustee of the South Main Street Irrevocable Trust Agreement 591 Bow Lane Middletown, CT 06457</i></p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

Deed to

Linda Wilson

Large Parcel

To all People to whom these Presents shall come, Greeting:

KNOW YE, THAT WE LORRAINE GOWAC, CAROL CUSHING, DONALD J. BROOKES and JOSEPH URBAN, the said Joseph Urban acting herein through his attorney-in-fact Charles Urban pursuant to a Power of Attorney dated April 19, 2000 and recorded just prior to this deed

for the consideration of THREE HUNDRED SEVENTY-ONE THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$371,875.00)

received to our full satisfaction of LINDA D. WILSON of 591 Bow Lane, Middletown, CT 06457

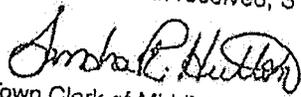
do give, grant, bargain, sell and confirm unto the said LINDA D. WILSON and her heirs and assigns

a certain piece or parcel of land, together with the improvements thereon and the appurtenances thereto, situate on the southeasterly side of Ct Rte 17, a/k/a South Main Street, in the Towns of Middletown and Durham in the County of Middlesex and State of Connecticut, shown on a map entitled "Gowac, Cushing, Brookes & Urban South Main Street Middletown & Durham, Connecticut Perimeter Survey Date: April 22, 2000 Scale 1"=100' Sheets 1 and 2 of 2, Warren Surveying, Gregory F. Warren L.S.," which map is on file in the Middletown and Durham Town Clerk's offices, being more particularly bounded and described as set forth on Schedule "A" attached hereto.

Said premises are subject to a right of way in favor of The Connecticut Light and Power Company as set forth in Volume 178 Pages 424 and 426 of the Middletown Land Records and in Volume 39 Pages 161 and 164 of the Durham Land Records and a private property permit to Connecticut Power Company as set forth in Volume 198 Page 686 of the Middletown Land Records.

Said premises are conveyed subject to zoning and other regulations imposed by governmental authority and to taxes and other assessments due the Towns of Middletown and Durham on the List of October 1, 1999.

"\$409.06
Conveyance Tax received, ST TX \$ 1859.37


Town Clerk of Middletown"

beginning at an iron pin said iron pin being on the easterly R.O.W. of South Main Street (A.K.A. Rte. 17) and said iron pin being the northwesterly corner of the herein described parcel of land ;

thence S 87°51'23" E a distance of 216.54' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 87°51'23" E a distance of 158.73' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 87°51'23" E a distance of 126.29' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 87°51'23" E a distance of 194.57' along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 88°46'15" E a distance of 108.61' continuing along land N/F of Urban estate Gowac & Cushing to an ip;

thence S 89°03'48" E a distance of 55.08' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 89°15'19" E a distance of 603.61' along land N/F of Jamal to an ip;

thence S 89°15'07" E a distance of 98.01' along land N/F of Bramato to an ip;

thence S 04°14'02" W a distance of 314.86' along land N/F of Bartolotta to an ip;

thence S 73°34'10" E a distance of 54.30' along land N/F of Bartolottato an ip;

thence S 68°51'28" E a distance of 176.98' along land N/F of Bartolotta to an ip;

thence S 68°27'08" E a distance of 113.34' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 58°08'26" E a distance of 178.02' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 65°39'44" E a distance of 263.53' along land N/F of Talcott Ridge L.L.C. to a point on a stone wall;

thence S 67°36'51" E a distance of 237.18' along land N/F of Talcott Ridge L.L.C. to a DH;

thence S 01°11'20" W a distance of 150.68' along land N/F of Talcott Ridge L.L.C. to a POINT ON A STONE WALL;

thence S 04°08'22" W a distance of 343.48' along land N/F of Talcott Ridge L.L.C. to a point on a stone wall;

thence S 04°04'09" W a distance of 242.71' along land N/F of Talcott Ridge L.L.C. to a point at the intersection of two stone walls;

thence S 04°22'59" W a distance of 160.15' along land N/F of Talcott Ridge L.L.C. to a point on a stone wall;

thence S 06°41'42" W a distance of 229.67' along land N/F of Talcott Ridge L.L.C. to an ip;

thence S 05°05'00" W a distance of 69.28' along land N/F of Talcott Ridge L.L.C. to an ip on the town line between the towns of Middletown And Durham;

thence S 05-05'00" W a distance of 28.61' along land N/F of Soobitsky to an ip;

thence S 17°52'36" W a distance of 158.85' along land N/F of Soobitsky to a fence post;

thence S 15°32'58" W a distance of 162.08' along land N/F of Soobitsky to an IRON PIPE; *

thence N 89°42'33" W a distance of 171.55' along land N/F of Soobitsky to an ip;

thence S 89°29'51" W a distance of 192.38' along land N/F of Ianuzzi Construction to a point on a stone wall;

thence S 88°59'58" W a distance of 166.30' along land N/F of Ianuzzi Construction to an ip;

thence S 25°24'42" W a distance of 100.92' along land N/F of Ianuzzi Construction to an ip;

thence S 25°45'19" W a distance of 107.81' along land N/F of Ianuzzi Construction to a fence post in a stone wall;

thence S 21°24'15" W a distance of 33.28' along land N/F of Ianuzzi Construction to an ip;

thence S 22°11'05" W a distance of 61.59' along land N/F of Ianuzzi Construction to an ip;
 thence S 31°11'58" W a distance of 66.68' along land N/F of Ianuzzi Construction to an ip;
 thence N 40°37'22" W a distance of 102.39' along land N/F of Berten to a point on a stone wall;
 thence N 36°49'51" W a distance of 93.59' along land N/F of Berten to a point on a stone wall;
 thence N 36°25'06" W a distance of 194.35' along land N/F of Berten to a point on a stone wall;
 thence N 35°55'30" W a distance of 73.63' along land N/F of Berten to a point on a stone wall;
 thence N 38°09'46" W a distance of 258.21' along land N/F of Berten to the northerly end of a stone wall;
 thence N 38°09'46" W a distance of 101.26' along land N/F of Berten to a point;
 thence N 01°03'40" E a distance of 15.39' along land N/F of Berten to an ip;
 thence S 88°56'20" E a distance of 174.00' along land N/F of Berten to an ip;
 thence N 86°55'50" E a distance of 56.33' along land N/F of Berten to an angle point in a stone wall;
 thence S 84°50'27" E a distance of 96.40' along land N/F of Berten to a stone wall intersection;
 thence N 05°03'58" E a distance of 2.84' along land N/F of Berten to a point;
 thence N 05°03'58" E a distance of 27.19' along land N/F of Berten to an ip;
 thence N 03°58'53" E a distance of 2.76' along land N/F of Berten to an ip;
 thence N 03°58'53" E a distance of 221.19' along land N/F of Berten to a point;
 thence N 02°42'26" E a distance of 150.38' along land N/F of Berten to an ip;
 thence S 84°56'30" E a distance of 60.00' along land N/F of Bohan to an ip;
 thence N 05°03'30" E a distance of 252.76' along land N/F of Bohan to an ip;
 thence N 84°56'30" W a distance of 60.00' along land N/F of Bohan to an ip;
 thence N 05°26'03" E a distance of 79.93' along land N/F of Bogen to a dh;
 thence N 83°57'26" W a distance of 192.06' along land N/F of Bogen to a point;
 thence N 84°26'47" W a distance of 248.77' along land N/F of Bogen to a point;
 thence N 84°24'12" W a distance of 42.25' along land N/F of Horn to an ip;
 thence N 08°00'37" W a distance of 47.72' along land N/F of Horn to a point;
 thence N 50°01'18" W a distance of 15.53' along land N/F of Horn to an ip;
 thence N 86°58'49" W a distance of 79.23' along land N/F of Horn to a point;
 thence S 88°46'17" W a distance of 127.18' along land N/F of Horn to an ip;
 thence S 86°55'01" W a distance of 14.01' along land N/F of Phan to a point;
 thence S 85°57'51" W a distance of 172.56' along land N/F of Phan to a point;
 thence N 84°22'29" W a distance of 58.91' along land N/F of Phan to a point;
 thence N 78°05'14" W a distance of 43.77' along land N/F of Phan to an ip;
 thence N 10°12'27" W a distance of 40.95' along land N/F of Moore to a point;
 thence N 08°10'38" W a distance of 87.15' along land N/F of Moore to a fence post;
 thence N 07°41'07" W a distance of 92.25' along land N/F of Moore to a fence post;
 thence N 07°56'55" W a distance of 108.34' along land N/F of Moore to a fence post;
 thence N 13°39'15" W a distance of 55.75' along land N/F of Moore to an ip;
 thence N 69°36'12" W a distance of 111.92' along land N/F of Moore to a fence post;
 thence N 73°14'01" W a distance of 46.39' along land N/F of Moore to an ip;
 thence N 80°54'24" W a distance of 111.62' along land N/F of Renna to a fence post;
 thence N 82°20'31" W a distance of 255.90' along land N/F of Renna to a fence post;

thence N 85°55'48" W a distance of 124.59' along land N/F of Renna to a fence post;
thence S 89°17'58" W a distance of 127.49' along land N/F of Renna to a fence post;
thence S 89°38'16" W a distance of 94.49' along land N/F of Renna to a fence post;
thence N 88°55'49" W a distance of 79.74' along land N/F of Renna to an ip;
thence N 39°08'38" E a distance of 10.58' along the easterly streetline of South Main Street to a CHD;
thence N 39°04'57" E a distance of 430.16' along the easterly streetline of South Main Street to a CHD;
thence N 39°09'41" E a distance of 381.20';
to the point or place of beginning
The herein described parcel of land having an area of
3490845.1 square feet,
80.14 acres

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto her the said grantee, her heirs, successors, and assigns forever, to her and their own proper use and behoof. And also, we the said grantors do for our selves, our heirs, executors, administrators, and successors, covenant with the said grantee, her heirs, successors, and assigns, that at and until the ensembling of these presents, we are well seised of the premises, as a good indefeasible estate in Fee Simple; and have good right to bargain and sell the same in manner and form as is above written and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, we the said grantors do by these presents bind our selves and our heirs forever to Warrant and Defend the above granted and bargained premises to the said grantee, her heirs, successors, and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, We

have hereunto set our hands this 30 day of April, 2000.

Signed and Delivered in the presence of (Type or Print name below each signature.)

WITNESS:

Jane R. Marsh
Jane R. Marsh

Rebecca H. Johnson
Rebecca H. Johnson

GRANTOR: *Lorraine Gowac*
Lorraine Gowac

Carol Cushing
Carol Cushing

Donald J. Brooks
Donald J. Brooks

Joseph Urban
Joseph Urban by Charles Urban his Attorney-in-Fact

STATE OF CONNECTICUT, }
COUNTY OF MIDDLESEX } ss. Deep River

Personally Appeared LORRAINE GOWAC, CAROL CUSHING and CHARLES URBAN as Attorney-in-Signer(s) of the foregoing Instrument, and acknowledged the same to be their fact for Joseph Urban free act and deed, before me.

Jane R. Marsh
Jane R. Marsh
Notary Public / J. of Peace / Commissioner of Superior Court

STATE OF CONNECTICUT, }
COUNTY OF Middlesex } ss. Deep River

Personally Appeared DONALD J. BROOKES, as aforesaid, Signer of the foregoing Instrument, and acknowledged the same to be his free act and deed, as such and he be not and deed of said corporation or partnership, before me.

Jane R. Marsh
Notary Public / J. of Peace / Commissioner of Superior Court

Grantees' Address:

591 Bow Lane
Middletown, CT 06457

Rec'd for Record MAY 02 2000 3 31 P
Recorded by *Charles P. [Signature]*
Town Clerk

#

4192

WARRANTY DEED

FROM

TO

Dated

Received May 2 2000

At 3:31 P.M.

Recorded in MIDDLETOWN

LAND RECORDS

Vol. 1230 Page 781

Linda D. Wilson
TOWN CLERK

Town Clerk After recording please return to:

RETURN TO:

Linda D. Wilson
591 Bow Lane
Middletown, CT 06457

\$ 32

Large Parcel
OK T-File
Search

CONNECTICUT ATTORNEYS TITLE INSURANCE COMPANY

FOR CATIC USE ONLY
Payment Reserved:
Mortgage Policy No:
Owner Policy No:

hereinafter called the "Company"

FOR CATIC USE ONLY
Reviewed and approved for
Payment by:

TITLE INFORMATION REPORT (TIR)

Closing Member (CM)
Attention:

Ralph E. Wilson, Esq.
137 South Main St.

Middletown CT 06457

Searching Party (SP)
Attention:

Laura Benarro Uhrig
87 Collins Avenue

Meriden CT 06450-4449

Member No. 001989
CATIC Authorization No: 435886

347 3888

Fax No. 346 0927

ID No. V01938

2032374607

Fax No. 1 203 237 4607

Date of Request: 02/22/2000

Search Fee: 300.00

Copy Fee: 24.00

Total Fees Due CATIC: 324.00

Date Assigned to SP: 02/22/2000

DATE DUE: 03/02/2000

AUTHORIZATION TO CLOSING MEMBER

The Closing Member identified above is hereby authorized to issue a policy or policies of title insurance through this Company based on the Closing Member's examination of title to the real property described in Paragraph 3 below from the date shown on Paragraph 1, below, and subject to the exceptions listed in Schedule B (except such as may be released or otherwise disposed of in a manner acceptable to the Company, prior to the effective date and time of the policy). The information furnished herein is solely for the use of the Closing Member identified above and solely for the purpose of facilitating the preparation of a policy of title insurance issued by the Company. Notwithstanding any information contained in this authorization, the Company's entire liability shall be restricted to the provisions, conditions and stipulations of the policy of title insurance issued pursuant to this authorization. In the event a policy of title insurance is not issued by the Closing Member through the Company, this authorization shall be null and void.

Certification to: CONNECTICUT ATTORNEYS TITLE INSURANCE COMPANY

This is to certify that the above authorization has been issued based on an examination of the appropriate public records (including probate and court records as necessary) by or under the direction and supervision of the undersigned up to the commencement date shown in Paragraph 1 below.

By Laura Benarro Uhrig (Searching Party)
Duly Authorized

Date TIR Mailed to Closing Member March 2, 2000

- Commence your examination of title from the close of business on February 20, 2000
Your search obligations are set forth in the Procedural Bulletin entitled, Title Search Underwriting Standard, 6/29/89.
- Examine the title to property under the following name(s) (including association and declarant where applicable).
 - CURRENT OWNER(S): Lorraine Gowac, Carol Cushing,
 - Donald & Brooke C, Joseph Urban
 -
- The property covered by the authorization is known as: 2200 South Main Street

and is situated in the Town of Middletown & Durham and is more particularly described in Schedule A attached hereto.

This copy is: (check appropriate box)

Original Authorization - Prepared by Searching Party and delivered to Closing Member.

Duplicate Authorization - Returned to CATIC by Closing Member with policy(ies).

Search Party's Invoice - Mailed to CATIC (Rocky Hill) for Payment.

DESCRIPTION FOR AUTHORIZATION 435886

All that certain piece or parcel of land with all improvements thereon, situated in the Towns of Middletown and Durham, County of Middlesex, and State of Connecticut, shown on map entitled "Property Survey Est. of Anna K. Urban Towns of Middletown and Durham, State of Connecticut, Scale 1" = 100' Date August 9, 1996 Sheet 1 of 2 and Sheet 2 of 2," on file in the Middletown Town Clerk's office as Maps 52-98 and 53-98 and in the Durham Town Clerk's office as Maps 899 and 900.

Less that piece conveyed from Lorraine A. Gowac et al to Joan Milas Bohan dated October 13, 1997 and recorded in Volume 1139, page 731 of the Middletown Land Records.

C A T I C

Connecticut Attorneys Title Insurance Company

SCHEDULE B

Re: Authorization No. 435886

Schedule B of the policy or policies to be issued must contain exceptions for the following matters unless the same are disposed of to the satisfaction of Connecticut Attorneys Title Insurance Company in accordance with the requirements set forth in our Procedural Guide and Procedural Bulletins. Please contact our staff attorneys regarding any underwriting questions.

1. Standard Exceptions:

- a. The lien for taxes on the List of October 1, 19 99 and thereafter.
- b. Rights of persons in possession other than the insured and/or mortgagor.
- c. Facts that an accurate survey or personal inspection of the land would disclose.
- d. Unrecorded mechanics' liens.

NOTE: Standard Exceptions b, c, and d may be waived in policy upon submission of affidavit of possession, survey, lien waivers, etc. acceptable to the Company. Please refer to your Procedural Guide.

2. Defects, liens, encumbrances, adverse claims and other matters, if any, created, first appearing of record, or attaching subsequent to the search commencement date (Paragraph 1 of this Authorization), but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage covered by any policy of insurance based on this report.

Special Exceptions: (NOTE: Add, on mortgagee policies only, appropriate affirmative language if and as required by the mortgagee.)

- a. SEE items a. thru e. on continuation sheet attached.

CONTINUATION SHEET ATTACHED YES NO

a. Succession tax lien in the amount of \$25,685.65 against Anna K. Urban in favor of State of Connecticut dated May 8, 1996 and recorded in Volume 1098, page 176 of the Middletown Land Records and in Volume 149, page 632 of the Durham Land Records.

b. Succession tax lien in the amount of \$36,875.16 against Anna K. Urban in favor of State of Connecticut dated July 29, 1996 and recorded in Volume 1104, page 735 of the Middletown Land Records and in Volume 150, page 548 of the Durham Land Records.

c. Right of way to Connecticut Light and Power Company from Anna Kucharcik dated September 30, 1927 and recorded in Volume 178, page 424 of the Middletown Land Records and in Volume 39, page 164 of the Durham Land Records, and from Anna Kucharcik, Administratrix of Estate of Joseph Kucharcik, dated September 30, 1927 and recorded in Volume 178, page 426 of the Middletown Land Records and in Volume 39, page 161 of the Durham Land Records. See Map 411 in the Middletown Land Records.

d. Private property permit from Anna Kucharcik to Connecticut Power Company dated March 6, 1940 and recorded in Volume 198, page 686 of the Middletown Land Records. See Map 823 in the Middletown Land Records.

e. Any and all matters shown on Maps 52-98 and 53-98 in the Middletown Town Clerk's office as Maps 899 and 900 in the Durham Town Clerk's office.

MAP 74-97 30 SEP. 97 FILE
14 OCT 97

VOL 139 PAGE 31

Warranty Deed

To all People to Whom these Presents shall Come, Greeting:

Know Ye, That WE, LORRAINE A. GOWAC of 54 Clarke Road, Haddam, CT 06438, CAROL A. CUSHING, DONALD J. BROOKES and JOSEPH F. URBAN

for the consideration of FIVE THOUSAND DOLLARS (\$5,000.00)

received to our full satisfaction of JOAN MILAS BOHAN of 255 Acorn Drive, Middletown, Connecticut 06457

do give, grant, bargain, sell and confirm unto the said JOAN MILAS BOHAN and her heirs and assigns forever

a certain rectangular piece or parcel of land, together with any improvements thereon and appurtenances thereto, situated off the easterly side of the cul-de-sac at the end of Acorn Drive in the Town of Middletown, County of Middlesex and State of Connecticut shown on a map entitled "Land of Urban Est. To Be Conveyed To JOAN MILAS BOHAN Town of Middletown, Connecticut Date: September 30, 1997 Scale 1"=50' Robert J. Ziobron, Registered Land Surveyor," which map is on file in the Middletown Town Clerk's office, being more particularly bounded and described as follows:

Beginning at a point marked by an iron pin on the easterly boundary of land now of Joan Milas Bohan, where property of said Bohan, Bellinghieri and Anna K. Urban intersect, which point marks the southwest corner of the premises herein conveyed; thence running N05°03'30"E a distance of 252.76 feet following a stone wall along land of Bohan to a point marked by an iron pin set in said stone wall; thence running S84°56'30"E a distance of 60.00 feet along the remaining land formerly of the Estate of Anna K. Urban, more recently of the Grantors, to a point marked by an iron pin; thence running S05°03'30"W a distance of 252.76 feet along the remaining land of the Grantors to a point marked by an iron pin; thence running N84°56'30"W a distance of 60.00 feet along said remaining land of the Grantors to the point or place of beginning.

It is the Grantors and Grantees intention that the above-described parcel be merged with the Grantees property as a single lot for zoning purposes.

Being a portion of the premises described in Volume 220 Page 358 of the Middletown Land Records.

Said premises are conveyed subject to zoning and other regulations imposed by governmental authority and to taxes on the List of October 1, 1997 due the Town of Middletown.

To Have and To Hold the above granted and bargained premises, with the appurtenances thereof, unto her the said grantee, and unto her heirs and assigns forever, to her and their own proper use and behoof.

And also, we the said grantors do for ourselves and our heirs, executors, administrators, and assigns, covenant with the said grantee and her heirs and assigns, that at and until the ensembling of these presents we are well seized of the premises, as a good and indefeasible estate in FEE SIMPLE; and we have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as herein before mentioned.

And Furthermore, we the said grantors do by these presents bind ourselves and our heirs and assigns forever to WARRANT AND DEFEND the

50
\$5. Conveyance Tax received, ST. TX \$ 25.00
Joseph F. Butler
Town Clerk of Middletown"

SUTCLIFF REGISTER & U.S. PATENT OFFICE
Little Law Print, Public Serv. Rolland, R.
1250-1312 4477

DURHAM, CONN.
VOL. 113 PAGE 233

To all People to Whom these Presents shall Come, Greeting:

Know Ye, That I, ANNA KUCHARCIK, of the Town of Middletown,
County of Middlesex, and State of Connecticut,

for the consideration of One (1) Dollar and other valuable considerations
received to my full satisfaction of LOUIS J. URBAN and ANNA K. URBAN,
both of the Town of East Haddam, County of Middlesex, and State of
Connecticut,

do give, grant, bargain, sell and confirm unto the said Louis J. Urban and Anna
K. Urban, husband and wife, as joint tenants and not as tenants in
common, and unto the survivor of them, and unto such survivor's heirs
and assigns, a certain tract of land, with all buildings thereon,
situated in the West Long Hill District, so-called, in the Town of
Middletown, County of Middlesex, and State of Connecticut, on or near
the boundary line between the Towns of Middletown and Durham, con-
taining eighty (80) acres, more or less, and more particularly
bounded and described as follows, to wit:

Northerly by land now or formerly of Salvatore Scirpo and
by land now or formerly of Paolo Didato;
Easterly by land now or formerly of Morris Walerstein;
Southerly by land now or formerly of Morris Walerstein, land
now or formerly of Paul Wilcox, land now or formerly of Barnes
Brothers and land now or formerly of Wolf, partly by each; and
Westerly by South Main Street (known as the Middletown-Durham
Highway);

and being the same premises conveyed to Joseph Kucharcik and Anna
Kucharcik by deed of Grace A. Ackerman, et al., dated October 3,
1921, and recorded in Middletown Land Records, volume 162, page 596;

EXCEPTING THEREFROM, a certain piece or portion of said above
described premises, with all buildings thereon,
described premises, particularly bounded and described as follows,
to wit:

Commencing at a point in the easterly line of said South
Main Street (known as the Middletown-Durham Highway) which
marks the northwesterly corner of the above described premises
and the southwesterly corner of land now or formerly of Sal-
vatore Scirpo; thence easterly along said land now or formerly
of Salvatore Scirpo four hundred eighty-three (483) feet, more
or less, to a point; thence southerly along said land now or

BY
1921

formerly of Salvatore Scirpo three hundred sixty (360) feet, more or less, to a point; thence westerly along the land conveyed to Louis J. Urban and Anna K. Urban by this deed five hundred (500) feet, more or less, to said easterly line of South Main Street; and thence northerly along said easterly line of South Main Street five hundred thirty-seven (537) feet, more or less, to the point or place of beginning; and bounded as follows:

Northerly by land now or formerly of Salvatore Scirpo, four hundred eighty-three (483) feet, more or less;

Easterly by land now or formerly of Salvatore Scirpo, three hundred sixty (360) feet, more or less;

Southerly by land of Louis J. Urban and Anna K. Urban, five hundred (500) feet, more or less; and

Westerly by South Main Street (known as the Middletown-Durham Highway) five hundred thirty-seven (537) feet, more or less.

It is the intention of the grantor herein to retain title to said piece next above described and excepted from this conveyance.

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto them, the said grantees, and unto the survivor of them, and unto such survivor's heirs, successors and assigns forever, to them and their own proper use and behoof.

And also, I, the said grantor, do for myself, my heirs, executors, administrators, successors and assigns, covenant with the said grantees, and unto the survivor of them, and such survivor's successors, heirs and assigns, that at and until the ensembling of these presents,

we are well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all incumbrances whatsoever.

And Furthermore, I, the said grantor, do by these presents bind myself and my heirs, successors and assigns forever to WARRANT AND DEFEND the above granted and bargained premises to them, the said grantees, and unto the survivor of them and such survivor's successors, heirs and assigns, against all claims and demands whatsoever.

149/632 Dur. LRS
Middle LRS

NOTICE OF CONNECTICUT SUCCESSION TAX LIEN VOL 1098 PAGE 176

Probate Court Middletown	File Number H-36375	For Optional Use by Recording Office
<p>Notice is hereby given under the provisions of Section 12-349(c) of the General Statutes of Connecticut that a lien exists in favor of the State of Connecticut against the specific property described below for additional Connecticut succession tax imposed by Section 12-349(b) due to the special valuation elected under Section 12-349(a).</p>		
Name of Estate ANNA K. URRAN		
Name and address of fiduciary appointed by the Probate Court or individual filing succession tax return. Lorraine Gowac 54 Clark Road Haddam, CT 06438		
Date of Death April 11, 1995	Place of Filing Middletown	Amount of Additional Tax \$ 25,685.65
Description of Property to Which Lien Attaches		

A certain piece or parcel of land, with all buildings thereon, situated in the West Long Hill District, so-called, in the Town of Middletown, County of Middlesex and State of Connecticut, on or near the boundary line between the Towns of Middletown and Durham, containing eighty (80) acres, more or less, and more particularly described on the Schedule A attached hereto,

AND ALSO PROPERTY:

an undivided one-fourth interest in and to a certain piece or parcel of land, situated in the Town of Middletown, County of Middlesex and State of Connecticut, and more particularly described on the Schedule B attached hereto,

Dated at Hartford, Connecticut
this 8th day of May, 1996.

