

**MADISON SHELLFISH COMMISSION
DESIGNATION AGREEMENT**

Pursuant to Conn. Gen. Stat. sec. 26-240 *et seq.*, the Madison Shellfish Commission (the "Commission") agrees to designate bottom located in the Town of Madison and under the jurisdiction of the Commission on the terms and conditions described below for the purpose of planting, cultivating, and harvesting shellfish by Stephen Nikituk (the "Lessee").

I. DESIGNATED GROUNDS That portion of the Neck River north of the Madison Town Dock, located at the foot of Neck Road, Madison.

II. PERIOD Five (5) years from the date of execution of this Agreement. Upon expiration of the first five year period, the Lessee is entitled to renew this Designation Agreement for one additional period of five (5) years on the same terms. The Lessee shall not have a right of renewal following the second five year period. If not previously exercised, the Lessee's right of renewal for a second five year period shall terminate thirty (30) days following the expiration of this Designation Agreement.

III. FEES The Lessee shall pay the Commission a fee of \$50 annually, due upon execution of this Agreement and on each following anniversary. In addition, the Lessee shall pay to the Commission by each anniversary of the date of execution a fee of \$1.50 for each bushel of shellfish harvested from the Designated Grounds during the previous year.

IV. NON-ASSIGNABILITY The Lessee shall not assign, sublet or otherwise grant any concession or license with respect to the Designated Grounds without the written consent of the Commission.

V. CONDITIONS OF USE All commercial shellfishermen operating within the waters of the Town of Madison under the authority of the Commission shall operate equipment and conduct shellfishing in such a manner so as to minimize noise or disruptive activity, and to avoid creating any nuisance or otherwise disturb the comfort, convenience, safety, welfare, right-of-navigation, and peace and quiet of persons within the Town of Madison.

VI. REPORTING The Lessee will report periodically to the Commission, at the time and place designated by the Commission, with respect to all operations conducted on the Designated Grounds. This provision shall not eliminate any other reporting requirements under applicable law or regulation.

VII. REGULATION AND LIABILITY The Lessee will comply with all applicable laws and regulations with respect to operations conducted on the Designated Grounds. The Lessee agrees to defend and indemnify the Commission and the Town of Madison with respect to any liability stemming from the Lessee's operations on the Designated Grounds. Neither the Commission nor the Town of Madison will be liable for the loss of shellfish on the Designated Grounds.

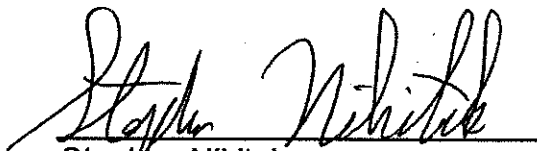
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including, but not limited to, theft, predation, weather, disease or water quality. The Commission makes no representation regarding the suitability of the Designated Grounds for the intended purpose of this Designation Agreement.

VIII. DEFAULT AND NOTICE In the event of any default or failure of the Lessee to comply with the terms of this Agreement, the Commission may terminate the Agreement after providing the Lessee with at least sixty (60) days notice. Any notice required under this Agreement shall be made by registered or certified mail. Notice to the Commission shall be addressed to "Chairman, Madison Shellfish Commission" at Madison Town Hall, Campus Drive, Madison CT 06443. Notice to the Lessee shall be addressed to "Stephen Nikituk" at 296 Neck Road, Madison, CT 06443.

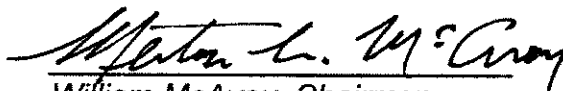
In executing this Agreement, the Commission and the Lessee agree to the terms and conditions stated above.

