

*REAL ESTATE APPRAISAL REPORT*

*MAP 34 BLOCK 24-4 LOTS 2 AND 2AA*

*RIVER ROAD*

*MIDDLETOWN, CONNECTICUT*

*AS OF 7/23/2001*

*Peterson*

***SANTACROCE ASSOCIATES, LLC***  
***REAL ESTATE APPRAISERS AND CONSULTANTS***

***68 ERIN STREET EXTENSION***  
***MIDDLETOWN, CONNECTICUT 06457***

*Commercial/Industrial/Residential*

August 22, 2001

Mr. James S. Sipperly  
Planning & Environmental Specialist  
City Of Middletown  
245 DeKoven Drive  
Middletown, Ct 06457

Re: Appraisal of Peterson Oil Co., Map 34 Block 24-4 Lots 2 & 2AA

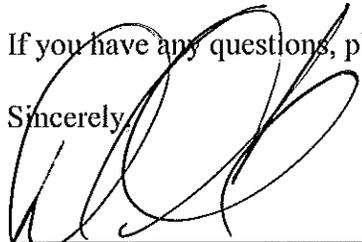
Dear Mr. Sipperly:

Pursuant to your request we have completed an Appraisal of the above captioned property, more specifically described herein. The effective date of the Appraisal is 7/23/2001. The Objective of the Appraisal is to estimate Market Value of the Subject for open space acquisition. We have employed sales that do not involve grantees with the power of eminent domain. The premises of the Appraisal is a 2.99 acre assembly of Connecticut River frontage incorporating frontage on Sumner's Creek. We have developed values in total and on a per lot basis to facilitate your analysis. After careful review and analysis of the salient data, we estimate the Market Value of the Subject[s] combined, as of 7/23/2001, in Fee Simple, to be:

Lot 2 =	\$368,000
Lot 2AA=	<u>\$393,000</u>
Total	\$761,000

If you have any questions, please contact us at our offices.

Sincerely,



---

David A. Santacroce, CGA  
Santacroce Associates, LLC  
Real Estate Appraisers & Consultants  
DAS/nmw

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**SECTION ONE-INTRODUCTION TO THE APPRAISAL**

### PURPOSE OF THE APPRAISAL

The purpose of this Appraisal is to estimate the Market Value of Lots 2 and 2AA in Block 24-4 of Map 34 known as 44 River Road in Middletown, Ct as of 7/23/2001 for open space acquisition.

### MARKET VALUE DEFINITION

Market Value is defined as (OCC Rule 12 CFR 34.43 (F) ):

The most probable price which a property would bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and Seller are typically motivated;
2. Both parties are well informed, or well advised, and both acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and,
5. The price reflects the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

### EXPOSURE TIME

Exposure Time is defined by the Appraisal Standards Board [ASB] as the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of sale at Market Value on the Effective Date of the Appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market.

### MARKETING TIME

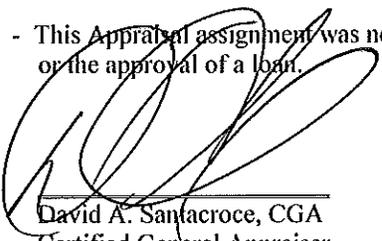
The reasonable marketing time is an estimate of the amount of time it might take to sell a property interest in real estate at the estimated market value during the period immediately after the effective date of the Appraisal as defined by the Appraisal Standards Board.

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CERTIFICATION OF THE APPRAISER

I certify, that to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions.
- I have no interest, present or prospective, in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have made a personal inspection of the property that is the Subject of this Appraisal.
- No one provided significant professional assistance to the person signing the report.
- This Appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.



\_\_\_\_\_  
David A. Santacroce, CGA  
Certified General Appraiser

RCG # 544

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CONTINGENT AND LIMITING CONDITIONS

The Certification of the Appraiser appearing in this Appraisal Report is subject to the following conditions and to such other specific limiting conditions and assumptions as set forth by the Appraiser:

1. The Appraiser assumes no responsibility in matters of a legal nature affecting the property appraised or the title thereto; nor is the Appraiser rendering a legal opinion as to Title which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Sketches in this report show approximate dimensions and are included to assist the recipient in formulating a reasonable understanding of the property appraised. No survey has been made although maps and sketches are believed to be reasonably and approximately accurate.
3. The Appraiser assumes that there are no apparent conditions to the property such as hazardous wastes, toxic discharges, buried or abandoned underground or above ground storage tanks, or holding devices of similar nature.  
We are held harmless from any conditions, direct or consequential, related thereto. We assume no liability for contamination, disposal, testing, removal, treatment or remediation for any such conditions. Environmental analysis is beyond the scope of this Appraisal.
4. All information contained within this report is obtained from sources believed to be reliable. This information is in no sense guaranteed. A personal inspection of the property has been made.
5. Possession of this Report does not give the possessor Right of Publication. The Appraiser reserves the Right to restrict publication of this Report and then only to permit it in a complete and full form.
6. Distribution of the total valuation between land and improvements applies to the present state of utilization or alternative equal use. This study is invalidated under other programs and utilizations.
7. The Appraiser has no present or contemplated interest in the Subject property and our employment as the Appraisers was in no way contingent upon the value conclusion of this Report.
8. Inspection of the Subject property was for the purpose of estimating a specified value. The inspection was in no way related to codes, standards, life safety standards or to the Americans With Disabilities Act of 1/26/92.  
It is possible that inspection of the Subject property would reveal conditions not conformal to those codes prevailing as partially enumerated above.
9. Environmental analysis is beyond the Scope of this Appraisal Report. We encourage execution of due diligence via expert analysis.
10. It is assumed that all use and occupancy permits, insurances, and administrative approvals, license and/or authorizations are in effect over the Subject property or are otherwise renewable.

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11. It is assumed that all applicable zoning and use regulations have been complied with; any nonconformities have been stated and considered in this report.
12. Boundaries shown on map abstracts are approximate and are not measured or surveyed by the Appraiser for accuracy or correctness. Mapping is intended to convey an overview only of the properties referenced.
13. The Appraiser is not obligated to provide testimony in a legal proceeding without prior consent.
14. On Appraisals involving proposed construction, the Appraisal Report and value conclusions as to property value are contingent upon completion of the proposed improvements with plans and specifications provided by receipted statement relative to the assignment.
15. Neither all nor any part of the contents of this Report or copy thereof [including conclusions as to property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organizations] shall be used by anyone but the mortgagee or its successors and assigns, mortgage insurers, consultants, professional appraisal organizations, any state or federally approved financial institution, any department, agency or instrumentality of the United States or of the District of Columbia without the previous written consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media without the written consent of the Appraiser.

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## APPROACHES TO VALUE

There are three classical Approaches which are utilized in estimating the Market Value of Real Estate. These Approaches are defined as following:

### COST APPROACH TO VALUE

That Approach in Appraisal Practice which is based on the proposition that the informed purchaser would pay no more than the cost of producing a substitute property with the same utility as the Subject property. It is particularly applicable when the property being appraised involves relatively new improvements which represents the Highest and Best Use of the land or when relatively unique or specialized improvements are on site for which there exists no comparable properties on the market.

### DIRECT SALE COMPARISON APPROACH

That Approach in Appraisal Practice which is based on the proposition that an informed purchaser would pay no more for a property than the cost to him of acquiring an existing property with the same utility. This Approach is most applicable when an active market provides sufficient quantities of related and reliable sales data which can be verified by authoritative sources. This Approach is relatively unreliable in an inactive market or in the estimation of value of properties for which no comparable sales exist. It is also questionable when sales data cannot be verified with principals to the transaction.

### INCOME APPROACH TO VALUE

That procedure in Appraisal Practice which converts anticipated benefits [dollar income or amenities] to be derived from the ownership of the Property into a Value Estimate. The Income Approach is widely applied in appraising income producing property.

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### HIGHEST AND BEST USE

That reasonable and probable use that will support the highest present value, as defined, as of the effective date of the Appraisal. Alternatively, that use from among reasonable, probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible, in which results the highest land value.

This definition above applies specifically to the Highest and Best Use of the land. It is recognized that in cases where the site has existing improvements on it, the Highest and Best Use may very well be determined to be different from existing use. The existing use will continue, however, unless and until land value, in its Highest and Best Use exceeds the total value of the property in its existing use.

Implied within these definitions is recognition of the contribution of that specific use to community environment or to community development goals in addition to wealth maximization of individual property owners.

Also implied is that determination of Highest and Best Use resulting from the Appraisers judgement and analytical skills represents an Opinion and not a fact to be found.

In Appraisal practice, the the concept of Highest and Best Use represents the basis upon which Value is estimated.

In the context of Most Probable Selling Price [Market Value] another appropriate term to reflect the Highest and Best Use would be the Most Probable Use.

In the context of investment value an alternative term would be Most Profitable Use

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The Financial Institutions Reform, Recovery and Enforcement Act [FIRREA] requires an Appraiser to have the knowledge and experience necessary to perform a specific Appraisal assignment. Reference is made to the qualifications, education and experience of the Appraiser cited in the Appraisal Report. These demonstrate a competency commensurate with the requirements to appraise the Subject property.

