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## **Sale Of Preserve On Hold Pending State Review**

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EAST HADDAM -- Attorney General Richard Blumenthal's intervention has prompted the Connecticut Audubon Society to take the Harlo Haagenson Preserve off the market - for now.

In a letter to the society, Blumenthal asked that the sale of the property be delayed while his office investigates whether it is in agreement with Haagenson's wishes.

The society complied, but Blumenthal said the organization has a private buyer interested in the bulk of the land.

"We have very strong doubts about whether the proposed sale is appropriate," Blumenthal said Friday.

In August 2004, the Connecticut Audubon Society placed the Haagenson preserve, one of its 19 sanctuaries, up for sale for \$775,000.

A local coalition formed to fight the sale, the Friends of Harlo Haagenson Preserve, says selling the land would tarnish Haagenson's memory and contradict his wish that the society hold and maintain the land in perpetuity.

"Certainly [the Connecticut Audubon Society] has a moral and possibly a legal obligation to make sure the donor's intent is fulfilled," Blumenthal said.

Haagenson donated the parcel, estimated to be between 57 and 64 acres, to the society in 1989. The land sits on the upward slope of the watershed where the Salmon River and the Connecticut River meet. It is filled with diverse flora and fauna and panoramic views.

According to Robert Martinez, the president of Connecticut Audubon Society, the deed for the land did not come with any permanent restrictions on the land's use.

But financial statements filed by Connecticut Audubon Society on April, 30, 2004, the most recent records available, list the Haagenson land as a "permanently restricted net asset."

According to the society, such an asset is defined as those "whose use by the organization is limited by donor-imposed stipulations that neither expire by passage of time nor can be fulfilled or otherwise removed by actions of the organization."

Earlier this month, Blumenthal sent a letter to Martinez asking him "to postpone any

contemplated transfer of the Haagenon Nature Preserve until my office has an opportunity to assess whether any restrictions might affect the conveyance."

Recently discovered letters between the two attorneys who negotiated the 1989 sale of the land prompted Blumenthal's intervention.

"These documents raise the issue of whether the property was donated subject to a charitable use that limits the Connecticut Audubon Society's authority to convey the land for any purpose other than a wildlife sanctuary," Blumenthal said. According to the letters, the attorneys agreed that two small lots on the land may be sold, but only to help defray the cost of maintaining the preserve.

In June, Connecticut Audubon Society gave the coalition an opportunity to buy the land for \$500,000.

The coalition turned down the offer, instead offering to pay for all the society's expenses relating to the land to date in exchange for the transfer of the property's deed to a conservation organization.

The Connecticut Audubon Society declined.

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