LESSEE:


Stephen Nikituk

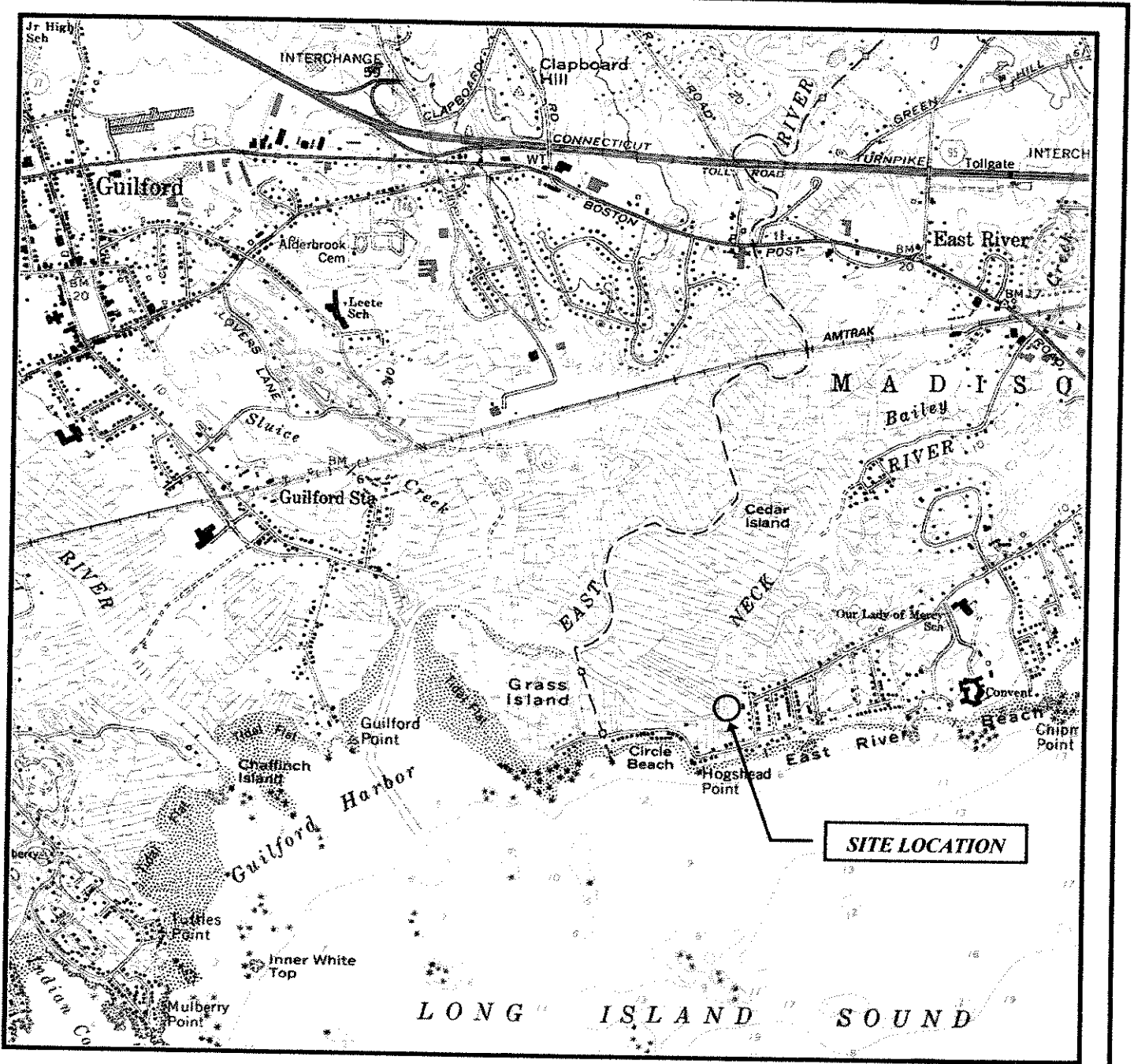
DATED: 6-10-00

MADISON SHELLFISH COMMISSION:


William McAvoy, Chairman

DATED:

shellfi2.1ea



Coastline Consulting, LLC

63 Circle Beach Road, Madison CT 06443
(203) 245-8138

FIGURE 1
SITE LOCATION MAP

TOWN OF MADISON
TOWN DOCK, NECK ROAD
MADISON, CONNECTICUT
upweller

DATE:

FILE NO.:

SCALE: 1 = 12,000

MAP TAKEN FROM 7.5 MINUTE USGS TOPOGRAPHIC MAPS OF THE GUILFORD, CONNECTICUT QUADRANGLE, 1960 (PHOTOINSPECTED 1976, PHOTOREVISED 1984).

Lease starts At the town dock (upweller) and ends up river at the intersection of Bailey Creek and the Neck River - At the k of NECK