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CONVEYANCE OF DEVELOPMENT RIGHTS

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME,
GREETINGS:

KNOW YE THAT LEWIS A. TANNER AND TRUDA A. TANNER, of the Town of Warren, County of Litchfield and State of Connecticut, hereinafter referred to as Grantors, in consideration of SEVEN HUNDRED TWENTY SEVEN THOUSAND ONE HUNDRED FIFTY TWO DOLLARS (\$727,152.00) and other good and valuable consideration, received to their full satisfaction of the STATE OF CONNECTICUT, a sovereign, do hereby give, grant, bargain, sell and confirm in perpetuity, with WARRANTY COVENANTS, unto the said STATE OF CONNECTICUT, Grantee, its successors and assigns forever, the DEVELOPMENT RIGHTS, as such term is defined in Chapter 422a of the Connecticut General Statutes, and specifically Section 22-26bb(d) thereof, in and to the following described agricultural land:

ALL THOSE certain pieces or parcels of land situated in the Town of Warren, County of Litchfield, and State of Connecticut, bounded and described in Schedule "A" annexed hereto and made a part hereof, which land is hereinafter referred to as the "Premises".

The rights herein conveyed are conveyed subject to and in accordance with the purposes and provisions of Chapter 422a of the Connecticut General Statutes.

Grantors acknowledge that it is the purpose and intent of Chapter 422a of the Connecticut General Statutes that agricultural land be maintained and preserved for farming and food production purposes and that such maintenance and preservation is necessary in order to insure the well-being of the people of the State of Connecticut now and in the future.

Grantors acknowledge that the parties intend by this conveyance to prohibit the division or subdivision of the premises for any purpose, and to prohibit development of the Premises for residential, commercial and/or industrial purposes. This conveyance is made in accordance with the following terms and conditions:

A. The Grantors covenant for themselves, their legal representatives, heirs, successors and assigns, that the Premises will, at all times, be held and conveyed in their entirety and subject to the following restrictions and

I certify this is a true copy of the document
received and recorded in Vol 56 pages 984-990

of the Warren, CT Land Records.

Attest

Joanne C. Tiedmann, Town Clerk

Date 5.1.09

EXHIBIT

1

Books

such further restrictions as set forth in Paragraph B below:

- (1) No building, residential dwelling, structure, parking lot, driveway, road or other temporary or permanent structure or improvement requiring construction shall be placed upon the premises except as provided for in Paragraph B below;
- (2) The fee simple owner of the above described land shall not divide, subdivide, develop, construct on, sell, lease or otherwise improve the Premises for uses that result in rendering the Premises no longer agricultural land;
- (3) No use shall be made of the Premises, and no activity shall be permitted or conducted thereon which is or may be inconsistent with the perpetual protection and preservation of the land as agricultural land, and no activity shall be carried on which is detrimental to the actual or potential agricultural use of the Premises, or detrimental to soil conservation, or to good agricultural management practices;
- (4) Said development rights are considered and deemed wholly and exclusively dedicated to the State of Connecticut in perpetuity in accordance with Chapter 422a of the Connecticut General Statutes;
- (5) The premises to which development rights are hereby conveyed shall together constitute one entire and undivided parcel of land for purposes of the Connecticut General Statutes Chapter 422a, notwithstanding that said premises may be described as one or more parcels of land on Schedule A hereof. The Premises shall be conveyed or transferred as a unit, whether or not said Premises are described herein, or have been described in any prior deed, as more than one piece or parcel of land. No subdivision or division of the Premises, or any portion thereof, shall be permitted;
- (6) If the premises are to be sold or otherwise transferred, the fee simple owner of the Premises shall notify the Commissioner of Agriculture of such impending sale not more than ninety days before transfer of title to the land and shall provide him with the name and address of the transferee.
- (7) The Grantors reserve the right to construct no more than one single family residence for persons directly incidental to the farm operation, which single family residence must be constructed within Area "A" as shown and designated on survey map entitled Survey Plan Prepared for State of Connecticut Department of Agriculture Farmland Preservation Program Property of Lewis A. Tanner Truda A. Tanner Rabbit Hill Road Jack Corner Road Warren, Connecticut January, 1996 T. Michael Alex L.L.S. #15462 Washington, Connecticut, said map having been recorded in the Warren land records.