#### Qualifications Of The Appraiser

David A. Santacroce, CGA #544, State Of Connecticut

#### Educational Background

Graduate, University of Massachusetts @ Boston State College, Bachelor of Science, 1973  
 Real Estate Appraisal I, Middlesex Community College  
 Real Estate Appraisal II, University of Connecticut  
 Principals & Practices of Real Estate, Middlesex Community College  
 Real Estate Brokerage, University of Connecticut  
 Real Estate Law, Middlesex Community College  
 Historic & Antique Properties, Middlesex Community College  
 Real Estate Financial Workout, Real Estate Consortium  
 Unique & High Value Properties, DARES Institute  
 Sales Analysis & Market Trends, DARES Institute  
 Appraisal of Partial Interests, DARES Institute

Mr. Santacroce has experience in tax appeal appraisals, rights of way appraisals, special use property appraisals, eminent domain appraisals and open space appraisals. Santacroce Associates, LLC is experienced in light industrial appraisals

Mr. Santacroce has completed in excess of 300 hours continuing education and has passed both the Residential and General Appraiser examinations as endorsed by the Appraisal Foundation and the Appraisal Qualification Board.

David Santacroce has been in continuous practice since 1984 and has been continuously licensed and Certified by the State of Connecticut since inception in 1989.

#### Partial Listing of Professional Clients

Pullman & Comley, LLC  
 Ryan & Ryan, PC  
 Halloran, Sage, LLC  
 Atty Wlm Bowles  
 Farrell, Boccalate & Guarino  
 Attorney Frances Szewczyk  
 Atty Jule Crawford

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Government Agencies

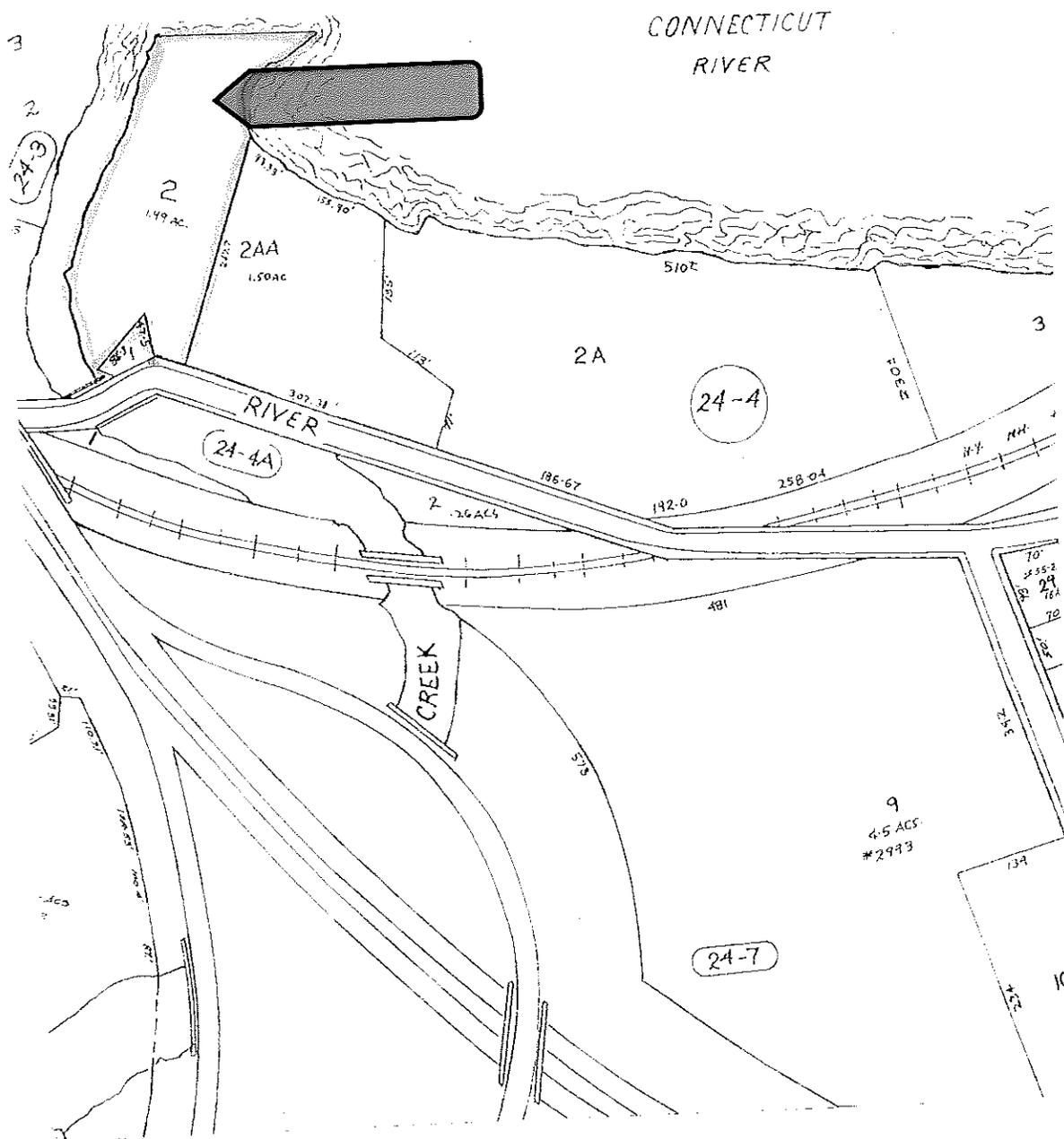
State Of Connecticut Department of Transportation

State Of Connecticut Department of Environmental Protection

City of Middletown

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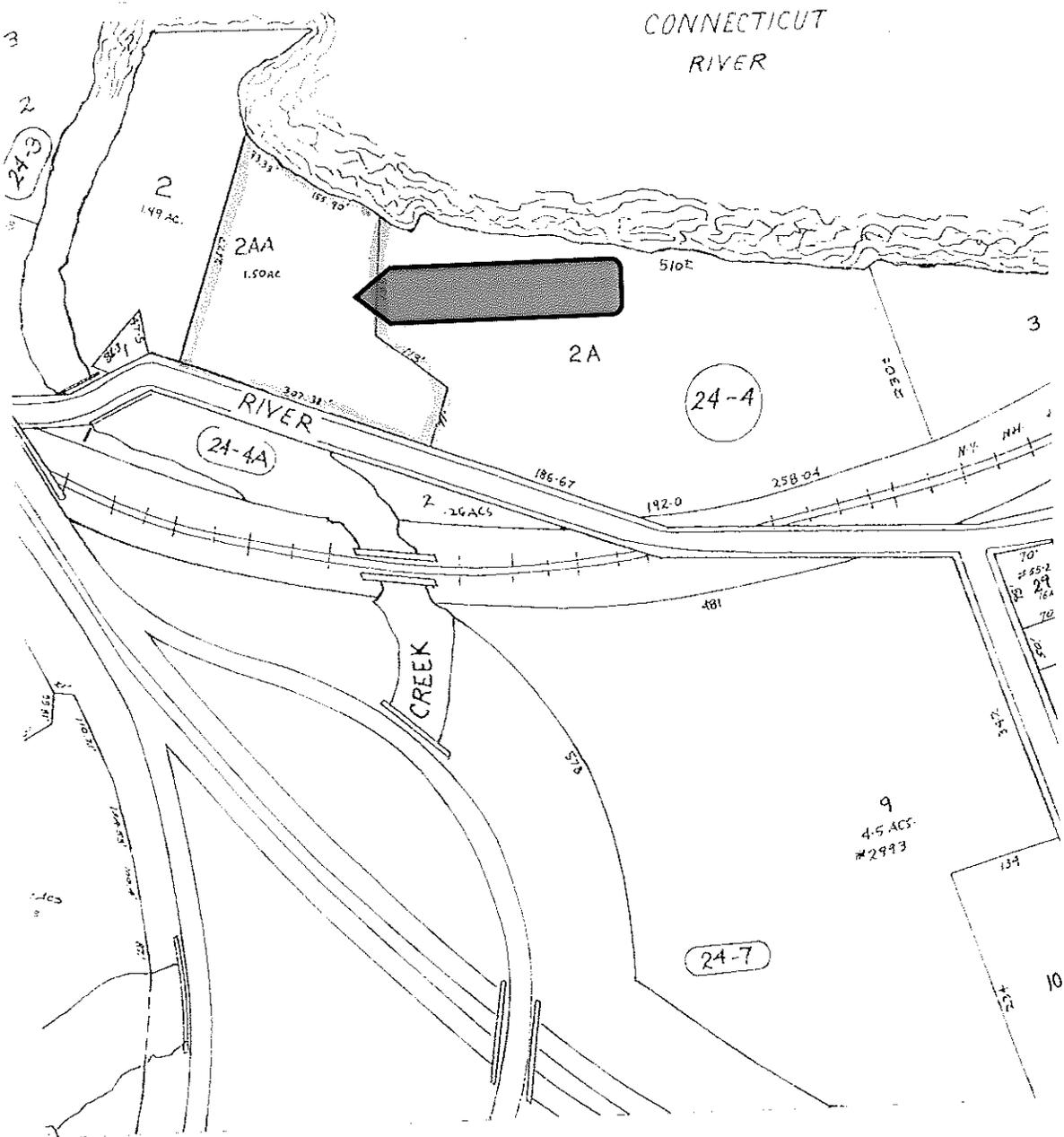
**SECTION TWO-PREMISES OF THE APPRAISAL**



Map Of:

Map 34 Block 24-4 Lot 2  
Middletown, Ct  
7/2001

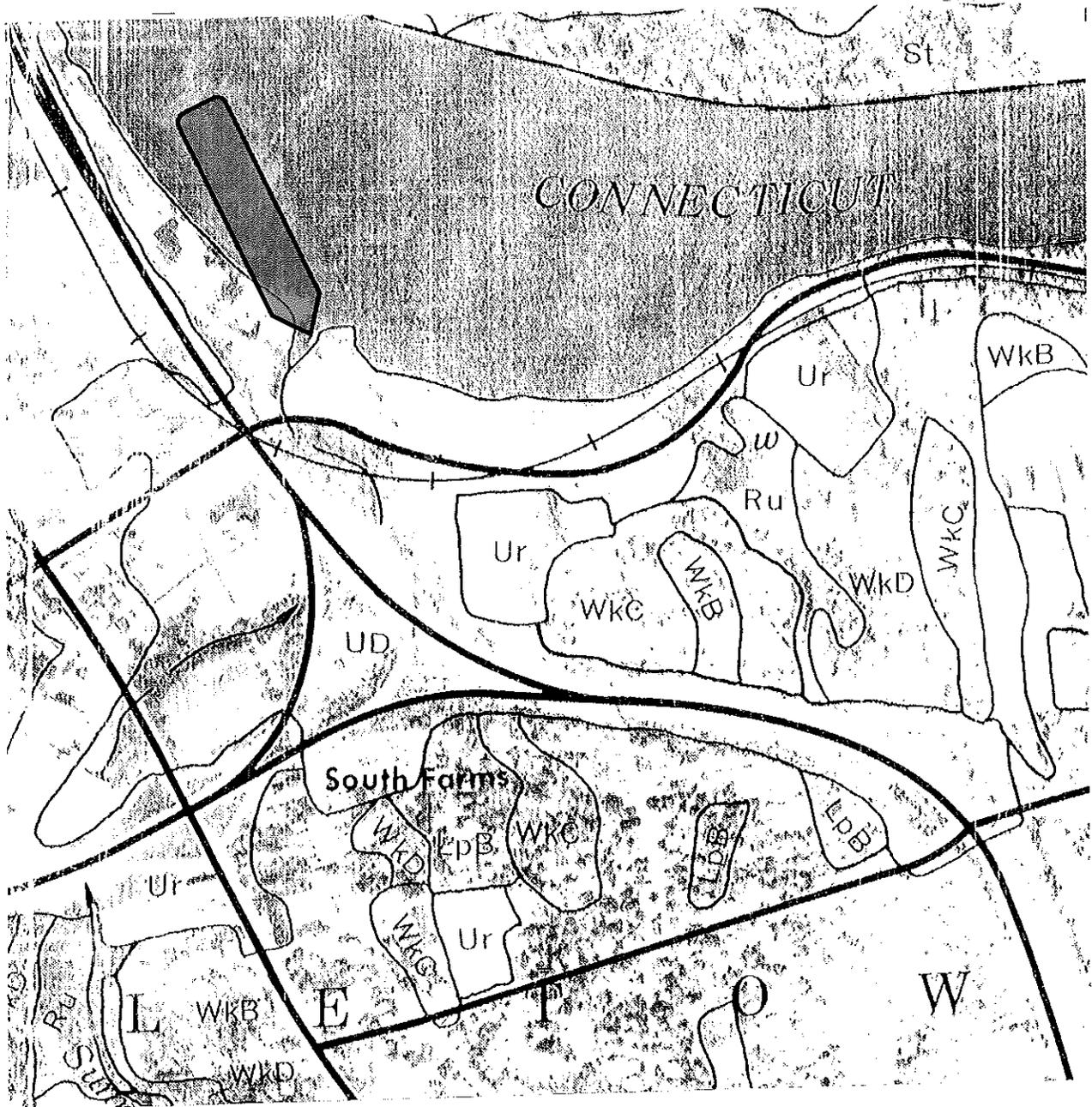
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Map Of: Map 34 Block 24-4 Lot 2AA  
Middletown, Ct  
7/2001

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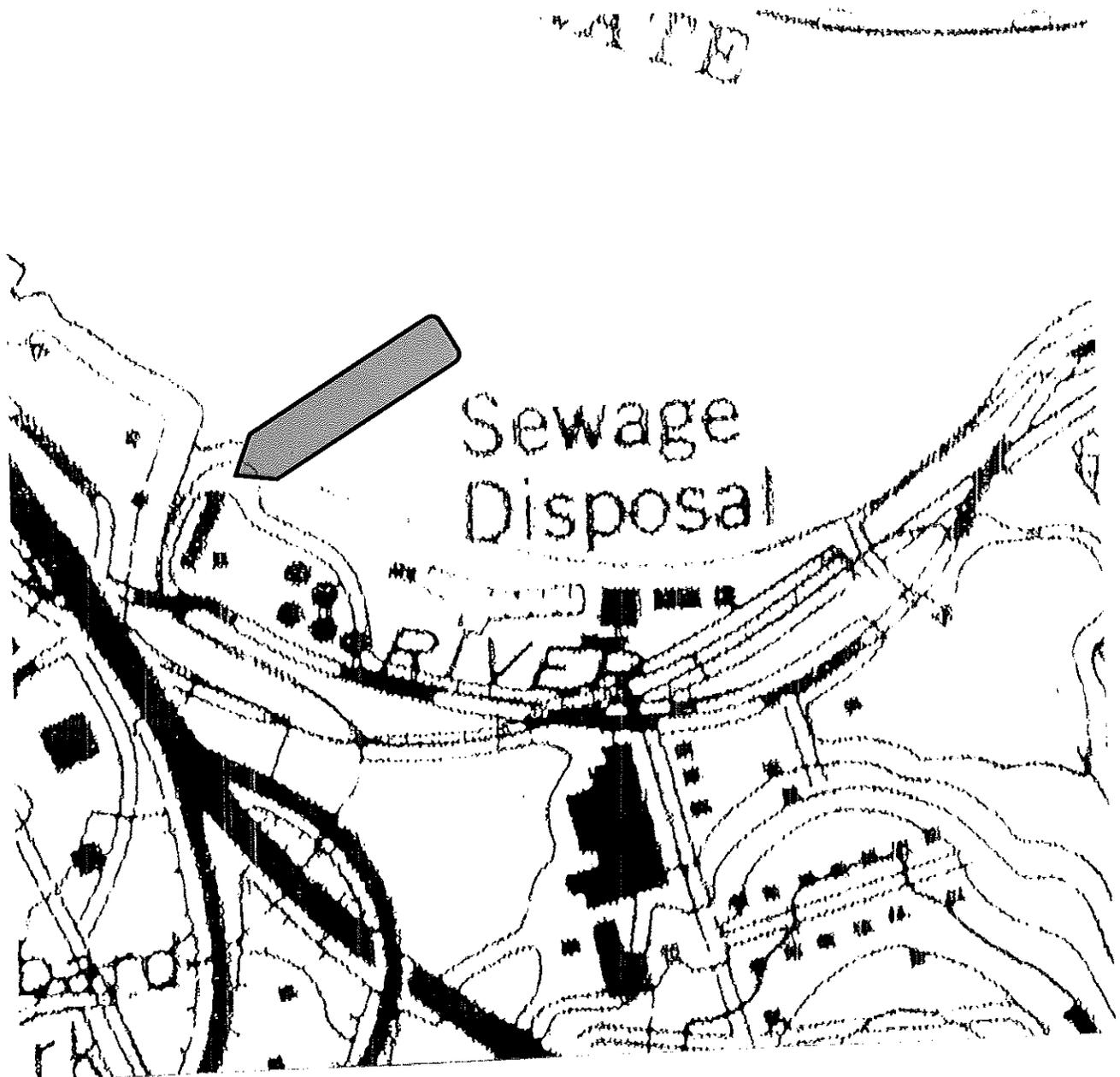
SUBJECT SOIL MAP ABSTRACT LOTS 2 & 2AA -11



Map Of:

