

RESOLUTION OF THE CITY COUNCIL

No. 123

Approved March 12, 2001

WHEREAS, Richard Kinsman (hereinafter "Petitioner"), has sought to encroach upon the air space above the public way of South Main Street adjacent to Unit 218 of the Corliss Landing Condominiums, so called, so as to construct a balcony as an incident to those premises; and

WHEREAS, said balcony will encroach upon the public walkway; and

WHEREAS, after study of Petitioner's request, the City, acting through its appropriate authorities, has determined that the proposed encroachment is not adverse to the public interest,

NOW, THEREFORE, BE IT RESOLVED That the Petitioner is granted permission to encroach upon the public way for the purpose of constructing and maintaining a balcony in the air space above the public right of way of South Main Street adjacent to Unit 218 of Corliss Landing Condominiums, so-called (and no other encroachment for any other purpose is permitted), provided said grant is specifically conditioned upon the following.

1. All construction with relation to the said bay window is to be completed in accordance with plans and specifications submitted by the Petitioner to the city Department of Inspection & Standards as those plans may have been modified and/or approved by said department, the Department of Public Works, and the Council Committee on Public Works. (Copies of the subject plans are attached hereto as Exhibits A, A, Az).

2. The Petitioner shall supply and retain in effect a certificate of insurance in an amount of not less than one hundred thousand dollars (\$100,000.00) protecting the City of Providence and its successors and assigns, its agents, servants, officers and employees as additional-named insureds against claims for the construction, maintenance and/or existence of said ramp encroachment. Said insurance shall be from a company and in a form acceptable to the Department of Law.

3. The Petitioner shall execute an indemnification and hold harmless agreement satisfactory to the City Solicitor.

IN CITY COUNCIL
JAN 4 2001
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael B. Conroy
Clerk

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution

Carol Bestwick
Feb. 13, 2001 Clerk

4. The Petitioner shall grant to the appropriate public utility(ies) and/or governmental agency(ies), by pertinent document, any easements, licenses, or the like, so as to maintain public services.

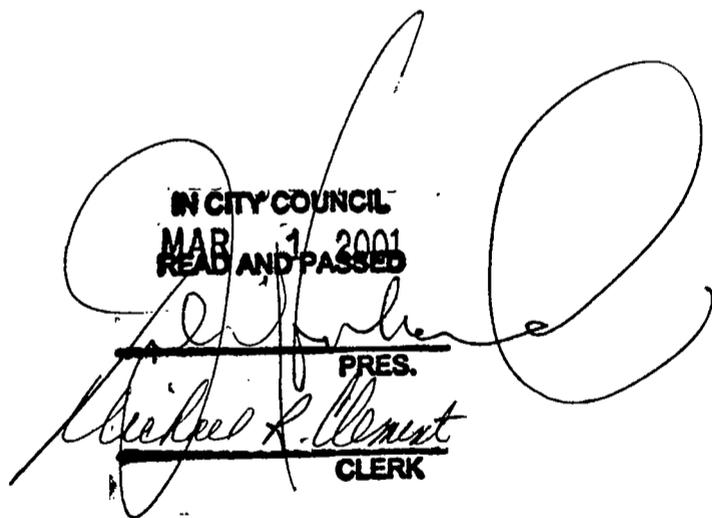
5. A certified copy of the within Resolution shall be recorded in the Office of Land Evidence of the City of Providence.

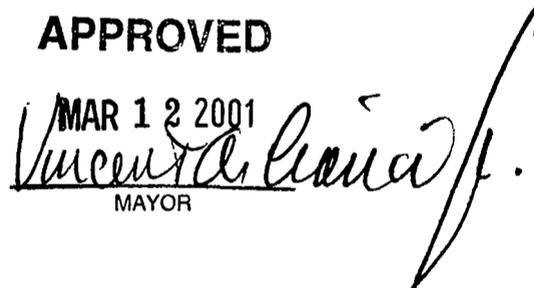
6. Any rights or obligations granted hereunder shall be deemed to run with the land and shall operate against any and all successors in interest and/or title .