B. Sub~~986~~986 the provisions of paragraph A above, the Grantors for themselves, their legal representatives, heirs, successors and assigns, hereby reserves all other customary rights and privileges of ownership including:

- (1) the right to privacy;
- (2) the right to carry out regular agricultural practices;
- (3) the right to conduct the uses defined in Subsection (q) of Section 1-1 of the Connecticut General Statutes;
- (4) the right to lease the property or portions thereof for a term of less than 25 years;
- (5) the rights of the fee owner of the premises to develop, construct on, sell, give or transfer in any way the Premises in its entirety, or otherwise improve the Premises to preserve, maintain, operate or continue the Premises as agricultural land, including but not limited to construction thereon of (a) one single family residence for persons directly incidental to farm operation, which single family residence must be constructed within Area "A" as shown and designated on survey map entitled Survey Plan Prepared for State of Connecticut Department of Agriculture Farmland Preservation Program Property of Lewis A. Tanner Truda A. Tanner Rabbit Hill Road Jack Corner Road Warren, Connecticut January, 1996 T. Michael Alex L.L.S. #15462 Washington, Connecticut, said map having been recorded in the Warren land records; and buildings for animals, roadside stands and farm markets for sale to the consumer of food products and ornamental plants, (b) facilities for the storage of equipment used on the premises and products of the premises or processing thereof, or (c) such other improvements, activities and uses thereon as may be directly or incidentally related to the operation of the agricultural enterprise, as long as the acreage and productivity of arable land for crops is not materially decreased and due consideration is given to the impact of any decrease in acreage or productivity of such arable land upon the total farm operation, provided, however, any new construction of or modification of an existing farm building necessary to the operation of a farm on prime farmland, as defined by the United States Department of Agriculture shall be limited to not more than five percent of the total of such prime farmland of which the state has purchased development rights provided, however, that nothing herein shall permit the construction of more than one single family residence for any purpose;
- (6) the rights of the fee owner of the Premises to provide for the extraction of gravel or like natural elements to be used on the Premises for purposes directly or incidentally related to the operation of the agricultural enterprise and;
- (7) the rights of the fee owner of the Premises to the existing water and mineral rights, exclusive of gravel. Furthermore, retention of such mineral rights is made subject to the purposes and provisions of Paragraphs A(2) and A(3), above.

Legal Description

All those three parcels of land situated on Rabbit Hill Road and Jack Corner Road in the Town of Warren, County of Litchfield and State of Connecticut bounded and described as follows:

Parcel 1

Beginning at a concrete monument set in the ground on the northerly side of Rabbit Hill Road. Said monument marks the southwesterly corner of the herein described property and the southeasterly corner of land now owned by Phillip M. Gargan and Mary A. Gargan as described in Volume 29, Page 277 of the Warren Land Records. Thence from said monument the following bearings and distances; N03°44'40"W 104.64 feet to a point at the beginning of a stone wall; thence along said wall N04°33'30"W 47.55; N04°26'20"W 70.36 feet; N03°36'15"W 31.61 feet; N02°09'20"W 42.54 feet; N01°44'05"W 118.08 feet; N05°11'45"W 47.45 feet to the end of the stone wall. Thence along the remains of a wire fence; N02°05'55"W 182.47 feet to an existing iron pin; N00°11'25"W 191.31 feet to an existing iron pin; N00°19'50"E 191.41 feet to an existing iron pin marking the northwesterly corner of the herein described parcel.