GENE GAVIN
Commissioner of Revenue Services
by 
RICHARD D. NICHOLSON
First Assistant Commissioner
of Revenue Services

To all People to Whom these Presents shall Come Greeting:

Know Ye, That I, ANNA K. URBAN, of the Town of Middletown, County of Middlesex and State of Connecticut,

for the consideration of One Dollar (\$1.) and other valuable considerations received to my full satisfaction of LOUISE A. BERCHULSKI, of the City of Meriden, County of New Haven and State of Connecticut,

do remise, release, and forever QUIT CLAIM unto the said LOUISE A. BERCHULSKI, her

heirs and assigns forever, all the right, title, interest, claim and demand whatsoever as

I the said releasor have or ought to have in or to a certain piece or parcel of land, with all buildings thereon, situated in the West Long Hill District, so-called, in the Town of Middletown, County of Middlesex and State of Connecticut, on or near the boundary line between the Towns of Middletown and Durham, containing eighty (80) acres, more or less, and more particularly bounded and described as follows, to wit:

- NORTHERLY by land now or formerly of Salvatore Scirpo and by land now or formerly of Paolo Didato;
- EASTERLY by land now or formerly of Morris Walarstein,
- SOUTHERLY by land now or formerly of Morris Walarstein; land now or formerly of Paul Wilcox, land now or formerly of Barnes Brothers, and land now or formerly of Wolf, partly by each; and
- WESTERLY by South Main Street (known as the Middletown-Durham Highway).

EXCEPTING THEREFROM, a certain piece or portion of said above-described premises, with all buildings thereon, and more particularly bounded and described as follows, to wit:

Commencing at a point in the easterly line of said South Main Street (known as the Middletown-Durham Highway) which marks the northwesterly corner of the above described premises and the southwesterly corner of land now or formerly of Salvatore Scirpo; thence easterly along said land now or formerly of Salvatore Scirpo 483 feet, more or less, to a point; thence southerly along said land now or formerly of Salvatore Scirpo 360 feet, more or less, to a point; thence westerly along the land conveyed to Louis J. Urban and Anna K. Urban by Warranty Deed recorded in Volume 220, page 358 of the Middletown Land Records, 500 feet, more or less, to said easterly line of South Main Street; and thence northerly along said easterly line of

South Main Street 537 feet, more or less, to the point of place of beginning; and bounded as follows:

- NORTHERLY by land now or formerly of Salvatore Scirpo, 483 feet, more or less;
- EASTERLY by land now or formerly of Salvatore Scirpo, 360 feet, more or less;
- SOUTHERLY by land of Louis J. Urban and Anna K. Urban, 500 feet, more or less; and
- WESTERLY by South Main Street (known as the Middletown-Durham Highway) 537 feet, more or less.

For title of the grantor to the above described premises, reference is hereby made to Warranty Deed from Anna Kucharcik to Louis J. Urban and Anna K. Urban dated October 15, 1947 and recorded in Volume 220, page 358 of the Middletown Land Records.

"No Conveyance Tax collected"

[Signature]
Town Clerk of Middletown

Go all People to Whom these Presents shall Come, Greeting.

Know Ye, That JOSEPHINE BROOKS, of the Town of Essex, County of Middlesex and State of Connecticut,

for the consideration of Five Thousand (\$5,000.00) Dollars, herein designated as the Grantors,

received to the full satisfaction of the Grantors, from LORRAINE A. COWAC and CAROL B. CUSHING, of the Town of Haddam, County of Middlesex and State of Connecticut, whose mailing address is 109 Hayden Hill Road, Haddam, Connecticut 06438

do hereby give, grant, bargain, sell and convey to the Grantees, their heirs and assigns forever, an undivided one-fourth interest in and to a certain piece or parcel of land, situated in the Town of Middletown, County of Middlesex and State of Connecticut, shown and designated as "Acre - 4.023 acres - 173,250 sq. ft." on a certain map or plan entitled "Prospect Survey for COWAC, URSAN and BROOKS, ET AL, Town of Middletown, Connecticut, dated Aug. 21, 1985, drawn by Richard F. Ziobron, Surveyor", which map or plan is on file, or is to be filed, in the office of the Middletown Town Clerk, and to which map or plan reference may be had for a more particular description of said premises, bounded and described as follows:

Beginning at a point in the easterly property line of Conn. Rte. 17, as shown on said map, which point is a northwesterly corner of the herein described premises; thence proceeding along that parcel shown as "Acre - 2.008 acres - 87,455 sq. ft." on said map, being land now or formerly of Christopher J. and Laurence A. Dams, the following courses and distances: S 63-33-45 E, 121.31 feet; S 84-03-15 E, 366.62 feet; and N 13-37-42 E, 108.17 feet; thence proceeding along land now or formerly of Scripps, as shown on said map, the following courses and distances: S 81-36-51 E, 342.16 feet; and S 03-07-30 W, 368.25 feet; thence proceeding along land now or formerly of Urban, as shown on said map, the following courses and distances: N 88-46-15 W, 108.61 feet; and N 87-31-23 W, a total distance of 696.12 feet; and thence proceeding N 39-08-17 E along Conn. Rte. 17, as shown on said map, a total distance of 350.00 feet to the point or place of beginning.

Being a portion of those premises described in a Certificate of Deeds, dated August 28, 1972 and recorded in Volume 387, page 364 of the Middletown Land Records. Reference is also made to a certificate of Deeds, dated March 10, 1975 and recorded in Volume 445, page 210 of the Middletown Land Records.

\$ 5.50 Conveyance Tax received, ST. TAX 25.00
Anthony Albano
Town Clerk of Middletown

To Have and to Hold the premises hereby conveyed, with the appurtenances thereof, unto the Grantees and unto the Grantees' heirs, successors and assigns forever and to the Grantees' and their own proper use and behoof; and the Grantors do for themselves, their heirs, successors and assigns covenant with the Grantees, their heirs, successors and assigns that the Grantors are well seized of the premises as a good indefeasible estate in FEE SIMPLE; and have good right to grant and convey the same in manner and form as herein written and the same are free from all incumbrances whatsoever, except as herein stated.

27
Read for Record MAY 16 1996 10:30 A.M.
Recorded by *Christy P. Hutton*
Christy Town Clerk

FIRST: That the ownership of said facilities shall remain with the Company; that the Company may enter on the undersigned's premises for the purpose of inspecting, maintaining or removing said facilities, whenever in its judgment it is necessary; that the Company may trim and keep trimmed, cut and remove such trees as in its judgment are necessary to maintain its service; that the undersigned will make no attachments to poles such as signs, radio antennae, clothes lines, etc.; that the Company will be relieved from any liability for damage done to the property of the undersigned when reasonable care has been exercised to prevent any such damage.

SECOND: That the undersigned will contribute to the Company the cost to it of maintaining said facilities if its revenue from same is less than \$5.40 per annum per 100 ft. of line.

THIRD: That the undersigned will contribute to the cost of the original installation of said facilities and pay for the cost of any changes in or relocation of said facilities that the undersigned may request.

FOURTH: That any right herein granted or any part thereof may be assigned by The Connecticut Power Company to any other company for the purpose of supplying its service to the undersigned.

FIFTH: That the foregoing agreements shall continue in effect until terminated by the undersigned's order to remove said facilities or prior thereto by the removal of said facilities by the Company for failure by the undersigned to meet any of the terms of said agreements.

SIXTH: That the foregoing agreements shall be binding upon and enure to the heirs, successors and assigns of the undersigned.

Witness H. Warren Lawrence

The Connecticut Power Company

Middletown Division

AAP 3-8-40

March 6, 1940 at 4:35 P.M., a true record.

Attest: R. J. Wamester
Town Clerk

Signed The Gustav Loewenthal
Lumber Company (Seal)

Raymond I. Loewenthal Sec.

PRIVATE PROPERTY PERMIT

March 6, 1940.

The undersigned Anna Kucharcik of Middletown, desires The Connecticut Power Company, a Connecticut corporation, herein called Company, to place and construct such facilities on the undersigned's property as are in its judgment necessary, and in such locations as are shown on the sketch attached hereto but not made a part hereof, in order to supply electric service at South Main Street Extension, Middletown and agrees in consideration of the placing and construction of such facilities--

FIRST: That the ownership of said facilities shall remain with the Company; that the Company may enter on the undersigned's premises for the purpose of inspecting, maintaining or removing said facilities, whenever in its judgment it is necessary; that the Company may trim and keep trimmed, cut and remove such trees as in its judgment are necessary to maintain its service; that the undersigned will make no attachments to poles such as signs,

radio antennae, clothes lines, etc.; that the Company will be relieved from any liability for damage done to the property of the undersigned when reasonable care has been taken to prevent any such damage.

SECOND: That the undersigned will contribute to the Company the cost to it of maintaining said facilities if its revenue from same is less than \$5.40 per annum per foot of line.

THIRD: That the undersigned will contribute to the cost of the original installation of said facilities and pay for the cost of any changes in or relocation of said facilities that the undersigned may request.

FOURTH: That any right herein granted or any part thereof may be assigned to the Connecticut Power Company to any other company for the purpose of supplying its service to the undersigned.

FIFTH: That the foregoing agreements shall continue in effect until terminated by the undersigned's order to remove said facilities or prior thereto by the removal of said facilities by the Company for failure by the undersigned to meet any of the terms of the foregoing agreements.

SIXTH: That the foregoing agreements shall be binding upon and enure to the benefit of the undersigned, its successors and assigns of the undersigned.

Witness H. Warren Lawrence
The Connecticut Power Company
Middletown Division
AAP 3-8-40

her
X Mrs. Anna Kucharcik
mark Josephine Kucharcik

March 8, 1940 at 4:35 P.M., a true record.

Attest: R. J. Wamester
Town Clerk

RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That The City Savings Bank of Middletown, a corporation of the Town of Middletown, in the County of Middlesex and State of Connecticut hereby release and discharge that certain mortgage given to it by Christian Reiser on March 15, 1921 and recorded in the Land Records of said Town of Middletown, in Book 502, Page 502, the debt secured by said mortgage having been fully paid.

IN WITNESS WHEREOF said releasor has hereunto set its hand and seal by its duly authorized, this ninth day of March, A. D., 1940.

Signed, sealed and delivered in presence of THE CITY SAVINGS BANK OF MIDDLETOWN
Wilbur G. Batty By Walter C. Jones
N. R. Tibbals Its Treasurer

STATE OF CONNECTICUT ss. Middletown, March 9, A. D., 1940.
COUNTY OF MIDDLESEX

Personally appeared Walter C. Jones, Treasurer of The City Savings Bank of Middletown, signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed of said Bank, and his own free act and deed as such Treasurer, in and to me,

March 9, 1940 at 11:50 A.M., a true record.

Nattie R. Tibbals
Notary Public (Seal)

Attest: R. J. Wamester
Town Clerk

178/424 Midd
L.S.

39/164

Dur. L.S.

said premises shall be paid as they become due, then this deed shall be void; otherwise to remain in full force and effect.

Signed, sealed and delivered in presence of

Elizabeth Sarra

Anthony Sarra (L.S.)

John F. Pickett

STATE OF CONNECTICUT, ss., Middletown, December 8th, A.D. 1927.

COUNTY OF MIDDLESEX, Personally appeared Anthony Sarra signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed, before me,

Dec. 8th, 1927--3:15 P.M.,

John F. Pickett,

a true record,

Notary Public.

Attest:

Robert Ashurst
Clerk

RIGHT OF WAY.

KNOW ALL MEN BY THESE PRESENTS: That I, Anna Kucharcik (widow, married since 1877) of the Town of Durham, County of Middlesex, State of Connecticut, in consideration of a valuable sum in dollars, received to my full satisfaction of The Connecticut Light and Power Company a corporation chartered by the General Assembly of the State of Connecticut, and having its principal place of business in Waterbury, in said State, do give, grant, bargain, sell and confirm unto the said The Connecticut Light and Power Company, an easement, privilege, and right of way of the width of one hundred twenty-five (125) feet for poles, towers, and wires for the transmission of electric current, upon, over and across certain land situated in the Towns of Durham and Middletown, County of Middlesex, in said State, owned jointly by the Grantor and the Estate of Joseph Kucharcik, which easement, right, privilege, and right of way is described as follows: The easement, right, privilege and right of way herein granted covers any land or interest therein, owned by Anna Kucharcik and the Estate of Joseph Kucharcik within thirty (30) feet of a line hereinafter described, on the northerly side thereof; and within ninety-five (95) feet of said line, on the southerly side thereof, whether such line is, at the point opposite such land, on land of said Anna Kucharcik and the Estate of Joseph Kucharcik, on the highway or on land of some other party.

The above mentioned line to be described runs N 89° 19' W across property now or formerly of Concetta Didato to an iron pin in a stone wall forming a boundary between said property now or formerly of Concetta Didato and property of Anna Kucharcik and the Estate of Joseph Kucharcik, which iron pin is one hundred (100) feet measured northeasterly along said wall from its intersection with a stone wall and a rail fence. At said iron pin, said line entering property of Anna Kucharcik and the Estate of Joseph Kucharcik continues N 89° 19' W 15 feet to an iron pin; thence S 87° 12' W 956 feet more or less, to an iron pin; thence N 86° 54' W 1.4 feet to an iron pin in a stone wall forming a boundary between said property of Anna Kucharcik and the Estate of Joseph Kucharcik and property now or formerly of John R. Barnes, which iron pin is thirty-eight (38) feet measured southerly along said wall from an iron pin at the foot of a 10" ash tree near said wall. Thence said line continues N 86° 54' W 41 feet, crossing property now or formerly of John R. Barnes to an iron pin in a stone wall forming a boundary between said property now or formerly of John R. Barnes and property of Anna Kucharcik and the Estate of Joseph Kucharcik which iron pin is forty-two (42) feet measured westerly along said wall from its intersection with a stone wall running northerly. At said iron pin, said line again entering property of Anna Kucharcik

and the Estate of Joseph Kucharcik continues N 86° 54' W 111 feet to an iron pin in said stone wall forming a boundary between said property of Anna Kucharcik and the Estate of Joseph Kucharcik and said property now or formerly of John R. Barnes, which iron pin is one hundred seventy-four (174) feet measured easterly along said wall from its intersection with a wire fence running southeasterly, at a corner between property of Anna Kucharcik and the Estate of Joseph Kucharcik and property now or formerly of Paul P. Wilcox; and leaving said property of Anna Kucharcik and the Estate of Joseph Kucharcik said line continues N 86° 54' W across property now or formerly of John R. Barnes. The above bearings are referred to the magnetic meridian of 1927.

The easement, privilege and right of way herein granted, covers any land, or interest therein, owned by me within thirty (30) feet of the above described line, on the northerly side thereof, and within ninety-five (95) feet of said line on the southerly side thereof, whether such line is at the point opposite such land, on my land, on the highway, or on land of some other party.

Said rights of way are more clearly designated and defined by two maps hereunto attached and made a part hereof and marked "Location of Right of Way of The Connecticut Light and Power Company across the property of Anna Kucharcik and Estate of Joseph Kucharcik Towns of Durham and Middletown, County of Middlesex, State of Connecticut. Scale: 1 inch=200 feet July 1927".

Together with the right to erect, inspect, operate, replace, repair and patrol, and permanently maintain on said right of way poles and towers, which may be erected at different times, and relocated and replaced from time to time with necessary conductors, wires, cross arms, guy wires, and other usual fixtures and appurtenances used or adapted for the transmission of electric current for light, heat, power or any other purpose, and used or adapted for telephone purposes and together with the right to enter upon and pass along and over said right of way to and from the adjoining lands or highways, and over the Grantor's land to and from said right of way.

Together also with the right to trim, cut and remove at any and all times such trees, parts of trees, limbs, branches and underbrush within or projecting into the above described right of way as in the judgment of the grantee may interfere with or endanger said poles, towers and wires, or their operation, or with any of their appurtenances when erected:

The land which the easement herein conveyed crosses is owned by Anna Kucharcik and the Estate of Joseph Kucharcik jointly. It is the intention of the Grantor herein to grant such easement over her undivided one-half interest in the said property.

Reserving, however, to myself, and to my heirs and assigns, the right to cultivate the ground between said poles and towers and beneath said wires, provided that such use shall not interfere with or obstruct the rights herein granted.

TO HAVE AND TO HOLD the said granted and bargained easement, privilege and right of way and its appurtenances to said grantee and to its successors and assigns forever, to its and their own proper use and behoof. And I, the grantor, do hereby covenant and agree for myself, and my heirs, executors and administrators, with the grantee and its successors and assigns that at and until the ensembling of these presents I am lawfully seized of the above bargained premises in fee simple, that I have full right, title and authority to grant and convey the foregoing rights and privileges, and I further, by these presents, bind my-

such land, on land of said Estate of Joseph Kucharcik and Anna Kucharcik, on the highway, or on land of some other party.

The above mentioned line to be described runs N 89° 19' W across property now or formerly of Concetta Didato to an iron pin in a stone wall forming a boundary between said property now or formerly of Concetta Didato and property of Anna Kucharcik and the Estate of Joseph Kucharcik, which iron pin is one hundred (100) feet measured northeasterly along said wall from its intersection with a stone wall and a rail fence. At said iron pin, said line entering property of Anna Kucharcik and the Estate of Joseph Kucharcik, continues N 89° 19' W 15 feet to an iron pin, thence S 87° 12' W 956 feet, more or less, to an iron pin, thence N 86° 54' W 1.4 feet to an iron pin on a stone wall forming a boundary between said property of Anna Kucharcik and the Estate of Joseph Kucharcik and property now or formerly of John R. Barnes, which iron pin is thirty eight (38) feet measured southerly along said wall from an iron pin at the foot of a 10" ash tree near said wall. Thence said line continues N 86° 54' W 41 feet, crossing property now or formerly of John R. Barnes to an iron pin in a stone wall forming a boundary between said property now or formerly of John R. Barnes and property of Anna Kucharcik and the Estate of Joseph Kucharcik, which iron pin is forty two (42) feet measured westerly along said wall from its intersection with a stone wall running northerly. At said iron pin, said line again entering property of Anna Kucharcik and the Estate of Joseph Kucharcik continues N 86° 54' W 111 feet to an iron pin in said stone wall forming a boundary between said property of Anna Kucharcik and the Estate of Joseph Kucharcik and said property now or formerly of John R. Barnes, which iron pin is one hundred seventy-four (174) feet measured easterly along said wall from its intersection with a wire fence running southeasterly at a corner between property of Anna Kucharcik and the Estate of Joseph Kucharcik and property now or formerly of Paul P. Wilcox; and leaving said property of Anna Kucharcik and the Estate of Joseph Kucharcik said line continues N 86° 54' W across property now or formerly of John R. Barnes. The above bearings are referred to the magnetic meridian of 1927.

Said right of way is more clearly designated and defined by a map hereunto attached and made a part hereof and marked "Location of Right of Way of The Connecticut Light and Power Company across the Property of Estate of Joseph Kucharcik, Towns of Middletown and Durham, County of Middlesex, State of Connecticut. Scale 1" = 200' July, 1927".

Together with the right to erect, inspect, operate, replace, repair and patrol, and permanently maintain on said right of way, poles and towers, which may be erected at different times, and relocated and replaced from time to time with necessary conductors, wires cross-arms, guy wires and other usual fixtures and appurtenances used or adapted for the transmission of electric current for light, heat, power or any other purpose, and used or adapted for telephone purposes and together with the right to enter upon and pass along and over said rights of way to and from the adjoining lands or highways and over land of said estate to and from said rights of way.

Together also with the right to trim, cut and remove at any and all times such trees, parts of trees, limbs, branches and underbrush within or projecting into the above described right of way as in the judgment of the Grantee may interfere with or endanger said poles, towers and wires, or their operation, or with any of their appurtenances when erected:

Reserving however, the right to cultivate the ground between said poles, and towers and beneath said wires, provided that such use shall not interfere with or obstruct the rights

herein granted.

TO HAVE AND TO HOLD the above granted easements, privileges and rights of way and their appurtenances to said Grantee, and to its successors and assigns forever, to its and their own proper use and behoof. And I, the said Grantor, do for myself, my heirs, executors and administrators, covenant with the said Grantee, its successors and assigns that I have full power and authority as Administratrix aforesaid, to bargain and sell the same in manner and form as above written.

AND FURTHERMORE I the said Grantor do by these presents bind myself and my heirs forever to warrant and defend the above granted and bargained easement, privilege and right of way to it, the said Grantee, its successors and assigns, against all claims and demands of any person or persons claiming by, from and under me as Administratrix aforesaid.

The grantee covenants and agrees to pay all taxes that may be assessed or imposed on the poles, towers, wires or other fixtures and appurtenances erected or installed hereunder on the premises of said estate.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Middletown, this 30th day of September, 1927. Signed, sealed and delivered in the presence of:

Joseph Kucharcik
 Charles H. Beach
 Anna ^{her} ~~X~~ Kucharcik (L.S.)
 mark
 Administratrix.

STATE OF CONNECTICUT, ss., Middletown, September 30th, 1927.

COUNTY OF MIDDLESEX, Personally appeared Anna Kucharcik, Administratrix as aforesaid, signer and sealer of the foregoing instrument, and acknowledged the same to be her free act and deed as such Administratrix, before me,
 Dec. 9, 1927---9:02 A.M.,

Charles H. Beach,
 Notary Public (SEAL)

a true record,

Attest: *Albert J. ...*
Notary Clerk

ARMY DISCHARGE.

HONORABLE DISCHARGE FROM THE UNITED STATES ARMY (SEAL) TO ALL WHOM IT MAY CONCERN:
 This is to certify that George J. Anos 287636 Private 1st class 264th Aero Squadron THE UNITED STATES ARMY as a TESTIMONIAL OF HONEST AND FAITHFUL SERVICE is hereby HONORABLY DISCHARGED from the military service of the UNITED STATES by reason of Demobilization order from War Dept. dated Nov. 15, 1918 and Par. 19 SO 291 Hdqrs. U.S.A. Cantonment Camp Devens, Mass. dated Nov. 21, 1918. Said George J. Anos 287636 was born in Middletown, in the State of Conn. When enlisted he was 21½ years of age and by occupation a tailor. He had brown eyes, black hair, dark complexion and was 5 feet 4 inches in height. Given under my hand at Camp Devens, Mass. this 27th day of March, one thousand nine hundred and nineteen.

C. O. Ashton, Major, Inf. U.S.A.
 Commanding.

ENLISTMENT RECORD: Name: George J. Anos 287636 Grade: Private 1st class; Enlisted or inducted: Dec. 15, 1917, at Haverhill, Mass. Serving in first enlistment period at date of discharge. Prior service: None; Noncommissioned officer: Aptd. Private 1st class from private O 17 Dec. 1, 1918. Marksmanship, gunner qualification or rating: Not qualified, Horsemanship: Not mounted; Battles, engagements, skirmishes, expeditions: No record. Knowledge of any vocation; Tailor. Wounds received in service: None; Physical condition when discharged: Good, Typhoid prophylaxis completed: Jan. 7, 1918 Paratyphoid prophylaxis completed: Jan. 7, 1918; Married or single: Single; Character: Excellent. Remarks: No unauthorized absences or no absence under

Court of Probate, District of Middletown
District Number 083

In the matter of: Urban, Anna K.

95-2891

Date of Death: 04/11/1995

THIS CERTIFIES that as appears from the records of this Court said deceased died on the date above written and his/her estate has been duly settled in this Court; and the following real property is devised and distributed, or set out or divided or descends to:
Lorraine Gowac, Niece, 54 Clark Rd., Haddam, Ct., Carol Cushing, Niece, 109 Hayden Hill Rd., Haddam, Ct a 1/3rd interest to each. And to Donald J. Brookes, Nephew, 62 Clark Rd Haddam, Ct and Joseph Urban, Brother-in-Law, 169 Lakeside Dr., East Haddam, Ct a 1/6th interest in the Following:

A certain piece or parcel of land, with all buildings thereon, situated in the West Long Hill District, so-called in the Town of Middletown, County of Middlesex and State of Connecticut, and partially in the Town of Durham, within said County, containing eighty (80) acres, more or less, and more particularly bounded and described as follows, to wit:

- NORTHERLY: by land now or formerly of Salvatore Scirpo, and by land now or formerly of Paolo Didato;
- EASTERLY: by land now or formerly of Morris Valerstein;
- SOUTHERLY: by land now or formerly of Morris Valerstein, land now or formerly of Paul Wilson, land now or formerly of Barnes Brothers, and land now or formerly of Wolf, partly by each; and
- WESTERLY: by South Main Street (known as the Middletown-Durham Highway).

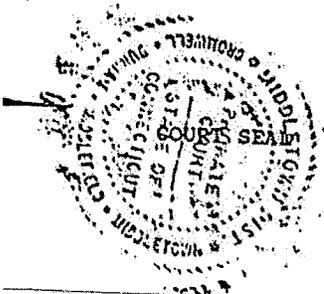
EXCEPTING THEREFROM, a certain piece or portion of said above described premises, with all buildings thereon, and more particularly bounded and described as follows, to wit:

Commencing at a point in the easterly line of said South Main Street (known as the Middletown-Durham Highway), which marks the northwesterly corner of the above described premises and the southwesterly corner of land now or formerly of Salvatore Scirpo; thence easterly along said land now or formerly of Salvatore Scirpo 483 feet, more or less, to a point; thence southerly along said land now or formerly of Salvatore Scirpo 360 feet, more or less, to a point; thence westerly along the land conveyed to Louis J. Urban and Anna K. Urban by Warranty Deed recorded in Volume 220, page 338 of the Middletown Land Records, 300 feet, more or less, to said easterly line of South Main Street; and thence northerly along said easterly line of South Main Street, 337 feet, more or less, to the point or place of beginning; and bounded as follows:

- NORTHERLY: by land now or formerly of Salvatore Scirpo, 483 feet, more or less;
- EASTERLY: by land now or formerly of Salvatore Scirpo, 360 feet, more or less;
- SOUTHERLY: by land now or formerly of Louis J. Urban and Anna K. Urban, 300 feet more or less; and
- WESTERLY: by South Main Street (known as the Middletown-Durham Highway), 337 feet, more or less.

