

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 218

EFFECTIVE ~~Approved~~ APRIL 16, 2007

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant five non-exclusive sub-surface easements for Brown Street, Angell Street and Fones Alley in the City of Providence to Brown University ("Brown"). Said easements shall be granted specifically upon the following provisions:

1. Said easements shall not exceed one thousand six hundred fifty-three (1,653) square feet, plus or minus, and indicated on accompanying map marked "Providence, R.I. Department of Public Works – Engineering Office, Street Line Section Plan No. 064800B dated February 8, 2007" (Exhibit A). Said easements shall be utilized only for the installation, maintenance, repair and/or replacement of utilities, including without limiting the generality of the foregoing, electric, telephone, cable television, data transmission, fiber optic gas, high temperature hot water, chilled water, and fuel oil piping, and similar utility lines for:

a. Angell Street:

The first easement shall not exceed the shaded area bounded by a line with points (A-B-C-D-E-F-G-H-A) as shown on Exhibit A. Said easement is approximately five hundred fifty (550) square feet total area.

The second easement shall not exceed the shaded area bounded by a line with points (AA-BB-CC-DD-EE-FF-GG-HH-AA) as shown on Exhibit A. Said easement is approximately three hundred sixteen (316) square feet total area.

b. Fones Alley:

The first easement shall not exceed the shaded area bounded by a line with points (I-J-K-L-I) as shown on Exhibit A. Said easement is approximately two-hundred twenty (220) square feet total area.

The second easement shall not exceed the shaded area bounded by a line with points (M-N-O-P-Q-R-S-T-M) as shown on Exhibit A. Said easement is approximately twenty-eight (28) square feet total area.

c. Brown Street

The easement shall not exceed the shaded area bounded by a line with points (U-V-W-X-Y-Z-U) as shown on Exhibit A. Said easement is approximately five hundred thirty-nine (539) square feet total area.

IN CITY COUNCIL
SEP 7 2006
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Ann M. Stee CLERK

THE COMMITTEE ON
Public Works
Recommends
Ann M. Stee
2-27-07 CLERK

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
Within Resolution
Ann M. Stee work
3-13-07

2. The above referenced areas, as shown on Exhibit A, are hereinafter collectively referred to as the "Premises". Said easements shall be deemed to run with the land and shall be binding on and for the benefit of any successors in title and the easements or a memorandum of same shall be recorded in the Office of Land Records for the City of Providence.

3. Said easements shall be subject to a right of reverter/right of reversion in the event that the easements are no longer utilized for a period of ten (10) years for the aforementioned purposes.

4. As consideration for these Easements, Brown shall tender the sum of thirty-four thousand, seven hundred thirteen dollars (\$34,713.00) in legal tender of the United States of America.

5. Any breakout necessary for installation and/or repair or replacement shall be resurfaced or rehabilitated in accordance with relevant ordinances and industry standards and to the reasonable satisfaction of the Director of the Department of Public Works.

6. The installation of utilities or utility lines shall be underground so as to preserve the public right-of-way. Brown and its successors and assigns may enter upon said Premises, to dig or excavate the soil in said Premises, to clear the Premises of vegetation and any natural or manmade structures for both access and safety purposes and to do any other acts which are necessary to carry out the purposes for which said Easements are given and to provide for the effective use thereof.

7. Any installation of electrical mechanisms shall be subject to the approval of the Director of the Department of Inspections & Standards.

8. Petitioner shall ascertain that construction results in no adverse impact on any existing utility company and shall ensure the continued integrity of those existing structures.

9. Brown shall execute an indemnification and hold-harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

10. Brown shall supply the City of Providence with an insurance policy naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

11. Brown shall not lay, construct or affix to the realty any temporary or permanent structure other than that described earlier herein.

12. Brown recognizes the applicability of Sections 23-107, 23-108 and 23-19C of the Code of Ordinances which read as follows:

23-107. Indemnity of city against claims arising out of electrical installations. No right of any person to maintain, use or operate any poles, wires, cables, conduits, ducts, pipes, manholes, handholes, or other appliances or appurtenances in any street or other traveled way in the city, shall be in preference or hindrance of public work in the city, and should any of the same in any way interfere with the construction, alteration or repair of any public work in any such street or way, whether done by the city directly or by any contractor for the city, such person shall at his own expense protect, alter or move any of the same so interfering to some other location in such street or way, or discontinue the use and operation thereof for the time being, as directed by the director of public works, without the city being liable for any damages suffered by such person thereby. The City shall notify such person a reasonable time in advance of any public work, which will interfere with any of the same or the use or operation thereof. In case such person shall fail to comply with any such direction of said director, the city may protect, alter or move the same, and recover the cost thereof from such person.

