

JONES, DAMIA, KAUFMAN,
BOROFSKY & DEPAUL, LLC

SANFORD DEAN KAUFMAN*
MARVIN BOROFSKY
GUY L. DEPAUL
MICHAEL R. KAUFMAN*
*ALSO ADMITTED IN NEW YORK

ATTORNEYS AT LAW
301 MAIN STREET
P.O. BOX 157
DANBURY, CT 06813-0157

OF COUNSEL
WILLIAM R. JONES
A. PETER DAMIA
SUSAN J. POLL
—
TELEPHONE (203) 744-1313
FAX (203) 797-8403
www.danburyattorneys.com

March 20, 2008

BY HAND DELIVERY

Hon. Jean Natale
City Clerk
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

**Re: Our clients: Wayne Toher, Reliant Aircraft Services, Inc. and
Reliant Properties, LLC
Request for Authorization for City of Danbury to Grant Temporary
Grading Easement for Reconstruction of Airplane Hangar Destroyed
in Fire on September 12, 2007, at 1 Wibling Road, Danbury, CT**

Dear Ms. Natale:

This office represents Wayne Toher, Reliant Aircraft Services, Inc. and Reliant Properties, LLC. Reliant Aircraft Services, Inc. is the tenant of M.W., LLC, owner of the property at 1 Wibling Road, Danbury, Connecticut. Effective December 19, 2007, the Planning Commission of the City of Danbury, Granted a Special Exception for the construction of an airplane hangar on the above property. A copy of the Certified Copy of said Grant of Special Exception, which has been recorded on the land records of the City of Danbury in Volume 1978 at Pages 526-530 (hereinafter the "Special Exception") is enclosed herewith.

Item 5 of the Special Exception provides as follows:

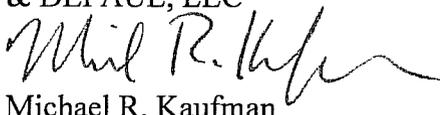
The applicant shall file an easement on the Danbury Land Records over an area shown and designated "Temporary Grading Easements" on a certain map entitled "Reliant Air, 1 Wibling Rd., Danbury, CT". Subtitled 'Site Layout Plan', prepared by CCA, LLC, dated October 25, 2007 – revised through 12/11/07. Said easement shall be reserved for temporary grading rights and shall be reviewed and approved by the City of Danbury Office of Corporation Counsel as to form and content prior to filing. A copy of said filed easement shall be submitted to the Zoning Enforcement Officer.

The City of Danbury owns the property over which the temporary grading easement must be obtained. Thus, our clients seek approval of the Common Council for the City of Danbury to grant the temporary grading easement to M.W., LLC, the owner of the property and its successors and assigns. It is in the interests of the City of Danbury to have the airplane hangar on the Property rebuilt and the temporary grading easement will have little or no impact on the property of the City of Danbury. It is anticipated that the construction will be completed on the Property within six to nine months at the very outside.

We are hereby requesting that this matter be placed on the Common Council's agenda for its April, 2008 meeting. If you require any additional information or documentation please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,

JONES, DAMIA, KAUFMAN, BOROFKY
& DEPAUL, LLC



By: Michael R. Kaufman

MRK/wp
Enclosure

Cc: Wayne Toher, President,
Reliant Aircraft Services, Inc.
Paul Estefan, City of Danbury
Airport Administrator
Ted Backer, Esq., attorney for M.W., LLC
Laszlo Pinter, Esq., Deputy Corporation Counsel



Doc ID: 001820430005 Type: LAN

BK 1978 PG 526-530

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION CERTIFIED COPY OF GRANT OF SPECIAL EXCEPTION

APPLICANT – Wayne Toher, agent for Reliant Air

RECORD HOLDER OF TITLE – MW LLC

LEGAL DESCRIPTION OF PREMISES – 1 Wibling Rd. (#G08002)
SEE ATTACHED LEGAL DESCRIPTION

NATURE OF SPECIAL EXCEPTION – to construct a 22,500 sq. ft. airport hangar on the above referenced property, subject to the following site plan modifications and administrative requirements:

1. The Special Exception/Site Plan Application shall be consistent with the maps, plans and documents listed below, except as modified by this approval:
 - A. Maps under the general title “Reliant Air, 1 Wibling Rd., Danbury, CT”. prepared by CCA, LLC:
 - i. Subtitled ‘Site Layout Plan’, dated 10/25/07-revised through 12/11/07;
 - ii. Subtitled ‘Grading and Utilities Plan’, dated 10/25/07-revised through 12/11/07;
 - iii. Subtitled ‘Existing Conditions’, dated 10/25/07;
 - iv. Subtitled ‘Details’, dated 10/25/07 and
 - v. Subtitled ‘Details’, dated 10/25/07.
 - B. Plans titled “Reliant Air, 1 Wibling Rd., Danbury, CT”, Prepared by H & R Design, dated 11/14/07:
 - i. Drawing Number A1.0 – Subtitled ‘First Floor Plan’;
 - ii. Drawing Number A1.1 – Subtitled ‘Second Floor Plan’ and
 - iii. Drawing Number A1.2 – Subtitled ‘Elevations’.
 - C. Property and Topographic Survey, Prepared for Reliant Air Charter, 1 Wibling Rd., Prepared by CCA, LLC, dated 12/10/03.
 - D. Drainage Calculations for Reliant Air, 1 Wibling Rd., Danbury, CT, Prepared by CCA, LLC, dated 10/25/07.

Prior to any land disturbance or alteration related to site improvements shown on the approved plans and issuance of *any permits*.

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2. The City of Danbury Zoning Enforcement Officer shall verify that development of the site as proposed and approved complies with City of Danbury Zoning Regulations.
3. The applicant must obtain a Floodplain Permit from City of Danbury Planning Commission for any work conducted within the regulated Floodplain.
4. The applicant's engineer shall obtain written evidence from the City of Danbury Building Dept. stating that all requirements, as noted in correspondence from the Building Dept. dated 12/14/07, have been satisfactorily addressed and said evidence shall be presented to the Zoning Enforcement Officer.
5. The applicant shall file an easement on the Danbury Land Records over an area shown and designated "Temporary Grading Easements" on a certain map entitled "Reliant Air, 1 Wibling Rd., Danbury, CT". Subtitled "Site Layout Plan", prepared by CCA, LLC, dated October 25, 2007-revised through 12/11/07. Said easement shall be reserved for temporary grading rights and shall be reviewed and approved by the City of Danbury Office of Corporation Counsel as to form and content prior to filing. A copy of said filed easement shall be submitted to the Zoning Enforcement Officer.

Prior to the issuance of a Certificate of Zoning Compliance by the Zoning Enforcement Officer for any structure:

6. The proposed storm drainage system shall be installed under the supervision of a State of CT licensed professional engineer who shall certify in writing to the Zoning Enforcement Officer, after completion of construction, that the drainage system was installed in accordance with the approved plan. The design engineer shall submit a letter to the Zoning Enforcement Officer outlining the required inspection, cleaning, maintenance schedule and log of said drainage system.
7. All work within City of Danbury road right-of-way shall be completed to the satisfaction of the Highway Dept., including the concrete sidewalk, apron and curbing along the property frontage of Wibling Rd..
8. Approval of this Special Exception application does not waive any other requirements for additional approvals or permits that may be required from other City, State or Federal departments or agencies, including but not limited to site signage.
9. The Grant of Special Exception shall be void and of no effect unless a certified copy is filed on the Danbury Land Records by the applicant, within sixty (60) days from the date of approval in accordance with CGS Section 8-3d.
10. The approval of this Special Exception shall be void and be of no effect unless construction of the proposed buildings and/or structures is completed within five (5) years of the effective date of said approval. The Planning Commission may grant an extension of said five (5) year period of not more than five (5) years provided it finds that owing to conditions affecting such project, the application of such five (5) year completion would result in exceptional difficulty and further provided that such extension insures the protection of the public health, safety, convenience, and property values.

SECTION OF CITY OF DANBURY ZONING ORDINANCE UNDER WHICH THIS SPECIAL EXCEPTION IS GRANTED:

6.A.2.b(2)

THE EFFECTIVE DATE OF THE SPECIAL EXCEPTION IS THE DATE ON WHICH THE APPLICANT FILES THIS CERTIFIED COPY OF GRANT OF SPECIAL EXCEPTION ON THE LAND RECORDS OF THE CITY OF DANBURY.

I hereby certify that the foregoing constitutes a true copy of the Special Exception (SE #665) granted by the Planning Commission of the City of Danbury and effective December 19, 2007. The Commission's approval shall be void and of no effect unless the applicant files this Certified Copy of Grant of Special Exception on the Land Records of the City of Danbury within **SIXTY (60) DAYS OF APPROVAL**.