For title of the grantor to the above-described premises, reference is hereby made to a Warranty Deed from Anna Kucharcik to Louis J. Urban and Anna K. Urban, dated October 13, 1947 and recorded in Volume 220, page 338 of the Middletown Land Records.

I have hereunto set my hand and affixed the Seal of this Court to this certificate on this 24th day of March, 1997.



150/548 OurL*

VOL 1104 PAGE 735 *DBS/de*

NOTICE OF CONNECTICUT SUCCESSION TAX LIEN

Probate Court Middletown	File Number H-36375	For Optional Use by Recording Office
<p>Notice is hereby given under the provisions of Section 12-349(c) of the General Statutes of Connecticut that a lien exists in favor of the State of Connecticut against the specific property described below for additional Connecticut succession tax imposed by Section 12-349(b) due to the special valuation elected under Section 12-349(a).</p>		
<p>Name of Estate ANNA K. URBAN</p>		
<p>Name and address of fiduciary appointed by the Probate Court or individual filing succession tax return. Lorraine Gowac 54 Clark Road Haddam, CT 06438</p>		
Date of Death April 11, 1995	Place of Filing Middletown	Amount of Additional Tax \$ 36,875.16

Description of Property to Which Lien Attaches

A certain piece or parcel of land, with all buildings thereon, situated in the West Long Hill District, so-called, in the Town of Middletown, County of Middlesex and State of Connecticut, on or near the boundary line between the Towns of Middletown and Durham, containing eighty (80) acres, more or less, and more particularly described on the Schedule A attached hereto,

AND ALSO PROPERTY:

an undivided one-fourth interest in and to a certain piece or parcel of land, situated in the Town of Middletown, County of Middlesex and State of Connecticut, and more particularly described on the Schedule B attached hereto,

Dated at Hartford, Connecticut
this 29th day of July, 1996.

GENE GAVIN
Commissioner of Revenue Services

by *[Signature]*
RICHARD D. NICHOLSON
First Assistant Commissioner
of Revenue Services

Part Rel.
12/2/97
V1144 P225
SPKenton TK KEB

To all People to Whom these Presents shall Come, Greeting:

Know Ye, That I, ANNA K. URDAN, of the Town of Middletown, County of Middlesex and State of Connecticut,

for the consideration of One Dollar (\$1.) and other valuable considerations received to my full satisfaction of LOUISE A. BERCHULSKI, of the City of Meriden, County of New Haven and State of Connecticut,

do remise, release, and forever QUIT CLAIM unto the said LOUISE A. BERCHULSKI, her

heirs and assigns forever, all the right, title, interest, claim and demand whatsoever as

I the said releasor have or ought to have in or to a certain piece or parcel of land, with all buildings thereon, situated in the West Long Hill District, so-called, in the Town of Middletown, County of Middlesex and State of Connecticut, on or near the boundary line between the Towns of Middletown and Durham, containing eighty (80) acres, more or less, and more particularly bounded and described as follows, to wit:

- NORTHERLY by land now or formerly of Salvatore Scirpo and by land now or formerly of Paolo Didato;
- EASTERLY by land now or formerly of Morris Walerstein;
- SOUTHERLY by land now or formerly of Morris Walerstein; land now or formerly of Paul Wilcox, land now or formerly of Barnes Brothers, and land now or formerly of Wolf, partly by each; and
- WESTERLY by South Main Street (known as the Middletown-Durham Highway).

EXCEPTING THEREFROM, a certain piece or portion of said above-described premises, with all buildings thereon, and more particularly bounded and described as follows, to wit:

Commencing at a point in the easterly line of said South Main Street (known as the Middletown-Durham Highway) which marks the northwesterly corner of the above described premises and the southwesterly corner of land now or formerly of Salvatore Scirpo; thence easterly along said land now or formerly of Salvatore Scirpo 483 feet, more or less, to a point; thence southerly along said land now or formerly of Salvatore Scirpo 360 feet, more or less, to a point; thence westerly along the land conveyed to Louis J. Urban and Anna K. Urban by Warranty Deed recorded in Volume 220, page 358 of the Middletown Land Records, 300 feet, more or less, to said easterly line of South Main Street; and thence northerly along said easterly line of

South Main Street 537 feet, more or less, to the point of
place of beginning; and bounded as follows:

- NORTHERLY by land now or formerly of Salvatore Scirpo, 483 feet, more or less;
- EASTERLY by land now or formerly of Salvatore Scirpo, 360 feet, more or less;
- SOUTHERLY by land of Louis J. Urban and Anna K. Urban, 500 feet, more or less; and
- WESTERLY by South Main Street (known as the Middletown-Durham Highway) 537 feet, more or less.

For title of the grantor to the above described premises, reference is hereby made to Warranty Deed from Anna Kucharcik to Louis J. Urban and Anna K. Urban dated October 15, 1947 and recorded in Volume 220, page 358 of the Middletown Land Records.

"No Conveyance Tax collected
[Signature]
Town Clerk of Middletown"

To all People to Whom these Presents shall Come. Greetings.

Know All, That JOSEPHINE BROOKS, of the Town of Haddam, County of Middlesex and State of Connecticut,

for the consideration of Five Thousand (\$5,000.00) Dollars, herein designated as the Grantors,

received to the full satisfaction of the Grantors, from LORNAINE A. COMAC and CAROL B. CUSHING, of the Town of Haddam, County of Middlesex and State of Connecticut, whose mailing address is 109 Hayden Hill Road, Haddam, Connecticut 06438

do hereby give, grant, bargain, sell and convey to the Grantees, their heirs and assigns forever, an undivided one-fourth interest in and to a certain piece or parcel of land, situated in the Town of Middletown, County of Middlesex and State of Connecticut, shown and designated as "Area - 4,023 acres - 175,250 sq. ft." on a certain map or plan entitled "Property Survey for COMAC, URSANI and BROOKS, ET AL, Town of Middletown, Connecticut, dated Aug. 22, 1983, drawn by Richard F. Siebron, Surveyor", which map or plan is on file, or is to be filed, in the office of the Middletown Town Clerk, and to which map or plan reference may be had for a more particular description of said premises, bounded and described as follows:

Beginning at a point in the easterly property line of Conn. Rte. 17, as shown on said map, which point is a northwesterly corner of the herein described premises; thence proceeding along that parcel shown as "Area - 2,008 acres - 87,435 sq. ft." on said map, being land now or formerly of Christopher J. and Laureen A. Davis, the following courses and distances: S 83-33-45 E, 121.31 feet; S 84-02-15 E, 366.82 feet and N 13-57-42 E, 188.17 feet; thence proceeding along land now or formerly of Schrup, as shown on said map, the following courses and distances: S 81-36-51 E, 94.14 feet; and S 07-07-30 W, 368.25 feet; thence proceeding along land now or formerly of Urban, as shown on said map, the following courses and distances: N 88-46-13 W, 106.61 feet; and N 87-31-23 W, a total distance of 496.15 feet; and thence proceeding N 39-08-17 E along Conn. Rte. 17, as shown on said map, a total distance of 327.00 feet to the point of place of beginning.

Being a portion of those premises described in a Certificate of Deed, dated August 28, 1972 and recorded in Volume 387, page 264 of the Middletown Land Records. Reference is also made to a certificate of Deed, dated March 13, 1973 and recorded in Volume 443, page 210 of the Middletown Land Records.

\$ 5.⁵⁰ Conveyance Tax received, ST. TX \$ 25.00
Anthony Albano
Town Clerk of Middletown

The Grantees and to hold the premises hereby conveyed, with the appurtenances thereto, unto the Grantors and unto the Grantees' heirs, successors and assigns forever and to the Grantors' and their own proper use and behoof; and the Grantors do for themselves, their heirs, successors and assigns covenant with the Grantees, their heirs, successors and assigns that the Grantors are well seized of the premises as a good indivisible estate in **FEE SIMPLE**; and have good right to grant and convey the same in manner and form as herein written and the same are free from all incumbrances whatsoever, except as herein stated.

Rec'd for Record AUG 08 1996 205 P
Recorded by *Constance P. Keenan*
Town Clerk

Deed to

Linda D. Isen

Lot 3A

To all People to whom these Presents shall come, Greeting:

KNOW YE, THAT WE, LORRAINE GOWAC and CAROL CUSHING of Haddam, Connecticut

for the consideration of TWENTY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$23,500.00)

received to our full satisfaction of LINDA D. WILSON of 591 Bow Lane, Middletown, CT 06457

do give, grant, bargain, sell and confirm unto the said LINDA D. WILSON her heirs and assigns forever,

a certain piece or parcel of land, together with the buildings and improvements thereon and the appurtenances thereto situate on the southeasterly side of South Main Street in the Town of Middletown, County of Middlesex and State of Connecticut shown as Lot 3A containing 3.60 acres on a map entitled, "Gowac, Urban and Brokkes et al South Main Street Middletown, Connecticut Perimeter Survey Date: April 5, 2000 Scale 1"=40' Warren Surveying Gregory F. Warren LS," which map is on file in the Middletown Town Clerk's office, being more particularly bounded and described as follows:

Beginning at a point marked by an iron pipe set on the southeasterly side of South Main Street, which point marks the southwesterly corner of the premises herein described; thence running N39°08'17"E a distance of 19.51 feet along South Main Street to a point marked by a concrete monument; thence running N39°05'48"E a distance of 317.49 feet along South Main Street to a point marked by an iron pin; thence running S63°39'45"E a distance of 271.13 feet along land now or formerly of Downs to a point marked by a concrete monument; thence running N82°46'18"E a distance of 232.13 feet along land of said Downs to a point marked by a concrete monument; thence running N39°21'32"E a distance of 218.43 feet along said land of Downs to a point marked by an iron pipe; thence running S03°07'50"W a distance of 368.25 feet following a stone wall along land now or formerly of Scirpo to a point marked by an iron pipe; thence running N88°46'15"W a distance of 108.61 feet along land now or formerly of Urban to a point marked by an iron pipe set at the end of a stone wall; thence running N87°51'23"W a distance of 696.13 feet along land of said Urban to the point or place of beginning.

Said premises are conveyed subject to zoning and other regulations imposed by governmental authority and to taxes on the List of October 1, 1999 due the Town of Middletown.

Being a portion of the premises described in Volume 1123 Page 411 of the Middletown Land Records.

\$25.85

Conveyance Tax received, ST TX \$ 117.50



Town Clerk of Middletown"

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto her the said grantee and her heirs, successors, and assigns forever, to her and their own proper use and behoof. And also, we the said grantors do for ourselves, our heirs, executors, administrators, and successors, covenant with the said grantee, her heirs, successors, and assigns, that at and until the ensembling of these presents, we are well seised of the premises, as a good indefeasible estate in Fee Simple; and have good right to bargain and sell the same in manner and form as is above written and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, we the said grantors do by these presents bind ourselves and our heirs forever to Warrant and Defend the above granted and bargained premises to her the said grantee, her heirs, successors, and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, We

have hereunto set our hands this 30 day of April, 2000.

Signed and Delivered in the presence of (Type or Print name below each signature.)

WITNESS:
Jane R. Marsh
Thomas G. Cushing

GRANTOR: Lorraine A. Gowac
a/k/a Lorraine A. Gowac
Carol Cushing
a/k/a Carol B. Cushing

STATE OF CONNECTICUT, }
COUNTY OF MIDDLESEX } ss. Deep River April 30, 2000

Personally Appeared LORRAINE GOWAC and CAROL CUSHING
Signer(s) of the foregoing Instrument, and acknowledged the same to be their free act and deed, before me.

Jane R. Marsh
Notary Public / J. of Peace / Commissioner of Superior Court

STATE OF CONNECTICUT, }
COUNTY OF } ss.

Personally Appeared, as aforesaid, Signer of the foregoing Instrument, and acknowledged the same to be free act and deed as such and the free act and deed of said corporation/partnership, before me.

Grantees' Address:
591 Bow Lane
Middletown, CT 06457

Notary Public / J. of Peace / Commissioner of Superior Court

Rec'd for Record MAY 02 2000 3:30 p
Recorded by [Signature]
Town Clerk

4191

WARRANTY DEED

FROM

TO

Dated
Received May 2, 2000
At 3:30 P.M.
Recorded in MIDDLETOWN

LAND RECORDS

Vol. 1238 Page 77A

Linda D. Wilson
TOWN CLERK

Town Clerk: After recording please return to:

RETURN TO:
Linda D. Wilson
591 Bow Lane
Middletown, CT 06457

\$ 17

Lot 3A

Old Title
Search

CONNECTICUT ATTORNEYS TITLE INSURANCE COMPANY

FOR CATIC USE ONLY
Payment Received:
Mortgage Policy No:
Owner Policy No:

hereinafter called the "Company"

FOR CATIC USE ONLY
Reviewed and approved for
Payment by:

TITLE INFORMATION REPORT (TIR)

Closing Member (CM)
Attention:

Ralph E. Wilson, Esq.
137 South Main St.

Middletown CT 06457

Searching Party (SP)
Attention:

Laura Benarro Uhrig
87 Collins Avenue

Meriden CT 06450-4449

Member No. 001989
CATIC Authorization No: 436513

347 3888

Fax No.
346 0927

ID No.
V01938

2032374607

Fax No.
1 203 237 4607

Date of Request: 02/28/2000

Search Fee: 150.00

Copy Fee: 5.25

Total Fee Due CATIC: 155.25

Date Assigned to SP: 02/28/2000

DATE DUE: 03/02/2000

AUTHORIZATION TO CLOSING MEMBER

The Closing Member identified above is hereby authorized to issue a policy or policies of title insurance through this Company based on the Closing Member's examination of title to the real property described in Paragraph 3 below from the date shown on Paragraph 1, below, and subject to the exceptions listed in Schedule B (except such as may be released or otherwise disposed of in a manner acceptable to the Company, prior to the effective date and time of the policy). The information furnished herein is solely for the use of the Closing Member identified above and solely for the purpose of facilitating the preparation of a policy of title insurance issued by the Company. Notwithstanding any information contained in this authorization, the Company's entire liability shall be restricted to the provisions, conditions and stipulations of the policy of title insurance issued pursuant to this authorization. In the event a policy of title insurance is not issued by the Closing Member through the Company, this authorization shall be null and void.

Certification to: CONNECTICUT ATTORNEYS TITLE INSURANCE COMPANY

This is to certify that the above authorization has been issued based on an examination of the appropriate public records (including probate and court records as necessary) by or under the direction and supervision of the undersigned up to the commencement date shown in Paragraph 1 below.

By Laura Benarro Uhrig (Searching Party)
has Authorized

Date TIR Mailed to Closing Member March 2, 2000

- Commence your examination of title from the close of business on February 25, 2000
Your search obligations are set forth in the Procedural Bulletin entitled, Title Search Underwriting Standard, 6/29/89.
- Examine the title to property under the following name(s) (including association and declarant where applicable).
a. CURRENT OWNER(S): Lorraine A Gowac aka Lorraine Gowac
b. Carol B Cushing aka Carol Cushing
c. _____
- The property covered by the authorization is known as: Lot 3A South Main Street
and is situated in the Town of Middletown and is more particularly described in Schedule A attached hereto.

This copy is: (check appropriate box)

- Original Authorization Prepared by Searching Party and delivered to Closing Member.
- Duplicate Authorization - Returned to CATIC by Closing Member with policy(ies).
- Search Party's Invoice - Mailed to CATIC (Rocky Hill) for Payment.

Court of Probate, District of Middletown
District Number 003

95-2891

In the matter of: Urban, Anna K.

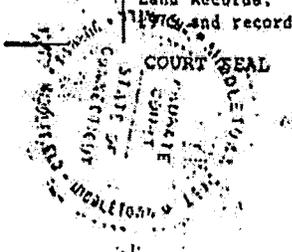
Date of Death: 04/11/1995

THIS CERTIFIES that as appears from the records of this Court said deceased died on the date above written and his/her estate has been duly settled in this Court; and the following real property is devised and distributed, or set out or divided or descends to:
Lorraine Gowac, Niece, 54 Clark Rd., Haddam, Ct., and Carol Cushing, Niece, 109 Hayden Hill Rd., Haddam, Ct., a 1/8 interest to each in the following:

An undivided one-quarter interest in and to a certain piece or parcel of land, situated in the Town of Middletown, County of Middlesex and State of Connecticut, shown and designated as "Area - 4.023 Acres = 175,250 Sq.ft." on a certain map or plan entitled "Property Survey for GOWAC, URBAN and BROOKS, ET AL, Town of Middletown, Connecticut, dated Aug. 23, 1985, drawn by Richard F. Ziobron, Surveyor", which map or plan is on file, or is to be filed, in the office of the Middletown Town Clerk, and to which map or plan reference may be had for a more particular description of said premises, bounded and described as follows:

Beginning at a point in the easterly property line of Conn. Rte. 17, as shown on said map, which point is a northwesterly corner of the herein described premises; thence proceeding along that parcel shown as "Area - 2.008 acres = 87,455 sq.ft" on said map, being land now or formerly of Christopher J. and Laureen A. Downs, the following courses and distances: S 63-33-45 E, 121.31 feet; S 84-05-15 E, 366.62 feet, and N 13-57-42 E, 188.17 feet; thence proceeding along land now or formerly of Scirpo, as shown on said map, the following courses and distances: S 81-36-51 E, 94.14 feet; and S 03-07-50 W, 368.25 feet; thence proceeding along land now or formerly of Urban, as shown on said map, the following courses and distances: N 88-46-15 W, 108.61 feet; and N 87-51-23 W, a total distance of 696.13 feet; and thence proceeding N 39-08-17 E along Conn. Rte. 17, as shown on said map, a total distance of 337.00 feet to the point or place of beginning.

Being a portion of those premises described in a Certificate of Devise, dated August 28, 1972 and recorded in Volume 387, page 364 of the Middletown Land Records. Reference is also made to a certificate of devise, dated March 13, 1976, and recorded in Volume 455, page 210 of the Middletown Land Records.



I have hereunto set my hand and affixed the Seal of this Court to this certificate on this 10th day of April, 1997.

Joseph P. [Signature]
Judge/Ass't Clerk

(NOTE: File certificate with town clerk where real property is situated.)

FOR COURT USE ONLY:

ORIGINAL TO _____
ON _____

FOR TOWN CLERK'S USE ONLY:

APR 11 1997 301
Rec'd for Record
Recorded by *[Signature]*
Town Clerk

C A T I C

Connecticut Attorneys Title Insurance Company

SCHEDULE B

Re: Authorization No. 436573

Schedule B of the policy or policies to be issued must contain exceptions for the following matters unless the same are disposed of to the satisfaction of Connecticut Attorneys Title Insurance Company in accordance with the requirements set forth in our Procedural Guide and Procedural Bulletins. Please contact our staff attorneys regarding any underwriting questions.

1. Standard Exceptions:

- a. The lien for taxes on the List of October 1, 1999 and thereafter.
- b. Rights of persons in possession other than the insured and/or mortgagor.
- c. Facts that an accurate survey or personal inspection of the land would disclose.
- d. Unrecorded mechanics' liens.

NOTE: Standard Exceptions b, c, and d may be waived in policy upon submission of affidavit of possession, survey, lien waivers, etc. acceptable to the Company. Please refer to your Procedural Guide.

2. Defects, liens, encumbrances, adverse claims and other matters, if any, created, first appearing of record, or attaching subsequent to the search commencement date (Paragraph 1 of this Authorization), but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage covered by any policy of insurance based on this report.

3. Special Exceptions: (NOTE: Add, on mortgagee policies only, appropriate affirmative language if and as required by the mortgagee.)

a. SEE items a. thru c. on continuation sheet attached.

CONTINUATION SHEET ATTACHED YES NO

Authorization 436513 - Continuation Sheet

a. Succession tax lien in the amount of \$25,685.65 against Anna K. Urban in favor of State of Connecticut dated May 8, 1996 and recorded in Volume 1098, page 176 of the Middletown Land Records and in Volume 149, page 632 of the Durham Land Records.

b. Succession tax lien in the amount of \$36,875.16 against Anna K. Urban in favor of State of Connecticut dated July 29, 1996 and recorded in Volume 1104, page 735 of the Middletown Land Records and in Volume 150, page 548 of the Durham Land Records.

c. Any and all matters shown on Map 251-3.

To all People to Whom these Presents shall Come. Greeting.

Know Ye, That JOSEPHINE BROOKES, of the Town of Essex, County of Middlesex and State of Connecticut,

herein designated as the Grantors,

for the consideration of Five Thousand (\$5,000.00) Dollars,

received to the full satisfaction of the Grantors, from LORRAINE A. GOWAC and CAROL B. CUSHING, of the Town of Haddam, County of Middlesex and State of Connecticut, whose mailing address is 109 Hayden Hill Road, Haddam, Connecticut 06438

herein designated as the Grantees,

do hereby give, grant, bargain, sell and convey to the Grantees, their heirs and assigns forever, an undivided one-fourth interest in and to a certain piece or parcel of land, situated in the Town of Middletown, County of Middlesex and State of Connecticut, shown and designated as "Area - 4.023 acres - 175,250 sq.ft." on a certain map or plan entitled "Property Survey for GOWAC, URBAN and BROOKS, ET AL, Town of Middletown, Connecticut, dated Aug. 23, 1985, drawn by Richard F. Ziobron, Surveyor", which map or plan is on file, or is to be filed, in the office of the Middletown Town Clerk, and to which map or plan reference may be had for a more particular description of said premises, bounded and described as follows:

Beginning at a point in the easterly property line of Conn. Rte. 17, as shown on said map, which point is a northwesterly corner of the herein described premises; thence proceeding along that parcel shown as "Area - 2.008 acres - 87,455 sq.ft." on said map, being land now or formerly of Christopher J. and Laureen A. Downs, the following courses and distances: S 63-33-45 E, 121.31 feet; S 84-05-15 E, 366.62 feet; and N 13-57-42 E, 188.17 feet; thence proceeding along land now or formerly of Scirpo, as shown on said map, the following courses and distances: S 81-36-51 E, 94.14 feet; and S 03-07-50 W, 368.25 feet; thence proceeding along land now or formerly of Urban, as shown on said map, the following courses and distances: N 88-46-15 W, 108.61 feet; and N 87-51-23 W, a total distance of 696.13 feet; and thence proceeding N 39-08-17 E along Conn. Rte. 17, as shown on said map, a total distance of 337.00 feet to the point or place of beginning.

Being a portion of those premises described in a Certificate of Devise, dated August 28, 1972 and recorded in Volume 387, page 364 of the Middletown Land Records. Reference is also made to a certificate of Devias, dated March 13, 1975 and recorded in Volume 445, page 210 of the Middletown Land Records.

\$ 5.⁵⁰ Conveyance Tax received, ST. TX \$ 25.00

Anthony Ebona

Town Clerk of Middletown"

To Have and to Hold the premises hereby conveyed, with the appurtenances thereof, unto the Grantees and unto the Grantees' heirs, successors and assigns forever and to the Grantees' and their own proper use and behoof; and the Grantors do for themselves, their heirs, successors and assigns covenant with the Grantees, their heirs, successors and assigns that the Grantors are well seized of the premises as a good indefeasible estate in FEE SIMPLE; and have good right to grant and convey the same in manner and form as herein written and the same are free from all incumbrances whatsoever, except as herein stated.

Passport to
The Connecticut Light &
Power Company

EASEMENT

For a valuable consideration, receipt and sufficiency of which are hereby acknowledged, We, RALPH E. WILSON, TRUSTEE OF THE SOUTH MAIN STREET IRREVOCABLE TRUST AGREEMENT DATED NOVEMBER 18, 2004, and LINDA D. WILSON, both of Middletown, Connecticut (collectively, the "Grantor"), hereby grant unto The Connecticut Light and Power Company, a specially chartered Connecticut corporation having an office in the Town of Berlin, County of Hartford, State of Connecticut, its successors and assigns forever (the "Grantee"), the following permanent and, except to the extent hereinafter specifically set forth, exclusive rights and easements in the right of way described in Exhibit A attached hereto and made a part hereof (the "Right of Way") on a parcel (the "Parcel") at 2200 South Main Street located in the City of Middletown, County of Middlesex, State of Connecticut.

1. The right, from time to time, to erect, install, construct, reconstruct, repair, maintain, replace, relocate, inspect, patrol, expand, operate and remove upon, over, under, along and across the Right of Way, poles, towers, crossarms, guys, foundations, anchors, braces, ducts, manholes, fences, gates, and other structures, lines, wires, filament, cables, including fiber optic and communication cables, other conductors, antennas, and other structures, fixtures and appurtenances useful for the conducting and the transmission and distribution of electric current, and energy, intelligence, wireless signals, light and communications solely in connection with the transmission and distribution of electric current; and monuments and signs to locate the Right of Way; and

2. The right to conduct, distribute and transmit electricity, and energy, intelligence, light, wireless signals and/or communications, provided that all such intelligence, light, wireless signals and communications are used solely in connection with the distribution and transmission of electricity and for no other reason, and to provide the service or services relating to said right(s) by means of the equipment, structures and facilities described in this instrument (but excluding cell towers); and

3. The right to trim and keep trimmed, cut, clear and remove, by mechanical means or otherwise, trees or limbs and branches thereof, underbrush and other growth, other than crops, which are within the limits of the Right of Way; the right to control the growth of such trees, limbs, branches, underbrush and other growth by the use of chemicals or otherwise, provided the right to use chemicals shall not apply to any area which at the time of exercising such right is used for growing crops, other than trees, or for mowing of grassland; the right to dispose of all wood cut; and the right to remove any structures within or projecting into the Right of Way except to the extent the same is hereinafter specifically permitted in paragraphs B through J below; and

4. The right to enter upon, travel and transport materials and equipment over and upon the Right of Way but solely for the specific purposes set forth above and, if necessary or convenient in connection therewith, the right to grade, excavate, fill or otherwise improve the Right of Way; and

5. The right of reasonable access over and across adjoining land of the Grantor to the Right of Way to perform emergency maintenance and repairs, as well as an easement for access over any roads constructed on the Parcel. Grantee agrees that in the event it exercises such access over and across lands adjoining the Right of Way, on either an emergency and non-emergency basis, it shall repair insofar as reasonably possible, at its expense, any damage to such adjoining land arising from Grantee's exercise of such right; and

6. The right of reasonable access over the area shown on the Easement Vicinity Map (as defined below) as "Proposed 15' Access Easement in Favor of Connecticut Light & Power Co." for access between South Main Street and the Right of Way except that once the Road, as hereinafter defined, hereafter becomes a public street or highway or part thereof, Grantee's easement in the Road only shall cease for any period of time it is a public street or highway, but it may continue to use the Road for access as a member of the general public; provided that this right of reasonable access by Grantee shall not prevent Grantor from exercising any of its rights reserved herein.