Thence, continuing along the remains of a wire fence S83°59'00"E 324.92 feet; S82°00'25"E 124.07 to a point at the beginning of a stone wall; thence along said wall S80°47'40"E 268.45 feet to a drill hole at the end of the stone wall; thence S79°49'35"E 213.94 feet to a drill hole at the beginning of another stone wall; thence along said wall S81°53'30"E 159.21 feet to a drill hole in said wall; S80°15'20"E 179.37 feet; S81°04'20"E 184.80; S80°37'35"E 191.99 feet to a point on the stone wall marking the northeast corner of the herein described parcel. Thence leaving said wall the following courses; S25°44'10"E 34.35 feet to a point; S28°45'52"W 594.57 feet to a set concrete monument on the northwesterly side of Jack Corner Road. Thence following along the westerly side of Jack Corner Road the following courses; S37°34'15"W 41.95 feet the beginning of a stone wall; thence along said stone wall S28°23'05"W 42.35 feet; S25°27'25"W 103.15 feet; S24°17'40"W 103.51; S19°26'00"W 28.16 feet; S27°48'50"W 70.31 feet; S23°34'55"W 52.11 feet; S33°57'55"W 88.98 feet; S77°40'40"W 52.09 feet to a set iron pin on the northerly side of Rabbit Hill Road slightly westerly of the intersection with Jack Corner Road. Thence along the northerly side of Rabbit Hill Road the following courses; N79°54'25"W 222.61 feet; N76°55'55"W 145.78 feet; N76°39'55"W 177.22 feet; N77°049'25"W 186.28 feet; N72°32'25"W 326.11 feet to a set concrete monument marking the point and place of beginning.

Containing 34.495[±] acres of land and bounded northerly by Guy Scott Lagrotta, Lillian S. Lagrotta and Woodrow W. Campbell, Maria B. Campbell; Easterly by other land of Lewis A. Tanner, Truda A. Tanner and in part by Jack Corner Road; Southerly by Rabbit Hill Road; and Westerly by Phillip M. Gargan, Mary A. Gargan and Robert W. Kaesler, Johanna G. Kaesler and Salvatore J. Manetta, Jane C. Manetta.

Parcel 2

Beginning at an existing concrete monument on the northerly side of Rabbit Hill Road marking the southeasterly corner of the herein described parcel and the southwesterly corner of land of Gordon Vivian as described in Volume 31, Page 641 of the Warren Land Records. Thence from said monument following along a stone wall on the northerly side of Rabbit Hill Road the following courses; N52°52'25"W 207.04 feet; N53°04'15"W 66.71 feet; N48°45'00"W 87.89 feet; N23°50'20"W 154.09 feet; N21°45'55"W 170.91 feet; N21°16'15"W 87.62 feet; N16°45'55"W 82.12 feet; N09°37'05"W 44.86 feet to an existing iron pipe at the southwest corner of land now owned by Willard F. Vaill and Josephine W. Vaill.