23-108. Precedence of wires, apparatus of city signal service. The wires, poles, posts, structures and supports of the telephone, fire alarm and police signal service maintained by the city shall at all times take precedence and right-of-way as to all other wires, poles, posts, structures and supports maintained or erected in the city; and no lineman or other person, either in erecting wires, poles, posts, structures or supports in any way whatsoever shall interfere with, or disturb, disarrange or change any wires maintained by the city, or any appurtenance thereof; and in every instance of removal of any of said wires, poles, posts, structures or supports for the accommodation of any other corporation or party, or to place the same beyond danger from the electric current of any other corporation or party, the expense incident to said removal shall be paid immediately by such other corporation or party.

23-109. Indemnity of city against claims arising out of electrical installation.

Every person erecting, maintaining or using electric wires or poles, fixture or structures, for the support or conducting of the same shall indemnify and save harmless the city, its officers, agents and servants, from and against all lawful claims and demands for injuries to persons or property occasioned by the existence of such poles, wires, fixtures or structures or the transmission of electric current by means thereof or by the digging up, opening or keeping open of any street, highway, traveled way, public place or part thereof, which shall be or has been opened for the purpose of installing, constructing or repairing any underground conduit, duct, structure, appliance or appurtenance by or for such person, or by any failure of such person to restore and keep in sound and safe condition for the required time any ground opened or dug up in the prosecution of any of its work in any street, way or place. The city, city council, or the officers, agents or servants of the city, exercising the rights, powers or permission, and subject to the restrictions, respectively given and reserved herein shall not be held liable by such person or corporation on account thereof, or by reason of any injury or damage caused thereby.

and Brown, for itself and its successors, agrees to comply with the same.

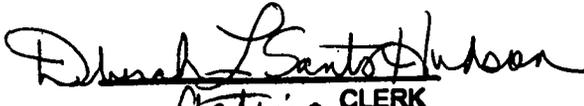
13. In addition to Paragraph 12 above, in the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easements granted herein and upon the reasonable notification hereinbefore mentioned, Brown shall remove said improvements to the easement areas, provided, however, that because Brown has paid consideration for said Easements, Brown shall be entitled to just compensation for any such taking for public purposes.

14. The easements shall be executed, delivered and accepted upon the express terms, covenants and conditions contained herein, which terms, covenants and conditions shall be binding upon and insure to the benefit of the parties hereto and their successors, heirs, legal representatives, and assigns. The easements are intended to be governed by and construed in accordance with the laws of the State of Rhode Island. The easements may not be amended or modified except pursuant to a written instrument signed by all parties thereto.

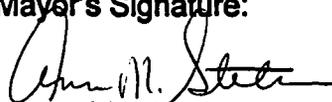
15. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

IN CITY COUNCIL
APR 5 2007
READ AND PASSED


PRES.


Acting CLERK

Effective without the
Mayor's Signature:


Anna M. Stetson
City Clerk

City of Providence
State of Rhode Island and Providence Plantations

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Due to the proposed construction of new High Temperature Hot Water, Chilled Water and Telecommunications utilities located on Olive Street, Angell Street, Fones Alley, and Brown Street, Brown University's Department of Facilities Management respectfully requests that easements be established for University use as further described below and indicated on the attached drawing "Proposed Utility Easements for Brown University H4 Utility Upgrade Project":

Angell Street:

Easement: Shaded area bounded by a line with points (A-B-C-D-E-F-G-H-A) as shown on attached plan and described below.

Size: Approximately 550 square feet total area

Description: Beginning at point A (Northing = 271377.9345 Easting = 354852.7648), traveling 11.0' at N82°40'31"E to point B; from point B, traveling 4.1' at S07°14'21"E to point C; from point C, traveling 6.2' at N82°47'17"E to point D; from point D, traveling 3.3' at S07°22'08"E to point E; from point E, traveling 6.2' at S82°47'17"W to point F; from point F, traveling 40.7' at S07°14'21"E to point G; from point G, traveling 11.0' at S82°40'31"W to point H; from point H, traveling 48.1' at N07°13'26"W to point A, the place of beginning.

Easement: Shaded area bounded by a line with points (AA-BB-CC-DD-EE-FF-GG-HH-AA) as shown on attached plan and described below.

Size: Approximately 316 square feet total area

Description: Beginning at point AA (Northing = 271340.0945 Easting = 354558.3861), traveling 4.9' at N82°40'31"E to point BB; from point BB, traveling 37.3' at S07°18'51"E to point CC; from point CC, traveling 14.5' at N82°41'09"E to point DD; from point DD, traveling 12.6' at S37°18'51"E to point EE; from point EE, traveling 5.6' at S82°41'31"W to point FF; from point FF, traveling 6.9' at N37°18'51"W to point GG; from point GG, traveling 16.6' at S82°41'09"W to point HH; from point HH, traveling 42.1' at N07°18'51"W to point AA, the place of beginning.

Fones Alley:

Easement: Shaded area bounded by a line with points (I-J-K-L-I) as shown on attached plan and described below.

Size: Approximately 220 square feet total area

Description: Beginning at point I (Northing = 271208.5914 Easting = 354825.1664), traveling 11.0' at N82°40'12"E to point J; from point J, traveling 20.1' at S07°18'26"E to point K; from point K, traveling 11.0' at S82°40'12"W to point L; from point L, traveling 20.1' at N07°18'21"W to point I, the place of beginning.