7. The easements and other rights granted herein to use and occupy the Right of Way shall include surface, subsurface, and air rights thereover. However, such easements and rights shall be subject to the following terms, protections and limitations:

A. Subject to the other provisions and limitations of this Easement, the Grantor hereby reserves the right to use the Right of Way for agricultural purposes, other than the growing of trees and shrubs, and for other purposes which, in the opinion of the Grantee, (i) do not interfere with the exercise of any of the rights and/or easements herein granted, and/or (ii) do not create a hazard.

B. Subject to the other provisions and limitations of this Easement, the Grantor hereby reserves the right from time to time, (i) to erect, install, construct, reconstruct, conduct grading incidental to construction for, repair, maintain, replace, inspect, patrol, expand, operate, remove and use upon, over, under and across the Right of Way, the road (the "Road") shown on the map prepared in recordable form, recorded herewith and entitled "Easement Vicinity Map of The Connecticut Light and Power Company across - Majestic Oak Estates Land Of Linda D. Wilson & Ralph E. Wilson, Trustee Of The South Main Street Irrevocable Trust Agreement 2200 South Main Street (CT Route 17) Middletown, Connecticut DATE 11/19/04 SCALE 1"=100' FIELD MT/ML COMPS NDB DRAWN NDB FB. NO. 04 DISK NO. 1 JOB NO. 5 PROJ. NO. 04-003 SHEET 1 of 1 Prepared By: Bolduc Land Consultants, LLC LAND SURVEYORS & LAND PLANNERS 1237 East Main Street, Meriden, Connecticut 06450 Phone: (203) 440-1746 Fax (203) 440-2051 REVISED 1/4/05 CONSERVATION EASEMENTS REVISED 2/23/05 ROADWAY ALIGNMENT REVISED 4/14/05 DRAINAGE EASEMENTS REVISED 7/11/06 CL&P EASEMENT AND LOT LINE REV. REVISED 8/30/06 MISC. COMMENTS" (the "Easement Vicinity Map"), for vehicular and pedestrian traffic, for sidewalks, for related appurtenances, such as drainage, storm and sanitary sewers, and for underground utilities for distribution purposes including, without limitation, electricity, telephone, cable and gas, which right with respect to all

areas underneath the Road shall be an exclusive right and the Grantee shall not install anything under the Road (ii) to convey to the City of Middletown the fee simple title to the portion of the Road in the Right of Way and all rights in connection therewith subject to the rights of Grantee under this Easement and (iii) to grant distribution easements over, under and across the Right of Way to the City of Middletown or to utility companies in connection therewith; provided, however, no utility poles or other support structures shall be permitted in the Right of Way without the prior written consent of the Grantee.

C. Subject to the other provisions and limitations of this Easement including, without limitation, Section K below, the Grantor hereby reserves the right from time to time, (i) to erect, install, construct, reconstruct, conduct grading incidental to construction for, repair, maintain, replace, inspect, patrol, expand, operate, remove and use upon, over, under and across the Right of Way, underground utilities for distribution purposes including, without limitation, electricity, telephone, cable and gas, within twenty feet on either side of the Road which right with respect to such areas underneath the land shall be an exclusive right and the Grantee shall not install anything under such land and (ii) to grant easements over, under and across the Right of Way to utility companies for distribution purposes in connection therewith; provided, however, no utility poles or other support structures shall be permitted in the Right of Way without the prior written consent of the Grantee.

D. Subject to the other provisions and limitations of this Easement including, without limitation, Section K below, the Grantor hereby reserves the right from time to time, (i) to erect, install, construct, reconstruct, conduct grading incidental to construction for, repair, maintain, replace, inspect, patrol, expand, operate, remove and use upon, over, under and across the Right of Way in the areas shown on the Easement Vicinity Map as Drainage Easements on Lots 16, 17, 23, and 25, storm water and/or sanitary sewer lines and/or drainage systems and appurtenances, including, manholes, sewage tanks, weirs, embankments, rip rap, valves, and/or lateral connections and (ii) to grant to the City of Middletown or others those rights on the enumerated Lots, provided such grants are made subject to the terms of this Easement.

E. Grantee shall not erect or install any permanent improvements in the conservation easement areas shown on the Easement Vicinity Map as Conservation Easements other than overhead electric power lines and to the extent possible, the conservation easement areas shall be maintained in a natural state; provided, however, that nothing herein shall prevent the Grantee from clearing those areas, erecting and maintaining overhead electric power lines within those areas and performing any necessary maintenance of vegetation in those areas for the exercise of its rights hereunder, as well as possible use for temporary workspace while installing facilities in adjacent areas where reasonably required. The Grantor hereby reserves (i) the right to grant conservation easements upon, over, under and across the Right of Way in the areas shown on the Easement Vicinity Map as Conservation Easements and (ii) the right to grant to the City of Middletown or to others the rights to those conservation easements; provided, in each case, that such conservation easements shall not limit or otherwise affect Grantee's activities in such area beyond the specific provisions of this Paragraph E, and any such conservation easements shall by their terms be made subject to the provisions of this Easement and the rights of the Grantee under this Easement.

F. Subject to the other provisions and limitations of this Easement including, without limitation, Section K below, for those lots on the Parcel that are crossed by the Right of Way, Grantor hereby reserves the right from time to time, to erect, install, construct, reconstruct, conduct grading incidental to construction for, repair, maintain, replace, inspect, patrol, expand, operate, remove and use upon, over, under and across Right of Way wells and septic systems and leaching fields consistent with the Easement Vicinity Map, provided however that: (A) the Grantor and Grantor's successors and assigns will employ best efforts to locate wells and septic systems and leaching fields outside the Right of Way to the extent the same can be lawfully done without any material decrease in the utility of the subject subdivision lot or material increase in cost; (B) said wells and septic systems and leaching fields must not encroach within thirty (30) feet of electric transmission structures, must be built to satisfy AASHTO HS20-44 loading criteria (a copy of which is attached hereto as Attachment A) and must not otherwise interfere with the electric transmission facilities to be constructed in Right of Way, as depicted in Attachment A; (C) should Grantee seek to upgrade, modify or add transmission facilities at some future date, Grantee may relocate said wells and/or septic systems and leaching fields outside the Right of Way, at its expense, to the extent such relocation is permitted by law, any such relocated well provides at least the same quantity and quality of water as the existing well, such relocated septic system has at least the same capacity and efficiency as the existing septic system, such relocation does not create any significant interruption in availability of water and septic, and the property will otherwise be restored by Grantee insofar as reasonably possible to substantially its condition prior to such relocation. Alternatively, should Grantee seek to upgrade, modify, or add transmission facilities at some future date and the lots on the Parcel that are crossed by the Right of Way have the ability to connect to city water and sewers at such time, then Grantee may, at its expense, connect said lots to municipal water and sewer facilities and thereby eliminate any need to continue use of any wells and septic systems and leaching fields within the Right of Way and the property will otherwise be restored by Grantee insofar as reasonably possible to substantially its condition prior to such connection. In such case, the owner of the lot will be responsible for municipal water and sewer charges following connection; (D) the Grantor, for Grantor and Grantor's successors and assigns hereby waives all claims against Grantee and its successors and assigns for any damages caused by the exercise of Grantee's rights under this easement to any wells or septic systems and leaching fields subsequently installed within the Right of Way which are not constructed in accordance with AASHTO HS20-44 loading criteria set forth in Attachment A. Without limiting the right to locate other septic systems and leaching fields within the Right of Way in accordance with the terms hereof, Grantee acknowledges, by acceptance of this Easement, that lots 13, 14, 16, 17, 18, 21, 22 and 23 shall have septic systems and leaching fields within the Right of Way.

G. Subject to the other provisions and limitations of this Easement including, without limitation, Section K below, the Grantor hereby reserves the right from time to time, to erect, install, construct, reconstruct, repair, maintain, replace, inspect, patrol, expand, operate, remove and use upon, over, under and across the Right of Way, driveways for ingress and egress (but not for parking) consistent with the Easement Vicinity Map and grant such rights appurtenant to individual lot owners in the subdivision on the Parcel (and to the owner of one single-family residential lot to be located to the south of and immediately adjacent to Lot 15 as shown on the

Easement Vicinity Map as "Other Land N/F of Linda D. Wilson & Ralph E. Wilson, Trustee Of the South Main Street Irrevocable Trust Agreement") over the Right of Way in connection therewith, provided said driveways are built to satisfy AASHTO HS20-44 loading criteria in the Right of Way (a copy of which is attached hereto as Attachment A), and such grants are made subject to this Easement. The use of the Right of Way for "longitudinal" driveways will not be permitted. Grantee acknowledges, by acceptance of this Easement, that the locations of the Road and the driveways as indicated on the Easement Vicinity Map comply with all the requirements contained in this Easement. All driveways must be located at least thirty (30) feet from all transmission structures. Nothing herein with respect to the residential lot south of said Lot 15 shall affect the terms and provisions of any other easement or easements of record in favor of Grantee, its successors or assigns or constitute an approval of the construction of driveways in any easement areas created by such other easement or easements of record.

H. Subject to the other provisions and limitations of this Easement including, without limitation, Section K below, the Grantor hereby reserves the right from time to time, to erect, install, construct, reconstruct, conduct grading incidental to construction for, repair, maintain, replace, inspect, patrol, expand, operate, remove and use upon, over, under and across the Right of Way, underground distribution utilities including, without limitation, electricity, telephone, cable and gas, and to grant distribution easements over the Right of Way to utility companies in connection therewith, provided said underground utilities are built to satisfy AASHTO HS20-44 loading criteria (a copy of which is attached hereto as Attachment A).

I. Subject to the other provisions and limitations of this Easement including, without limitation, Section K below, the Grantor hereby reserves the right from time to time, to erect, install, construct, reconstruct, repair, maintain, replace, inspect, patrol, expand, operate, remove and use upon, over, under and across the Right of Way, drainage systems for footing and yard drains to connect to catch basins in the Road on the Parcel and to grant such rights over the Right of Way in connection therewith to individual lot owners in the subdivision on the Parcel, provided said drainage systems are built to satisfy AASHTO HS20-44 loading criteria (a copy of which is attached hereto as Attachment A) and such grants are made subject to this Easement.

J. The Grantor hereby reserves the right to use the Right of Way for lawns, flower beds and any other use permitted in accordance with Attachment B, provided however, Grantor, for Grantor and Grantor's successors and assigns, hereby waives all claims against Grantee and Grantee's successors and assigns for any damage to lawns, flower beds or such other uses within the Right of Way which occurs in the exercise of Grantee's rights hereunder.

K. Written plans and drawings regarding any future development of the land as shown on the Easement Vicinity Map that involves wells, septic systems and leaching fields, driveways, underground utilities, drainage facilities or other encroachments within the Right of Way must be submitted to Grantee's Transmission Line Engineering Department for review to ensure compliance with AASHTO HS20-44 loading criteria and with the National Electrical Safety Code (NESC) prior to the commencement of any work within the Right of Way. Grantee must approve or object to such plans, including stating the basis for any objections, in writing, within 15 days of receipt of such plans from the Grantor or their successors and assigns. If

Grantee fails to so respond by certified mail within 15 days, such plans shall be deemed to have been approved, provided that any correspondence from the Grantor or Grantor's heirs, successors and/or assigns submitting such plans to Grantee for review must contain an express statement that, if Grantee fails to so respond by certified mail within 15 days, then such plans shall be deemed to have been approved pursuant to this Easement. Grantee will not charge any fee for its review of such plans.

L. Any work done in the Right of Way by the Grantor or Grantor's successors and assigns must conform with the provisions of Attachment B, "General Guidelines for Landowner Uses Proposed Within Northeast Utilities' Rights of Ways" (the "Construction Rules"). Grantee represents to the Grantor that the Construction Rules are its standard work rules for work done in easement areas of this type and size and agree that the Grantor shall be entitled to submit a written request for instructions from the Manager, Transmission Line Engineering, of Grantee or any successor performing similar duties, regarding compliance with the Construction Rules. The Grantor shall be deemed to have complied with this paragraph if Grantor complies with any written instructions of such person and Grantee agrees that such person will respond with written instructions within 15 days of receipt of such request. If Grantee fails to so respond by certified mail within 15 days of receipt of such request, the work which is the subject of the request shall be deemed to comply with the requirements of this subparagraph, provided that correspondence from the Grantor or their successors and assigns seeking such instructions from Grantee must contain an express statement that, if Grantee fails to respond by certified mail within 15 days of receipt of such request from Grantors or Grantor's successors or assigns, such plans are deemed to comply pursuant to this Easement. Notwithstanding anything in the Construction Rules to the contrary, Grantee acknowledges, by acceptance of this Easement, that the Road is permitted to be less than fifty feet from pole 24537, as such pole is depicted on the Easement Vicinity Map.

M. Grantor may modify the lot configuration on its Subdivision Plan of Majestic Oak Estates shown on the Easement Vicinity Map, provided that all other provisions of this Easement shall still be applicable, and any modifications to such Plan do not interfere with Grantee's use and enjoyment of this Easement.

N. Grantee agrees not to install longitudinal fencing or gates along the entire Right of Way but only such fencing or gates necessary to restrict public access to the Right of Way at road crossings or other potential areas of access.

O. For purposes of this Easement, all written submissions of the Grantor and Grantor's successors and assigns regarding work proposed to be conducted within the Right of Way shall be sent to: Manager - Transmission Line Engineering, Northeast Utilities, 107 Selden Street, Berlin, Connecticut 06037.

P. Grantor, by its granting of said easements and rights, and Grantee, by its acceptance of same, hereby acknowledge, covenant and agree for themselves and their respective heirs, successors and assigns as follows:

a. the easements and other rights granted herein are intended to be permanent rights and easements (except as provided in Paragraph 6 hereof, when Grantee may use the Road as a public street or highway for access) for the benefit of Grantee, its successors and assigns, and are to be fully apportionable and fully assignable or transferable, all or in part, without the need of any consent of the Grantor or the Grantor's heirs, successors and assigns and the easements and other rights reserved herein are intended to be permanent rights and easements for the benefit of Grantor, their successors and assigns, and are to be fully apportionable and fully assignable or transferable, all or in part, without the need of any consent of the Grantee or the Grantee's successors and assigns;

b. except in connection with the exercise of the rights specifically reserved herein, the Grantor shall not erect any building or structure on, place or store any materials on, park or store any vehicles on, grade, excavate, fill or flood the Right of Way, or otherwise use the Right of Way in any manner which, in the opinion of the Grantee (i) may interfere with the exercise of any of the rights and/or easements herein granted to Grantee or (ii) which may create a hazard;

c. Grantor shall not attach anything to the property of the Grantee installed in the Right of Way;

d. no cessation of use or operation of all or any portion of said easements or rights granted herein or of the Right of Way by Grantee shall be deemed an abandonment thereof resulting in the termination of any aspect of the easements and/or rights or of the Right of Way, unless the holder of same at the time of such cessation of use or operation releases, in a written instrument in recordable form, its rights in such easements and rights or in the Right of Way and no cessation of use or operation of all or any portion of said easements or rights reserved herein by Grantor shall be deemed an abandonment thereof resulting in the termination of any aspect of the easements and/or rights, unless the holder of same at the time of such cessation of use or operation releases, in a written instrument in recordable form, its rights in such easements and rights; and

e. except in connection with the exercise of the rights specifically reserved herein in paragraphs B, C, D, E, G, H and I, the Grantor shall not convey any new or additional easements to any third parties within or across the Right of Way which may, in the opinion of the Grantee, (i) interfere with the exercise of any of the rights and/or easements granted herein without the Grantee's prior review and consent, which will not be unreasonably withheld, and/or (ii) which may create a hazard.

Q. Grantee shall not damage any property of the Grantor which is permitted pursuant to the terms of this Easement in the Right of Way, including without limitation, septic systems and leaching fields, wells and well caps, or which is on any adjacent property of the Grantor and Grantee shall promptly pay to Grantor, upon request of Grantor, the reasonable cost of repairing or replacing any such damage caused by Grantee provided, however, that Grantee shall not be liable for any damages caused by the exercise of Grantee's rights under this easement to any wells or septic systems and leaching fields, utilities, drainage, or driveways subsequently

installed within the Right of Way which are not constructed in accordance with AASHTO HS20-44 loading criteria set forth in Attachment A.

R. Any work done in the Right of Way by the Grantee shall be completed free and clear of all statutory liens of contractors, subcontractors, laborers and materialmen in the nature of mechanic's liens against the ownership interest of Grantor. In the event any such lien or claim of lien is levied against the Grantor's property or against Grantor arising from Grantee's work in the Right of Way, Grantee shall, within ninety (90) days of written notice to Grantee of the existence of such claim or lien, remove and discharge such lien or claim or substitute a bond in its place.

S. Grantee shall at all times exercise its rights hereunder and maintain the Right of Way in compliance with all applicable governmental laws, ordinances, rules and regulations. All necessary licenses, permits and approvals which are required for any work done in the Right of Way by the Grantee or for the exercise of its rights hereunder by Grantee shall be obtained by Grantee prior to the commencement of such work or the exercise of its rights hereunder, all at Grantee's sole cost and expense.

T. The Grantee shall be responsible for the payment of all taxes relating to any property of any kind of the Grantee located in the Right of Way.

U. If any provision of this Easement, or portion thereof, or the application thereof to any person or circumstances, shall, to any extent be held invalid, inoperative or unenforceable, the remainder of this Easement, or the application of such provision or portion thereof to any other persons or circumstances, shall not be affected thereby, and each provision of this Easement shall be valid and enforceable to the fullest extent permitted by law.

V. This Easement shall be construed in accordance with the laws of the State of Connecticut.

W. Neither anything in this Easement nor any acts of the parties hereto shall be deemed by the parties, or by any third person, to create the relationship of principal and agent; or of partnership, or of joint venture, or of any association between the parties.

X. It is expressly understood and agreed that the obligations of Grantor under this Easement shall be binding upon Grantor and its successors and assigns and any future owner of the Parcel or any subsequent lot or part thereof only with respect to events occurring during its and their respective ownership of the Parcel or such subsequent lot or part thereof and only with respect to events occurring on such owner's subsequent lot or part, provided however that any liability that accrues during ownership shall survive the conveyance or other termination of ownership.

Y. This Easement and the easements, rights, covenants, restrictions, obligations and liabilities created hereby shall run with the land.

Z. The terms of this instrument: (i) resulted from a settlement of disputed legal claims between Grantee and Linda D. Wilson and Ralph E. Wilson, Trustee of the South Main Street Irrevocable Trust Agreement dated November 18, 2004; (ii) do not modify or amend any of Grantee's Right of Way policies, practices and procedures with respect to any other rights-of-way or easements owned or to be owned by Grantee; and (iii) have no precedential impact on any other rights-of-way or easements owned or to be owned by Grantee.

The words "Grantor" and "Grantee" in this instrument are intended, where the context requires, permits or is appropriate to include the plural number as well as the singular and their heirs, executors, administrators, successors and assigns. The terms "right of way" or "easement" is intended to extend to more than one right of way or easement where the context so requires or permits.

If any part of the Right of Way is now or shall hereafter become a public street or highway or a part thereof, permission as provided in the General Statutes of Connecticut relating to adjoining land owners is hereby given to the Grantee to use that part for the purpose and the manner above described.

TO HAVE AND TO HOLD the above granted and bargained rights and easements unto it, the said Grantee, its successors and assigns, forever.

[Remainder of page intentionally left blank; signature page follows]

Exhibit A

Easement from Linda D. Wilson & Ralph E. Wilson, Trustee to The Connecticut Light & Power Company

The Right of Way herein described is one hundred twenty five (125) feet wide and covers any land or interest therein owned by the Grantor within thirty (30) feet measured at right angles to and northerly of, and within ninety five (95) feet measured at right angles to and southerly of the following described Monumented Lines of Location, whether such Monumented Lines of Location are, at the point opposite such land, on said land, on the highway or on the land of some other party.

Said Monumented Line of Location #1 runs $S79^{\circ}57'28''E$ across land now or formerly of Nancy Boscarino, Trustee, et al. to a monument; thence $S79^{\circ}57'28''E$ 846.39 feet across said land of Nancy Boscarino, Trustee, et al., South Main Street and land of the Grantor to a monument marking an angle point in said Monumented Line of Location #1; thence $S75^{\circ}20'21''E$ 1,292.07 feet across land of said Grantor to a monument marking an angle point in said Monumented Line of Location #1; thence $S53^{\circ}04'48''E$ 1,071.52 feet across land of said Grantor to a monument at the intersection of Monumented Line of Location #1 and Monumented Line of Location #2, said point marking the end of Monumented Line of location #1 herein described.

The above bearings are referred to the Connecticut State Plane Coordinate System, North American Datum of 1983.

The Right of Way is more clearly designated and defined by a map entitled:

"Right of Way Plan Showing Easement to be Acquired from Linda D. & Ralph E. Wilson, Trustee by The Connecticut Light & Power Company, Town of Middletown, Middlesex County, Connecticut", Scale 1"=400' Date: August, 2006, drawing No. 22417-131; a copy of which map has been or will be filed for record with the Town Clerk in said Town of Middletown.

All capitalized terms used in this Exhibit A will have the meanings ascribed to them in the Easement to which this Exhibit is attached.

ATTACHMENT A

AASHTO HS20-44 LOADING CRITERIA

(W1448430;4)

Attachment A

AASHTO HS20-44 Loading Criteria

20

HIGHWAY BRIDGES

3.3.5

3.3.5 Where the abrasion of concrete is not expected, the traffic may bear directly on the concrete slab. If considered desirable, $\frac{1}{8}$ inch or more may be added to the slab for a wearing surface.

3.3.6 The following weights are to be used in computing the dead load:

	#/cu. ft.
Steel or cast steel	490
Cast iron	450
Aluminum alloys	175
Timber (treated or untreated)	50
Concrete, plain or reinforced	150
Compacted sand, earth, gravel, or ballast	120
Loose sand, earth, and gravel	100
Macadam or gravel, rolled	140
Cinder filling	60
Pavement, other than wood block	150
Railway rails, guardrails, and fastenings (per linear foot of track)	200
Stone masonry	170
Asphalt plank, 1 in. thick	9 lb. sq. ft.

3.4 LIVE LOAD

The live load shall consist of the weight of the applied moving load of vehicles, cars, and pedestrians.

3.5 OVERLOAD PROVISIONS

3.5.1 For all loadings less than H 20, provision shall be made for an infrequent heavy load by applying Loading Combination IA (see Article 3.22), with the live load assumed to be H or HS truck and to occupy a single lane without concurrent loading in any other lane. The overload shall apply to all parts of the structure affected, except the roadway deck, or roadway deck plates and stiffening ribs in the case of orthotropic bridge superstructures.

3.5.2 Structures may be analyzed for an overload that is selected by the operating agency in accordance with Loading Combination Group IB in Article 3.22.

3.6 TRAFFIC LANES

3.6.1 The lane loading or standard truck shall be assumed to occupy a width of 10 feet.

3.6.2 These loads shall be placed in 12-foot wide design

traffic lanes, spaced across the entire bridge roadway width measured between curbs.

3.6.3 Fractional parts of design lanes shall not be used, but roadway widths from 20 to 24 feet shall have two design lanes each equal to one-half the roadway width.

3.6.4 The traffic lanes shall be placed in such numbers and positions on the roadway, and the loads shall be placed in such positions within their individual traffic lanes, so as to produce the maximum stress in the member under consideration.

3.7 HIGHWAY LOADS

3.7.1 Standard Truck and Lane Loads*

3.7.1.1 The highway live loadings on the roadway of bridges or incidental structures shall consist of standard trucks or lane loads that are equivalent to truck trains. Two systems of loading are provided, the H loadings and the HS loadings—the HS loadings being heavier than the corresponding H loadings.

3.7.1.2 Each lane load shall consist of a uniform load per linear foot of traffic lane combined with a single concentrated load (or two concentrated loads in the case of continuous spans—see Article 3.11.3), so placed on the span as to produce maximum stress. The concentrated load and uniform load shall be considered as uniformly distributed over a 10-foot width on a line normal to the center line of the lane.

3.7.1.3 For the computation of moments and shears, different concentrated loads shall be used as indicated in Figure 3.7.6B. The lighter concentrated loads shall be used when the stresses are primarily bending stresses, and the heavier concentrated loads shall be used when the stresses are primarily shearing stresses.

*Note: The system of lane loads defined here (and illustrated in Figure 3.7.6B) was developed in order to give a simpler method of calculating moments and shears than that based on wheel loads of the truck. Appendix B shows the truck train loadings of the 1935 Specifications of AASHTO and the corresponding lane loadings. In 1944, the HS series of trucks was developed. These approximate the effect of the corresponding 1935 truck preceded and followed by a train of trucks weighing three-fourths as much as the basic truck.

3.7.2 Classes of Loading

There are four standard classes of highway loading: H 20, H 15, HS 20, and HS 15. Loading H 15 is 75% of Loading H 20. Loading HS 15 is 75% of Loading HS 20. If loadings other than those designated are desired, they shall be obtained by proportionately changing the weights shown for both the standard truck and the corresponding lane loads.

