

August 30, 1983

Mr. W. M. Rainach, Jr.
President, Claiborne Butane Company, Inc.
Highway 79 North
Post Office Box 450
Homer, Louisiana 71040

Re: N9839T
Cassia Crusader 303

Dear Mr. Rainach:

As you are aware, the FAA Aircraft Registry has received an Aircraft Registration Application (AC Form 8050-1) dated February 11, 1983, which you submitted on behalf of Claiborne Butane Company, Inc.

That Application is supported by an Aircraft Bill of Sale (AC Form 8050-2) dated February 11, 1983, evidencing sale of civil aircraft N9839T by Byron C. Hardey as Administrator of the Estate of Burton Anthony Hardey III and as the duly authorized Representative of H&H Leasing to Claiborne Butane Company, Inc.

The application is ostensibly supported by the letter of May 13, 1983, to you from attorneys Wilkinson & Careody with court documents. Those documents show that Burton Anthony Hardey III is deceased and that Byron C. Hardey as Administrator, is authorized by the District Judge of the First Judicial District, Caddo Parish, Louisiana, to sell the subject airplane.

Our problem is that the present registered owner on record with the Registry is H&H Leasing Company, a corporation. Pursuant to 14 CFR 47.35(a)(2), when an applicant (Claiborne) does not buy the aircraft from the last registered owner (H&H Leasing Company), the applicant must submit conveyances or other instruments showing consecutive transactions from the last registered owner through each intervening owner to the applicant. (e.g., Bill of Sale from H&H Leasing Company to Byron C. Hardey, Administrator.)

Incident thereto, we do not consider the court documents as obviating the necessity to comply with 14 CFR 47.35(a)(2) because as far as we are aware, H&H Leasing Company is still a viable corporation legally unaffected by the death of its principal (or only) stockholder. (For discussion, direct your attorney to 19 C.J.S. Corporations 1666.) If, in fact H&H Leasing Company was dissolved in accordance with State statute or otherwise by operation of law and Byron C. Hardey is the legal successor, we will require further proof thereof before considering the aircraft as part of the estate administered by Byron C. Hardey.

If you, your attorneys, or other interested parties have any questions about our position, please contact me by mail or by calling my office in Oklahoma City, area code 405, 686-2296.

Sincerely,

Original signed by:
Joseph R. Standell

Joseph R. Standell
Aeronautical Center Counsel

cc:
Wilkinson & Carmody

bcc:
AAC-252