Map 34 Block 24-4 Lot 2 & 2AA  
Middletown, Ct  
7/2001

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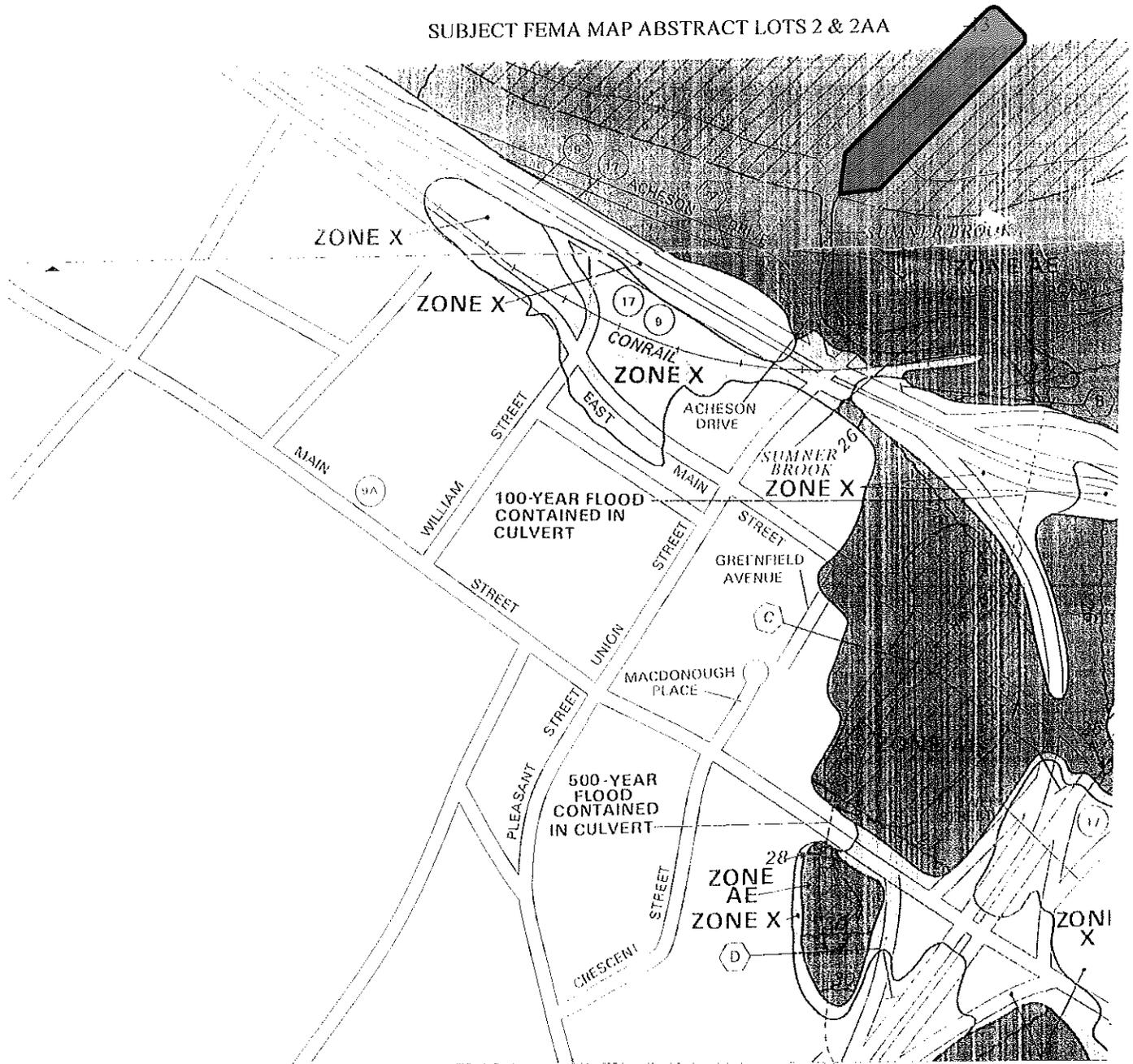


Map Of:

Map 34 Block 24-4 Lot 2 & 2AA  
Middletown, Ct  
7/2001

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SUBJECT FEMA MAP ABSTRACT LOTS 2 & 2AA



Map Of:

Map 34 Block 24-4 Lot 2 & 2AA  
Middletown, Ct  
7/2001

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Photo Of:                      Map 34 Block 24-4 Lot 2  
   Middletown, Ct  
   7/2001

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Photo Of:

Map 34 Block 24-4 Lot 2AA  
Middletown, Ct  
7/2001

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Photo Of:

Street Scene NORTHERLY  
Map 34 Block 24-4 Lot 2 & 2AA  
Middletown, Ct  
7/2001

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16A



Photo Of:

Street Scene SOUTHERLY  
Map 34 Block 24-4 Lot 2 & 2AA  
Middletown, Ct  
7/2001

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**SECTION THREE-SUMMARY OF SALIENT FACTS**

**Scope:**

The scope of this Appraisal has involved an on-site inspection on 7/23/2001. A review of public documents, conveyances, financing conditions prevalent, costs and general market conditions has been made relative to establishing Market Value of the Subject[s] in Fee Simple, as improved.

The steps undertaken in this Appraisal are believed to reflect those steps generally undertaken in the appraisal of real property. The Report also follows those steps generally considered necessary to convey a logical and reasonable value conclusion based on the Data collected in the course of the assignment.

The value conclusion is based on the following methods:

1. Direct Sale Comparison Approach;

No data has been compiled, included, or excluded that would tend to support a biased Opinion of Value in the development of the Appraisal.

Diagrams and maps submitted by the Appraiser are to illustrate the basis upon which the Opinion[s] are based. These diagrams are not intended to convey approvals or permits nor have they been examined by local officials. They are believed to be of sufficient accuracy to be considered in development of the value opinions as they represent the efforts of organizations upon which material reliance is commonly made.

The Appraisal represents a Complete Appraisal reported in Self-Contained Appraisal Report format in conformance with the Uniform Standards of Professional Appraisal Practice, [USPAP], as promulgated by the Appraisal Standards Board of the Appraisal Foundation; and, incorporates the requirements set forth by Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of August, 1990.

The Replacement Cost Approach To Value has not been considered as replacement of the existing structure is not likely as it does not represent the Highest and Best Use of the Land, as improved.

This Summary of Salient facts and Important Conclusions is a part of the Report and conveys supporting data and elaboration of data employed in the Valuation section.

- History:** Lot 2AA conveyed from the William R. Peterson Oil Co. Inc on 3/23/1999 to the City of Middletown. Lot 2 conveyed from the William R. Peterson Oil Co. Inc. on 2/26/2001. These conveyances have not been considered in the value estimate as the grantee is empowered by eminent domain.
- Type of Property:** Unimproved commercial land; former fuel oil storage site.
- Location:** The Subject property is located at 44 River Road in Middletown, Ct and is comprised of 2 lots known as 2 and 2AA in Block 24-4 of Middletown Tax Assessors Map 34 and is/are further identified in the Middletown Land Records Volume 1194 Page 216 [2AA] and Volume 1253 Page 147 [Lot 2]. Abstracts of these documents are enclosed as addenda in Section Five-Addenda To The Appraisal. River Road is a vestigial urban arterial.
- Ownership:** The property[s] are recorded under The City of Middletown, Ct.
- Rights Appraised:** This Appraisal is of the Fee Simple Estate of the Subject property.  
Fee Simple Estate is defined in The Dictionary of Real Estate Appraisal, American Institute of Real Estate Appraisers, First Edition, 1984, Page 123 as:  
"Absolute Ownership unencumbered by other interest or estate; subject only to the limitations of eminent domain, escheat, police power and taxation." An examination of pertinent mapping [soil, topographical, wetland and flood maps] indicates the superimposition of flood plain limitations on development.
- Objective:** Estimate Market Value of the Subject, "as-is" reflecting Market conditions as of 07/23/2001.
- Purpose:** Open space acquisition.
- Legal Description:** Middletown Land Records Volume 1194 Page 216 and Volume 1253 Page 147 as recorded in the Office of the Middletown Town Clerk.
- Improvements:** 32' x 111' single story masonry mechanical service building built about 1925. No contributory value as this would not be the predicate or basis of purchase. Fencing and other fixed improvements also not contributory.

**Site Data:**

A generally level 2.99 acre assembly of two [2] adjacent and contiguous parcels of land on the east side of River Road at Sumner's Creek in Middletown Connecticut known as Lots 2 and 2AA in Block 24-4 on Middletown Tax Assessors Map #34.

**LOT 2**

A 1.49 acre site with 200 line feet on the Connecticut River and about 350 line feet [usable] on the south side of Sumner's Creek. Roadway frontage is about 40' with a net depth of about 400'. The site is generally level and is comprised of moderately well drained urban land complex [UD Soils]. The stability of the soils is moderate.

The site is in a Special Flood Hazard Zone as per attached mapping indicates. The site appears to afford about 18' of river depth.

**LOT 2AA**

A 1.50 acre site with 200 line feet on the Connecticut River and roadway frontage is about 307' with a net depth of about 236'. The site is generally level and is comprised of moderately well drained urban land complex [UD Soils]. The stability of the soils is moderate.

The site is in a Special Flood Hazard Zone as per attached mapping indicates.

Both sites are accessible by an improved public roadway.

**Town Data:**

Middletown is a city of 44,000 persons in central Connecticut in the Connecticut River Valley with Route 9 being a principal arterial.

Government is mayor-council and public safety services are provided on a municipal full-time paid basis. Public works are extensive and are provided to the Subject.

Middletown is the location of a liberal arts college; a major defense contractor, a practicing hospital and has a number of employers who have in excess of 1,000 employees.

The town economy is diverse with substantial equity holders active in the business community on a direct basis via community services, political engagement, and active property management. The significant participants are United Technologies, Wesleyan University, Middlesex Mutual Assurance and the Middlesex Hospital Corporation.

The municipal government is actively involved in the Subject neighborhood in redevelopment, zoning modernity and public

works improvements. Infrastructural improvements have occurred in the neighborhood.

Middletown is of 37% absorbed land area and has the second largest rate of absorption in the Midstate Regional Planning Area District and exceeds the District Absorbed Land Area rate of 22% and is double and triple the rate of its surrounding communities excepting Cromwell, the northerly abutting community.

**Neighborhood:** The Subject neighborhood is the riverfront recreation area commonly known as Harbor Park, collectively. The main feature of the locale is the Connecticut River front area. The area is accessible to and from the central business district and is accessible via Route 9 on the south side. Equity conditions in the locale are stable.

The neighborhood is essentially fully absorbed with commercial and industrial land users in the majority of the [extensive] water front area. The municipality is absorbing such land uses as they become available.