JoAnne V. Read, Secretary to the
PLANNING COMMISSION

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

Know Ye, That, MILDRED E. WIBLING of the City of Danbury, County of Fairfield and State of Connecticut, for the consideration of ONE (\$1.00) DOLLAR and other valuable consideration received to her full satisfaction of M.W., LLC, a limited liability company, having its principal place of business in the City of Danbury, County of Fairfield and State of Connecticut do remise, release, and forever QUIT CLAIM unto the said M.W., LLC and unto its successors and assigns forever, all the right, title, interest, claim and demand whatsoever as the said releasor has or ought to have in or to

All that certain piece or parcel of land together with improvements thereon situated in the City of Danbury, County of Fairfield and State of Connecticut, consisting of 2.861 acres, being more particularly bounded and described as follows:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY LINE OF A CITY OF DANBURY ROADWAY KNOWN AS WIBLING ROAD, BEING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED PARCEL AND ALSO BEING A NORTHWESTERLY CORNER OF LAND OF WIBLING PROPERTIES, L.L.C. WHICH LAND IS HEREINAFTER DESCRIBED AS PARCEL "X";

THENCE ALONG SAID PARCEL "X" (LAND OF WIBLING PROPERTIES, L.L.C.) THE FOLLOWING COURSES AND DISTANCES: (S21°20'55"E, 17.89') AND (S7°28'00"E, 255.45') TO A POINT;

THENCE THROUGH LAND OF MILDRED E. WIBLING S1°02'30"W, 311.85' TO OTHER LAND OF MILDRED E. WIBLING, BEING THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED PARCEL AND ALSO BEING A NORTHEASTERLY CORNER OF SAID OTHER LAND OF MILDRED E. WIBLING;

THENCE TURNING AND RUNNING ALONG SAID LAND OF MILDRED E. WIBLING S71°34'30"W, 100.00' TO A POINT LYING ALONG AN EASTERLY BOUNDARY LINE OF LAND OF CITY OF DANBURY (DANBURY MUNICIPAL AIRPORT), BEING THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE TURNING AND RUNNING ALONG SAID LAND OF CITY OF DANBURY, THE FOLLOWING COURSES AND DISTANCES: (N28°10'10"W, 104.40') AND (N24°47'00"W, 444.70') TO THE AFOREMENTIONED SOUTHERLY BOUNDARY LINE OF WIBLING ROAD, BEING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE TURNING AND RUNNING ALONG SAID SOUTHERLY BOUNDARY LINE OF WIBLING ROAD, THE FOLLOWING COURSES AND DISTANCES: (N46°34'00"E, 4.13) AND (N68°39'05"E, 315.17) TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION INCLUDES AN AREA OF 2.861 ACRES
(124,616 SQUARE FEET)

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SUBJECT TO:

- 1. Any and all provisions of any municipal ordinance, planning and zoning regulations, public or private laws, including Inland/Wetland Regulations.
- 2. Utility Easement to CL&P, dated September 26, 1967 and recorded October 4, 1967 in Volume 453 at Page 187 of the Danbury Land Records.

TO HAVE AND TO HOLD the premises, with all the appurtenances, unto the said Releasee and unto its successors and assigns forever, so that neither the Releasor nor her heirs nor any other person claiming under her or them shall hereafter have any claim, right or title in or to the premises, or any part thereof, but therefrom and they are by these presents forever barred and excluded.

In Witness Whereof, the Releasor has hereunto set her hand and seal this 8th day of September, A.D. 1999.

Signed, Sealed and Delivered in the presence of:

E.

Ted D. Backer
 Ted D. Backer

Jennifer L. Marques
 Jennifer L. Marques

Mildred E. Wibling L.S.
 Mildred E. Wibling

STATE OF CONNECTICUT :
 COUNTY OF FAIRFIELD : SS.: Danbury September 8, 1999

Personally Appeared, MILDRED E. WIBLING, Signer and Sealer of the foregoing Instrument, and acknowledged the same to be her free act and deed, before me.

Ted D. Backer
 Ted D. Backer
 Commissioner of the Superior Court

Latest address of Grantee:
 No. and Street 666 South King St.
 City Danbury
 State CT Zip 06811

918.50 Conveyance Tax received
Michael R. Scari
 Town Clerk of Danbury
 STATE TAX \$ 8,350.00

Received for Record at 3:25 P. M

SEP 9 1999

Received for Record at Danbury, CT
 On 01/11/2008 At 11:55:13 am
 Attest: Michael R. Scari
 Danbury Town Clerk Cerri A. Boback