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REESE, HIRSCH & SHOULTS, LLC

ATTORNEYS AT LAW

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NEW CANAAN OFFICE
51 LOCUST AVENUE
NEW CANAAN, CT 06840
(203) 966-1618

September 12, 2006

VIA HAND DELIVERY

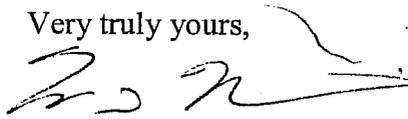
Mark D. Boughton, Mayor
Office of the Mayor
155 Deer Hill Avenue
Danbury, CT 06810

RE: EXECUTIVE AIR PROPERTIES, LLC - \pm 2.21 acres on Miry Brook Road,
Danbury, CT 06810

Dear Mayor Boughton:

Please be advised that Executive Air Properties, LLC has received a bona fide third party offer in the amount of \$1,750,000.00 for the purchase of the +/-2.21 acres situated on Miry Brook Road, Danbury, Connecticut (a copy of the property description is attached hereto as Schedule A). Notice is hereby given to the City of Danbury that it shall have thirty (30) days from the date hereof to exercise its right of first refusal with respect to said property. Should the City of Danbury wish to exercise said right of first refusal, please have someone contact the undersigned.

Very truly yours,



William A. Harrison

WAH:dll

Enclosure

cc: Common Council of the City of Danbury (via hand delivery)

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon situated in the Town of Danbury, County of Fairfield and State of Connecticut, on Miry Brook Road, containing 2.21 acres, more or less, and bounded and described as follows:

COMMENCING at a point on the northeasterly side of Miry Brook Road, which point is 539.83 feet northwesterly measured along the northeasterly side of Miry Brook Road from a monument set in the northwesterly corner of land now or formerly of Emma K. Quackenbush; thence running North 35° 25' 50" West 130.69 feet; thence North 8° 48' 30" West 143.69 feet; thence North 50° 50' 20" West 126.03 feet; thence North 22° 14' West 107 feet; thence North 63° 02' East 122.64 feet; thence South 46° 22' 40" East 477.79 feet; thence South 45° 57' 05" West 263.03 feet to point or place of beginning.

Said premises are shown and designated on a certain map entitled, "Map Showing Proposed Property Lines Of The Connecticut Development Credit Corporation And The Town of Danbury Danbury Airport Miry Brook Road Danbury, Connecticut Scale 1" = 80' April 20, 1955" which map is on file in the office of the Town Clerk of Danbury as Map Number 1841.

TOGETHER WITH the right, in common with others, to use a strip of land 50 feet in width and 250 feet in length on the southwesterly line adjoining said above described premises on the northeast, being a "taxi strip" for the purpose of taxiing airplanes to and from Danbury Airport. Said strip of land is described as follows: Beginning at a point marking the northeasterly corner of the above described premises, thence running South 46° 22' 40" East 250 feet; thence turning and running at a right angle to said course in a northeasterly direction 50 feet; thence running North 46° 22' 40" West to a point marking the prolongation northeasterly of the northwesterly line of the above described premises; thence South 83° 2' West to the point or place of beginning.

TOGETHER WITH all rights and appurtenances to said premises as more fully set forth in Volume 218, Page 107; Vol. 225, Page 23 of said Danbury Land Records.

TOGETHER WITH the right to cross and recross other land of the City of Danbury lying northwesterly of the parcel first described above and also of the taxi strip hereinbefore described to obtain access to Danbury Municipal Airport.

The Grantor hereby grants to the Grantee, its successors and assigns, as a covenant running with the land the right to have access to and use of the runways, landing strips and taxi strips at the Danbury Municipal Airport, in common with others, PROVIDED HOWEVER, that such use shall always remain subject to the same rules, regulations, restrictions, and operation controls governing aircraft operations generally in the use of said airport.

Schedule A - Continued)

Said premises are subject to:

1. Real estate taxes of the City of Danbury hereafter becoming due and payable.
2. Laws and ordinances of the City of Danbury.
3. Easement from Continental, Incorporated to Danbury and Beth Gas and Electric Light Company dated April 5, 1946 and recorded in Volume 222 at Page 269 of the Danbury Land Records.
4. Agreement as set forth in deed from The Connecticut Development Credit Corporation to The Colin Campbell Realty Company, Incorporated dated May 6, 1955 and recorded in Volume 296, Page 493 of said Land Records.
5. Encroachments



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CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

(203) 797-4518
(203) 796-8043 FAX

PLEASE REPLY TO:

September 25, 2006

Hon. Mayor Mark D. Boughton
Hon. Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Request to Sell Private Property on Miry Brook Road
Executive Air Properties, LLC

