

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on October 19, 2009, and that the same has not been amended or rescinded:

WHEREAS, the Council of the City of Norwich amended its Code of Ordinances on August 3, 2009 to provide for an Ethics Commission to consist of five (5) regular members and two (2) alternate members to serve two year terms; and

WHEREAS, the deadline to apply for a position on said Commission was October 9, 2009.

**BE IT RESOLVED** that the below named be and hereby are appointed as **regular members** of the Ethics Commission with a term to expire on October 18, 2011 or until a successor is appointed:

**Charles L. Arian (D)**  
**Robert E. Davidson (D)**  
**Tamara Lanier (D)**  
**Wayne Rosenfield (D)**  
**Joseph Sastre (U)**

**BE IT RESOLVED** that the below named be and hereby are appointed as **alternate members** of the Ethics Commission with a term to expire on October 18, 2011 or until a successor is appointed:

**Marcia Marien (D)**  
**Ira W. Misenheimer IV (R)**

Dated at Norwich, Connecticut this 20th day of October 2009.

ATTEST:   
Sandra Greenhalgh  
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on October 19, 2009, and that the same has not been amended or rescinded:

WHEREAS, The Best Production Company, Inc., is a non-profit corporation operating the Spirit of Broadway Theater; and

WHEREAS, the City of Norwich by resolution adopted July 29, 1999 designated the Best Production Company, Inc. as Preferred Developer of the former Chestnut Street Fire Station property located at 24 Chestnut Street subject to its entering into a development agreement approved by the Norwich City Council; and

WHEREAS, the City of Norwich and the Best Production Company, Inc. entered into a Lease to Purchase Agreement dated September 28, 1999 which Agreement provided that the Best Production Company, Inc. was to purchase said property from the City of Norwich for a total purchase price of \$100,000 which sum was to be paid in installments to be made through October 1, 2002; and

WHEREAS, said Lease to Purchase Agreement provided among other things that the City of Norwich, upon payment of the amount due from the Best Production Company, Inc., would convey the premises to the Best Production Company, Inc. on or about October 1, 2002, and that the Best Production Company, Inc. would accept the building in an "as is" condition, would uphold historic preservation guidelines as set forth by the Connecticut Historical Society for a period of ten years from the date title was conveyed to it, and would agree that if it sold or transferred the property prior to the expiration of seven years after the date title was conveyed to it, the Best Production Company Inc. would pay back to the City of Norwich a share of the net sales proceeds for the property pursuant to a schedule of reducing amounts; and

WHEREAS, on October 3, 2002, the Lease to Purchase Agreement was amended pursuant to a resolution adopted by the Council of the City of Norwich on September 17, 2002 whereby the time of transfer set out in the Agreement was extended from October 1, 2002 to September 30, 2007 and the schedule of payments reset; and

WHEREAS, the City of Norwich by Resolution adopted May 15, 2006 expedited the transfer of said premises to the Best Production Company Inc. and substituted a mortgage in favor of the City of Norwich for the balance owed it under the terms of the Lease to Purchase Agreement as amended; and

WHEREAS, as of October 13, 2009, the balance owed the City of Norwich on said mortgage is \$45,800.00; and

WHEREAS, the Best Production Company, Inc. has requested that the City of Norwich forgive the balance owed on the mortgage; and

WHEREAS, the Council of the City of Norwich finds that the Best Production Company, Inc., is an asset to the City of Norwich and that the forgiveness of the balance owed on said mortgage will allow the Best Production Company, Inc., to further establish itself as a destination for high quality, innovative and professional theater.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Norwich that City Manager Alan Bergren is hereby authorized and directed to negotiate and execute a modification of the mortgage held by the City of Norwich on real property located 24 Chestnut Street. Such mortgage modification shall provide that the five-thousand dollar payment (\$5,000.00) due and owing to the city as of October 2009 shall be deferred until the end of the mortgage term. The mortgage modification shall further provide that Best Production Company, Inc. shall have the right to seek future modifications subject to the City Council's review and approval.

Dated at Norwich, Connecticut this 20th day of October 2009.

ATTEST:   
Sandra Greenhalgh  
City Clerk