PUBLIC RECORDS
FIRST REVISION
IN CITY OFFICE

RECORDS
THE COMPTROLLER
CLERK

IN CITY COUNCIL
SEP 7 2006
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Ann M. Stee CLERK

THE COMMITTEE ON
Public Works
Recommendations
Ann M. Stee
CLERK
2-27-07 - continued

Easement: Shaded area bounded by a line with points (M-N-O-P-Q-R-S-T-M) as shown on attached plan and described below.

Size: Approximately 28 square feet total area

Description: Beginning at point M (Northing = 271207.8272 Easting = 354841.9677), traveling 1.6' at N84°37'11"E to point N; from point N, traveling 3.4' at S03°57'34"E to point O; from point O, traveling 12.6' at S12°36'03"W to point P; from point P, traveling 1.9' at S02°03'22"E to point Q; from point Q, traveling 1.6' at S82°40'05"W to point R; from point R, traveling 2.2' at N02°02'07"W to point S; from point S, traveling 12.6' at N12°36'03"E to point T; from point T, traveling 3.2' at N04°05'16"W to point M, the place of beginning.

Brown Street:

Easement: Shaded area bounded by a line with points (U-V-W-X-Y-Z-U) as shown on attached plan and described below.

Size: Approximately 539 square feet total area

Description: Beginning at point U (Northing = 271186.3337 Easting = 354473.0862), traveling 43.4' at N81°38'09"E to point V; from point V, traveling 12.5' at S07°24'38"E to point W; from point W, traveling 39.6' at S82°50'31"W to point X; from point X, traveling 3.9' at S06°45'18"E to point Y; from point Y, traveling 3.8' at S82°51'05"W to point Z; from point Z, traveling 15.5' at N07°17'05"W to point U, the place of beginning.

The total area of all requested easements is 1,653 square feet. All descriptions herein refer to NAD 83, RI State Plane.

Any questions regarding this request may be directed to:

Courtney McCracken
Project Manager
Brown University
Department of Facilities Management
Box 1941
Providence, RI 02912
(401) 863-7802

Attached drawing:

Proposed Utility Easements for Brown University H4 Utility Upgrade Project, dated 02/08/07

JOHN D. NICKELSON, PE
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
"Building Pride in Providence"

Feb. 22, 2007

Honorable Leon F. Tejada
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Easements on Angell St., Fones Alley and Brown St. for Utility Upgrade Project

Dear Councilman Tejada:

This department has no objection to the proposed easements on a portion of Angell St., Fones Alley and Brown St. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept-Engineering Office, Street Line Section, Plan No. 064800B. Area of easements is designated as (A-B-C-D-E-F-G-H-A), (I-J-K-L-I), (M-N-O-P-Q-R-S-T-M), (U-V-W-X-Y-Z-U) and (AA-BB-CC-DD-EE-FF-GG-HH-AA) on the accompanying plan.

Total square footage equals 1,653 square feet. (+)
See accompanying plan for plat and lot numbers.

If we can further assist you in this regard, please advise.

Very truly yours,

John D. Nickelson, PE
Director

cc: Ann Stetson-City Clerk
BB, AZ-DPW
A. Southgate, Esq.- Law Dept.
T. Deller- Planning
J. Gelati- Tax Assessors

City of Providence
State of Rhode Island and Providence Plantations

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Easement: Shaded area bounded by a line with points (AA-BB-CC-DD-EE-FF-GG-HH-AA) as shown on attached plan and described below.

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Fones Alley:

Easement: Shaded area bounded by a line with points (I-J-K-L-I) as shown on attached plan and described below.

Size: Approximately 220 square feet total area

Description: Beginning at point I (Northing = 271208.5914 Easting = 354825.1664), traveling 11.0' at N82°40'12"E to point J; from point J, traveling 20.1' at S07°18'26"E to point K; from point K, traveling 11.0' at S82°40'12"W to point L; from point L, traveling 20.1' at N07°18'21"W to point I, the place of beginning.