Dear Mayor and Council:

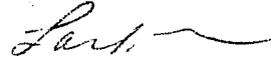
This office was contacted by counsel for Executive Air Properties, LLC, present owners of a 2.2 acre parcel of property immediately adjacent to the Danbury Airport, at 49 Miry Brook Road. These owners are seeking to sell this property to Coanicut Aviation, LLC (current tenants of the adjacent Falcon Hangar facility) in the very near future. Although there has been little time to conduct either a title search or a full review of the background of this property, it appears, from information provided by the applicant, that this property was originally owned by the Town of Danbury, and sold, in 1945 to a predecessor owner of the proposed seller. In the deed of sale from 1945, the Town retained two rights. The first was that, in the event nothing was built on the site (it was apparently bare land in 1945) within two (2) years of sale, the Town would have the right to buy it back at the same price it had sold it (\$3750.) This right is no longer relevant. The **second**, and more relevant right retained by the Town was that, in the event of a later sale at any future time to a private party, the Town (now City) would have a right of first refusal to purchase this property at the same price as established for the proposed (private) sale.

You should know that neither the Airport Administrator nor the Aviation Commission has indicated an interest in this property, as it is property off the actual Airport property (although it appears to have some access right to the Field). However, and as indicated above, there has been little time to have either the Planning Department or Commission or others review in any detail, the need for this property or the value of owning it.

You should also know that the petitioners are seeking to consummate this transaction shortly, and have asked for an expedited response. If you decide to consider this right of first refusal, it is suggested that you obtain a report from Planning, together with such other individuals or departments, as you deem appropriate. If you do not consider it further, the window to exercise the right will expire and the sale will likely proceed.

Please contact us in the event more information is desired.

Very truly yours,

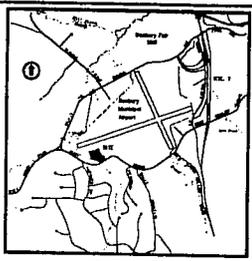
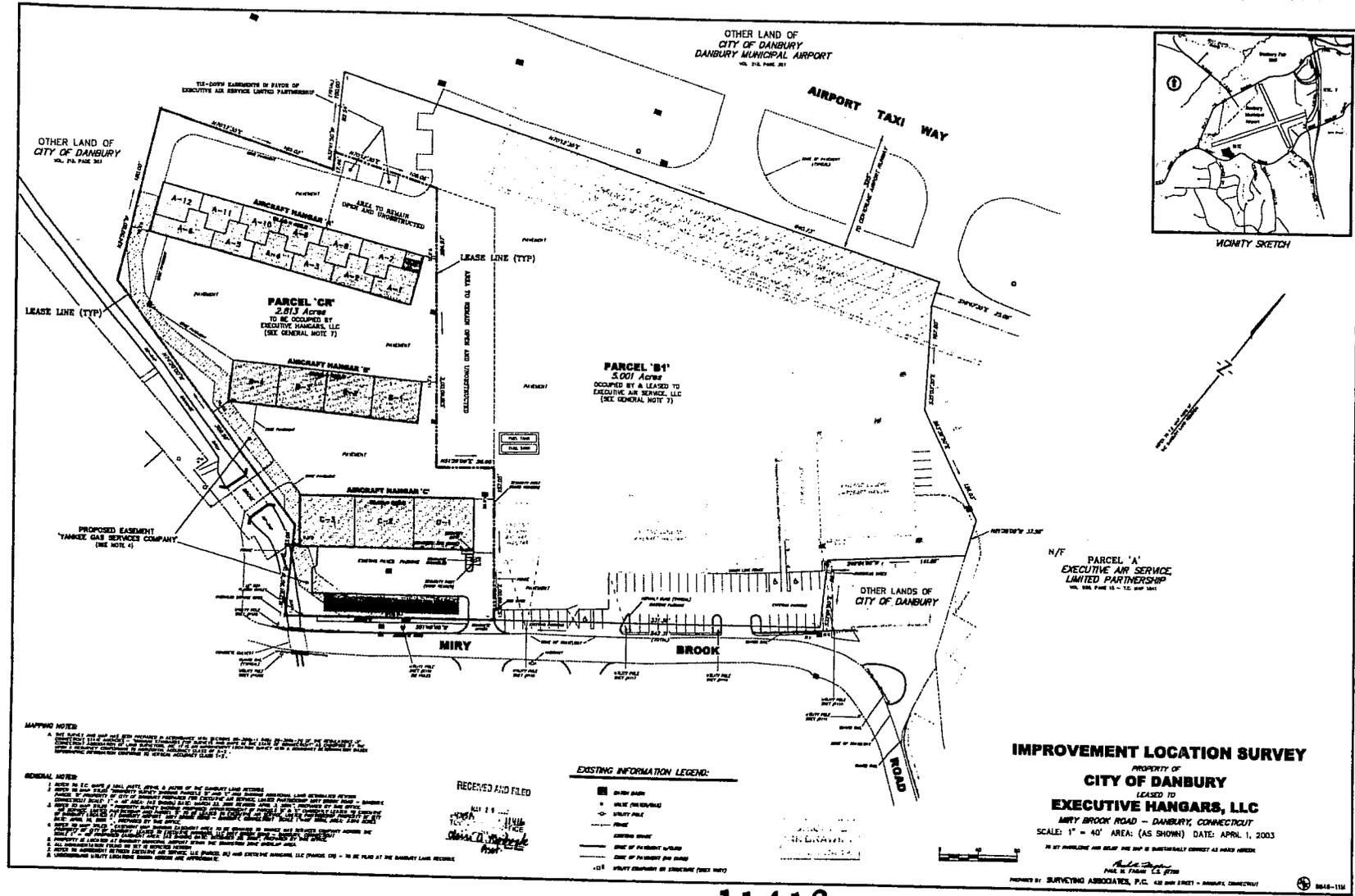