3.7.3 Designation of Loadings

The policy of affixing the year to loadings to identify them was instituted with the publication of the 1944 Edition in the following manner:

H 15 Loading, 1944 Edition shall be designated.....	H 15-44
H 20 Loading, 1944 Edition shall be designated.....	H 20-44
H 15-S 12 Loading, 1944 Edition shall be designated.....	HS 15-44
H 20-S 16 Loading, 1944 Edition shall be designated.....	HS 20-44

The affix shall remain unchanged until such time as the loading specification is revised. The same policy for identification shall be applied, for future reference, to loadings previously adopted by AASHTO.

3.7.4 Minimum Loading

Bridges supporting Interstate highways or other highways which carry, or which may carry, heavy truck traffic, shall be designed for HS 20-44 Loading or an Alternate Military Loading of two axles four feet apart with each axle weighing 24,000 pounds, whichever produces the greatest stress.

3.7.5 H Loading

The H loadings consist of a two-axle truck or the corresponding lane loading as illustrated in Figures 3.7.6A and 3.7.6B. The H loadings are designated H followed by a number indicating the gross weight in tons of the standard truck.

3.7.6 HS Loading

The HS loadings consist of a tractor truck with semi-trailer or the corresponding lane load as illustrated in Figures 3.7.7A and 3.7.7B. The HS loadings are designated by the letters HS followed by a number indicating the

gross weight in tons of the tractor truck. The variable axle spacing has been introduced in order that the spacing of axles may approximate more closely the tractor trailers now in use. The variable spacing also provides a more satisfactory loading for continuous spans, in that heavy axle loads may be so placed on adjoining spans as to produce maximum negative moments.

3.8 IMPACT

3.8.1 Application

Highway Live Loads shall be increased for those structural elements in Group A, below, to allow for dynamic, vibratory and impact effects. Impact allowances shall not be applied to items in Group B. It is intended that impact be included as part of the loads transferred from superstructure to substructure, but shall not be included in loads transferred to footings nor to those parts of piles or columns that are below ground.

3.8.1.1 Group A—Impact shall be included.

- (1) Superstructure, including legs of rigid frames.
- (2) Piers, (with or without bearings regardless of type) excluding footings and those portions below the ground line.
- (3) The portions above the ground line of concrete or steel piles that support the superstructure.

3.8.1.2 Group B—Impact shall not be included.

- (1) Abutments, retaining walls, piles except as specified in Article 3.8.1.1 (3).
- (2) Foundation pressures and footings.
- (3) Timber structures.
- (4) Sidewalk loads.
- (5) Culverts and structures having 3 feet or more cover.

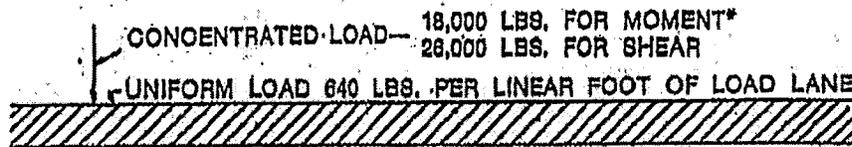
3.8.2 Impact Formula

3.8.2.1 The amount of the impact allowance or increment is expressed as a fraction of the live load stress, and shall be determined by the formula:

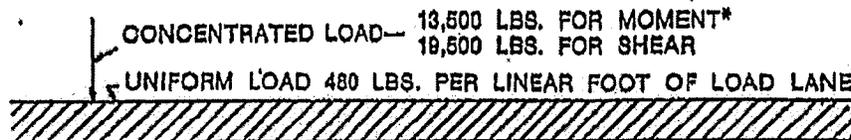
$$I = \frac{50}{L+125} \quad (3-1)$$

In which,

I = Impact fraction (maximum 30 percent);



H20-44 LOADING
HS20-44 LOADING



H18-44 LOADING
HS15-44 LOADING

FIGURE 3.7.6B Lane Loading

*For the loading of continuous spans involving lane loading refer to Article 3.11.3 which provides for an additional concentrated load.

L = length in feet of the portion of the span that is loaded to produce the maximum stress in the member.

3.8.2.2 For uniformity of application, in this formula, the loaded length, L , shall be as follows:

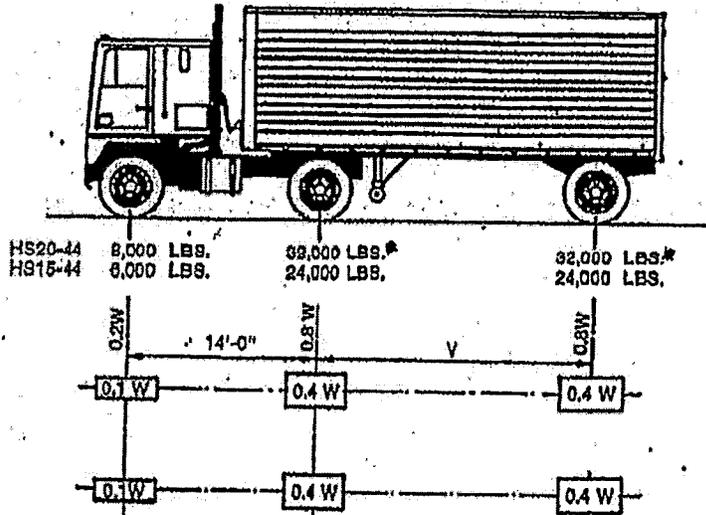
- (a) For roadway floors: the design span length.
- (b) For transverse members, such as floor beams: the span length of member center to center of supports.
- (c) For computing truck load moments: the span length, or for cantilever arms the length from the moment center to the farthest axle.
- (d) For shear due to truck loads: the length of the loaded portion of span from the point under consideration to the far reaction; except, for cantilever arms, use a 30% impact factor.
- (e) For continuous spans: the length of span under consideration for positive moment, and the average of two adjacent loaded spans for negative moment.

3.8.2.3 For culverts with cover

- 0'-0" to 1'-0" inc. $I = 30\%$
 1'-1" to 2'-0" inc. $I = 20\%$
 2'-1" to 2'-11" inc. $I = 10\%$

3.9 LONGITUDINAL FORCES

Provision shall be made for the effect of a longitudinal force of 5% of the live load in all lanes carrying traffic headed in the same direction. All lanes shall be loaded (or bridges likely to become one directional in the future. The load used, without impact, shall be the lane load plus the concentrated load for moment specified in Article 3.7, with reduction for multiple-loaded lanes as specified in Article 3.12. The center of gravity of the longitudinal force shall be assumed to be located 6 feet above the floor slab and to be transmitted to the substructure through the superstructure.



W = COMBINED WEIGHT ON THE FIRST TWO AXLES WHICH IS THE SAME AS FOR THE CORRESPONDING H TRUCK.
 V = VARIABLE SPACING — 14 FEET TO 30 FEET INCLUSIVE. SPACING TO BE USED IS THAT WHICH PRODUCES MAXIMUM STRESSES.

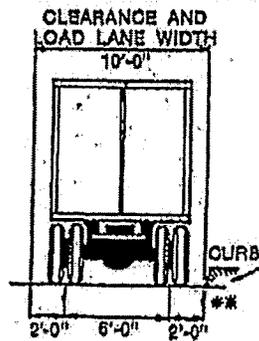


FIGURE 3.7.7A Standard HS Trucks

*In the design of timber floors and orthotropic steel decks (excluding transverse beams) for H 20 Loading, one axle load of 24,000 pounds or two axle loads of 16,000 pounds each, spaced 4 feet apart may be used, whichever produces the greater stress, instead of the 32,000-pound axle shown.

**For slab design, the center line of wheels shall be assumed to be 1 foot from face of curb, (See Article 3.24.2.)

ATTACHMENT B

**GENERAL GUIDELINES FOR LANDOWNER USES
PROPOSED WITHIN NORTHEAST UTILITIES' RIGHTS OF WAYS**

{W1448430;4}

Attachment B

**GENERAL GUIDELINES FOR LANDOWNER USES PROPOSED WITHIN
NORTHEAST UTILITIES' RIGHTS OF WAYS**

- A. Proposal must not unreasonably limit or foreclose the Company's right to use right-of-way (ROW) by:
1. Blocking the routing of new facilities.
 2. Unreasonably limiting new structure locations (i.e. at angle points or promontories). An undisturbed area 75' to 100' along the ROW is required for future structure use at all structure locations. Angle points, (where ROW direction changes) must be kept clear for the full width of the ROW and guy area for 100' on each side of the angle.
 3. Long longitudinal occupancies (driveways, parking lots, pipelines, etc.) must not unreasonably encroach into ROW. Perpendicular crossings are preferable. Licensee is responsible to assure that terminal parking will not violate planning and zoning requirements.
- B. Proposal must not unreasonably limit access along ROW to structures and the lines:
1. To less than usable 14' travel way. Slope must not be steeper than 5:1. Road base and surface material must be proper for intended use with shoulders and drainage as necessary for the particular location.
 2. Fences crossing the ROW must have gates (12' minimum width). If locked, a Company lock must be installed also.
 3. A minimum work and safety area around structures, structure arms and guys of at least 25' must be maintained.
- C. Proposal must not jeopardize the physical or electrical integrity of the line in any of the following ways:
1. Fire hazard (such as storage of wood, propane/LP tanks).
 2. Uncontrolled blasting.
 3. Conductive light lines (such as model aircraft controls).
 4. Excavation, fill, water impoundment or change in drainage which jeopardizes structures, guys, foundations, survey monuments or counterpoise.
 5. Excavations shall be such that slopes are stable and not subject to erosion. This may require plantings, seeding, water bars and other measures. Slopes must not be steeper than 3:1, except 5:1 for access as noted in B.1.

6. Fill (temporary or permanent) which reduces clearance may be allowed only with prior review and approval by the Company. Slope requirements same as C.5 above. Fill which covers guys, concrete foundations and survey monuments will not be allowed.
 7. Tree growth (orchards, nurseries) may be allowed only with prior review and approval by the Company. (See separate guideline, "Guidelines for Permitting Compatible Woody Vegetation to be Planted or to Exist on Electric Transmission Rights of Ways"). Tree clearing may be done only by experienced contractors trained in accordance with OSHA Standards (29CFR Part 1910.269).
 8. Large construction equipment must always operate at a safe distance from electrical facilities. (See separate guideline, "Operation of Equipment Under and Adjacent to NU Lines on Rights of Ways").
 9. Roadways must be placed no closer than 50'; parking areas no closer than 25' from structures; Guide rails may be required.
- D. Proposal must not jeopardize public safety (Items additional to Item C above):
1. Metallic fence wire or fabric on non-metallic posts on or parallel to 345kV ROW must be grounded, as directed by the Company.
 2. Storage or existence of large conductive materials or objects on ROW is not allowed. Any proposal for any conductive objects proposed under 345kV lines may be allowed by the Company only after specific prior review and approval.
 3. Proposed changes in clearance to electrical facilities may be allowed by the Company if the changes are in conformance to Company, State and National clearance requirements.
 4. Proposed water-spray irrigation systems within, or directing spray within ROW may be allowed by the Company only after specific prior review and approval.
 5. Buried metallic pipes must be no less than 50' from structures, guys and counterpoise.

**GUIDELINES FOR PERMITTING COMPATIBLE WOODY VEGETATION TO BE PLANTED
OR TO EXIST ON ELECTRIC TRANSMISSION RIGHTS OF WAY**

1. In case of conflict, Northeast Utilities' easement or ownership rights shall have precedence over these guidelines.
2. In general, no woody vegetation will be permitted which would normally mature taller than 12 feet, and no woody vines are permitted where they can climb up structures or guy wires. This limits the selection primarily to shrub species, or intensively managed plantations such as for Christmas trees or nursery stock.

Any growth which exceeds 12 feet will be subject to removal by Northeast Utilities in the course of right of way (ROW) maintenance activities.

Planting and harvesting of plantation or nursery stock will be by manual means, unless specifically reviewed and approved by Northeast Utilities for mechanical means. "Mechanical means" shall include the use of any vehicle off the established access ways.

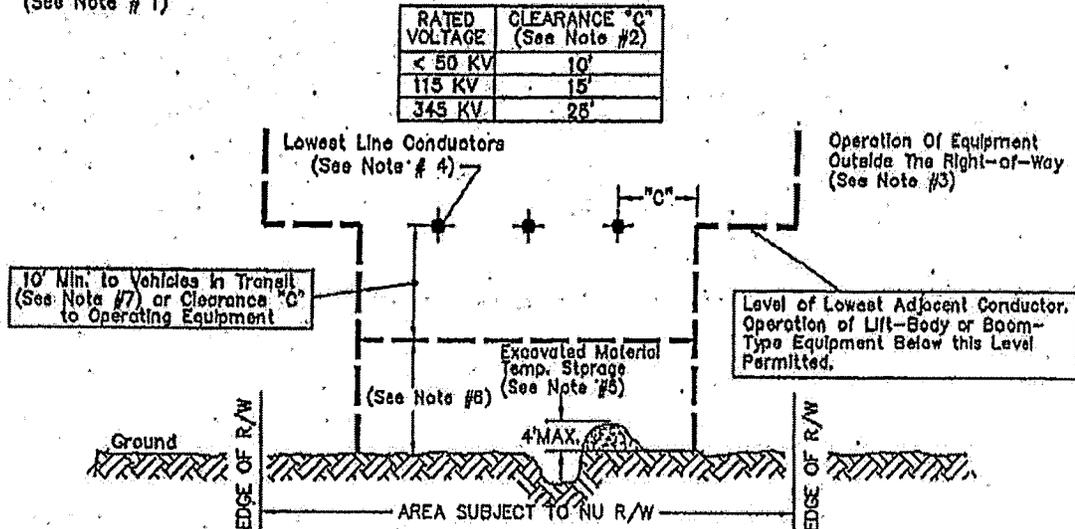
3. In order to preserve access, no woody vegetation which would normally mature taller than 12 feet will be permitted:
 - a. In access ways normally 14 feet wide within the ROW between structures. Where a specific access way is not evident, a usable width of 14 feet shall be reserved to service all structures. Access ways shall be reviewed and approved by Northeast Utilities.
 - b. At structures outward all around to a distance of 25 feet outside the periphery at the ground, including guy wires and anchors, if any.
4. The manager and owner of the land on which Northeast Utilities or its subsidiaries holds an easement shall hold Northeast Utilities or its subsidiary harmless from any and all damages, claims, demands or suits of any kind for injury to persons, including death, arising out of, or claimed to have arisen out of, any acts or omissions of the manager or owner of the land, their agents or employees in the course of work performed in the planting or management of permitted vegetation.

The manager and owner of the land shall also hold Northeast Utilities or its subsidiary harmless from any and all damages arising out of, or claimed to have arisen out of, any reasonable construction, operation or maintenance activities performed by Northeast Utilities, its subsidiary or its contractor.

5. Any planting requests by others are subject to review and approval by Northeast Utilities, and will be processed by the Real Estate Department.
6. Any agreement for compatible use will be in writing and will contain language covering all limitations of the use.

OPERATION OF EQUIPMENT UNDER AND ADJACENT TO NU LINES ON RIGHTS-OF-WAY

(See Note # 1)



NOTES

1. PRIOR APPROVAL OF DEVELOPMENT ACTIVITY IN RIGHT-OF-WAY IS REQUIRED.
2. NU REQUIREMENT BASED ON OSHA SUBPART "N" SECTION 1926.650 (a) (15) (II) - OTHER STATE STANDARDS MAY ALSO APPLY.
3. OPERATION OF LIFT BODY, BOOM-TYPE OR OTHER AERIAL EQUIPMENT OUTSIDE THE RIGHT-OF-WAY SHALL RECOGNIZE THE EXISTENCE OF ANY ENERGIZED CONDUCTORS. OPERATION SHALL BE SUCH THAT CLEARANCE "C" IS MAINTAINED AT ALL TIMES INCLUDING CONSIDERATION FOR UNEXPECTED OR ACCIDENTAL CONDITIONS (I.E. CRANE OVERTURN).
4. ELEVATION OF CONDUCTORS MAY VARY FROM DAY-TO-DAY, EVEN HOUR-TO-HOUR DEPENDING UPON AIR TEMPERATURE, WIND AND LINE AMPERE LOADING.
5. WHERE SPECIFICALLY PERMITTED IN WRITING BY NU, EXCAVATED MATERIAL MAY BE STORED TEMPORARILY AT A HEIGHT NOT TO EXCEED 4 FEET ABOVE ORIGINAL GRADE. NO EQUIPMENT OR VEHICLE OF ANY KIND IS ALLOWED ON EXCAVATED MATERIAL ABOVE ORIGINAL GRADE.
6. 13'-0" MAXIMUM LEGAL OVER-THE-ROAD VEHICLES MAY RESULT IN A VIOLATION OF OSHA REGULATIONS IN OFF-ROAD AREAS.
7. OSHA CONSTRUCTION REGULATIONS SUBPART "N" SECTION 1926.650 (a) (15) (III).

				NORTHEAST UTILITIES SERVICE CO. FOR THE CONNECTICUT LIGHT & POWER CO. HOLYOKE POWER & ELECTRIC COMPANY WESTERN MASSACHUSETTS ELECTRIC CO. PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE			
2		10/96		NEW DWG#, CAD VERSION			
1		1/81		GENERAL REVISION		RM JRR	
NO.		DATE		REVISIONS		BY CHK APP APP	
						BY R. MINNICH	
						CHKD	
						APP	
						APP	
						DATE	
						DATE	
						SCALE NTS	
						MICROFILM DATE	
						DWG. NO.	
						09000-99001	
						P.A. #	

MISC/DETAILS/DETAILS/STRSKCH

FORMERLY SKRM013081

Appendix K

LETTER OF INTENT

Seller: Linda D. Wilson, and Ralph E. Wilson, as Trustee of the South Main Street Irrevocable Trust Agreement dated November 18, 2004.

Buyer: City of Middletown

It is the intention of the parties that Linda D. Wilson, and Ralph E. Wilson, as Trustee of the South Main Street Irrevocable Trust Agreement dated November 18, 2004, ("Seller") transfer to the City of Middletown, all of the Seller's right, title and interest in and to the following property Lot 3A and 2200 South Main Street, Middletown, CT consisting of a 31 lot subdivision with 73 plus or minus acres in Middletown and extending into Durham for another 10 plus or minus acres for a total of 83 plus or minus acres (the "Property"):

Terms and Conditions

Property Address: Lot 3A and 2200 South Main Street, Middletown, CT Deed Vol. 1471 Page 026 and Vol. 1471, page 023 of the Middletown Land Records:

Purchase Price: To be Determined after City's due diligence

Deposit Amount: None

Down Payment: To be determined after City's due diligence

Payment Terms: Cash or certified or cashier's check

Seller's Agent: None

Buyer's Agent: None

Additional Terms or Conditions Include but are not limited to:

1. The property is purchased in AS IS condition with no conditions, representations or warranties of any kind.
2. No financing contingency.
3. Approval is required of Appropriate City Bodies as determined by the City and obtaining grant funds and having other funds available to complete the purchase as determined by the City
4. The closing shall take place as determined by the parties as negotiated in a Purchase and Sales Agreement.

This document is a Letter of Intent only. The purpose of this Letter of Intent is to constitute an expression of interest by the parties in negotiating the transaction. Both parties understand and acknowledge that this Letter of Intent is not intended to be, and shall not constitute in any way, a binding or legal agreement, or impose any legal obligation or duty on either Buyer or Seller. This Letter of Intent simply sets forth a framework pursuant to which Buyer may consider negotiating and executing a Purchase and Sales Agreement with Seller, and the Letter of Intent will be superseded by the terms of any written Purchase and Sales Agreement signed by the parties. The parties understand that in order to create a binding contract, they must execute a separate written Purchase and Sales Agreement which must be acceptable and approved by all appropriate parties/Boards/Commissions/Common Council/Others of the City.

The parties should not rely on this Letter of Intent or the terms set forth herein for any purpose, including, but not limited to, incurring expenses in connection with the acquisition or sale of the Property, or giving up other acquisition or sales opportunities.

Buyer and Seller shall keep any negotiations and communications between the parties regarding the potential purchase or purchase of the Property confidential, and not disclose any matter related to such negotiations and communications to any third party, except, on a "needs to know" basis, and as to the City those bodies as determined by it, attorneys, accountants, or similar consultants if such bodies, attorneys,

accountants, or similar consultants agree to keep such negotiations, communications, and related matters confidential.

The parties agree to use good faith and their best efforts to conclude a binding final Purchase and Sales Agreement on or before December 31, 2020 with the understanding that either party may advise the other in writing prior to that date that they are terminating negotiations for any reason. If said negotiations are not terminated prior to December 31, 2020, and a final Purchase and Sales Agreement is not signed and approved by all appropriate City bodies on or before such date for any reason, then all negotiations shall be terminated unless the parties extend the negotiations in writing upon a mutually acceptable extension agreement.

At any time either party may terminate negotiations by sending a letter to the other party, in the case of the buyer to Joseph Samolis – Director of Planning, Conservation and Development, and in the case of the seller to Attorney Ralph E. Wilson. Upon termination of negotiations by notification or lapse of time, neither party shall have any liability to the other and this Letter of Intent shall become null and void and of no further effect.

This letter of Intent may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

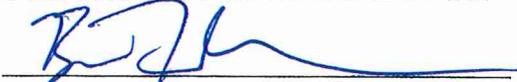
By signing below, Linda D. Wilson, and Ralph E. Wilson, as Trustee of the South Main Street Irrevocable Trust Agreement dated November 18, 2004 and the City of Middletown by its authorized party signify that the terms in this Letter of Intent are acceptable.

FOR THE SELLERS

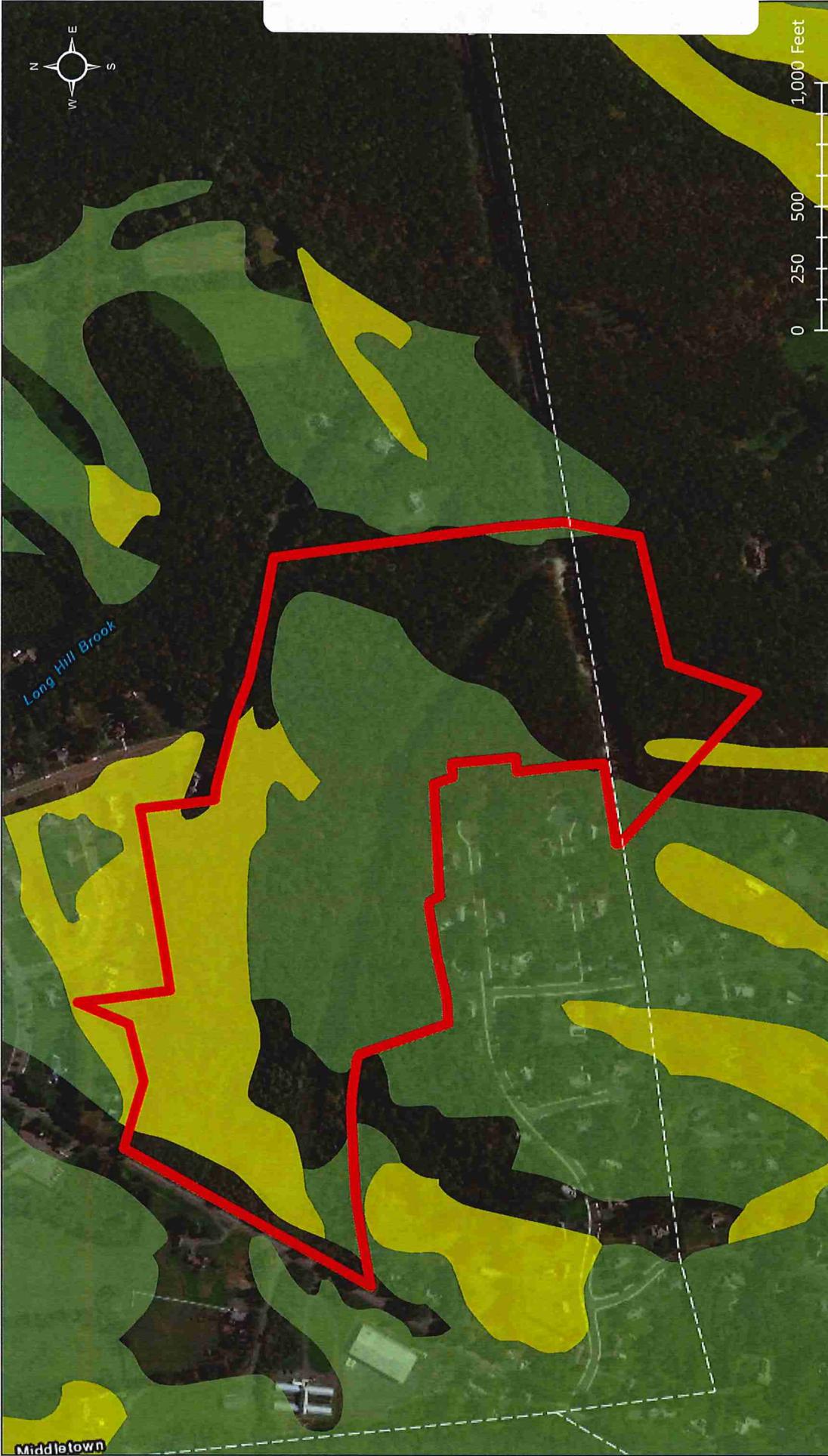

Linda D. Wilson


Ralph E. Wilson, Trustee
of the South Main Street
Irrevocable Trust Agreement
dated November 18, 2004

FOR THE CITY OF MIDDLETOWN



Appendix L



Farmland Soils

-  Prime Farmland Soils
-  Statewide Important Farmland Soils
-  Locally Important Farmland Soils
-  Majestic Oaks - Wilson Property

Majestic Oaks- Wilson Property Farmland Soils Map

City of Middletown, CT
Department of Planning, Conservation & Development

June 2020

Source:
Farmland Soils interpretation for the Soil Survey Geographic (SSURGO) database for the State of Connecticut.
U.S. Department of Agriculture, Natural Resources Conservation Service. U.S. Department of Agriculture, Natural Resources Conservation Service. 03.22.2007

ESRI, Maxar, Geo Eye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community,
ESRI, HERE, Garmin, (c) OpenStreetMap Contributors, and the GIS user community.