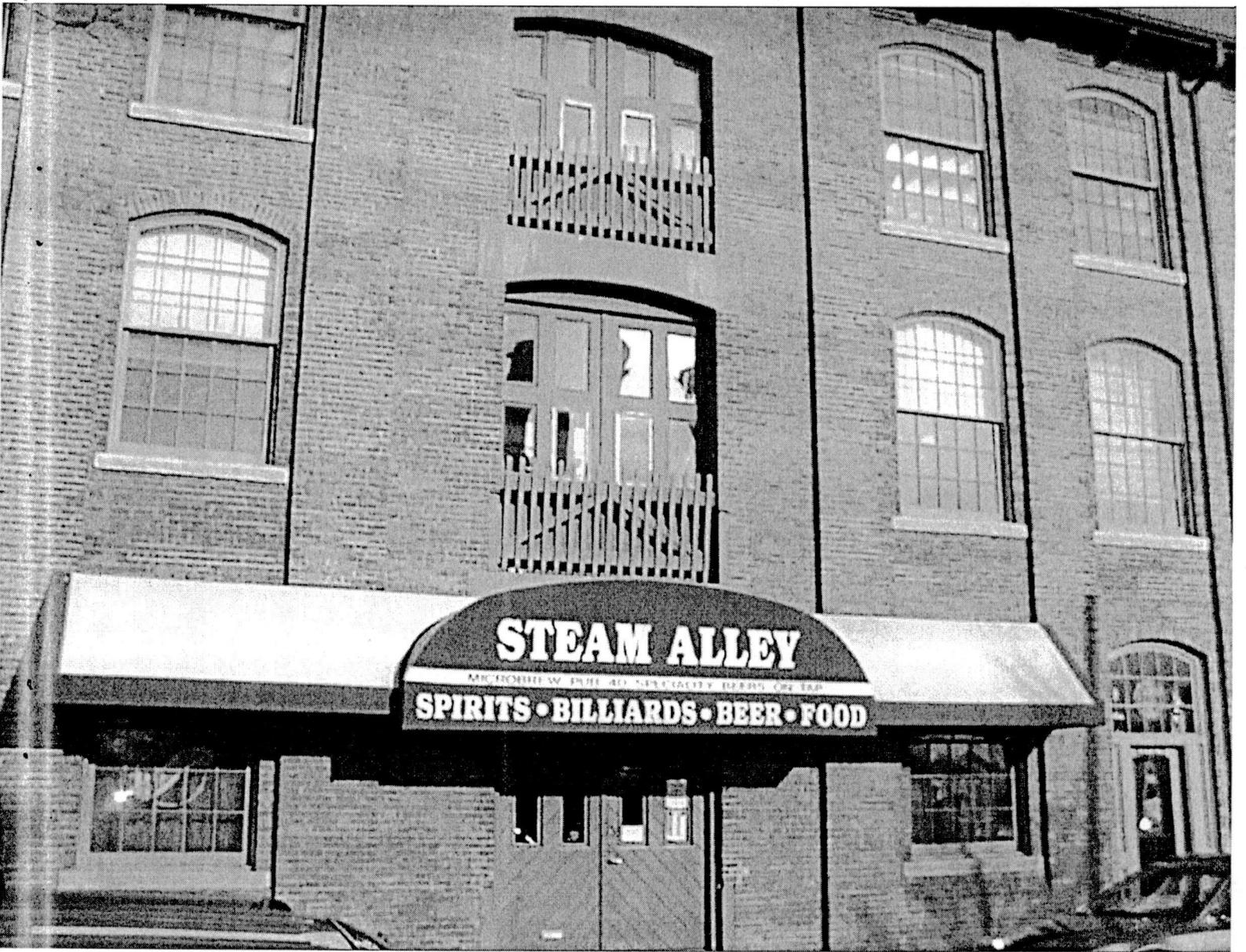
7. Said encroachment shall extend onto the public way not more than three feet and two and one-half inches (3' 2 ½").

8. Any rights or obligations granted hereunder shall remain in full force and effect for so long as the encroachment permitted hereby does not cease to be utilized for the purposes for which it was granted provided, however, Petitioner shall at its own expense remove said encroachment in the event the City notifies said Petitioner or any successor in interest thirty (30) days in advance of the intent of the City to utilize said realty for any purposes. By commencing any alteration pursuant to this grant, Petitioner specifically agrees to the conditions enumerated herein and waives any claim for damages it may have for such use.