Easement: Shaded area bounded by a line with points (M-N-O-P-Q-R-S-T-M) as shown on attached plan and described below.
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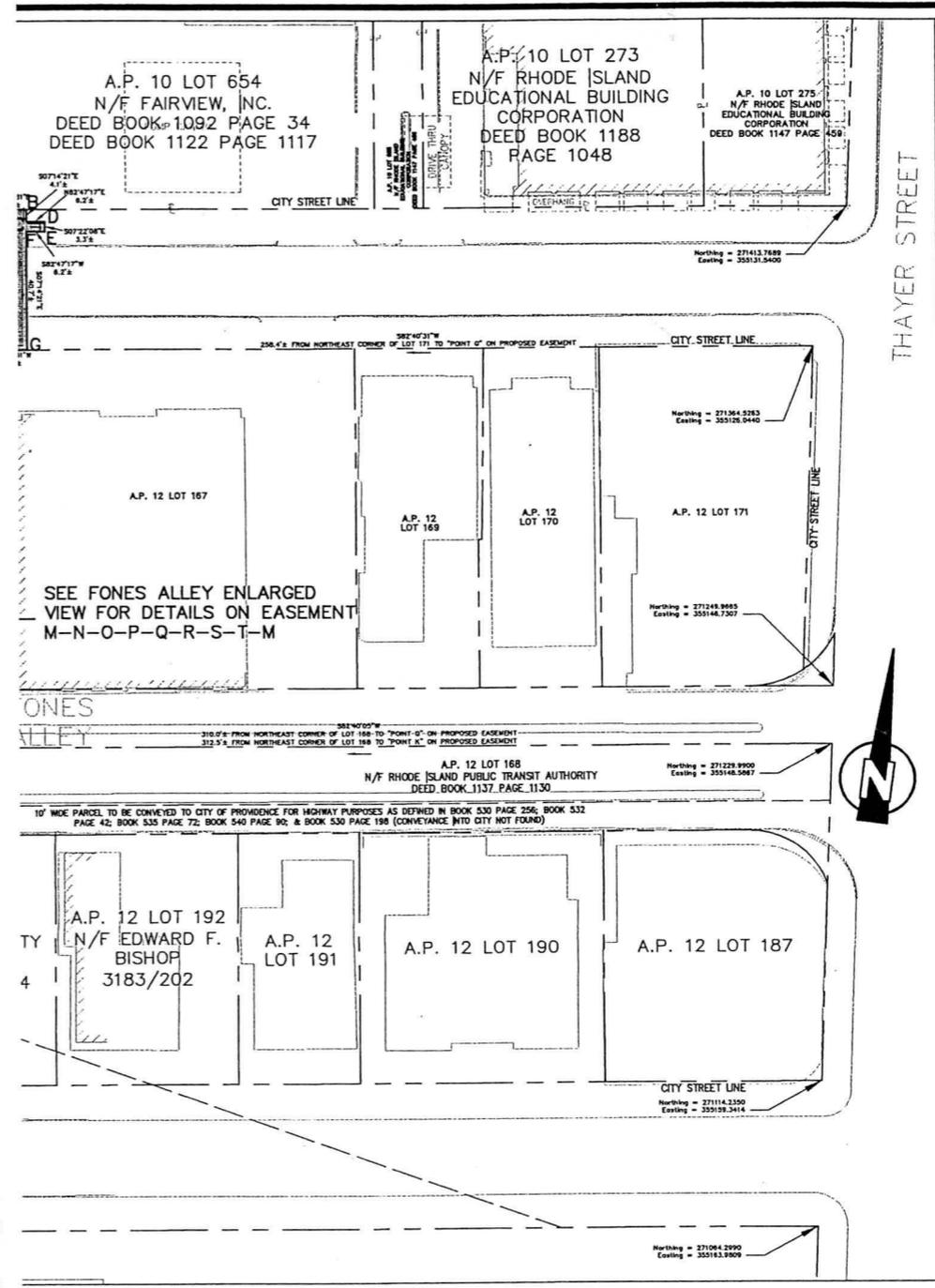
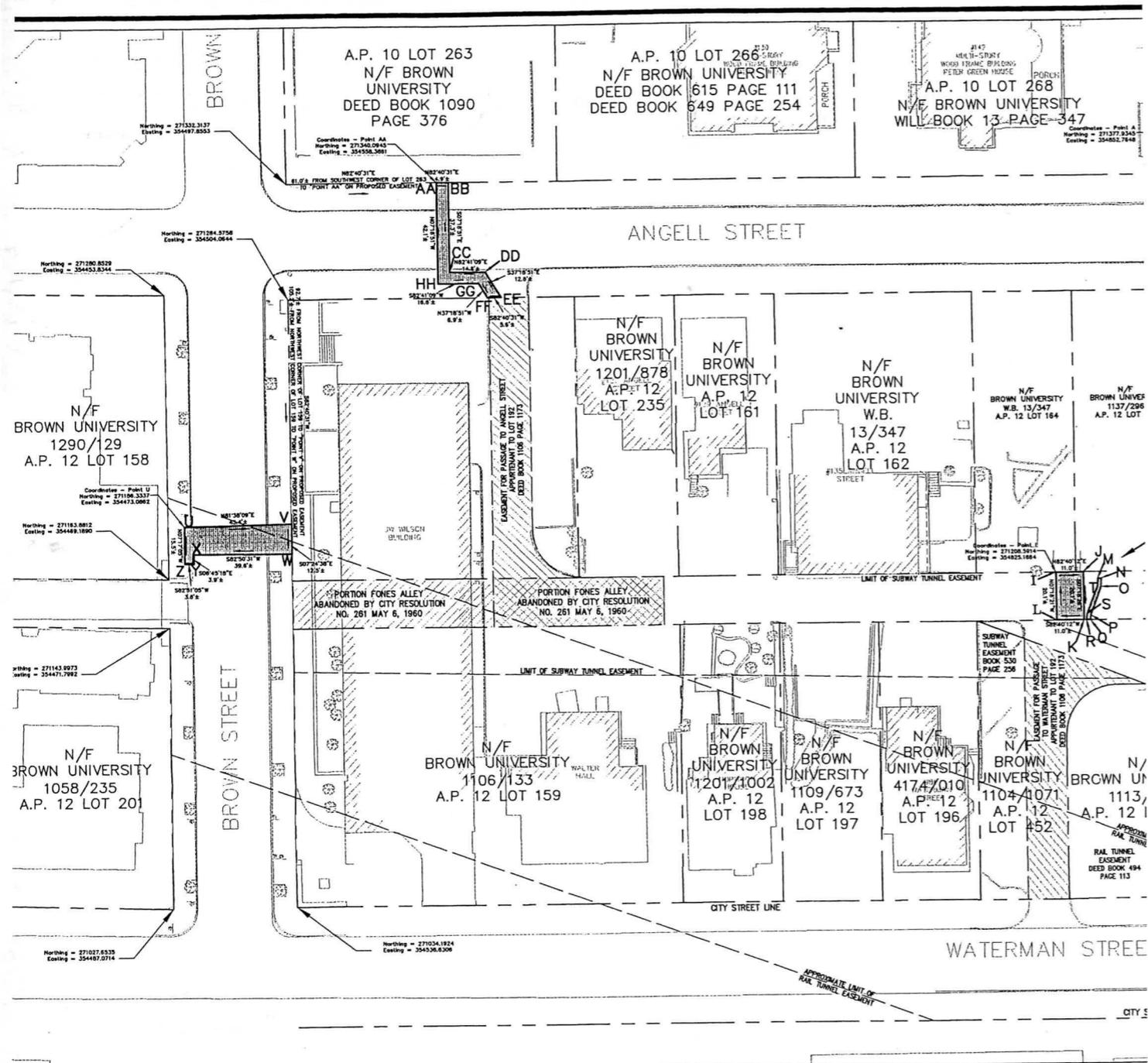
The total area of all requested easements is 1,653 square feet. All descriptions herein refer to NAD 83, RI State Plane.