Middletown,

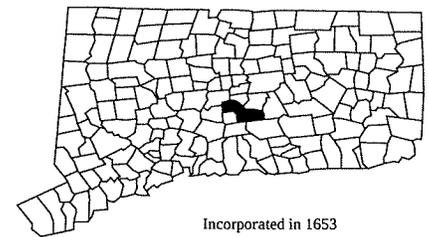
Appendix N

CERC Town Profile 2019

Produced by Connecticut Data Collaborative

Town Hall
P.O. Box 1300
Middletown, CT 06457
(860) 344-3401

Belongs To
Middlesex County
LMA Hartford
Lower CT River Valley Planning Area



Incorporated in 1653

Demographics

Population				Race/Ethnicity (2013-2017)				
	Town	County	State		Town	County	State	
2000	43,167	155,071	3,405,565	White Non-Hisp	32,486	138,523	2,446,049	
2010	47,648	165,676	3,574,097	Black Non-Hisp	6,064	8,046	350,820	
2013-2017	46,747	164,110	3,594,478	Asian Non-Hisp	2,639	4,780	154,910	
2020	49,855	170,518	3,604,591	Native American Non-Hisp	12	156	5,201	
'17 - '20 Growth / Yr	2.1%	1.3%	0.1%	Other/Multi-Race Non-Hisp	1,231	2,993	84,917	
				Hispanic or Latino	4,315	9,612	551,916	
	Town	County	State		Town	County	State	
Land Area (sq. miles)	41	369	4,842	Poverty Rate (2013-2017)	11.3%	7.2%	10.1%	
Pop./Sq. Mile (2013-2017)	1,140	444	742	Educational Attainment (2013-2017)				
Median Age (2013-2017)	37	45	41		Town	County	State	
Households (2013-2017)	19,187	66,599	1,361,755	High School Graduate	9,360	30%	673,582	27%
Med. HH Inc. (2013-2017)	\$63,914	\$81,673	\$73,781	Associates Degree	2,515	8%	188,481	8%
	Town	State		Bachelors or Higher	11,530	36%	953,199	38%
Veterans (2013-2017)	2,483	180,111						

Age Distribution (2013-2017)														
	0-4		5-14		15-24		25-44		45-64		65+	Total		
Town	2,581	6%	4,036	9%	8,430	18%	13,012	28%	11,938	26%	6,750	14%	46,747	100%
County	7,042	4%	17,570	11%	20,717	13%	36,566	22%	52,019	32%	30,196	18%	164,110	100%
State	186,188	5%	432,367	12%	495,626	14%	872,640	24%	1,031,900	29%	575,757	16%	3,594,478	100%

Economics

Business Profile (2018)			Top Five Grand List (2018)	
Sector	Units	Employment		Amount
Total - All Industries	1,360	27,576	Eversource (FKA CL&P)	\$153,182,470
23 - Construction	103	710	Aetna Life (Including lessors)	\$92,236,640
31-33 - Manufacturing	61	4,615	Kleen Energy Systems LLC	\$63,984,690
44-45 - Retail Trade	126	1,779	United Technologies	\$51,197,230
62 - Health Care and Social Assistance	171	6,483	Middletown Power LLC	\$44,450,060
72 - Accommodation and Food Services	116	1,579	Net Grand List (SFY 2016-2017)	\$3,328,681,459
Total Government	51	4,589	Major Employers (2018)	
			Pratt & Whitney	FedEx Ground
			Middlesex Health	Connecticut Valley Hospital
			Community Health Center	

Education

2018-2019 School Year			Smarter Balanced Test Percent Above Goal (2017-2018)						
	Grades	Enrollment	Grade 3		Grade 4		Grade 8		
			Town	State	Town	State	Town	State	
Middletown School District	PK-12	4640	Math	47.3%	53.8%	45.8%	51.3%	25.5%	43.0%
			ELA	50.7%	53.1%	47.0%	54.9%	38.3%	56.1%
Pre-K Enrollment (PSIS)			Rate of Chronic Absenteeism (2017-2018)						
Middletown School District		2018-2019	Connecticut						All
		117	Middletown School District						10.7%
									9.7%
4-Year Cohort Graduation Rate (2017-2018)			Public vs Private Enrollment (2013-2017)						
	All	Female	Male		Town	County	State		
Connecticut	88.3%	91.8%	85.1%	Public	84.0%	87.0%	86.8%		
Middletown School District	90.3%	95.5%	85.6%	Private	16.0%	13.0%	13.2%		

Middletown, Connecticut

CERC Town Profile 2019



Connecticut
Economic
Resource Center

Government

Government Form: Mayor - Council

Total Revenue (2017)	\$166,355,000	Total Expenditures (2017)	\$151,716,000	Annual Debt Service (2017)	\$16,127,000
Tax Revenue	\$109,846,000	Education	\$93,117,000	As % of Expenditures	10.6%
Non-tax Revenue	\$56,509,000	Other	\$58,599,000	Eq. Net Grand List (2017)	\$4,904,971,237
Intergovernmental	\$45,596,000	Total Indebtedness (2017)	\$92,642,000	Per Capita	\$105,533
Per Capita Tax (2017)	\$2,569	As % of Expenditures	61.1%	As % of State Average	69.9%
As % of State Average	87.6%	Per Capita	\$1,993	Moody's Bond Rating (2017)	Aa2
		As % of State Average	79.3%	Actual Mill Rate (2017)	33.30
				Equalized Mill Rate (2017)	24.35
				% of Net Grand List Com/Ind (2017)	19.7%

Housing/Real Estate

Housing Stock (2013-2017)

	Town	County	State
Total Units	21,223	75,938	1,507,711
% Single Unit (2013-2017)	45.0%	70.8%	59.2%
New Permits Auth (2017)	18	237	4,547
As % Existing Units	0.1%	0.3%	0.3%
Demolitions (2017)	8	25	1,403
Home Sales	NA	1,191	21,880
Median Price	\$228,500	\$283,700	\$270,100
Built Pre-1950 share	25.3%	25.1%	29.3%
Owner Occupied Dwellings	10,091	49,088	906,798
As % Total Dwellings	52.6%	73.7%	66.6%
Subsidized Housing (2018)	4,691	6,619	167,879

Distribution of House Sales

	Town	County	State
Less than \$100,000	NA	35	536
\$100,000-\$199,999	NA	145	5,237
\$200,000-\$299,999	NA	405	6,681
\$300,000-\$399,999	NA	329	3,863
\$400,000 or More	NA	277	5,563

Rental (2013-2017)

	Town	County	State
Median Rent	\$1,094	\$1,132	\$1,123
Cost-burdened Renters	48.0%	50.8%	52.3%

Labor Force

	Town	County	State
Residents Employed	25,218	89,811	1,827,070
Residents Unemployed	1,047	3,267	78,242
Unemployment Rate	4.0%	3.5%	4.1%
Self-Employed Rate	6.7%	11.2%	10.0%
Total Employers	1,360	5,433	122,067
Total Employed	27,576	68,827	1,673,867

Connecticut Commuters (2015)

Commuters Into Town From:		Town Residents Commuting To:	
Middletown, CT	5,069	Middletown, CT	5,069
Meriden, CT	1,274	Hartford, CT	2,466
New Britain, CT	833	New Haven, CT	873
Cromwell, CT	706	Meriden, CT	872
Portland, CT	700	Wallingford, CT	785
Haddam, CT	607	Cromwell, CT	750
East Hampton, CT	599	East Hartford, CT	681

Quality of Life

Crime Rates (per 100,000 residents) (2017)

	Town	State
Property	1,609	1,777
Violent	110	228

Distance to Major Cities

	Miles
Hartford	14
Providence	67
New York City	91
Boston	100
Montreal	280

Disengaged Youth (2013-2017)

	Town	State
Female	3.1%	4.2%
Male	0.1%	5.6%

Library circulation per capita

Town
5.83

Residential Utilities

Electric Provider
Eversource Energy (800) 286-2000
Gas Provider
Eversource Energy (800) 989-0900
Water Provider
Municipal Provider (860) 343-8085
Cable Provider
Comcast Middletown (800) 266-2278

Appendix O

Commission on Conservation & Agriculture



Vice-Chair Members
Elizabeth Holder ('22)
Brian Gartner ('23)
David Bauer ('22)
Jane Brawerman ('23)
Bob Daniels ('22)
Barbara Schukoske ('23)
James Miller ('23)
Ellen Lukens ('23)
Marek Kozikowski, AICP, City Planner

Staff
Kate Miller ('23)
Larry Owens ('20)
Katharine Owens ('22)
Michael Thomas ('20)
Judy Konopka ('22)

Open Space Acquisition Scoring Sheet

Property Address: Majestic Oak Drive

Map-Lot: 32-0130

Owner: Wilson

Total Score: 46 (59.1)

1. Parcel Size – 20 points possible **20**

- >40.00 ac (20 pts)
- 20.00-39.99 ac (15 pts)
- 10.00-19.00 ac (10 pts)
- 5.00-9.99 ac (5 pts)
- 1.00-4.99 ac (2 pts)

2. Development Risk – 12 points possible **9**

- City Water available (3 pts)
- City Sewer available (3 pts)
- Property within 250ft of City Water (2 pts)
- Property within 250ft of City Sewer (2 pts)
- Existing Subdivision Approval (6 pts)

3. Proximity to Densely Populated Area – 12 points possible **1**

- Located in one of the five most densely populated Census Tracts (12 pts)
- Within 1 mile of the five most densely populated Census Tracts (6 pts)
- Within 2 mile of the five most densely populated Census Tracts (3 pts)
- Within 3 mile of the five most densely populated Census Tracts (2 pts)
- Within 4 mile of the five most densely populated Census Tracts (1 pt)

4. Open Space Parcel – 9 points possible **4**

- Abuts City-owned Open Space Land or other Protected Property (6 pts)
- City owned Open Space within 1,300ft (4 pts)
- City owned Open Space within 1,301ft to 2,600ft (3 pts)
- Abuts other Undeveloped Land (3 pts)

5. Natural Diversity Database (NDDB) (Protected Species) – 6 points possible **0**

- Parcel totally within an NDDB area (6 pts)
- Portion of the parcel within an NDDB area (5 pts)

6. Waterbodies and Watercourses – 6 points possible **0**

- Property contains a waterbody or watercourse (6 pts)
- Property within 500ft of a waterbody or watercourse (3 pts)
- Property within 1,000ft of a waterbody or watercourse (1 pt)

7. **Water Quality – 6 points possible** 0
- Contains all or portion of large wetland/waterbody (>1 acre minimum) (6 pts)
 - Contains all or portion of 100ft upland review area (>1 acre minimum) (5 pts)
 - Contains small wetland/waterbody (<1 acre) (4 pts)
8. **Middletown Watershed Aquifer Protection Area – 4 points possible** 0
- Yes (4 pts)
 - ✓ No (0 pts)
9. **Agricultural Land – 12 points possible** 12
- ✓ Mostly Existing Agriculture Soils or field (12 pts)
10. **Recreation – 12 points possible** 6.7
- Boating/ Fishing (4 pts)
 - Recreation Trails/Connectivity Available (4 pts)
 - Other Recreation (4 pts)
11. **Scenic Views – 5 points possible** 1.7
- High Value Scenic Views present (5 pts)
 - Moderate Value Scenic Views present (3 pts)
 - Reduced Value Scenic Views present (1 pt)
12. **Historic or Archaeological Value – 5 points possible** 0
- Listed on Local, State or Federal Property Inventory (5 pts)
 - Potentially eligible properties per US Dept. of Interior criteria (4 pts)
 - Potentially undisturbed Archaeological Site (3 pts)
13. **Protects Unique Naturally Occurring or Man-made Features – 3 points possible** 0
- Points: 0 1 2 3
14. **Forestry Resources – 6 points possible** 4.7
- Many Large Mature Trees (6 pts)
 - Mostly Forested (Coniferous, Deciduous &/or Forested Wetland) (4 pts)

Appendix P

Commission on Conservation & Agriculture



Chairperson	Elisabeth Holder ('22)	
Vice-Chair	Brian Gartner ('23)	
Members	Michael Thomas ('20)	Kate Miller ('23)
	Jane Brawerman ('23)	Larry Owens ('20)
	Katharine Owens ('22)	Bob Daniels ('22)
	Barbara Schukoske ('23)	David Bauer ('22)
	James Miller ('23)	
Alternates	Ellen Lukens ('23)	Judy Konopka ('22)
Staff	Marek Kozikowski, AICP, City Planner	

SPECIAL MEETING MINUTES

DATE: Tuesday, June 2, 2020

TIME: 7:00 p.m.

Meeting was held online. Public was provided by:

1. Going to <https://webex.com> and joining the meeting using the appropriate meeting number and password
2. Launching the WebEx application and joining the meeting using the appropriate meeting number and password
3. Via telephone at 1-408-418-9388 and the appropriate access code

Meeting Number/Access Code: 710996489

Event Password: Conservation

In attendance: Commissioners Elisabeth Holder, Michael Thomas, Jane Brawerman, James Miller, Kate Miller, Bob Daniels, Barbara Schukoske, Ellen Lukens, Katharine Owens, and Judy Konopka. Marek Kozikowski, City Planner

A. Call to Order

The meeting was called to order at 7:06pm.

B. Accept the Agenda

Accepted by consensus.

C. Public Forum

D. Approval of Minutes

1. Approval of Minutes from the February 18, 2020 Meeting

Vote postponed to the next meeting.

E. Request for Comments

None

Michael Thomas has joined the meeting.

F. Officers and Committee Reports

1. Chairman's Report
 - i. POCD Update

The POCD has had a rewrite and is currently under review by the Steering Committee. The maps are still outstanding. The Commission would like to see the updates to the Open Space Map when it was available. Marek outlined the process of the plan moving forward.

2. Trails Committee
 - i. Trails Work at Guida

If you require special accommodations for any meeting, please call the ADA Coordinator at (860) 638-4540, (voice) or (860) 638-4812 (TDD/TTY), or the Town Clerk's Office at (860) 638-4910 at least ten (10) days prior to the scheduled meeting.

The committee finished blazing the new trail and received favorable comments from the public. The trail board requires updating. Jane discussed the amount of invasive plants in the area and mitigation shall be required. Holder suggested requesting use of the bond money.

Kate Miller has joined the meeting.

Jim Miller noted that trails everywhere are being used by ATV and other motor vehicles.

3. Agriculture Committee
 - i. NEAT Urban Farm Update
 - ii. Farm Survey Update

Bob Daniel is assembling a list of names and addresses to distribute the survey.

- iii. Urban Soils Health Project

Jane Brawerman, through her contacts with the Natural Resources Conservation Service, was put in contact with UConn professors who were interested in conducting an urban soils health study. They are seeking two communities to participate and Middletown will be one of them. They are applying for a grant to develop methodology for urban soils testing and mapping to support urban gardeners. Brawerman offered multiple location for possible testing. This would be a benefit to the City by recognizing its support for urban agriculture and receive valuable soil testing service for free.

4. Outreach Committee
 5. Open Space Management Committee-
 6. Open Space Acquisition Committee

- i. Pending Properties (Livingston, Country Club Rd, Chiaravallo)

Marek provided an update. The City is in the process of receiving a revised appraisal for the Livingston property. The City is waiting for the CT Farmland Trust and the Attorney General's office to finalize the deeds.

- ii. Possible Properties (Kleen Energy)
- iii. DEEP Grants Announcement
- iv. Rank Scoring Results Votes
(Vote on Newfield Street, Westlake Drive, Majestic Oaks Drive, and East Street)

Fifteen properties were scored based on a ranking sheet. After initial scoring the Committee performed site visits to the top 8 properties and decided to pursue the top 4 [listed above]. A discussion ensued on the properties. The Commission agreed to discuss further if the Commission will seek a state matching grant to acquire the properties at the next meeting.

Upon a motion to move to seek appraisals for the Newfield Street, Westlake Drive, Majestic Oaks Drive, and East Street made by Bob Daniels and seconded by Ellen Lukens, the motion passes 9-0 with Michael Thomas abstaining.

- G. Old Business
 1. Landfill Trail
 2. Timber Management and Southern Border Safety
 3. Open Space Map Update

A revised open space map should be available for review at the next meeting.

- H. New Business
- I. Member Forum

Jane Brawerman asked for a status update of the Environmental Planner position and Marek had no update.

Jane Brawerman provided an updated on the Farmer's Market that there is an agreement working out where the city will take over management over the farmers with cooperation of the North End Action team and they are looking to move it to the South Green. The market may occur later in the day.

J. Adjournment

Ellen Lukens made a motion to adjourn and Jim Miller seconded. The motion it passed unanimously. The meeting adjourned at 8:30pm.

Appendix Q

Commission on Conservation & Agriculture



Chairperson	Elisabeth Holder ('22)	
Vice-Chair	Brian Gartner ('23)	
Members	Michael Thomas ('20)	Kate Miller ('23)
	Jane Brawerman ('23)	Larry Owens ('20)
	Katharine Owens ('22)	Bob Daniels ('22)
	Barbara Schukoske ('23)	David Bauer ('22)
	James Miller ('23)	
Alternates	Ellen Lukens ('23)	Judy Konopka ('22)
Staff	Marek Kozikowski, AICP,	City Planner

REGULAR MEETING MINUTES

DATE: Tuesday, June 16, 2020

TIME: 7:00 p.m.

Meeting was held online. Public Access was provide by:

1. Going to <https://webex.com> and joining the meeting using the appropriate meeting number and password
2. Launching the WebEx application and joining the meeting using the appropriate meeting number and password
3. Via telephone at 1-408-418-9388 and the appropriate access code

Meeting Number/Access Code: 1295479321

Event Password: Conservation

In attendance: Commissioners Elisabeth Holder, Michael Thomas, Jane Brawerman, James Miller, Kate Miller, Bob Daniels, Barbara Schukoske, Ellen Lukens, Katharine Owens, David Bauer, and Judy Konopka. Marek Kozikowski, City Planner

A. Call to Order

The meeting was called to order at 7:09pm.

B. Accept the Agenda

A motion to move to accept the agenda made by James Miller and seconded by Katharine Owens passed unanimously.

C. Public Forum

None.

D. Approval of Minutes

1. Approval of Minutes from the February 18, 2020 Meeting

A motion to approve the minutes of the February 18, 2020 meeting made by Judy Konopka and seconded by Bob Daniels, passed 8-0 with Katharine Owens, James Miller and Kate Miller abstaining.

2. Approval of Minutes from the June 2, 2020 Meeting

A motion to approve the minutes of the June 2, 2020 meeting made by Jane Brawerman and seconded by Michael Thomas passed unanimously.

E. Request for Comment

None.

F. Officers and Committee Reports

1. Chairman's Report

i. POCD Update

Marek is seeking assistance in mapping open space parcels and the greenway corridors that will be specified in the POCD. He will set up a time with some Commissioners to help identify the properties.

If you require special accommodations for any meeting, please call the ADA Coordinator at (860) 638-4540, (voice) or (860) 638-4812 (TDD/TTY), or the Town Clerk's Office at (860) 638-4910 at least ten (10) days prior to the scheduled meeting.

Michael Thomas left the meeting at 7:31pm.

2. Trails Committee

i. Trails Work at Guida

Elisabeth Holder reported that Michael Thomas has been clearing the trails, including an old trail that can be used by emergency vehicles. He has been mapping the trails with GPS.

Kate Miller suggested organizing a volunteer cleanup day for the trails. This could be event or several small events. Marek will contact the Director of Health for input. Kate suggested maybe that the Commission could offer video education on removing invasive species.

3. Agriculture Committee

i. NEAT Urban Farm Update

No update.

ii. Farm Survey Update

Bob Daniels reported that there has been no movement. Marek offered to find a list of property owners of PA490 properties to start building a distribution list.

iii. Urban Soils Health Project

Jane Brawerman reported the results of the application will not be available until the end of June.

4. Outreach Committee

No update.

5. Open Space Management Committee-

No update.

6. Open Space Acquisition Committee

i. Pending Properties (Livingston, Country Club Rd, Chiaravallo)

No update.

ii. 2020 Acquisitions (Newfield Street, Westlake Drive, Majestic Oaks Drive, and East Street)

Marek provided an update that the owners were contact and he is in the process of hiring an appraiser.

iii. DEEP Open Space Grant

Upon a discussion by the Commission, a motion was made to establish the following guidelines for seeking grant or other funding, and/or partnerships in acquisition, for properties where feasible made by Kate Miller and seconded by Judy Konopka passed unanimously.

Feasibility will be based on:

- Funding application requirements and suitability of the property
- Timing issues
- Funding agency constraints on property use
- Cooperation of the property owner
- Opportunity to maximize match funding
- Interest by another party (e.g. land trust, another municipality) and suitability of joint ownership

A motion to pursue an application for Open Space and Watershed Land Acquisition (OSWA) Grant funding for the Majestic Oaks subdivision property made by Ellen Lukens and seconded by Jim Miller passed 10-1 with David Bauer voting against.

If you require special accommodations for any meeting, please call the ADA Coordinator at (860) 638-4540, (voice) or (860) 638-4812 (TDD/TTY), or the Town Clerk's Office at (860) 638-4910 at least ten (10) days prior to the scheduled meeting.

G. Old Business

1. Landfill Trail

Marek provided an update that the project has obtained approvals from the Inland Wetlands and Watercourses Agency and the Planning and Zoning Commission.

2. Harbor Drive Remediation & Bank Stabilization

Marek provided an update that the project has obtained approvals from the Inland Wetlands and Watercourses Agency and the Planning and Zoning Commission. The Commission discussed the process for planning for the future development of the Riverfront. The Commission was in favor of improvements to the riverfront. The Commission discussed the possibility that the City may be pursuing a consultant in these efforts.

A motion to recommend that a request for proposal (or other vehicle) for a consultant be reviewed by a Riverfront committee or by existing Commissions such as the Conservation & Agriculture Commission prior to issuance to allow for input made by Kate Miller and seconded by Jim Miller passed unanimously.

3. Timber Management and Southern Border Safety

No update.

4. Open Space Map Update

Marek is seeking assistance in mapping open space parcels and the greenway corridors that will be specified in the POCD. He will set up a time with some Commissioners to help identify the properties.

H. New Business

None

I. Member Forum

Elisabeth Holder noted that the trap rock blasting has stopped at the pierce property. The owners were notified that the stone is to be removed from the wetlands and a wetlands restoration plan needs to be developed.

Katie Miller volunteered to investigate access issue to the riverfront for water related recreational activities.

J. Adjournment

A motion to adjourn made by David Bauer and seconded by Barbara Schukoske passed unanimously. The meeting adjourned at 9:02pm.

Appendix R



OFFICE OF THE MAYOR
City of Middletown
CONNECTICUT 06457

Benjamin D. Florsheim
MAYOR

Allyson Clark
Property Agent
Department of Energy and Environmental Protection
Office of Constituent Affairs/ Land Management
79 Elm Street, 6th Floor
Hartford, CT 06106

June 30, 2020

Dear Ms. Clark,

I write to you on behalf of the City of Middletown, Connecticut and its residents in strong support of the Open Space and Watershed Land Acquisition Grant application submitted for the Majestic Oaks - Wilson Property located along South Main Street, (State Route 17). If approved, this funding will significantly help the City's efforts to protect our natural resources and expand passive recreational opportunities for Middletown residents and visitors.

This past November, 78% of the City's voters expressed their commitment to preserving open space by voting YES on a referendum approving a bond authorization of \$5 million for the acquisition of open space and farmlands in the City.

The City recognizes that protecting our open spaces and undeveloped land is critical for our health and quality of life, and believe that this particular acquisition is crucial to our long-term vision for a sustainable community.

I am proud to support this application and am grateful for your consideration. If you have any questions, please feel free to contact me at (860) 638-4801 or mayor@middletownct.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Florsheim", with a long horizontal flourish extending to the right.

Benjamin D. Florsheim
Mayor

Appendix S

Allyson Clarke
Property Agent
Department of Energy and Environmental Protection
Office of Constituent Affairs/Land Management
79 Elm Street, 6th Floor
Hartford, Connecticut 06106

June 29, 2020

Dear Ms. Clarke,

I am writing as the Chairwoman of the Middletown Commission on Conservation and Agriculture in strong support of the proposed open space purchase on the southeastern border of Middletown. This 73-acre property is located in a part of the city that will be designated as the Guida Farm Greenway in the 2020 Plan of Conservation and Development. It abuts the 99-acre Guida Conservation Area for which the Greenway is named. Together with contiguous land owned by Middlesex land trust, this purchase would create a preserve of close to 200 total acres.

This area would provide multiple passive recreational activities such as hiking, horse back riding, orienteering, birdwatching, letter boxing and cross-country skiing. The adjacent open-space parcels are used for these activities, seeing much increase in use by solitary hikers and family units during the current pandemic. The land to be purchased is hilly, with areas that are fairly steep in places, affording a good view across to Powder Ridge ski area, especially from the more open areas close to the road. Access with parking could be provided directly off route 17, just north of the Durham line. The Middletown Area Transit bus (green line) stops just half a mile north of this point.

The 2020 Middletown Plan of Conservation and Development, now in its final stages, calls for infill development of Middletown's urban core and preservation of the wilder forested areas and farmland on the outskirts. The ranking point system used to evaluate possible purchases was revised this spring to bring the process into closer alignment with these stated goals. This property was the highest ranking of all possible purchases in accordance with outdoor recreation goals, while also providing access to those who rely on public transportation.

The Guida Conservation Area just to the north has a rich diversity of birds from barred owls, ravens, sharp-shinned hawks and red-tailed hawks to veeries, cedar waxwings, woodcock, white-throated sparrows, wood thrushes and bluebirds. It is hoped that the overgrown field on the west side of the new property, along route 17, could be mowed intermittently in order to provide habitat for grassland birds and improved views of the valley looking west.

The parcel proposed for purchase provides a significant diversity of wildlife habitat from vernal pools to overgrown fields to more mature woodland with an understory of saplings and ferns. There were few invasive species in the more mature woods and many of the trees ranged from 1 – 3 feet in diameter. They included white oak, hickory, black, cherry, various maples, and white birch. A number of vernal pools have been seen during previous years. A hike in late June of 2020 revealed a small woodland pond, several damp areas with deep deer hoofprints and a wandering painted turtle. In the Guida Conservation Area there have been sightings of bobcat, fisher, coyote, deer, red fox, spotted salamanders, newts, wood frogs, peepers, box turtle, and the birds mentioned above -- all verified by amateur birders, certified biologists, or college biology professors.