9. Such other reasonable conditions as the Mayor and/or the Department of Law may impose hereunder.

IN CITY COUNCIL
MAR 1 2001
READ AND PASSED

PRES.
CLERK

APPROVED
MAR 1 2 2001

MAYOR

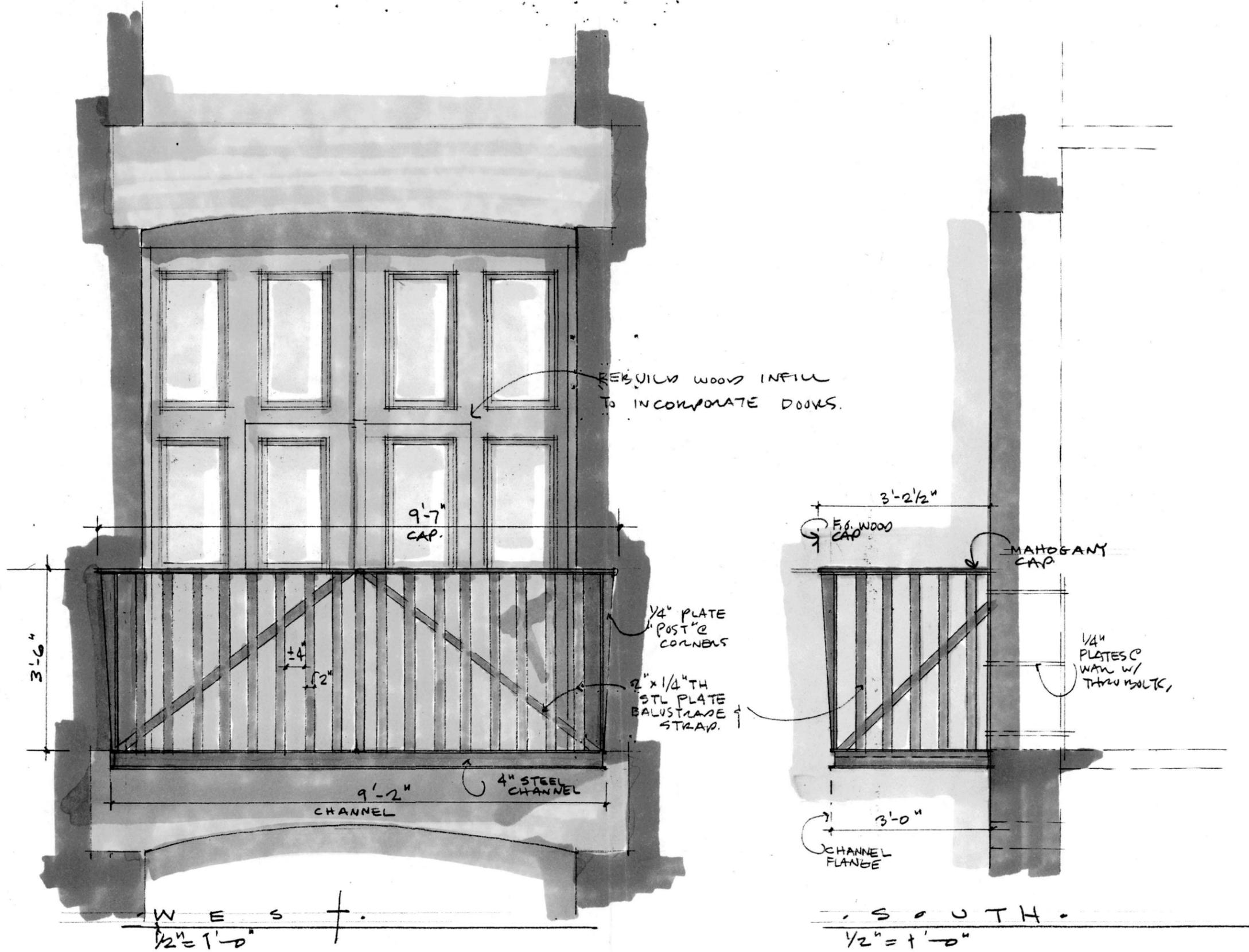


EXISTING CONDITIONS
N.T.S.



EXISTING CONDITIONS

N.T.S.



Arris is the term for an architectural refinement of the edge where two surfaces meet

arris
DESIGN INC

is also the name of a team of registered architects and planners located at

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Providence, Rhode Island
02903

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arris@brainiac.com

Project
KAPCINSKI / KINSMAN RES.
CORLISS LANDING UNIT 218
555 S. MAIN ST.
PROVIDENCE RI 02903

Sheet Title
PROPOSED BALCONY.

SCALE: 1/2" = 1'-0"
DATE: 11.27.00