**Zoning:** The site is zoned **RF-Riverfront Recreation**

See attached zoning abstract attached as addenda.

**Highest & Best Use:** This concept is defined in the Dictionary Of Real Estate Appraisal [American Institute of Real Estate Appraisers] 1984, Page 152 as:

1. The reasonable and probable use that supports the highest present value of vacant land or improved property, as defined, of the date of the appraisal.
- 2 The reasonably probable and legal use of land or sites as though vacant, found to be physically possible, appropriately supported, financially feasible and that results in the highest present land value.
3. The most profitable use.

In analysis of the Highest and Best Use of a property, the following factors must be considered:

- A. Legally permissible;
- B. Physically possible;
- C. Financially feasible;
- D. Maximally productive

In determining the Highest and Best Use of the Subject properties, consideration was given to location, zoning, utility, and the demand for waterfront properties in the Subject Market.

The Subject site is zoned RF Riverfront Recreation and is subject to Connecticut River Greenway standards, Immediate Harbor Area regulations as well as Special Flood Hazard Zone impositions and restrictions. Development of land acquired by the City in the immediate locale has been for passive recreational use.

The most probable use of the Subject site would be in tandem with the above regulations producing a sole reasonable and supportable use as open recreational land.

**Pollution:**

The Value estimated in this Report is based on the assumption that the properties are not negatively affected by the existence of hazardous substances or detrimental environmental conditions. The Appraisers' routine inspection of and inquiries about the Subject properties did not develop any information that indicated any apparent significant hazardous substances or detrimental conditions which would affect the properties negatively.

It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous materials and environmental conditions on or about the properties that would negatively affect their value.

**Marketing Period:**

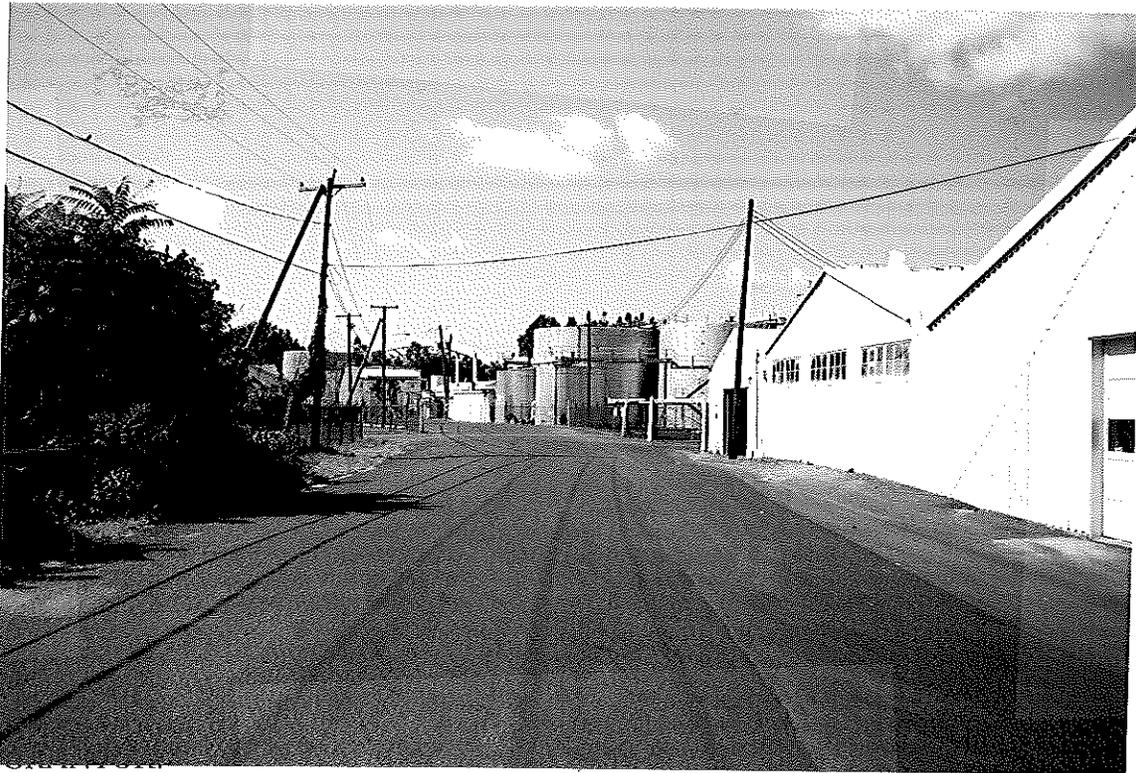
The Market Value conclusion includes an estimate of reasonable exposure time and marketing time. By definition, exposure time precedes the valuation date while marketing time occurs subsequent to the date of the Appraisal. An exposure time of 12 months is considered reasonable to induce a sale at the Market Value estimate. Analysis of market conditions indicates that the exposure time and marketing time are related to the economic real estate conditions as of the date specified

in the Appraisal. The exposure and marketing time assumes reasonable seller expectations and compliance with the definition of Market Value as defined in this Report.

<b>Value Estimate:</b>	M 34 Blk 24-4 Lot 2	\$368,000
	M 34 Blk 24-4 Lot 2AA	<u>\$393,000</u>
	Total	\$761,000

**SECTION FOUR-VALUATION OF THE SUBJECTS**

A series of 4 local riverside sales have been reviewed. These sales have equal zoning characteristics to the Subject and seem to underscore the value of riverside waterfront property. These sales are actively commercially including Sale 4 at the time of acquisition. No adjustments are made for zoning conditions as the Subject represented a "going concern" at the time of purchase. The Sales are presented on the basis of Value/Acre and are proximate to the Route 9 principal arterial. The sales are recent in terms of marketing time and involve a variety of financing techniques typical to this level of the market. These sales are generally reasonable substitutes to the Subject.



GRANTEE: Triram Connecticut LLC

SALE DATE: 04/28/97

RECORDED: Portland Land Records Volume 351 Page 196

SITE SIZE: 2 pieces; .5.37Ac & .64 Acre = 6.01 Acres 800' Rvrfront

ZONING: Industrial

SALE PRICE: \$280,000

TERMS OF SALE: Hudson Investments; \$800,000

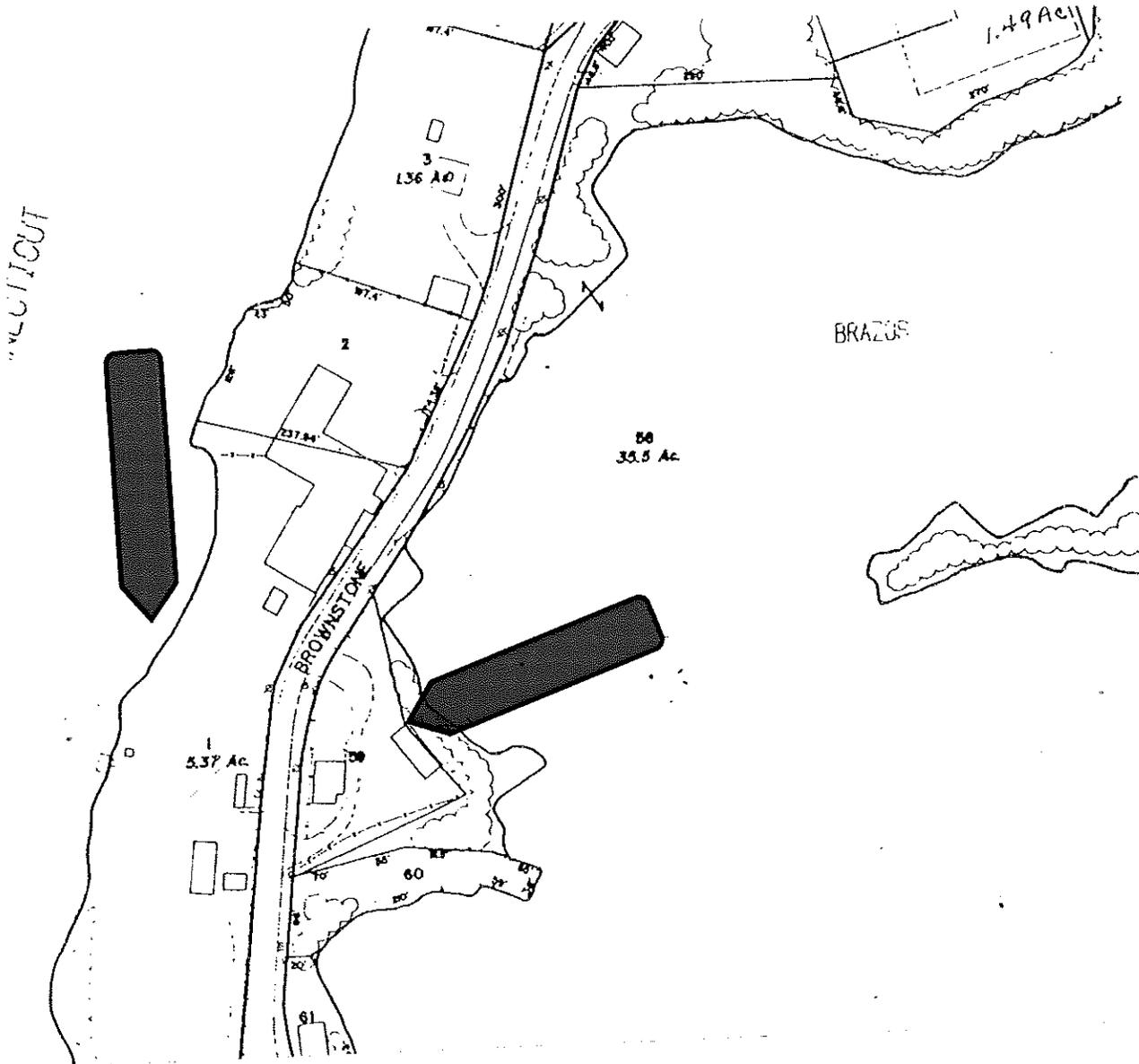
LAND VALUE/AC: \$46,590

WTRFRONT UNITS: \$350/Foot on riverfront

VALUE/SF OF IMPROV: N/A

REMARKS: 13,890SF major bldgs [whse & office]