The Acquisitions Committee of the Commission on Conservation and Agriculture found this parcel to be the most suitable for the current round of DEEP open space grant funding. Because of its conformity to the goals expressed in the 2020 POCD, its abutting a large current conservation parcel, and its value in providing varied wildlife habit, the Commission is strongly behind the acquisition of this land parcel.

Sincerely,

A handwritten signature in black ink that reads "Elisabeth Holder" with a long, sweeping horizontal flourish extending to the right.

Elisabeth Holder
Chairwoman
Middletown Commission on Conservation and Agriculture
29 Long Lane
Middletown, CT 06457

Appendix T

Plan of Conservation and Development



Middletown Planning and Zoning Commission

Prepared by
Department of Planning, Conservation and Development
City of Middletown

Section I

Public Hearing July 9th, 2008

Approved July 9th, 2008

Section II

Public Hearings September 24, 2008, October 8th, 2008,
November 12, 2008, January 14th, 2009

Approved March 10th, 2010

Guiding Principles

Public Hearing April 28th and May 12th, 2010

Approved May 12th, 2010

GUIDING PRINCIPLES

ENVIRONMENT

- Preserve open space, farmland, and critical environmental areas and connect them to one another.
- Acquire open space
- Protect our natural resources, our green infrastructure.
- Encourage sustainable development.
- Implement low-impact development standards (reducing area of impervious surface, rural road standards, etc).

ECONOMIC DEVELOPMENT

- Increase the commercial tax base by attracting light industry, retail, office, entertainment.
- Build upon educational institutions and encourage their partnerships with industry.
- Expand and build upon the medical sector as a regional draw.
- Offer incentives for recycling brownfields and rehabbing historic structures.
- Reinforce downtown as our economic and cultural center.

TRANSPORTATION

- Create walkable neighborhoods.
- Encourage biking, walking, bus use by investing in sidewalks, road connections, bike paths, street trees, etc.
- Increase rail freight by investing in rail infrastructure.
- Locate jobs near housing, transit and services.
- Connect to our regional neighbors.

DEVELOPMENT

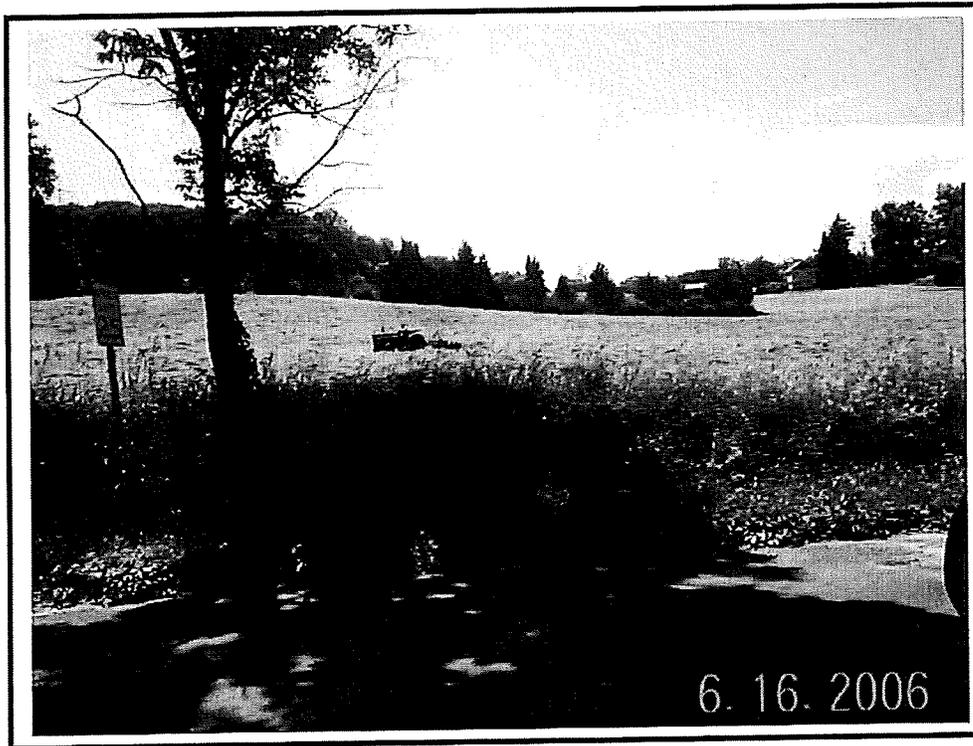
- Mix uses to ensure neighborhood vitality: civic, commercial, residential, recreation.
- Encourage compact development.
- Recycle existing degraded land before developing greenfields.
- Concentrate development along major transportation corridors.
- Create a range of housing choices.
- Limit development to areas already services by sewer and city water.

URBAN DESIGN

- Protect the unique character of our neighborhoods and improve the quality of development by adopting form-based design standards.
- Encourage compact building design

Figure 4.1 is the Current Land Use Map for Middletown.

Over 56% of the City's land area remains undeveloped. Figure 4.2 below is a photograph of undeveloped land in the city.



Guida Farm – Kelsey Street

While 15,315 acres remains undeveloped, there are both legal and physical constraints on some of this land, which will deter or prevent future development.

Figure 4.3 displays the developed land and those areas classified as open space, inland wetlands, and 100 year-flood plain. These areas are undevelopable.

Existing Open Space

Open space areas in Middletown are owned by the City, State, or by private conservation organizations. Below, Table 4.2 divides the open space areas of Middletown into publicly owned, privately owned, and park areas. As can be noted, Middletown pursued open space acquisition very aggressively in the 1990's.

Figure 4.4 is a map that shows the existing open spaces in Middletown as of 2003.

Connecticut's Goal of Open Space Acquisition:

Connecticut's goal is to acquire 21 percent of the state's land area for open space, according to an amendment to Public Act 99-235. In order to achieve 21 percent open space, the state sets annual targets. The state's goal in the years 2000 and 2001 was to acquire 4,000 acres each year while increasing to 5,000 acres in 2002.

In order to assist municipal funding of open space acquisitions, a fund called the Charter Oak Open Space Trust Account was created by the state. Middletown has taken full advantage of state matching funds. State funding provided \$1,160,108 to Middletown for the acquisition of eight parcels, comprising 335 acres. These acquisitions were all consistent with the Open Space Plan found in the 1990 Plan of Conservation and Development.

City Open Space Plan of 1993:

Since 1991, both the City and land conservation organizations have acquired a number of open space parcels. In 1990, City residents approved a referendum to create a \$5 million Open Space Trust Fund. Again in 2003, City residents approved an additional \$3 million to replenish the fund. This funding was recommended during the preparation of the 1990 Plan of Conservation and Development and identified as a high priority in the 1989 and the 1999 Survey of Citizens. In 1993, the current Open Space Plan was adopted. The ideas behind this plan were to create a corridor system of interconnected open space connecting areas of forests, brooks, steep slopes, and wetlands. The plan also concentrates on avoiding the acquisition of individual unconnected properties not characterized by unique features. The total number of acres proposed in the Open Space Plan is 9,441 acres, 35 percent of the City. As displayed approximately 4,000 acres out of the 9,441 acres have been permanently preserved. This accounts for 42 percent of the total acres displayed on the Open Space Plan.

Zoning

The city has twenty-eight different zoning classifications. The bulk of these are residential, followed by industrial and then business. Industrial zones line the railroad tracks and portions of I-91 and Route 9. Zones for commercial enterprises lie along the major arterials into town as well as the central business district. Residential and mixed zones make up most of the rest of the land within the city. Table 4.4 shows the zoning classifications and acreages dedicated to each zone. The table indicates that fully 72% of the land in town is zoned residential; 16% industrial; and less than 2% is zone for commercial uses.

2000 Land Use
 City of Middletown
 Plan of Conservation and Development
 Summer 2007

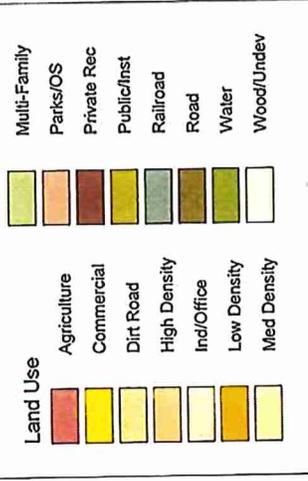
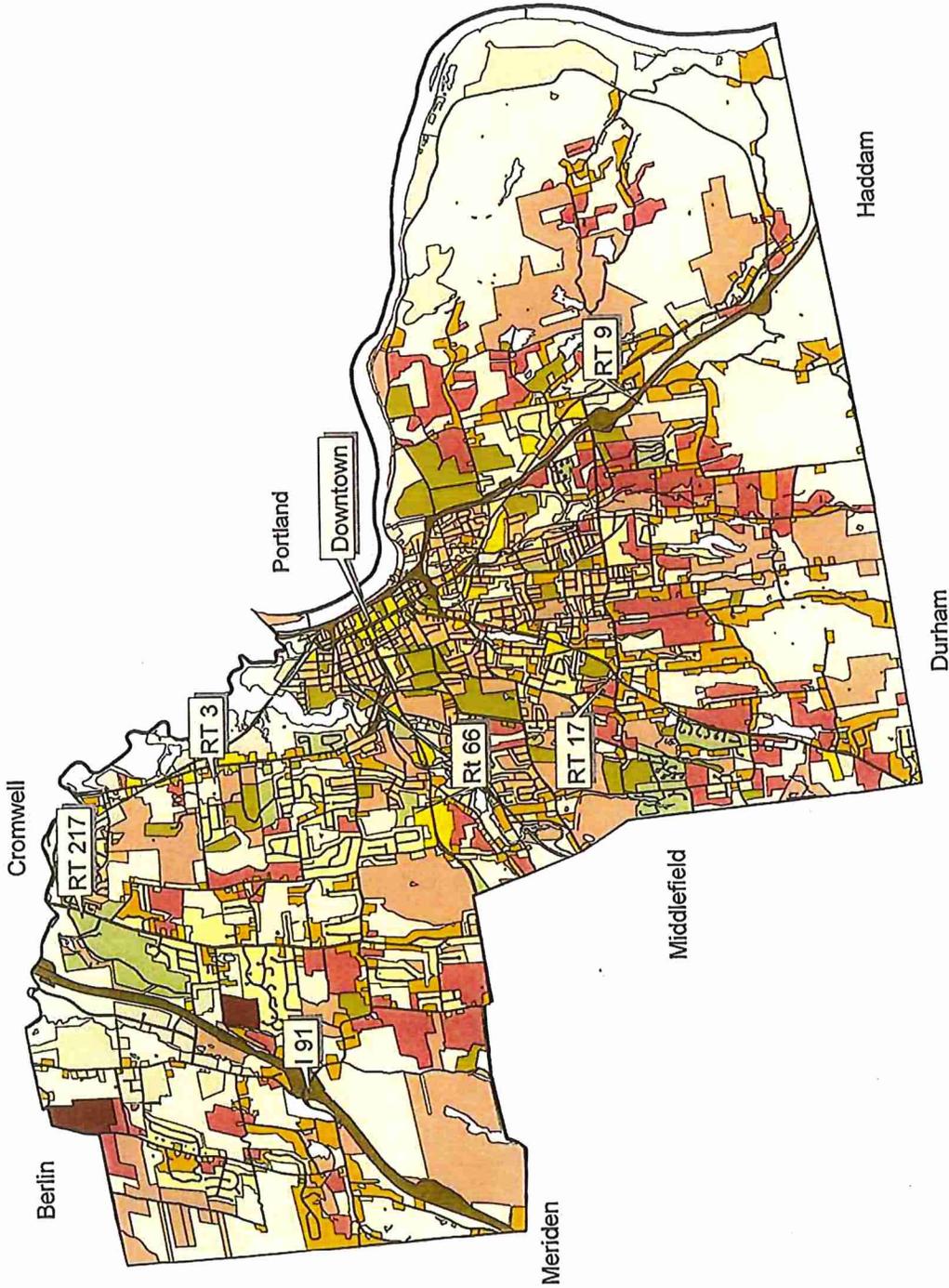


Figure 4.1



Constraints on Development
 City of Middletown
 Plan of Conservation and Development
 Summer 2007

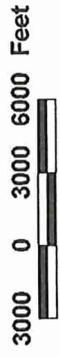
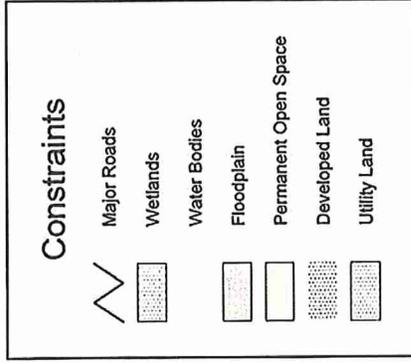
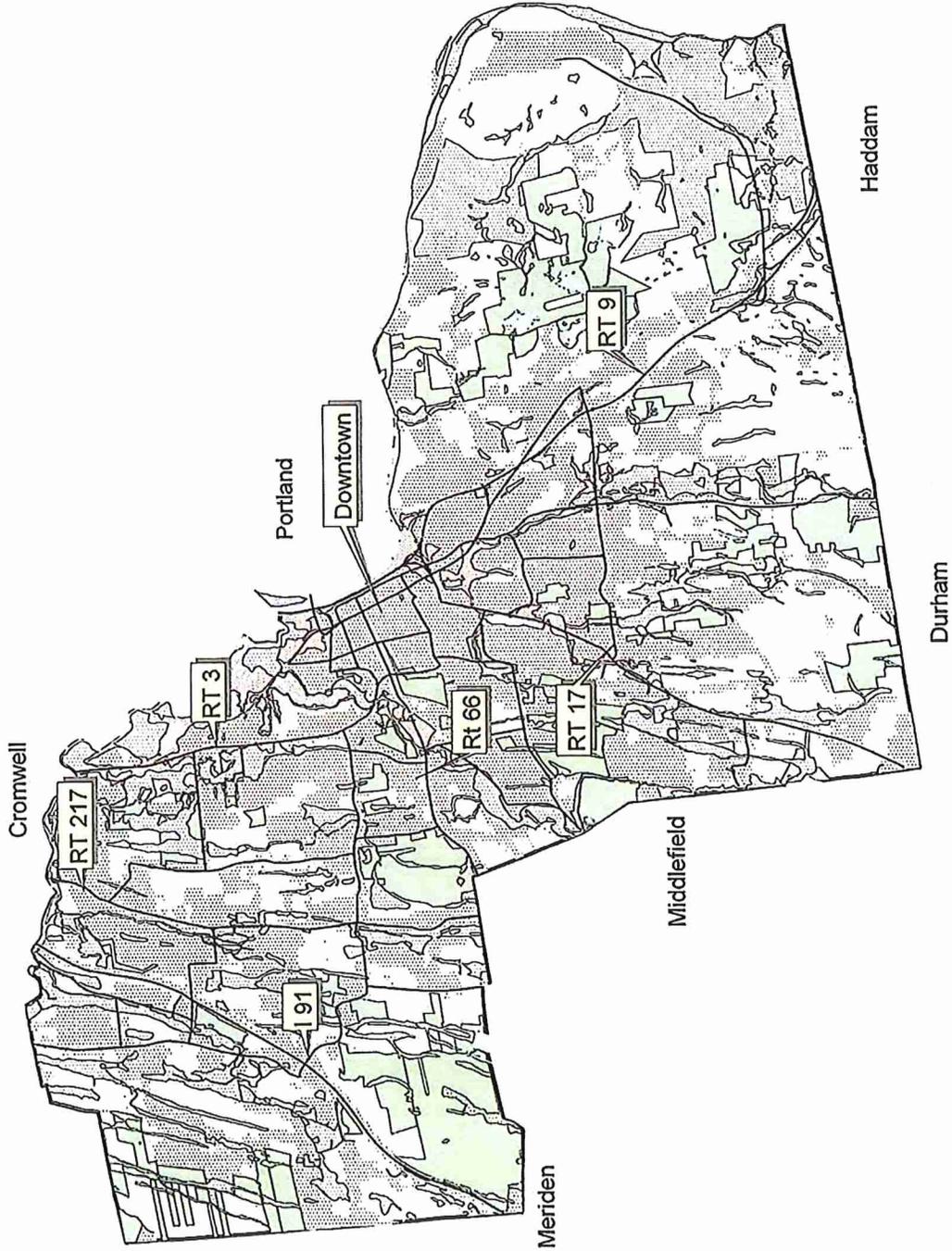


Figure 4.3

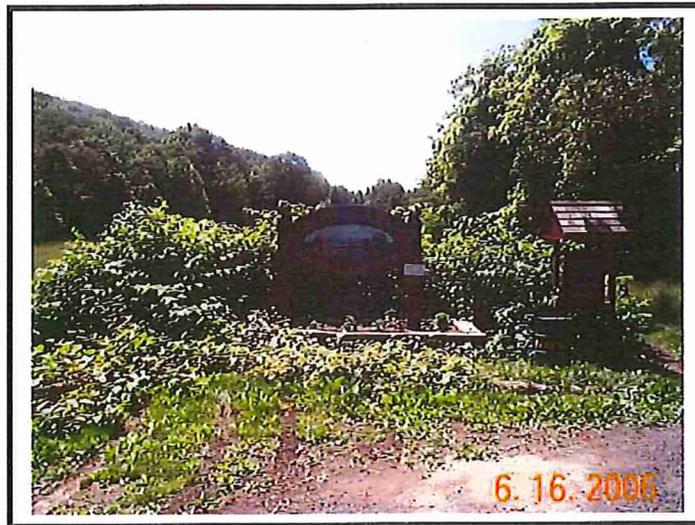


CHAPTER 7

Protecting Natural Resources and Preserving Rural Character

The best way to protect critical natural resources is to acquire the land as open space. The current Plan of Conservation and Development discusses the natural resources that make Middletown unique. The plan includes an open space plan, which identifies proposed open space corridors. Open space acquisition efforts over the past 15 years have focused on acquiring these unique natural resources within these identified corridors. Figure 7.1 is the City's official open space plan.

In 1990 the City owned 967 acres of parks and open space. This represented 3.5 % of the city's total land area. As a result of recommendations encompassed in the 1990 Plan of Development, the City acquired 1,317 acres of land as permanent city-owned open space between 1990 and 2006. The City's aggressive open space policies have resulted in 2,284 acres of publicly owned parks and open space. An additional 851 acres were donated to land trusts and homeowners associations. The City's investment of \$8 million in bond funds leveraged millions in State funds and private donations resulting in a 224 % increase in the amount open space in the City of Middletown. Figure 7.2 displays the open space acquisitions since 1990.



Guida Conservation Area

The University of Connecticut studied the increase in developed land for all Connecticut towns from 1985 to 2002. The study revealed that in 1985, 21.8 % of Middletown's land was developed. The article stated that the figure increased to 25.2 % developed land in 2002. This translates into 885 acres being developed during the 17-year period from 1985 to 2002.

Middletown has established itself as one of the leaders in open space preservation in Connecticut. Middletown has permanently preserved 2,186 acres of land from 1990 to 2006. The amount of permanently preserved open space (2,186 acres) was more than twice the increase in developed land during similar periods of time!

For the past 16 years, the City focused on land acquisition to accomplish both environmental protection and growth control. As shown on Figure 7.3, these open spaces are scattered throughout the community and there is a large (>50 acres) undeveloped and publicly accessible open space area within one mile of every home in Middletown!

Table 7.1 Protected Land Status as of 2007

Total Permanently Protected Open Space	3,134 acres
Inland Wetlands	<u>2,933 acres</u>
Total	6,067 acres

Percentage of land in town classified as Open Space/Wetlands 22%.

****Does not include schools, Wesleyan / Long Lane
Utility land, CVH watershed land.**

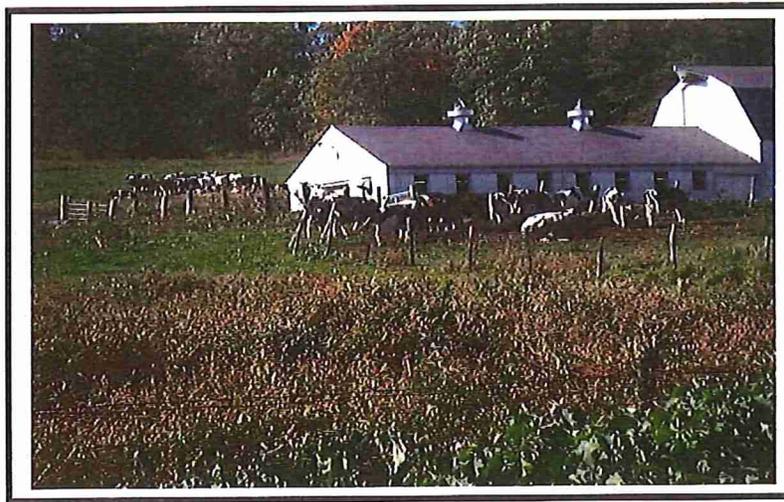
A.) Preserving Rural Character

While there has been significant investment in open space in the last 16 years, the vast majority of the properties purchased have been woodlands. As the Commission reviewed each area of town, it became apparent that there are farms and "farm corridors" which face significant development pressure. These prime agricultural soils, with gentle slopes and well-drained soils, are also ideal for development. Figure 7.4 displays those farms taking advantage of the State's Chapter 490 preferential tax program.

Understanding that Middletown's farm corridors contribute greatly to the City's diversity, the City should begin a dialogue with local farmers to better understand their current situation and their willingness to sell the development rights. The City has received a Farm Viability Grant from the State Department of Agriculture to begin that dialogue and develop a comprehensive farmland preservation strategy.

The acquisition of development rights is certainly the best way to preserve working farms. In this way, farmers can continue to own and farm their properties and the City can be assured the farms are permanently protected. Once the farm viability study is complete, the City should pursue a referendum authorizing the issuance of bonds for farmland preservation. The State of Connecticut is also very interested in farmland preservation. The State program can be used to leverage additional funding. The Department of Environmental Protection's

program provides a 65% matching grant for the purchase of open space or development rights.



Higgins Farm

Middletown benefits from its rural character and therefore needs to retain it. The rural areas of Middletown are threatened by suburban development. Farmers have an absolute right to develop their land in accordance with underlying zoning, and there is no fiscally responsible way that Middletown could preserve all of these areas.

However, we recognize the value that farms and farmland contribute to the quality of life in a community. Some of the values of farmland preservation result in open space, watershed protection, the reduced burden on town services as compared to residential development, the availability of locally grown products, agri-tourism, the educational component of having farms intermingled in an urban environment.

As rural areas are developed, it is absolutely essential that the development be in harmony with the existing rural landscape. Middletown's existing regulations are a recipe for suburban development. Wide roads, with 110-foot diameter cul-de-sacs, complete drainage systems, concrete sidewalks, street lights and concrete curbs do not help preserve rural character. It is well accepted that wide roads and suburban type developments:

- Increase vehicular speed and the amount of impervious area;
- Decrease infiltration into the groundwater which cleanses the runoff;
- Directly inject urban pollutants, oils, gas, litter and pet waste directly into nearby water bodies;
- Increase the costs associated with land development and decrease housing affordability;
- Require elaborate drainage systems, including large detention ponds;
- Are often out of character with surroundings; and
- Unnecessarily increase maintenance costs for snow plowing, streetlights

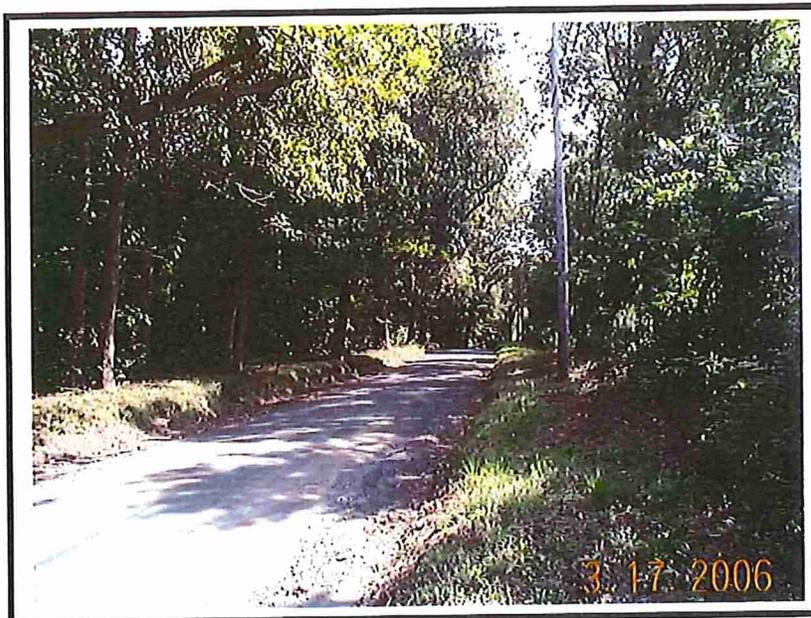
and repaving.

In areas of low-density, developing such road designs do not make sense environmentally or economically. It makes no sense to require 200 feet of paved road, concrete curbs and concrete sidewalks along every lot in the city's rural and undeveloped areas. This is true particularly when new roads come off of 18 to 20 foot existing roads with no sidewalks, curbs or drainage systems.

Existing Collector Roads

Atkins Street. – 18 to 20 feet
Ballfall Road – 20 feet
East Street - 22 feet
Margarite Road – 18 feet
Arbutus Street – 18 to 20 feet
Maromas Road – 18 to 20 feet
Bear Hill Road – 18 feet

A rural road standard with narrower, curbless roads with drainage swales along the side, which also encourages the preservation of stone walls, and the placement of homes into the tree lines rather than in the middle of fields will go a long way towards preserving rural character. A rural road standard would also reduce the amount of impervious area; slow traffic; increase infiltration into the groundwater; require urban pollutants, oils, gas, litter, pet waste to be filtered through the grass and soil before reaching nearby water bodies; require a relatively simple drainage systems, eliminating the reliance on unsightly detention ponds with standing water and mosquito concerns; and it will greatly reduce maintenance costs which will save taxpayers money.