Any questions regarding this request may be directed to:

Courtney McCracken
Project Manager
Brown University
Department of Facilities Management
Box 1941
Providence, RI 02912
(401) 863-7802

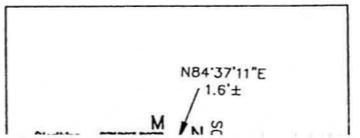
Attached drawing:

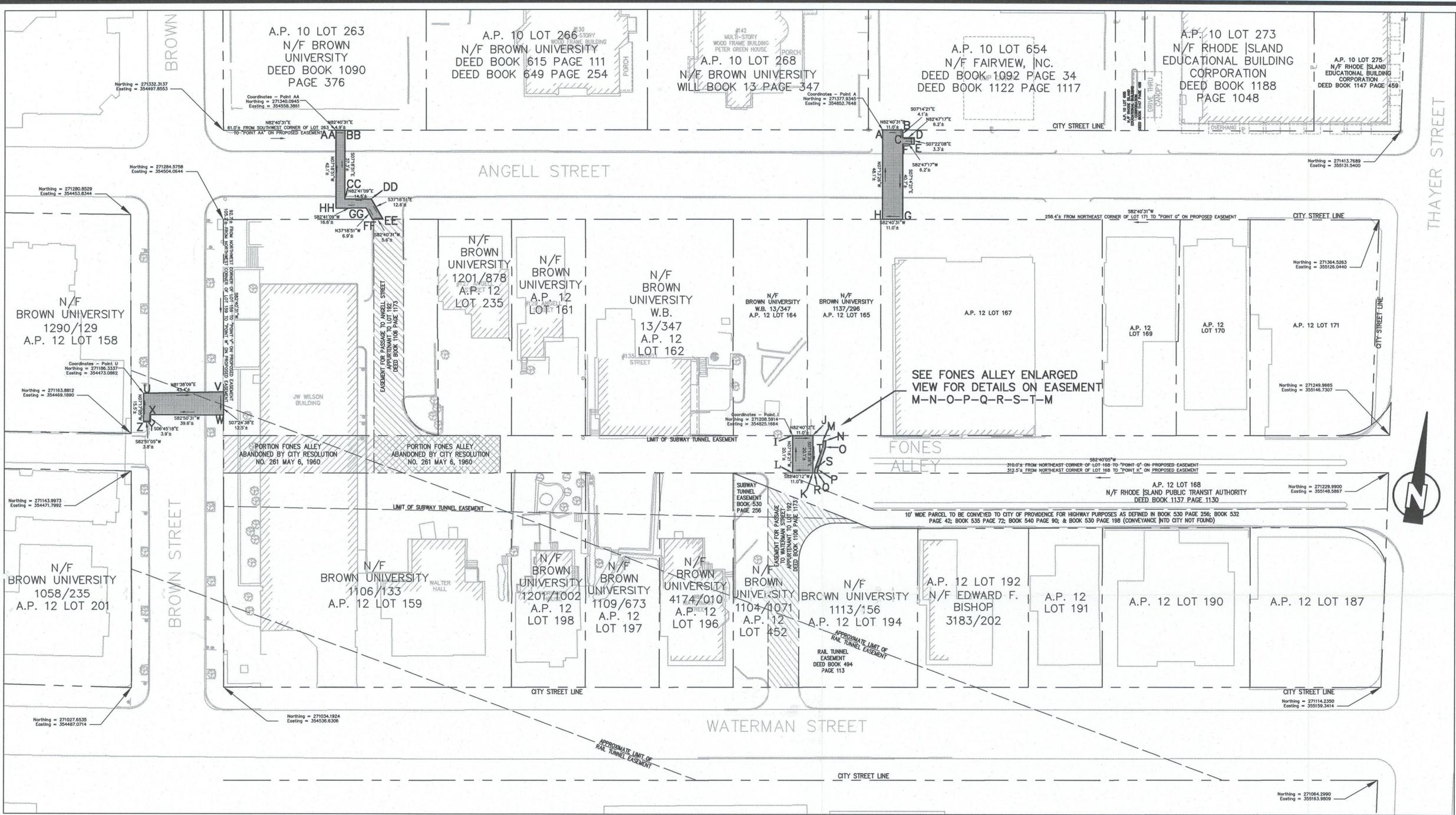
Proposed Utility Easements for Brown University H4 Utility Upgrade Project, dated 02/08/07