COMPARABLE SALE ONE



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GRANTOR: John D. & Mary D. Camera  
GRANTEE: 276 Brownstone Associates, LLC

SALE DATE: 07/02/98

RECORDED: Portland Land Records Volume 372 Page 94

SITE SIZE: .42 Acre; @100' Rvrfront

ZONING: Industrial

SALE PRICE: \$110,000

TERMS OF SALE: Glastonbury Bank & Trust; \$88K, 15 yr term

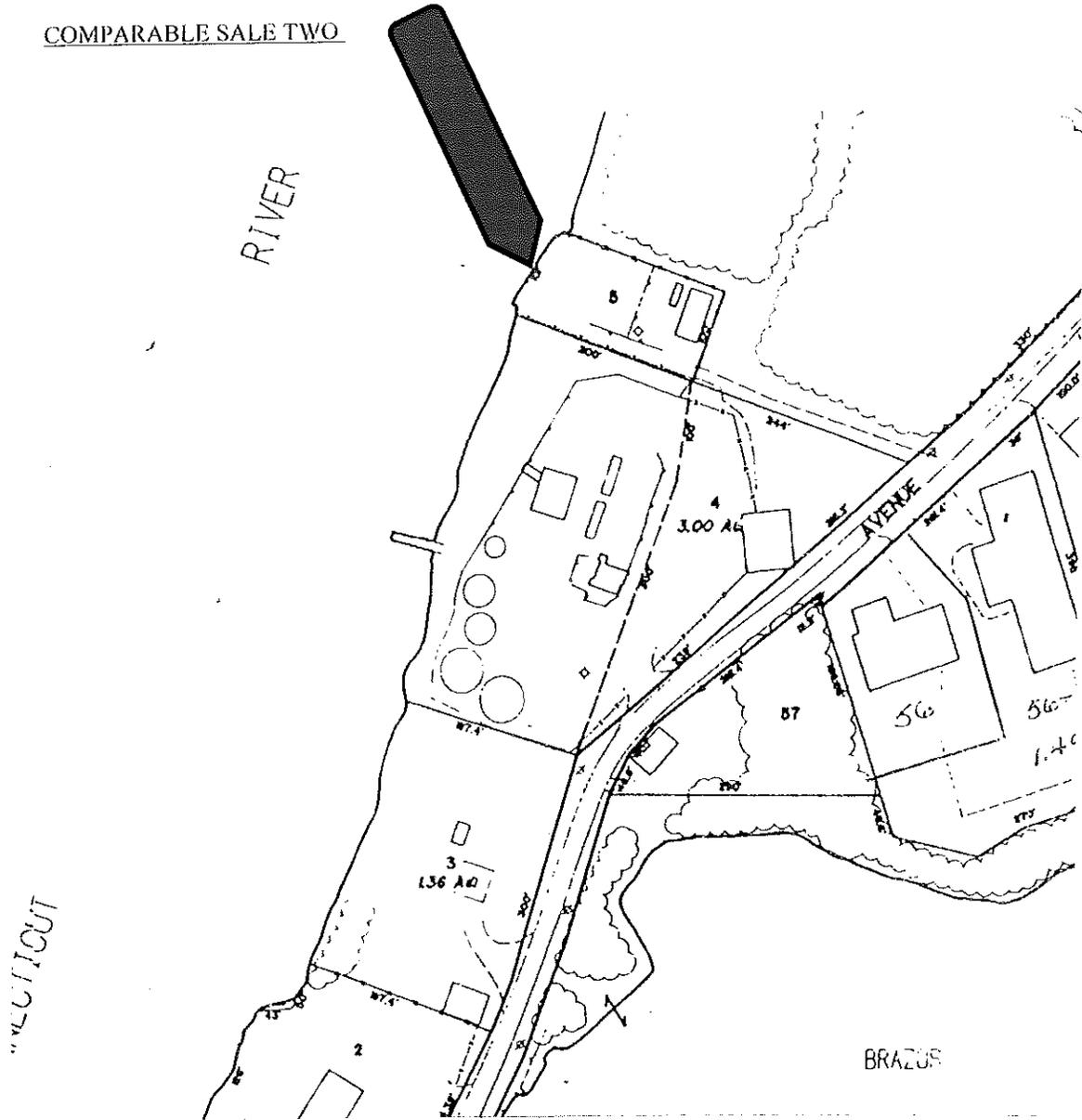
LAND VALUE/AC: \$261,904

WTRFRONT UNITS: \$1100/Foot on riverfront

VALUE/SF OF IMPROV: N/A

REMARKS: 1,275sf bldg [whse & office]

COMPARABLE SALE TWO





GRANTOR: Vinci Realty Associates  
GRANTEE: 38 Duffy Avenue LLC, LLC

SALE DATE: 05/20/99

RECORDED: Portland Land Records Volume 389 Page 136

SITE SIZE: 5.18 Acres; @770' Rvrfront

ZONING: Industrial

SALE PRICE: \$900,000

TERMS OF SALE: Seller; \$500,000 8.75% Fixed rate 10 Yr term.

LAND VALUE/AC: \$173,745

WTRFRONT UNITS: \$1168/Foot on riverfront

VALUE/SF OF IMPROV: N/A

REMARKS: Active terminal facility; tanks,





GRANTOR: Newfield Realty  
GRANTEE: City of Middletown

SALE DATE: 01/31/92

RECORDED: Middletown Land Records Volume 969 Page 29

SITE SIZE: .80 Acre; 2 pieces; 110' on Connecticut River; Sumners Crk

ZONING: Riverfront Recreation

SALE PRICE: \$300,000

TERMS OF SALE: Cash; Use & Occupancy immediate; cleared site.

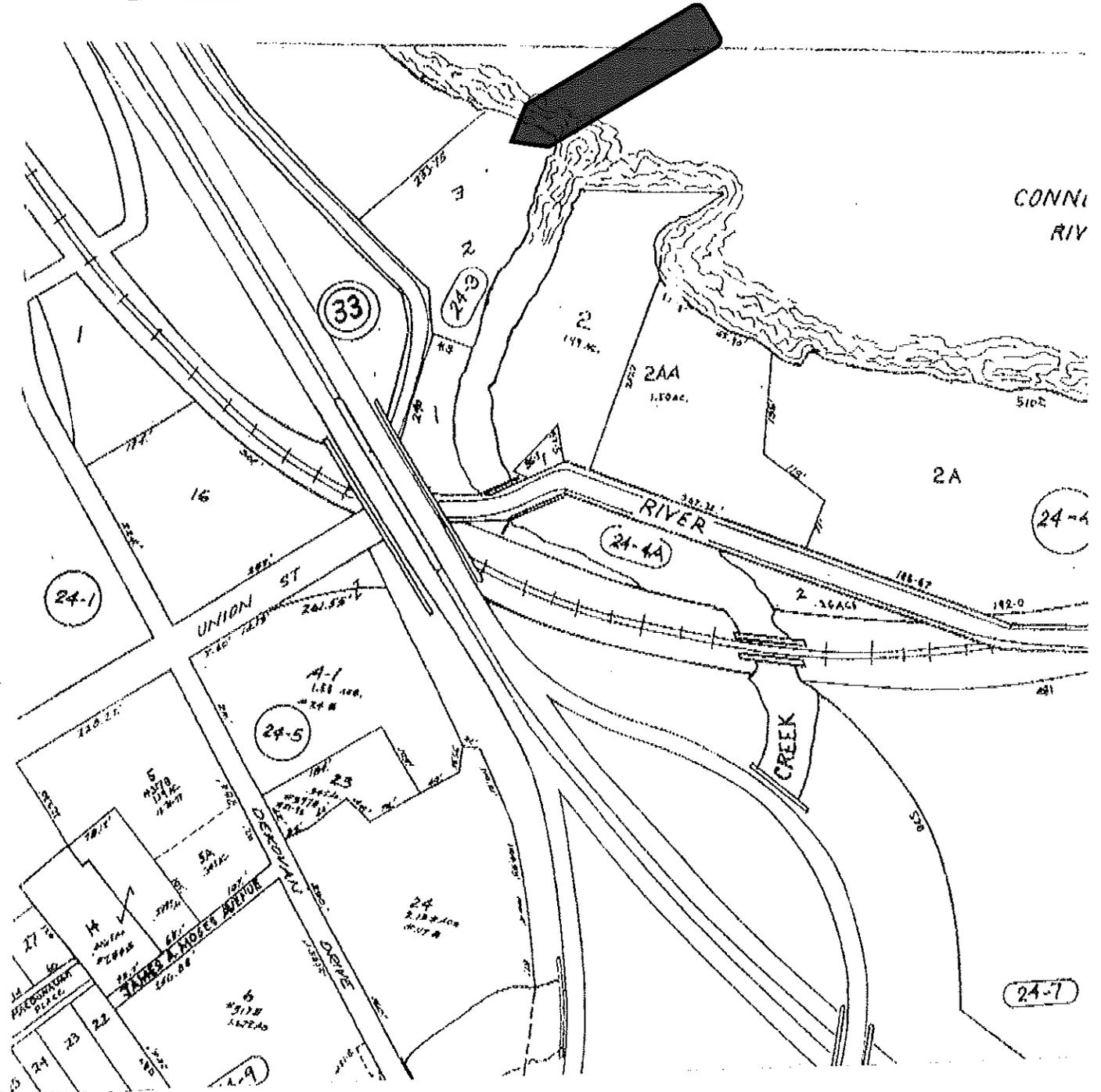
LAND VALUE/AC: \$375,000

WTRFRONT UNITS: \$2,727/Foot on riverfront

VALUE/SF OF IMPROV: N/A

REMARKS: Asphalt plant.

