



STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE
OFFICE OF THE COMMISSIONER



Steven K. Reviczky
Commissioner

Tel: (860) 713-2500
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January 23, 2015

Mr. Joel Rosenberg and Ms. Beverly Burke
Barrett Hill Farm
183 Barrett Hill Road
Brooklyn CT 06234

**REVISED Joint State-Town Agreement Offer to Purchase Development Rights to Farmland:
Rosenberg – Barrett Hill Farm, Brooklyn, CT
49.77± acres included (51.77 ± acres owned)**

Dear Mr. Rosenberg and Ms. Burke:

The Department of Agriculture and the Town of Brooklyn desire to purchase from you, pursuant to the provisions and purposes of Section 22-26aa, et seq. of the General Statutes of Connecticut, development rights to 49.77± acres of land, more or less, located at 183 Barrett Hill Road, in the Town of Brooklyn, Windham County, Connecticut, and referenced in the attached Property Description of Development Rights Acreage, which is incorporated herein as Schedule A, and illustrated in the Property Sketch, which is incorporated herein as Schedule B.

This agreement includes the purchase of the right of the owners, their heirs, successors, assigns, or legal representatives, to construct or place any additional residences on the property.

Excluded from the purchase of development rights are two acres delineated around the existing dwelling, located in the southwestern corner of the parcel, with frontage on the east side of Barrett Hill Road. The remaining 49.77±/- acres (hereinafter the "Premises") shall be restricted as follows. No additional residences would be allowed to be built on the Premises. Agricultural structures are permitted per parameters of the deed covenant, subject to prior notice to and approval from the Commissioner of Agriculture and the Town of Brooklyn. In the aggregate, impact from agricultural structures and impervious surfaces may not exceed five percent (5%) of both the total amount of prime farmland soils, and of the total overall acreage of the Premises. Agricultural practices must be in accordance with a conservation plan by the U.S. Department of Agriculture-Natural Resources Conservation Service approved by the Connecticut Commissioner of Agriculture.

The 49.77± restricted acres will constitute one farm, with any subdivision prohibited.

The premises shall be shown on a survey before the final purchase of development rights. It is expressly understood and agreed that this offer is conditioned upon the following:

1. The completion of an accurate Class A-2 survey, to be provided by the Department of Agriculture.

2. An adjustment in the sum offered to the extent necessary to reflect any acreage differences disclosed by the survey.
3. Purchase of the development rights on this property being subject to the approval of the State Properties Review Board (SPRB).
4. Your ability to convey to the State of Connecticut and Town of Brooklyn, marketable title to such development rights, as prescribed under Chapter 422a of the Connecticut General Statutes, the right to construct any residence on the property, free of any encumbrances which may affect such conveyance.
5. That the approval of the necessary funds be obtained from the State Bond Commission or other State funding source, and the Town of Brooklyn, and any other approvals required for the purchase of land or rights under State statute, including but not limited to SPRB approval, regulations or procedures, and document approval by the Office of the Attorney General.
6. This offer is contingent on compliance with and satisfaction of all applicable provisions of the Brooklyn Charter and the Connecticut General Statutes including, without limitation, the approval and authorization of the Town of Brooklyn Town Council, applicable boards and commissions, if any, and the procurement and appropriation of sufficient funds to satisfy the required municipal financial contribution
7. That this letter and agreement be signed and returned to me within forty-five (45) days of the date hereof; otherwise this offer will lapse and be of no further force and effect except that it may be extended at the discretion of the Commissioner of Agriculture.
8. That a closing date for the purchase of development rights shall occur within sixty (60) days after all conditions in this agreement are met, which it is contemplated by both parties will occur by November 30, 2015.
9. Included as part of this agreement are the attached Property Description of Development Rights Acreage, which is incorporated herein as Schedule A, and the Property Sketch, which is incorporated herein as Schedule B.
10. The deed shall also contain such provisions as the Commissioner of Agriculture deems necessary to fulfill the purposes of Chapter 422a of the Connecticut General Statutes and consistent with the laws of the State.
11. The deed may also contain such provisions as the Commissioner of Agriculture deems necessary to fulfill the purposes of the United States Department of Agriculture's Agricultural Conservation Easement Program, consistent with the laws of the State, imposed as a condition for the receipt of federal funds.