PROVIDENCE, R.
P. W. DEPT. & ENGINEERING
STREET LINE SECTI
Plan No 064800B
Date FEBRUARY 8, 2007

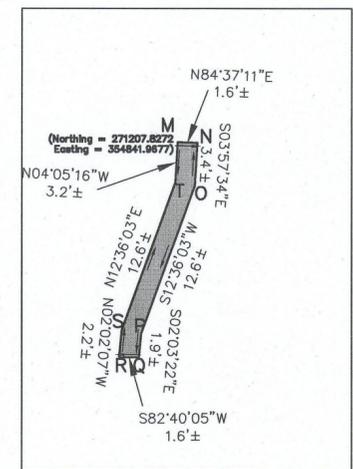
NOTE: Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 550± sf
Shaded area (I-J-K-L-I) indicates proposed utility easement.
Total square footage = 220± sf
Shaded area (M-N-O-P-Q-R-S-T-M) indicates proposed utility easement.



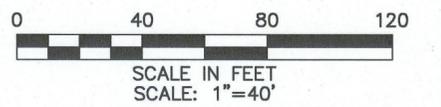


- NOTE:** Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 550± sf
- Shaded area (I-J-K-L-I) indicates proposed utility easement.
Total square footage = 220± sf
- Shaded area (M-N-O-P-Q-R-S-T-M) indicates proposed utility easement.
Total square footage = 28± sf
- Shaded area (U-V-W-X-Y-Z-U) indicates proposed utility easement.
Total square footage = 539± sf
- Shaded area (AA-BB-CC-DD-EE-FF-GG-HH-AA) indicates proposed utility easement.
Total square footage = 316± sf

GENERAL NOTE: COORDINATES, BEARINGS AND AZIMUTHS REFER TO NAD 83, RI STATE PLANE



FONES ALLEY EASEMENT
M-N-O-P-Q-R-S-T-M
ENLARGED VIEW
SCALE: 1"=10'



CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office
Showing PROPOSED UTILITY EASEMENTS FOR BROWN
UNIVERSITY H4 UTILITY UPGRADE PROJECT
Drawn By SEA CONSULTANTS Checked By
Scale 1"=40' Date 02-08-07
Correct Associate Engr.
Approved *William [Signature]* CHIEF ENGINEER

BROWN UNIVERSITY — REMITTANCE ADVICE

FOR FURTHER INFORMATION ADDRESS CONTROLLER
BROWN UNIVERSITY, BOX J, PROVIDENCE, RI 02912

DATE	INVOICE NO.	P.O. NO.	VOUCHER	INVOICE AMOUNT	DISCOUNT	AMOUNT PAID	E N C
03/20/07			0821594	34,713.00	0.00	34,713.00	
TOTAL				→ 34,713.00		34,713.00	

VENDOR NO. T5628900100

DATE 03/21/07

CHECK NO. 942048

PLEASE DETACH THIS STUB AND CASH OR DEPOSIT THIS CHECK AT ONCE

THE FACE OF THIS CHECK IS PRINTED BROWN AND BLUE — THE BACK CONTAINS A SIMULATED WATERMARK.