Laszlo L. Pinter
Deputy Corporation Counsel

Attachments

cc: Robert J. Yamin, Corporation Counsel
John Ashkar, Chairman, Aviation Commission
Paul D Estefan, Airport Administrator
James Breckenridge, Esquire

Llp/49mirybrook



OTHER LAND OF CITY OF DANBURY
VOL. 10, PAGE 301

OTHER LAND OF CITY OF DANBURY
DANBURY MUNICIPAL AIRPORT
VOL. 10, PAGE 301

LEASE LINE (TYP)

PARCEL 'C'
2.813 Acres
TO BE OCCUPIED BY EXECUTIVE HANGARS, LLC
(SEE GENERAL NOTE 7)

PARCEL 'B'
5.001 Acres
OCCUPIED BY A LEASED TO EXECUTIVE AIR SERVICE, LLC
(SEE GENERAL NOTE 7)

PROPOSED EASEMENT
YANKEE GAS SERVICES COMPANY
(SEE NOTE 4)

N/F PARCEL 'A'
EXECUTIVE AIR SERVICE LIMITED PARTNERSHIP
VOL. 100, PAGE 10 - 12, 100-101

OTHER LANDS OF CITY OF DANBURY

RECEIVED AND FILED

EXISTING INFORMATION LEGEND:

- █ EXISTING BOUNDARY
- EXISTING PROVISIONAL
- EXISTING POLE
- EXISTING PILE
- EXISTING BRIDGE
- EXISTING OF PARCELS OUTLINE
- EXISTING OF PARCELS AND BOUNDARY
- EXISTING OF PARCELS AND BOUNDARY
- EXISTING OF PARCELS AND BOUNDARY

MAPPING NOTES:

1. THE BOUNDARY OF THE PROPERTY SHOWN IS BASED ON THE RECORDS OF THE CITY OF DANBURY, CT.
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GENERAL NOTES:

1. THIS IS A PLAN OF THE PROPERTY SHOWN AND IS NOT A SURVEY.
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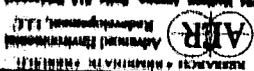
IMPROVEMENT LOCATION SURVEY

PROPERTY OF
CITY OF DANBURY
LEASED TO
EXECUTIVE HANGARS, LLC
MIRY BROOK ROAD - DANBURY, CONNECTICUT
SCALE: 1" = 40' AREA: (AS SHOWN) DATE: APRIL 1, 2003



PREPARED BY: SURVEYING ASSOCIATES, P.C. 430 MAIN STREET - DANBURY, CONNECTICUT



	SITE PLAN 49 MIRA BROOK ROAD DANBURY, CONNECTICUT		DRAWN BY: JJS	APPROVED BY: CK	REVISION DATE: 8/31/06	FILE NO.: 0477-1A	DATE CREATED: 8/30/06	SCALE: AS SHOWN	PROJECT NO.: 0477	TYPING NO.: 1
	<small>Not to be used for any other project without the written consent of AER. AER is not responsible for any errors or omissions in this drawing.</small>									



SITE LOCATOR
 APPROXIMATE SCALE: 1" = 2,000'

LEGEND

--- APPROXIMATE LOCATION OF PROPERTY LINE



Scale in Feet