COMPARABLE SALE FOUR



**SECTION FOUR-VALUATION OF LOT 2**

RECONCILIATION OF THE SALES

<u>Sale</u>	<u>Date</u>	<u>Price</u>	<u>Acres</u>	<u>Rvr Ftge</u>	<u>S/AC</u>	<u>S/RvrFtge</u>	<u>Zone</u>	<u>Description</u>
Sale 1	4/28/97	280000	6.01Ac	800 Line Ft	46590	350/Line Ft	Indust	2 pieces on Brownstone Avenue improved w/ofc & whse
Sale 2	7/02/98	110000	.42Ac	100 Line Ft	261904	1100/Line Ft	Indust	1 piece; smaller lot on river improv'd w/ofc & whse
Sale 3	5/20/99	900000	5.18Ac	770 Line Ft	173745	1168/Line Ft	Indust	Active terminal facility w/tanks and river front
Sale 4	1/31/92	300000	.80Ac	110 Line Ft 409 Line Ft creek	375000	2727/Line Ft	RvrRec	Inactive asphalt; site cleared
Subject 07/2001			1.49Ac	200 Line Ft 350 Line Ft creek			RvrRec	Former terminal facility

Sale dating for Sales 1, 2 and 3 are considered a reasonable frequency given the nature of the inventory; privately owned commercially viable river frontage. Sale 4 [Lot 2 in Block 24-3 of Map 33] is included as it is an abutter to the Subject. Sale 4 in average frontage value [Ct. River & Sumner's Creek] equals \$1,730/ river front foot.

Lot 2 of Map 33 Block 24-3 is municipally owned public space improved as a park and is a component of the locale commonly referred to as Harbor Park. The area is the centerpiece of the riverside recovery and now includes Sumner's Creek. The frontage area of acquisition of Lots 2 and 2AA completes the assembly of about 3000 line feet of river frontage. The river frontage is commercially viable and is improved commercially and recreationally. Equity conditions in the locale are considerable and cooperative and exist compatibly. The acquisition of Lot 2 involves creek frontage which is dissimilar to Sales 1-3. Sale 4 involved creek frontage in the same locale. The creek frontage is substantially less usable than the Connecticut River frontage but nonetheless is a function of value in terms of the fact that it is being acquired and must have a value component. The inverse relation of frontage is employed as a multiplier. The inverse is developed by the Subject frontage 200 line feet/Sumner's Creek frontage of 350 line feet. The multiplier developed is  $200/350 = .57$ .

Sale 2 is adopted to the indicated Subject value as it is a recent sale of a riverfront site generally equal to the Subject in that .42 Acres is closer to 1.49 Acres than the other sales in terms of size including the frontage exposure to the River.

Sale 2 has conveyed at the rate of \$261,904 per acre. To the Subject site of 1.49 acres this results in a value basis expressed as  $\$261,904/\text{Acre} \times 1.49 \text{ Acres} = \$390,236$ . Using Sale 2 in valuation by frontage [Ct River] a value of \$1100/Line Foot @ 200 Line Feet =  $\$1100/\text{Line Foot} \times 200 \text{ Line Feet} = \$220,000$ . To account for the value of the Sumner's Creek frontage the multiplier of .57 is employed @  $\$220,000 \times 157\% = \$345,400$ .

Based on Sale Two a final value conclusion of  $\$390,236 + \$345,400/2 = \$367,818$  rounded to \$368,000 to Lot 2 in Block 24-4 Map 34.

**SECTION FOUR-VALUATION OF LOT 2AA & SUMMARY**

RECONCILIATION OF THE SALES

<u>Sale</u>	<u>Date</u>	<u>Price</u>	<u>Acres</u>	<u>Rvr Ftge</u>	<u>S/AC</u>	<u>S/RvrFtge</u>	<u>Zone</u>	<u>Description</u>
Sale 1	4/28/97	280000	6.01Ac	800 Line Ft	46590	350/Line Ft	Indust	2 pieces on Brownstone Avenue improved w/ofc & whse
Sale 2	7/02/98	110000	.42Ac	100 Line Ft	261904	1100/Line Ft	Indust	1 piece; smaller lot on river improvd w/ofc & whse
Sale 3	5/20/99	900000	5.18Ac	770 Line Ft	173745	1168/Line Ft	Indust	Active terminal facility w/tanks and river front
Sale 4	1/31/92	300000	.80Ac	110 Line Ft 409 Line Ft creek	375000	2727/Line Ft	RvrRec	Inactive asphalt; site cleared
Subject	07/2001		1.50Ac	199 Line Ft			RvrRec	Former terminal facility

Sale dating for Sales 1, 2 and 3 are considered a reasonable frequency given the nature of the inventory; privately owned commercially viable river frontage. Sale 4 [Lot 2 in Block 24-3 of Map 33] is included as it is an abutter to the Subject. Lot 2 of Map 33 Block 24-3 is municipally owned public space improved as a park and is a component of the locale commonly referred to as Harbor Park. The area is the centerpiece of the riverside recovery and now includes Sumner's Creek. The frontage area of acquisition of Lots 2 and 2AA completes the assembly of about 3000 line feet of river frontage. The river frontage is commercially viable and is improved commercially and recreationally. Equity conditions in the locale are considerable and cooperative and exist compatibly. The acquisition of Lot 2AA involves Connecticut River frontage and no creek frontage.

Sale 2 is adopted to the Subject value as it is a recent sale of a riverfront site generally equal to the Subject in that .42 Acres is closer to 1.49 Acres than the other sales in terms of size including the frontage exposure to the River.

Sale 2 has conveyed at the rate of \$261,904 per acre. To the Subject site of 1.50 acres this results in a value basis expressed as  $\$261,904/\text{Acre} \times 1.50 \text{ Acres} = \$392,856$  rounded to \$393,000.

Based on Sale Two a final value conclusion of \$393,000 is adopted to Lot 2AA in Block 24-4 Map 34.

### SUMMARY

The value conclusion for both lots as of 7/23/2001 is:

Map 34 Block 24-4 Lot 2	=	\$368,000
Map 34 Block 24-4 Lot 2AA	=	<u>\$393,000</u>
Total		\$761,000

**SECTION FIVE-ADDENDA TO THE APPRAISAL**

SECTION 31 RIVERFRONT RECREATION ZONE

31.00 PURPOSE AND INTENT

It is the intent of this section to protect the natural character of the Connecticut River Greenway and insure that any development within the zone proceeds in an environmentally sensitive manner. Therefore, tree clearance and other alterations within the zone shall be held to a minimum, as determined by the Commission.

31.01 LOCATION AND DESCRIPTION OF THE RF ZONE

This Zone is composed of the Connecticut River and the strip or land paralleling the river from the northern (at Wilcox Island) to southern municipal boundary. The northern, eastern and southerly boundary is the municipal line. The western boundary, at the northerly end, is the railroad track which parallels State Highway 9. At Silver Street, at River Road, the 100 year floodplain line becomes the boundary line continuing to a point south of the wetland at the mouth of Hubbard Brook where the 100 year floodplain line intersects a line 200 feet west of the centerline of the railroad right of way. Then continuing southerly along that line paralleling the centerline of the railroad right of way until reaching the northern limit of a parcel known as Map 57 Block 50-1 Lot 103 in the City Tax Assessor's Office on the effective date of this amendment. The boundary then runs easterly approximately 100 feet along the northern limit of that parcel to the western limit of the railroad right of way, then south along the western limit of the railroad right of way approximately 1250 feet to the southern limit of a parcel known as Map 57 Block 50-1 Lot 110 in the City Tax Assessor's office on the effective date of this amendment, and then westerly to a point 200 feet west of the centerline of the railroad right of way and then southerly along a line paralleling the centerline of the railroad right of way to the City boundary.

31.02 USES

Permitted uses are limited to water oriented uses and recreational uses and those uses permitted in the Flood Area Management Regulations (Section 46).

31.03 HEIGHT

The maximum height of any new structure in this zone shall not exceed twenty (20) feet with the exception of the Immediate Harbor Area in which the maximum height of any new structure shall not exceed thirty-five (35) feet. The Immediate Harbor Area is defined as that area bounded North by the Middletown-Portland bridge; East by the municipal line; South by Sumner Brook; and West by State Highway 9.