Thence leaving said road following along said Vaill in part and in part by land to be retained by Lewis A. Tanner and Truda A. Tanner the following courses; N57°37'05"E 130.08 feet; N59°12'45"E 128.16 feet to a set concrete monument; N06°30'40"E 142.86 feet to the beginning of a stone wall; N06°31'00"E 122.30 feet to the wall end; N39°26'55"W 469.60 feet to a set iron pin; N77°52'20"W 417.46 feet to a set iron pin in a stone wall. Thence along said stone wall S11°07'45"W 66.23 feet; S07°49'55"W 35.55 feet; S12°49'35"W 49.87 feet to a iron pin in a stone wall intersection on the northerly side of Rabbit Hill Road. Thence following in part by a stone wall the following courses along the northerly side of Rabbit Hill Road and the easterly and southerly side of Jack Corner Road: N55°18'30"W 62.98 feet; N54°16'50"W 150.87 feet; N53°21'45"W 15.65 feet; N54°16'50"W 56.02 feet; N47°08'25"W 74.65 feet; N22°32'25"W 66.54 feet; N10°24'45"W 33.05 feet; N16°14'20"E 13.76 feet; N22°36'50"E 75.82 feet; N25°16'15"E 138.65 feet; N23°20'15"E 30.32 feet; N33°42'15"E 26.00 feet; N34°38'35"E 87.56 feet; N57°39'10"E 49.75 feet; N86°38'30"E 88.11 feet; S86°07'06"E 157.57 feet; S84°42'55"E 237.80 feet; S89°29'55"E 77.71 feet; N82°38'10"E 70.36 feet; N69°39'45"E 91.51 feet; N62°55'05"E 74.04 feet; N62°05'05"E 620.04 feet; N64°42'40"E 122.08 feet to a set iron pin; N63°29'20"E 289.69 feet to a 36" maple tree at the northwest corner of land now owned by William Mosher as described by Volume 24, Page 99 of the Warren Land Records. Thence leaving said road and following along a farm fence the following courses: S19°25'55"E 62.72 feet; S20°10'30"E 54.49 feet; S15°54'05"E 25.62 feet; S20°27'05"E 59.34 feet; S23°48'45"E 13.20 feet; S19°42'33"E 224.54 feet; S20°19'00"E 115.33 feet; to a set concrete monument at the southwest corner of Robert Kennedy and Linda P. Kennedy. Thence following along said Kennedy the following courses: N75°07'15"E 86.82 feet; N73°08'43"E 142.52 feet; N71°24'50"E 58.75 feet; N75°18'10"E 86.75 feet; N80°26'05"E 106.50 feet; N76°37'20"E 67.77 feet to a set concrete monument; N14°36'20"W 133.19 feet to the southwest corner of Charles R. Grassel, Jr. and Alda H. Grassel; thence following along a farm fence on the southerly side of said Grassel the following courses: N65°32'45"E 37.77 feet; N78°23'45"E 65.63 feet; N88°54'40"E 30.27 feet; S84°22'35"E 139.52; N88°04'15"E 57.84 feet to an existing iron pin; S78°39'20"E 96.76 feet; S60°21'15"E 111.07 feet to an iron pipe at the southeast corner of said Grassel; thence S11°59'53"W 90.33 feet to a set concrete monument at the southwest corner of Donald J. Dandanell and Janice Dandanell; thence S39°37'05"E 412.41 feet to a set iron pin at a wire fence and stone wall; thence following along land of Niels deGrout the following courses; S13°13'40"W 5.00 feet to a stone wall intersection; S13°38'50"W 110.78 feet to an existing iron pin; S13°51'30"W 164.25 feet to a wall and fence intersection; S14°44'40"W 114.83 feet to the end of said wall; S13°11'20"W 90.48 feet; S23°09'35"W 97.45 feet; S25°00'45"W 71.84 feet; S34°24'05"W 71.27 feet; S35°02'36"W 95.45 feet; S30°04'45"W 64.48 feet; S29°16'15"W 118.82 feet; S35°22'35"W 134.00 feet; S35°57'45"W 143.04 feet; S49°43'15"W 49.54 feet to an existing iron pin at a wire fence intersection. Thence S50°31'45"W 182.42 feet; S51°19'45"W 48.65 feet; S49°26'05"W 50.19 feet; S55°08'30"W 41.31 feet; S49°01'40"W 89.27 feet to a 28" white oak marking a wire fence intersection; thence following along land of Gordon Vivian with the wire fence the following bearings and distances: N57°18'25"W 74.84 feet to a 18" maple tree; N63°21'10"W 146.35 feet to an existing iron pipe. N59°52'10"W 99.88 feet; N54°23'50"W 114.94 feet; N51°00'30"W 100.06 feet; N50°59'55"W 142.81 feet; N53°33'40"W 60.29 feet to a 28" white oak tree; N77°14'10"W 108.64 feet; S35°23'55"W 10.05 feet to an existing concrete monument. Thence S31°25'10"W 12.75 feet; S22°06'00"W 166.77 feet; S03°55'10"E 29.31 feet to an 18" hickory tree; S28°14'10"W 96.87 feet to a 12" hickory tree; S41°29'00"W 48.54 feet to an 18" oak tree S14°53'10"W 49.85 feet to a 14" hickory tree; S43°36'40"W 51.51 feet to a 10" maple tree; S25°38'50"W 84.37 feet; S34°48'40"W 143.04 feet to a 14" hickory tree; S18°39'00"W 34.97 feet to a 24" maple tree; S36°08'50"W 79.80 feet; S26°29'00"W 29.68 feet; S26°42'50"W 135.16 feet; S37°54'05"W 47.27 feet to an existing concrete monument marking the point and place of beginning.