62115
371

MO DAY YEAR
03/21/07

 **BROWN**
PROVIDENCE RI 02912

CHECK NUMBER
942048

PAY EXACTLY THIRTY-FOUR THOUSAND SEVEN HUNDRED THIRTEEN AND 00/100 DOLLARS

DOLLARS CENTS
34,713.00

CITY OF PROVIDENCE
CAMPUS RI

NOT VALID AFTER 90 DAYS
CHECKS OVER \$25,000.00
REQUIRE COUNTERSIGNATURE

PAY TO THE ORDER OF

Thomas C. Hurd
AUTHOR'S SIGNATURE

CITIZENS BANK • EAST SIDE BRANCH • PROVIDENCE, RI

⑈942048⑈ ⑆031101156⑆ 0099000334⑈

George D. Calise
Acting Fire Marshal

Anthony DiGiulio
Acting Deputy Fire Marshal



David N. Cicilline
Mayor

David D. Costa
Chief of Department

FILED

2007 FEB 20 A 8:43

DEPT OF CITY CLERK
PROVIDENCE, R.I.

Providence Fire Prevention Division
"Smoke Detectors Save Lives"

October 16, 2006

Department of the City Clerk
C/O Ms. Anna M. Stetson, City Clerk
Committee on Public Works
Providence City Hall
10 Dorrance Street
Providence, RI 02903

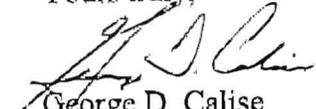
Re: Brown University Utility Easements at Angell Street and Fones Alley

Dear Ms. Stetson:

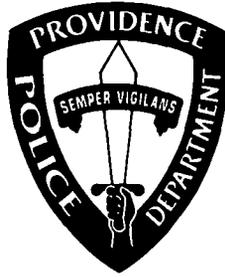
I am in receipt of your memorandum dated October 11, 2006 and its attachments. Brown University is seeking underground utility easements along Angell Street and Fones Alley. The Providence Fire Department has no objection to the proposed easements.

If I may be of further assistance, please feel free to call me.

Yours truly,


George D. Calise
Acting Fire Marshal

cc: Mr. Stephen M. Miorisi, AIA



Department of Public Safety, Police Department
"Building Pride in Providence"

October 26, 2006

To: Anna M. Stetson, Second Deputy City Clerk

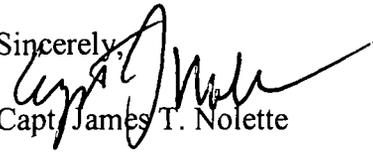
From: Capt. James T. Nolette

Subject: Petition from Stephen M. Maiorisi

Dear Anna:

After looking at the plans and descriptions, the Police Department has no objections to proposed petition to grant an easement to Brown University for work in the vicinity of Angell St. and Fones Alley.

Sincerely,


Capt. James T. Nolette



Department of Planning and Development

DAVID N. CICILLINE
Mayor

October 24, 2006

Honorable Terrence M. Hassett, Chair
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

RE: Petition from Stephen M. Maiorisi, Vice President for Facilities Management, Brown University, requesting an easement for Utility Systems Renewal and Upgrade, Proposed Utility Easements in the vicinity of Angell Street and Fones Alley.”

Dear Councilman Hassett:

This letter is a response to the Committee on Public Works' request for the Department of Planning and Development's recommendation on the above-referenced petition. The utility easement is necessary for the second phase of proposed construction of upgraded hot and chilled water, electric, and telecommunications utilities for Brown University facilities.

Staff of the Department of Planning and Development has reviewed the proposed site plans and has no objection to the proposed work. Staff recommends that the Committee on Public Works approve the utility easement.

Sincerely,

David Everett
Principal Planner

Cc: Christopher J. Ise, Courtney McCracken

2006 OCT 26 P 3: 24
DEPT. OF CITY CLERK
PROVIDENCE, R.I.
FILED



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

March 6, 2007

Mr. John Gelati
Tax Assessor
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Revised Proposed Sidewalk and Street Easement
Angell Street, Providence

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Angell Street, otherwise designated as Lot 654 on Plat 10 and Lot 185 on Plat 12 of the Tax Assessor's Plat Maps for the City Of Providence, State of Rhode Island.

The purpose of our inspection and subsequent analysis was to estimate the "as is" fee simple market value of a proposed sidewalk easement along with a street permanent utility easement. The Angell Street easement is proposed to contain 550 square feet and will be utilized for earth support systems as requested by Brown University. The subject is located in the East Side neighborhood area.

Specifically, the proposed easement runs along the sidewalk on and across Angell Street. The easement varies in width and depth and contains 550 square feet according to a map supplied by the Engineering Department of the City of Providence. The City's Department of Public Works has no objection to this request. However, they will require a Class 1 Survey for recording purposes.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
March 6, 2007

We have taken into account a number of factors in arriving at the fee simple market value of the requested easement. Notably, the petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of their property. The zoning in the area is R-1 Residential and C-2 Commercial and is also within the Institutional-Educational overlay zone.