All factors affecting the value of your property and the development rights have been carefully evaluated. Based upon this appraisal, we hereby offer you the sum of:

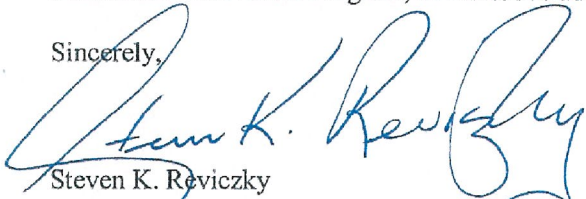
TWO THOUSAND NINE HUNDRED NINETY-FOUR (\$2,994) dollars per acre, for a total of ONE HUNDRED FORTY-NINE THOUSAND (\$149,000) dollars, which sum represents the value of the development rights of the property.

This joint State-Town agreement offer includes \$2,246 per acre for a total of 111,750 (or 75% of the total) to be paid by the State of Connecticut, and \$748 per acre for a total of \$37,250 (or 25% of the total) to be paid by the Town of Brooklyn.

You may indicate your acceptance by signing in the space provided below. Please sign both copies of the revised Offer Agreement, retain one for your records, and return the other to: *Connecticut Department of Agriculture Farmland Preservation Program, 165 Capitol Avenue, Hartford CT 06106.*

You will be advised of a closing date as soon as practicable. Should you have any questions concerning this offer or wish to discuss this matter further, you may contact Cameron Weimar, Director of the Farmland Preservation Program, at the above address or phone, (860) 713-2511.

Sincerely,



Steven K. Reviczky
Commissioner, Connecticut Department of Agriculture

Date 1/29/15

TOWN OF BROOKLYN



Richard Ives, First Selectman

Date 2/3/15

The above offer is accepted subject to the conditions stated herein; please indicate your acceptance by signing in the space provided below.

By: 
Joel I. Rosenberg

Social Security Number

Date: 3/6/2015

By: 
Beverly C. Burke

Social Security Number

Date: 3/6/2015

**SCHEDULE A
PROPERTY DESCRIPTION
OF DEVELOPMENT RIGHTS ACREAGE**

All that certain land containing 51.77 acres, more or less, located on the general easterly side of Barrett Hill Road in the Town of Brooklyn, Windham County, Connecticut, which premises is described in Volume 134, Page 276, of the Brooklyn Land Records.

Reference is hereby made to Map 36, Lot 4-1 at 183 Barrett Hill Road (51.8 acres) by the Brooklyn Tax Assessor.

