

## AFFIDAVIT

Joseph J. Dippel, having been duly sworn, deposes and says as follows:

1. I am over eighteen years of age and understand the nature and obligations of an oath;
2. I am employed by the State of Connecticut, Department of Agriculture (the "Department"), as Director of the Farmland Preservation Program (the "Program") and have been so for the past 15 years. My responsibilities include project review, negotiations, regulation, oversight and stewardship for the Program;
3. Pursuant to Conn. Gen. Stat. 22-26cc the State of Connecticut Department of Agriculture, through a Conveyance of Development Rights deed signed on February 26, 1996, and recorded on April 3, 1996, purchased the development rights to three parcels of land owned by Lewis A. and Truda A. Tanner containing 181.788 acres more or less in the Town of Warren, State of Connecticut, more particularly described on the Attached Schedule A. The State of Connecticut paid \$727,152.00 for said development rights. The conveyance is recorded in Volume 46 at pages 984 through 990 of the land records of the Town of Warren, and which survey 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', T. Michael Alex, L.L.S. #15462, Washington, Connecticut" and is recorded in the Town of Warren land records as map #634, Received April 3, 1996;
4. Pursuant to Conn. Gen. Stat. 22-26cc(b) a Notice of Acquisition dated March 1, 1996 was recorded on April 3, 1996 in Volume 46 at pages 991 through 994 of the land records of the Town of Warren;
5. On September 10, 2005, a Notice of Lease was filed in the Warren Land records in Volume 69 Pages 316 to 324, by and between Lewis A. Tanner and Truda A. Tanner as Landlord and Optasite Inc., of Worchester, Massachusetts, as Tennant, for the building and construction of a Communications Facility, on a portion of the 102.821 +/- acres, Parcel 2, described in the attached Schedule A, on which the development rights as noted in No. 3 above have been conveyed with warranty covenants by Lewis A and Truda A. Tanner;
6. On or about March 2, 2009, the Department became aware of a filing by SBA Towers II, LLC of an application (CSC Docket No. 378) to site a telecommunications tower on the Tanner Farm. The application makes clear that, of the two sites proposed for the location of a telecommunications facility on the Tanner farm, the applicant's proposed Site A would be located upon land that is subject to the Department's preservation restriction; and