A rural road in Maromas

Because of Middletown's diverse landscape, Middletown needs two (2) sets of development regulations: the existing suburban-style subdivision regulations for the RPZ, and R-15 zones, and in the R-30, R-45 and R-60 zones, a new rural subdivision regulation.

It is a common misconception that larger lots will preserve rural character. This plan does not advocate an increase in minimum lot size. It is well accepted that larger lots result in a less efficient pattern of development, including a greater fragmentation of the landscape, a requirement for more road frontage and longer runs of utility lines. To avoid the negative effects of large lot development, this plan strongly advocates for regulations which provide for a higher density more appropriate pattern of development, which at the same time preserves more land as open space.

Regulations need to be developed which allow the type of development that will preserve the City's rural character. It is important that the development using the rural design standards be an outright permitted use in rural areas. This will send a strong message to the development community by promoting the desired pattern of development and discouraging the standard cookie cutter type subdivision.

B.) Protecting Water Quality

The city currently has strong regulations to protect its public drinking water supplies as discussed in the 1990 Plan of Conservation and Development (POCD).

There is now a need to provide further protection for all its water resources, beyond those which serve as a source of public drinking water.

Since the adoption of the 1990 POCD, the elimination of non point source pollution (NPSP) has become a significant issue.

NPSP is the runoff from impervious surfaces, such as roads and parking lots, into adjacent wetlands and water bodies. For Middletown, the most notable of these are the Connecticut River, the Coginchaug River, the Mattabasset River, Sumner Brook and their associated wetlands and tributaries.

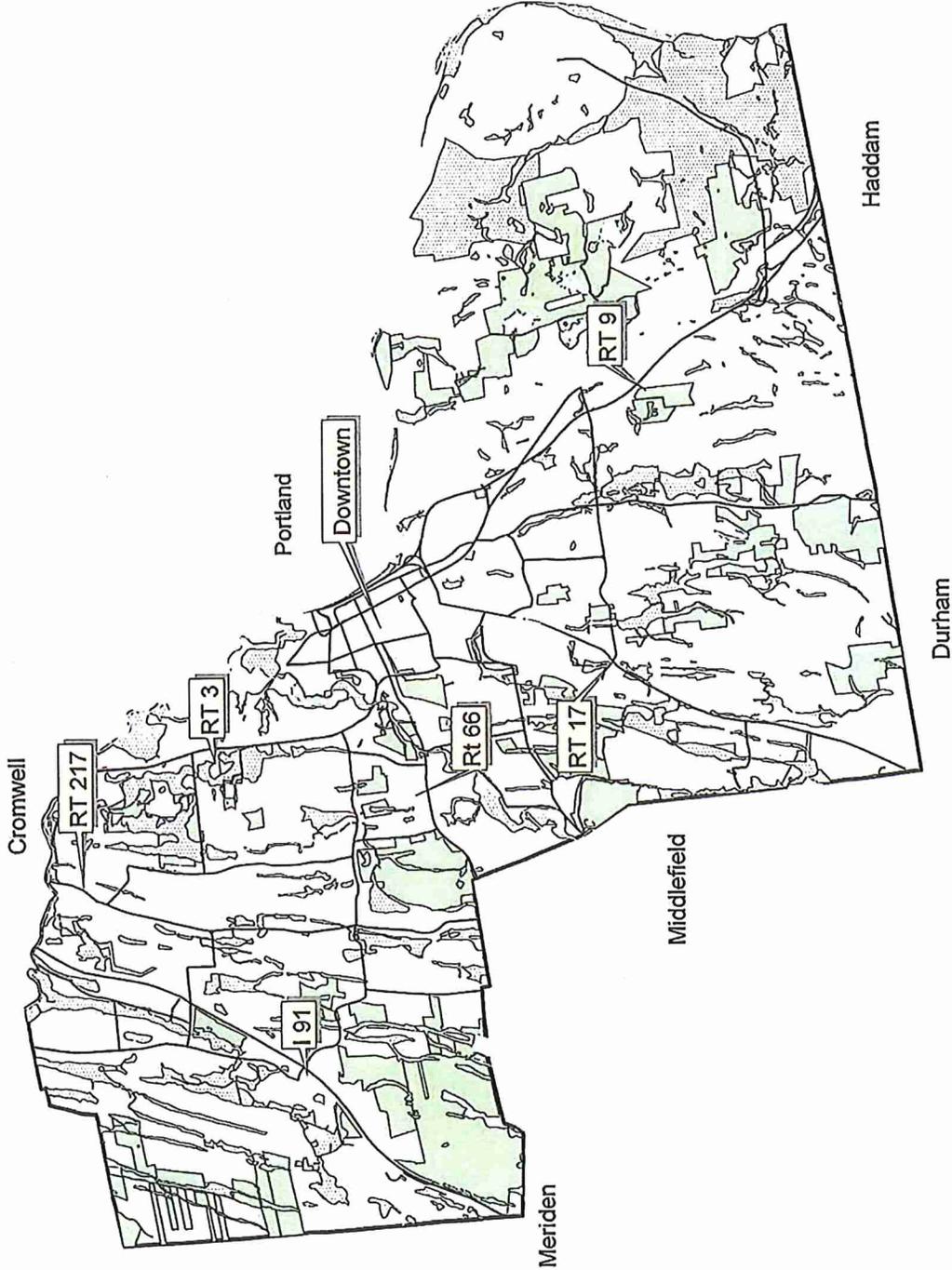
The goal is to reduce the amount of harmful nutrients, road salt and sand, construction sediment, organic matter, pesticides and other pollutants that reach the water bodies and harm aquatic life or make the watercourse unsuitable for recreation.

The Inland Wetlands and Watercourses Agency (IWWA) has put a great deal of focus on storm water quality when reviewing development applications. These diligent reviews should continue and should be focused on requiring best management practices to protect the water resources, including but not limited to bio-filters, grass swales and detention ponds with plant uptake in a treatment

Existing City Open Space
 City of Middletown
 Plan of Conservation and Development
 Summer 2007



Figure 4.4



Chapter 490 Farms
 City of Middletown
 Plan of Conservation and Development
 Summer 2007

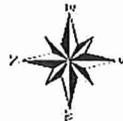
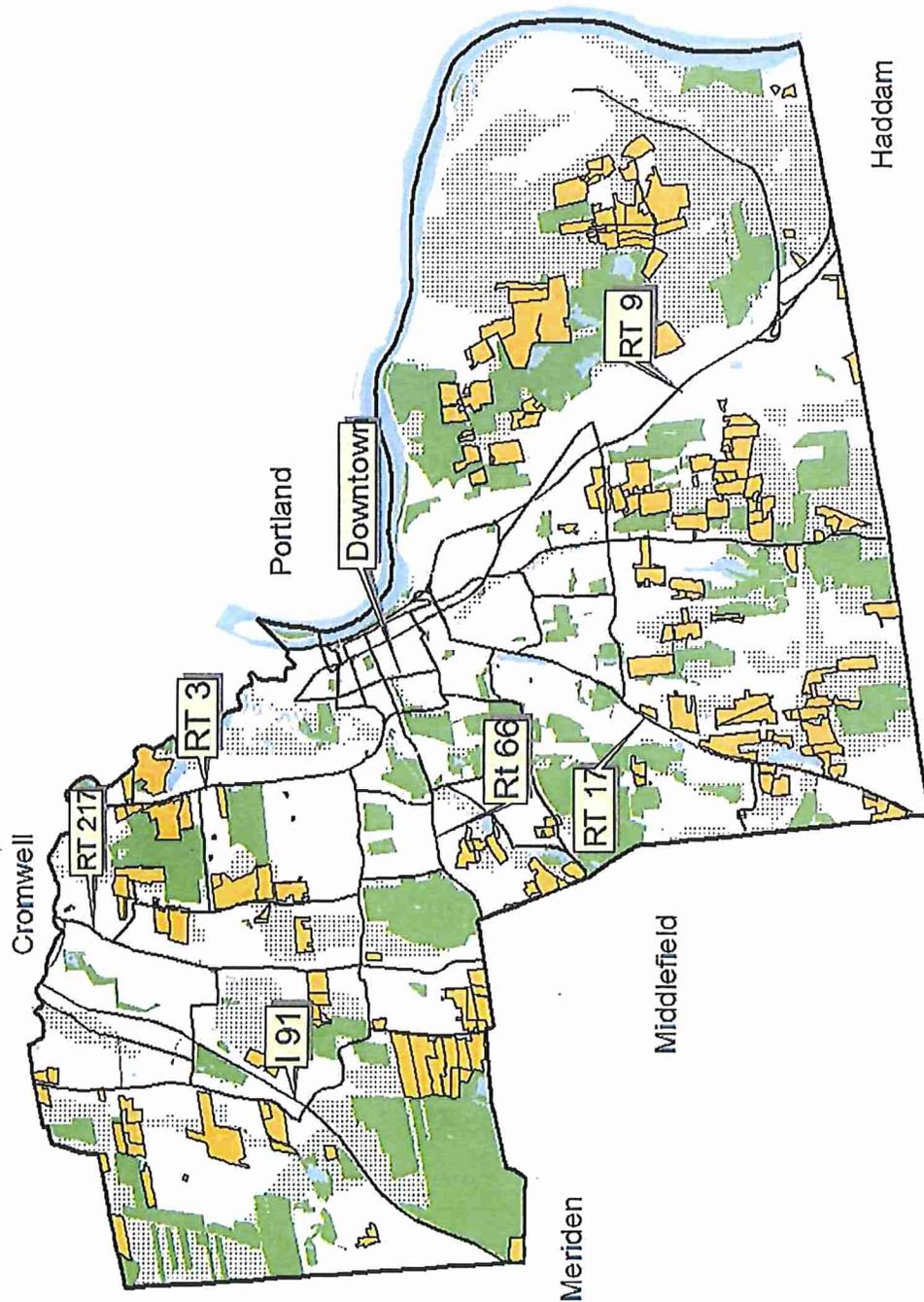


Figure 7.4



Appendix U

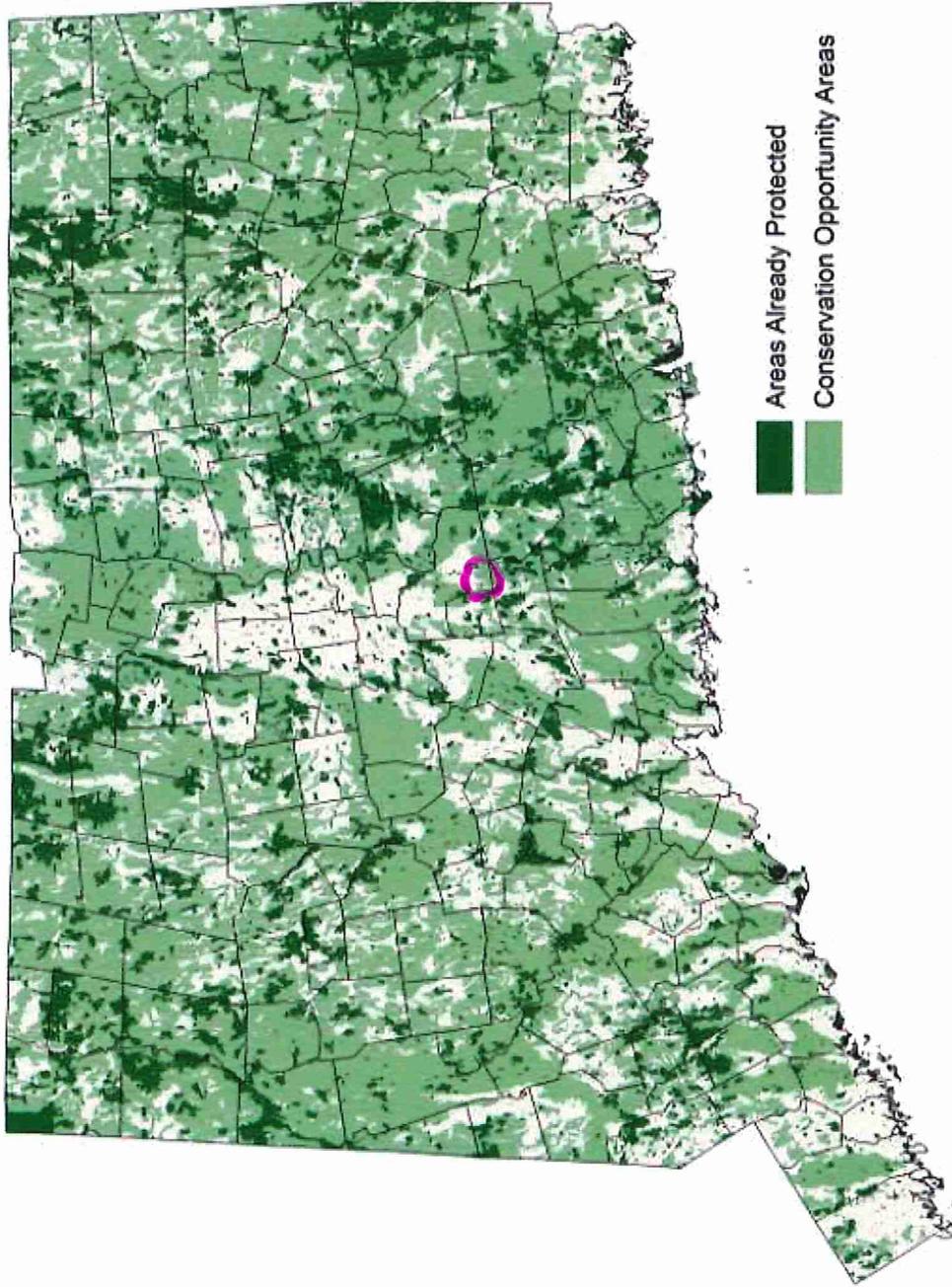


FIGURE 4.1: COMPOSITE CONSERVATION OPPORTUNITY AREAS MAP DEPICTING AREAS OF SIGNIFICANT VALUE TO CONNECTICUT GCN SPECIES.

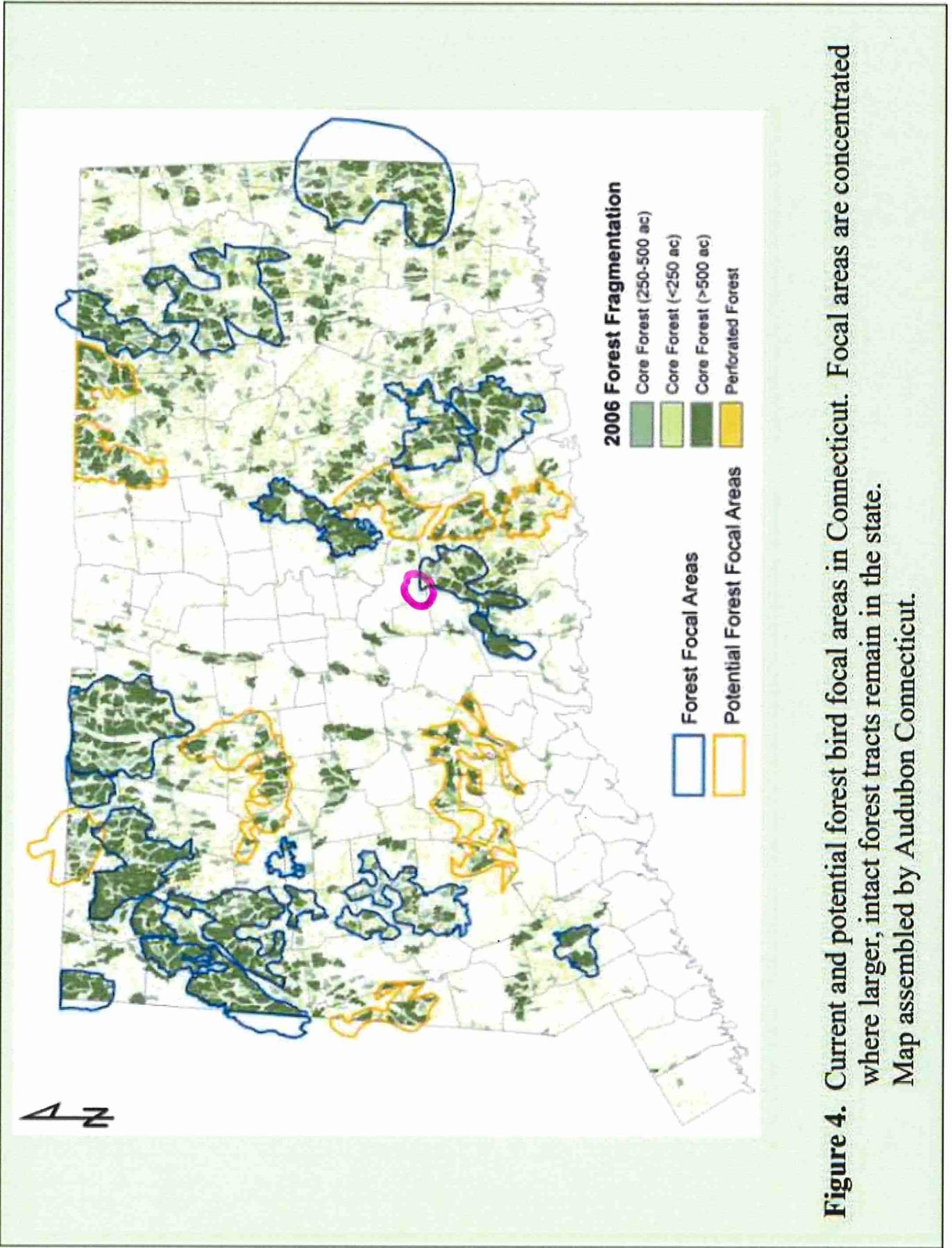


Figure 4. Current and potential forest bird focal areas in Connecticut. Focal areas are concentrated where larger, intact forest tracts remain in the state. Map assembled by Audubon Connecticut.

Appendix W

ORDINANCE NO: 07-19

AN ORDINANCE APPROPRIATING \$5,000,000 FOR THE ACQUISITION OF LAND AND INTERESTS THEREIN TO PRESERVE OPEN SPACE AND FARM LANDS IN THE CITY OF MIDDLETOWN AND AUTHORIZING THE ISSUE OF \$5,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

Section 1. The sum of \$5,000,000 is appropriated for (i) the purchase of real property, interests or rights therein, including easements, rights of way, development rights or other interests or rights therein for conservation purposes, preservation of open spaces, farm land, and the purposes described in Section 7-131b(a) of the Connecticut General Statutes, (ii) improvements to any open spaces and farm land in the City, including, but not limited to, signage, parking lots, bridges, bog walks, and other structures, and (iii) administrative, printing, legal and financing costs related thereto (collectively, the "Project"). Any real property purchased pursuant to this ordinance - or in the case of the purchase of an interest or right in real property pursuant to this ordinance, then the underlying real property - shall be designated as proposed open space preservation or conservation purposes on the City of Middletown open space plan in the Plan of Conservation and Development as adopted by the Planning and Zoning Commission. Upon the recommendation of the Commission on Conservation and Agriculture up to \$250,000 of such appropriation may be used for ecological preservation and agricultural uses.

Section 2. The expected useful life of the project is twenty years. The total estimated cost of the project is \$5,000,000 all of which is expected to be paid from the proposed bond financing. The portion of the cost of land or interests therein defrayed by State or federal grants or other sources shall not be considered part of the Project, it being the intent of this ordinance that the City shall expend \$5,000,000 in addition to any grant or other funding.

Section 3. To meet said appropriation \$5,000,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the cost of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. The bonds shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and

other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Any bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation, the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. The notes shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of such authority shall be specifically approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness

of the City to exceed any debt limit calculated in accordance with law as shown by the “Debt Statement” attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid aggregate appropriation for the Project for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer, the Director of Finance and any other proper City official are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the “Regulations”), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall take effect when the same shall have been approved by a majority of those voting thereon at a referendum called and warned for such purpose. The date and other particulars of such referendum shall be determined by resolution of the Common Council. In the event that this ordinance shall not be approved at such referendum, it shall be null and void and of no effect.

SEE ATTACHED DEBT LIMITATION SCHEDULE

DEBT STATEMENT
June 30, 2019
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")		
Fiscal Year Ended June 30, 2018		128,915,921
BORROWING CAPACITY FOR EACH CLASS		
2-1/4 times base for General Purposes		322,289,803
4-1/2 times base for Schools		580,121,645
3-3/4 times base for Sewers		483,434,704
3-1/4 times base for Urban Renewal		418,976,743
3 times base for Unfunded Past Benefit Obligations		386,747,763
MAXIMUM AGGREGATE BORROWING CAPACITY		
7 times Base		902,411,447
INDEBTEDNESS BONDS AND NOTES:		
GENERAL PURPOSES	77,824,515	
SCHOOLS	5,353,460	
SEWERS	3,913,665	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT OBLIGATIONS	-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED:		
GENERAL PURPOSES	47,299,752	
SCHOOLS	35,553,470	
SEWERS	11,904,216	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT OBLIGATIONS	-	
CLEAN WATER FUND LOANS:		
SEWERS	15,805,915	
SUB-TOTAL INDEBTEDNESS	197,654,993	
LESS		
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES		
GENERAL PURPOSE	-	
SCHOOLS	49,291,605	
SEWERS	-	
URBAN RENEWAL	-	
TOTAL DEDUCTIONS	49,291,605	
NET INDEBTEDNESS		148,363,388
TOTAL DEDUCTIONS		
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:		
GENERAL PURPOSE	197,165,536	
SCHOOLS	588,506,320	
SEWERS	451,810,908	
URBAN RENEWAL	418,976,743	
UNFUNDED PAST BENEFIT OBLIGATIONS	386,747,763	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE		754,048,059

Approved by: Finance & Government Commission on July 31, 2019

Status: APPROVED
by Common Council, City of Middletown
at its meetings held on AUGUST 5, 2019

K: review / ordinance/ open space bond \$5M – ORD 7-19 – 5 Aug 2019

CITY OF MIDDLETOWN, CT
Expenditure Summary w/WIP

Fiscal Year: 2020 to 2020

Account Number and Description	Appropriations	Transfers and Supplementals	Encumbrances	Expenditures	In-Progress Transactions	Remaining Balance	% Used
91200 BOND ISSUE							
4125-14000-91200-0000-2020-000 OPEN SPACE & FARM LA	.00	4,950,000.00	.00	90,906.00	.00	4,859,094.00	1.84
Total 91200 BOND ISSUE	.00	4,950,000.00	.00	90,906.00	.00	4,859,094.00	1.84
91300 BONDING & LEGAL FEES							
4125-14000-91300-0000-2020-000 BONDING & LEGAL FEES	.00	50,000.00	.00	2,491.49	.00	47,508.51	4.98
Total 91300 BONDING & LEGAL FEES	.00	50,000.00	.00	2,491.49	.00	47,508.51	4.98
Accounts : 2	.00	5,000,000.00	.00	93,397.49	.00	4,906,602.51	1.87
**** Grand Total ****							

==== Selection Legend =====

Account Type: E
FY: 2020 to 2020
Fund: 4125 to 4125
Account Sub Type: CP

Appendix X

Kozikowski, Marek

From: Clarke, Allyson <Allyson.Clarke@ct.gov>
Sent: Monday, June 29, 2020 11:16 AM
To: Kozikowski, Marek
Subject: FW: emails are below-Holder,Kozikowski,Lukens

Marek,

Trying/sending again, came back "addressed wrong".

Allyson

From: Clarke, Allyson
Sent: Monday, June 29, 2020 11:08 AM
To: 'elukens@wesleyan.edu' <elukens@wesleyan.edu>; 'eholder007@gmail.com' <eholder007@gmail.com>; 'Merek.Kozikowski@middletownct.gov' <Merek.Kozikowski@middletownct.gov>
Subject: RE: emails are below-Holder,Kozikowski,Lukens

Ellen et al,

Per your request, a list of Middletown awarded grants follows. There were three that did not close for one reason or another (with zeros). We need a picture of each property with (1) the DEEP funding acknowledgement and public access sign, (2) the parking area or roadway parking, and (3) the a public access trail (if only the development rights were purchased).

24	Middletown	Middletown	Sumner Brook Watershed
99	Middletown	Middletown	Mount Higby Preservation
152	Middletown	Middletown	Lamentation Mtn./Metacomet R
220	Middletown	Middletown	Wilcox Prop. Lamentation Mtn.
285	Middletown	Middletown	Graves Farm
299	Middletown	Middletown	Guida Farm Exp.
301	Middletown	Middletown	Daniels Farm
375	Middletown	Middletown	Hubbard Property
377	Middletown	Middletown	Brock Farm Easement
422	Middletown	Middletown	Jablonski Subdivision
480	Middletown	Middletown	Pierce Property
79	Middletown	Middletown	Peterson Oil Property
80	Middletown	Middletown	Lamantation Mtn. Preserve
230	Middletown	Middletown	Wesleyan Property
581	Middletown	Berlin Land Trust	Lamentation Mountain

Per my discussion with Ellen, I will give you one extra week to put this together since I've been on vacation and did not respond to her voicemail in a timely manner.

Regards,

Allyson L. Clarke, Property Agent

State of CT Department of Energy and Environmental Protection
Constituent Affairs and Land Management Division
79 Elm Street, 6th Floor
Hartford, CT 06106-5127
P: 860.424.3774 F: 860.418.5906
Allyson.clarke@ct.gov



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

www.ct.gov/deep

*Conserving, improving and protecting our natural resources and environment;
Ensuring a clean, affordable, reliable, and sustainable energy supply.*

[PROGRAM/UNIT/OFFICE WEB SITE ADDRESS – OPTIONAL]

-----Original Message-----

From: Ellen Lukens <elukens@wesleyan.edu>
Sent: Monday, June 29, 2020 11:00 AM
To: Clarke, Allyson <Allyson.Clarke@ct.gov>
Subject: emails are below-Holder,Kozikowski,Lukens

----- Original Message -----

"elisabeth holder" <eholder007@gmail.com>
"Marek Kozikowski" <Marek.Kozikowski@middletownct.gov>

"Ellen Lukens" <elukens@wesleyan.edu>
Thanks > "