31.04 LOT AREA, WIDTH AND YARD REQUIREMENTS

LOT AREA	LOT WIDTH	YARDS
No Min.	100 ft.	No Min.

31.05 LOT COVERAGE  
Thirty percent (30%) of lot area.

31.06 OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS  
In accordance with Section 40 of this Zoning Code.

31.07 APPLICATION  
All applications for site development shall adhere to the goals and standards of the Connecticut River Assembly or the City of Middletown. The more restrictive of the standards shall apply. Any proposed use requiring referral to the Connecticut River Assembly shall require a local Planning and Zoning public hearing. In addition to all requirements for site plan approval in Section 55, the applicant shall provide as part of the application pre and post-construction renderings which display the view of the site from the opposite shore of the Connecticut River.

(Revised several subsections effective 10\31\92)

STATUTORY FORM WARRANTY DEED

Wm. R. Peterson Oil Company, Incorporated a/k/a WM. R. Peterson Oil Company, Inc., a Connecticut corporation with a principal office at 276 Main Street, Portland, Connecticut ("Grantor"), grants to The City of Middletown, a Connecticut municipal corporation with a principal office at 245 DeKoven Drive, Middletown, Connecticut ("Grantee") with WARRANTY COVENANTS the following described property:

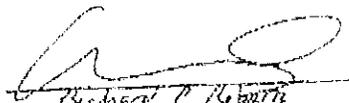
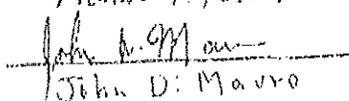
All of that certain piece of real property and all buildings and improvements thereon located at River Road, in the Town of Middletown, County of Middlesex and State of Connecticut described in Schedule A attached hereto and made a part hereof.

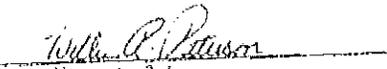
Together with a temporary easement across the real property of Grantor shown as "R.O.W. IN FAVOR OF CITY OF MIDDLETOWN" on the map referred to on Schedule A attached hereto. The term of such easement shall expire on January 25, 2001. The easement is granted solely for the purpose of providing Grantee with access to the Connecticut River for emergency purposes. Grantee shall, as consideration for the grant of this easement, take all necessary steps to ensure that the property subject to the easement shall not be used by unauthorized parties or for any purposes other than emergency access to the Connecticut River.

Said premises are subject to taxes on the list of October 1, 1997 and thereafter, which taxes the Grantee herein assumes and agrees to pay as part consideration for this Deed. Said premises are further subject to building lines, easements, restrictions and notes, as set forth on said map or plan, and to restrictions, covenants, and easements as of record may appear.

Witnessed by:

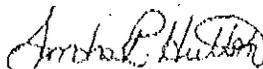
Wm. R. Peterson Oil Company, Incorporated  
a/k/a WM. R. Peterson Oil Company, Inc.

  
Richard P. Roberts  
  
John D. Mauro

By   
William R. Peterson  
Its President

"No Conveyance Tax collected

St. exempt

  
Town Clerk of Middletown"

## SCHEDULE A

A certain piece or parcel of land, containing 1.50 acres together with all buildings and improvements thereon, located on the easterly side of River Road in the City of Middletown, County of Middlesex and State of Connecticut, and being shown as "1.50 ACRES" on a map entitled: "PROPERTY OF WM. R. PETERSON OIL COMPANY, INC. TO BE CONVEYED TO CITY OF MIDDLETOWN RIVER ROAD, MIDDLETOWN, CONNECTICUT BOUNDARY SURVEY DATE: DEC. 1983 REV. SEPT. 28, 1998 SCALE: 1"=20' DAVID B. MYLCHREEST Consulting Engineer Civil - Structural - Survey Laurel Grove Rd. Middletown, Conn.", said land being bounded and described as follows:

Beginning at an iron pin set in the easterly street line of River Road, which point marks the southwest corner of the herein described property and the northwesterly corner of other land of the City of Middletown as shown on said map, thence proceeding N 25° 30' 00" E a distance of 307.38 feet along the easterly line of said River Road to an iron pin, thence proceeding S 64° 30' 00" E a distance of 267.75 feet along property now or formerly of Grantor to an iron pin, thence proceeding S 36° 44' 45" W a distance of 43.38 feet along the bank of the Connecticut River, thence proceeding S 22° 20' 03" W a distance of 155.90 feet along the bank of the Connecticut River to an iron pin, thence proceeding N 71° 54' 13" W a distance of 1.15 feet more or less along property now or formerly of the City of Middletown to an iron pin, thence proceeding S 58° 35' 54" W a distance of 52.67 feet along property now or formerly of the City of Middletown to an iron pin, thence proceeding S 59° 56' 29" W a distance of 60.49 feet along property now or formerly of the city of Middletown to an iron pin, thence proceeding N 62° 41' 13" W a distance of 71.09 feet along property now or formerly of the City of Middletown to the point and place of beginning.

In addition to the above described 1.50 acre parcel of land it is the intention of this deed to convey to the grantee whatever interest the grantor may have in and to the intertidal zone of the Connecticut River described as follows:

A certain roughly triangularly shaped piece or parcel of land located easterly of the 1.5 acres of land conveyed by deed dated March 23, 1999 from Wm. R. Peterson Oil Company, Incorporated (aka Wm. R. Peterson Oil Company, Inc.) to the City of Middletown, said triangular parcel of land being generally located in the area between the high water mark and the low water mark of the Connecticut River and being more particularly shown on a map entitled: "PROPERTY OF WM. R. PETERSON OIL COMPANY, INC. TO BE CONVEYED TO CITY OF MIDDLETOWN RIVER ROAD, MIDDLETOWN, CONNECTICUT BOUNDARY SURVEY DATE: DEC. 1983 REV. SEPT. 28, 1998 SCALE: 1"=20' DAVID B. MYLCHREEST Consulting Engineer Civil - Structural - Survey Laurel Grove Rd. Middletown, Conn.", said land may be described as follows:

Beginning at the southeasterly corner of the 1.5 acres of land conveyed to the City of Middletown by deed dated March 23, 1999 from Wm. R. Peterson Oil Company, Incorporated, said point being the northeast corner of other land of the City of Middletown as shown on said map at its intersection with the Connecticut River, continue thence N 22° 20' 03" E a distance of 155.90 feet along the said 1.50 acres of land identified above, as shown on said map; continue thence N 36° 44' 45" E a distance of 43.38 feet along the said 1.50 acres of land, identified above, as shown on said map; continue thence in an easterly direction along the southerly boundary of land identified on said map as a 25' R.O.W. IN FAVOR OF CITY OF MIDDLETOWN, as shown on said map to a point which is the northerly terminus of a TIE LINE as shown on said map; continue thence S 48° 05' 36" W a distance of 259.26 feet along said TIE LINE to the point or place of beginning.

Filed for Record

MAR 23 1999

3 59 P M

Recorded by

*[Signature]*



POOR ORIGINAL

SCHEDULE A

A certain piece or parcel of land located on the easterly side of River Road in the City of Middletown, County of Middlesex and State of Connecticut, together with all improvements located thereon, said piece or parcel of land being the northerly portion of those premises shown on a map entitled: "PROPERTY OF WM. R. PETERSON OIL COMPANY, INC. TO BE CONVEYED TO CITY OF MIDDLETOWN RIVER ROAD, MIDDLETOWN, CONNECTICUT BOUNDARY SURVEY DATE: DEC. 1983 REV. SEPT. 28, 1998 SCALE: 1"=20' DAVID B. MYLCHREIST Consulting Engineer Civil - Structural - Survey Laurel Grove Rd. Middletown, Conn.", said land being more particularly bounded and described as follows:

Beginning at a iron pin in the Easterly street line of River Road, being the northwesterly corner of land of the City of Middletown and shown on said map as "1.50 ACRES", thence proceeding N 25° 30' 00" E a distance of 49.66 feet along the Easterly street line of said River Road to an iron pin, thence proceeding N 30° 00' 03" W a distance of 9.39 feet along the easterly street line of said River Road to an iron pin, thence proceeding N 71° 14' 57" E a distance of 47.50 feet along land now or formerly of Misenti to an iron pin, thence proceeding N 50° 00' 03" W a distance of 99 feet, more or less, to the southerly shore of Sumner's Creek, thence proceeding N 70° 24' 21" E a distance of 88.33 feet along said Sumner's Creek to a point, thence proceeding S 79° 42' 16" E a distance of 94.26 feet along said Sumner's Creek to a point, thence proceeding S 52° 41' 46" E a distance of 71.97 feet along said Sumner's Creek to a point, thence proceeding S 66° 30' 08" E a distance of 91.45 feet along said Sumner's Creek to a point, thence proceeding S 52° 58' 25" E a distance of 56.44 feet along said Sumner's Creek to a point, thence proceeding S 00° 33' 15" E a distance of 151.64 feet along said Sumner's Creek to a point, thence proceeding in a straight line in a westerly direction to the northeasterly corner of said "1.50 ACRES" parcel of land owned by the City of Middletown, thence proceeding N 64° 30' 00" W a distance of 267.75 feet along said "1.50 ACRES".

It is the intention of this deed to convey to the grantees whatever interest the grantor may have in and to any land lying between the northerly boundary of the above described parcel and the southerly boundary of Sumner's Creek as shown on said map.

Filed for Record FEB 20 2001 at 3:26 PM  
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