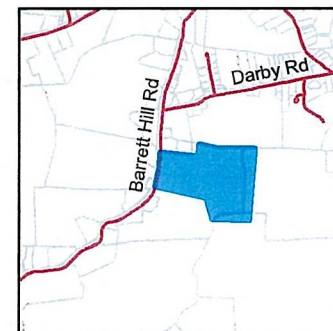
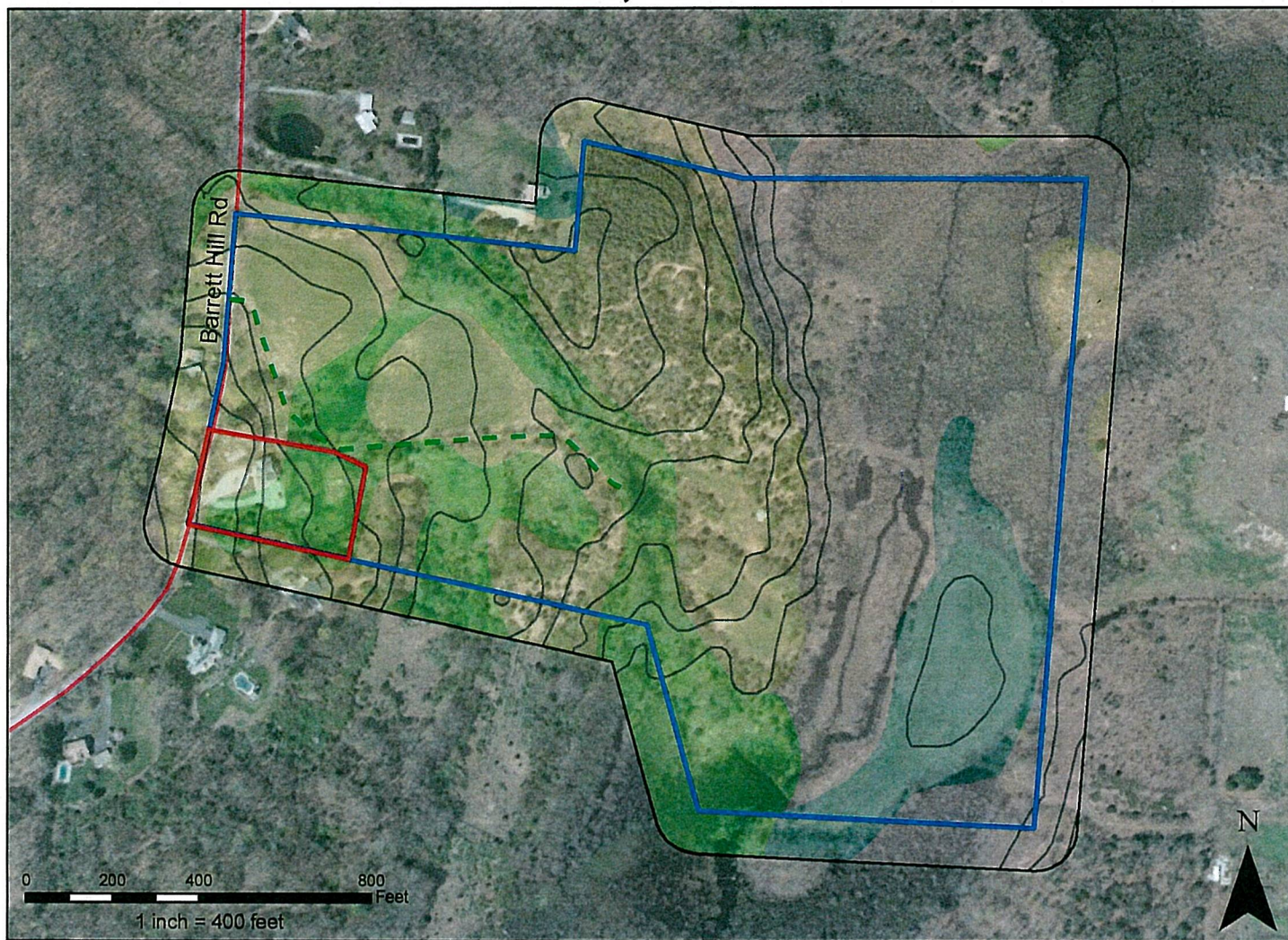
The above described parcels shall constitute one parcel of land for the purposes of Conn. Gen. Stat. Sect. 22-26bb(d)(2).

See also the Property Sketch attached hereto as Schedule B.

Schedule B-Property Sketch

Barrett Hill Farm (Rosenberg and Burke)-Brooklyn, CT

51.8 +/- acres, 49.8 +/- acres to be included in PDR



Legend

- Rosenberg and Burke property
- 100 foot buffer around property
- House and yard not included in PDR (2 acres)
- Approximate location of temporary power company easement
- Roads
- 10 foot contours

Soils

- Prime Farmland Soils
- Statewide Important Farmland Soils
- Locally Important Farmland Soils
- Other (Non-Prime Farmland Soils)

Connecticut Department of Agriculture 2014. KED.