Containing 102.812[±] acres of land and is bounded
Northwesterly: by Jack Corner Road, Robert Kennedy, Linda P. Kennedy,
 and Charles R. Grassel, Jr., Alda H. Grassel, Donald J.
 Dandanel, Janice Dandanel;
Easterly: by William Mosher, Robert Kennedy, Linda P. Kennedy,
 Niels deGrout, Phillip R. Ercoli, Lois Ercoli and Gordon
 Vivian, Lewis A. Tanner, Truda A. Tanner;
Southerly: by Gordon Vivian, Rabbit Hill Road, Lewis A. Tanner,
 Truda A. Tanner;
Westerly: by Jack Corner Road, Willard F. Vaill, Josephine W. Vaill,
 Lewis A. Tanner, Truda A. Tanner.

Parcel 3

Beginning at a set concrete monument on the southerly side of
 Rabbit Hill Road. Said monument marks the northeasterly corner of
 the herein described parcel and the northwesterly corner of land of
 Bruce S. Coleman and Judith Coleman as described in Volume 30, Page 78
 of the Warren Land Records. Thence following along a farm fence the
 following bearings and distances: S34°03'35"W 127.02 feet; S40°18'40"W
 128.79 feet; S51°41'30"W 27.01 feet; S40°08'55"W 56.46 feet; S40°16'10"W
 170.25 feet; S38°46'25"W 144.97 feet; S45°13'50"W 30.61 feet; S75°13'15"W
 16.18 feet; S48°49'20"W 41.97 feet; S71°34'55"W 17.82 feet; S56°46'20"W
 85.88 feet to an existing spike in the base of a twin 6" oak tree; thence
 following along land of Henry W. T. Dutton and Margaret Dutton with the
 wire fence the following courses: N60°16'55"W 194.65 feet; N62°17'55"W
 136.45 feet; N59°54'00"W 51.95 feet; N70°56'10"W 34.00 feet; N58°23'15"W
 84.16 feet; N57°45'50"W 33.47 feet; N56°49'50"W 95.75 feet to a 26" oak
 tree; N82°05'50"W 42.24 feet; N29°08'05"W 58.36 feet to the beginning
 of a stone wall; N29°08'05"W 21.02 feet to a stone wall angle point;
 N23°05'35"W 87.47 feet to an existing drill hole at the end of said
 stone wall; thence N33°28'45"W 162.97 feet to an existing spike in a
 14" oak tree; thence N34°27'20"W 372.10 feet to an existing iron pin.
 Thence along land of Janice Lucille Smalley and Minerva Harriet Smalley;
 N44°38'55"W 173.00 feet to a set concrete monument; N23°22'55"E 62.36
 feet to a point. Thence along land of Philipppe Nieman with the wire
 fence the following courses: N27°57'20"E 139.93 feet; N31°03'30"E
 73.65 feet; N32°32'55"E 36.17 feet; N13°57'10"E 21.55 feet; N29°13'00"E
 144.21 feet; N26°27'45"E 46.34 feet; N44°47'35"E 42.77 feet; N20°48'25"E
 22.14 feet; N32°34'20"E 31.22 feet; N39°59'00"E 85.64 feet; N27°59'40"E
 28.61 feet; N47°13'55"E 11.33 feet to the beginning of a stone wall.
 Thence N53°24'20"E 42.00 feet; N56°38'15"E 64.73 feet to the wall end.
 N55°32'20"E 307.32 feet to the beginning of another stone wall. N51°
 19'00"E 73.12 feet to a set concrete monument at a stone wall intersection
 on the southerly side of Rabbit Hill Road. Thence following along the
 southwesterly side of Rabbit Hill Road the following courses: S51°16'05"E
 39.98 feet to the end of said stone wall. S59°06'55"E 148.14 feet to the
 beginning of another stone wall. S52°35'30"E 118.63 feet to a wall angle
 point; S21°59'20"E 14.39 feet to the end of said stone wall. Thence
 S54°25'05"E 119.91 feet; S53°51'35"E 103.27 feet; S49°29'15"E 69.22 feet;
 S21°48'05"E 185.00 feet; S21°48'05"E 107.69 feet; S23°19'30"E 178.74 feet;
 S22°10'00"E 142.28 feet; S20°06'50"E 113.16 feet; S19°16'35"E 232.73 feet;
 to the east end of a stone wall; thence S25°39'20"E 92.91 feet to a set
 concrete monument marking the point and place of beginning.

Containing 44.481[±] acres of land and is bounded:

Northeasterly: by Rabbit Hill Road;

Southwesterly: by Bruce S. Coleman and Judith Coleman;

Southwesterly: by Henry W. T. Dutton, Margaret Dutton and Janice
 Lucille Smalley, Minerva Harriet Smalley;

Northwesterly: by said Smalley and Philipppe Nieman.

Reference is made to a map entitled "181.788[±] Acres, Survey
 Plan Prepared For State of Connecticut, Department of Agriculture,
 Farmland Preservation Program, Property of Lewis A. Tanner, Truda A.
 Tanner, Rabbit Hill Road, Jack Corner Road, Warren, Connecticut,
 January 1996, Scale 1" = 200'." Certified to the standards of a
 Class A-2 Survey by T. Michael Alex L.L.S. #15462, Washington, Con-
 necticut.

Subject to any and all laws, ordinances and governmental
 regulations restricting, regulating or prohibiting the occupancy,
 use or enjoyment of the land and regulating the character, size or
 location of any improvements now or hereafter erected on said land.

The parties hereby covenant and agree that:

(1) The Commissioner of Agriculture may enter upon the Premises at all reasonable times for the purpose of determining compliance with the provisions of the conveyance and of Section 22-26cc of the Connecticut General Statutes.

(2) Grantee, its successors and assigns, shall have the right to enforce the restrictions contained in this conveyance by appropriate legal proceedings, including but not limited to, the right to require the restoration of the property to its condition at the time of the conveyance, as modified by any uses and alterations permitted under this conveyance.

TO HAVE AND TO HOLD the above granted DEVELOPMENT RIGHTS, unto it, the said Grantee, its successors and assigns forever, to its and their own proper use and behoof.

IN WITNESS WHEREOF, We, the said Grantors, have hereunto caused our hands to set this 26th day of February, 1996.

Signed, Sealed and Delivered in the Presence of:

Peter A. Litwin
Peter A. Litwin

Joan K. Cook
Joan K. Cook

Peter A. Litwin
Peter A. Litwin

Joan K. Cook
Joan K. Cook

Lewis A. Tanner
Lewis A. Tanner

Truda A. Tanner
Truda A. Tanner

State of Connecticut)
) ss. Litchfield
County of Litchfield)

The foregoing instrument was acknowledged before me this 26th day of February 1996 by Lewis A. Tanner and Truda A. Tanner.

Peter A. Litwin
Peter A. Litwin
Commissioner of the
Superior Court
~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

Approved as to Form
William B. Gundling
William Gundling
Associate Attorney General
Date 3/26/96

Received for record
April 3, 1996
at 1:03 P. m.
and recorded by
Christy [Signature]
Town Clerk