Based upon an analysis of comparable sales as contained within the offices of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this site. However, this value must be reduced by 65% due to fact that the City is not giving up its full fee ownership in the property, i.e., the sidewalk and street and only allows an easement in a portion of it.

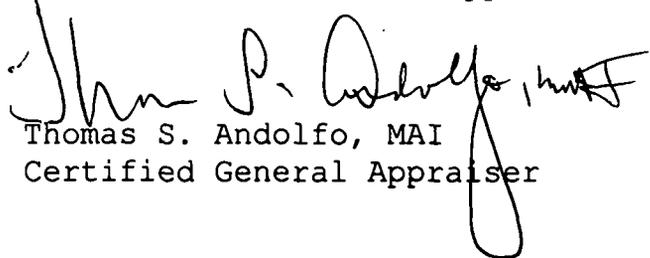
Therefore, 550 square feet x \$60.00 per square foot =
\$33,000 x .35 = \$11,550.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

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March 6, 2007

Mr. John Gelati
Tax Assessor
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Revised Proposed Sidewalk and Street Easement
Angell Street, Providence

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Angell Street, otherwise designated as Lots 263 and 159 on Assessor's Plats 10 and 12 in the City Of Providence.

The purpose of our inspection and subsequent analysis was to estimate the fee simple market value of a Permanent Utility Easement in the sidewalk and street. The easement will also be utilized for earth support systems and was requested by Brown University. The subject is located in the East Side neighborhood of the city.

Specifically, the proposed easement runs along the sidewalk on and across Angell Street and varies in width and depth. The easement area contains 316 square feet according to a map supplied by the Engineering Department of the City of Providence. The City's Department of Public Works has no objection to this request. However, they will require a Class 1 Survey for recording purposes.

Mr. John Gelati
Page 2
March 6, 2007

We have taken into account a number of factors in arriving at a fee simple market value for the requested easement. The petitioner will gain use of the public right-of-way and a city sidewalk to further enhance the commercial viability of their property. Zoning in the area is R-1 Residential and C-2 Commercial and an Institutional-Educational overlay zone predominates much of the localized area.

Based on an analysis of comparable sales as contained within the offices of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for this site. However, this value must be reduced by 65% due to fact that the City is not giving up its full fee to the property, i.e., sidewalk and street, only allowing an easement in a portion of it.

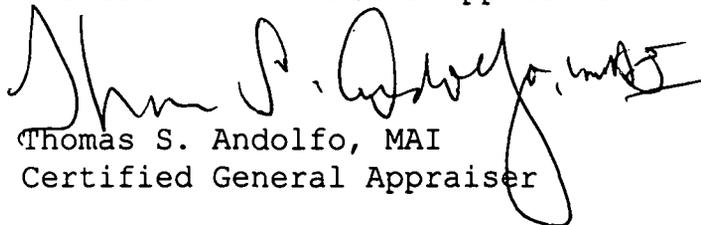
Therefore, 316 square feet x \$60.00 per square foot = \$18,960 x .35 = \$6,636.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

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March 6, 2007

Mr. John Gelati
Tax Assessor
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Revised Proposed Sidewalk and Street Easement
Fones Alley, Providence

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Fones Alley, identified as Assessor's Plat 12, Lots 164 and 185.

The purpose of our inspection and subsequent analysis was to estimate the "as is" fee simple market value of a proposed sidewalk easement including a street permanent utility easement. The Fones Alley easement is proposed to contain 248 square feet and will be utilized for earth support systems as requested by Brown University. The subject is located in the East Side neighborhood.

Specifically, the proposed easement runs along the sidewalk on and across Fones Alley. The easement varies in width and depth and contains 248 square feet according to a map supplied by the Engineering Department of the City of Providence. The City's Department of Public Works has no objection to this request. However, they will require a Class 1 Survey for recording purposes.

Mr. John Gelati
Page 2
March 6, 2007

We have taken into account a number of factors in arriving at the fee simple market value for the requested easement. The petitioner will gain use of the public right-of-way and a City sidewalk to further enhance the commercial viability of their property. Zoning in the area is R-1 Residential and C-2 Commercial within an Institutional-Educational overlay zone.

Based on an analysis of comparable sales as contained within the offices of Andolfo Appraisal Associates, Inc., a value of \$60.00 per square foot is hereby estimated for the site. However, this value must be reduced by 65% due to fact that the City is not giving up its full fee ownership in the property, i.e., the sidewalk and street, as it allows only an easement in a portion of it.

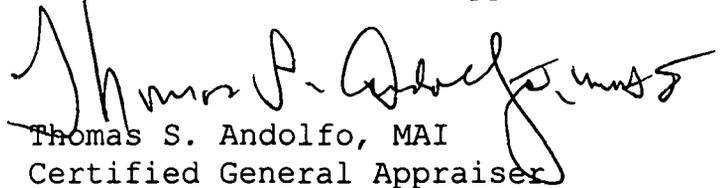
Therefore, 248 square feet x \$60.00 per square foot =
\$14,880 x .35 = \$5,208.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

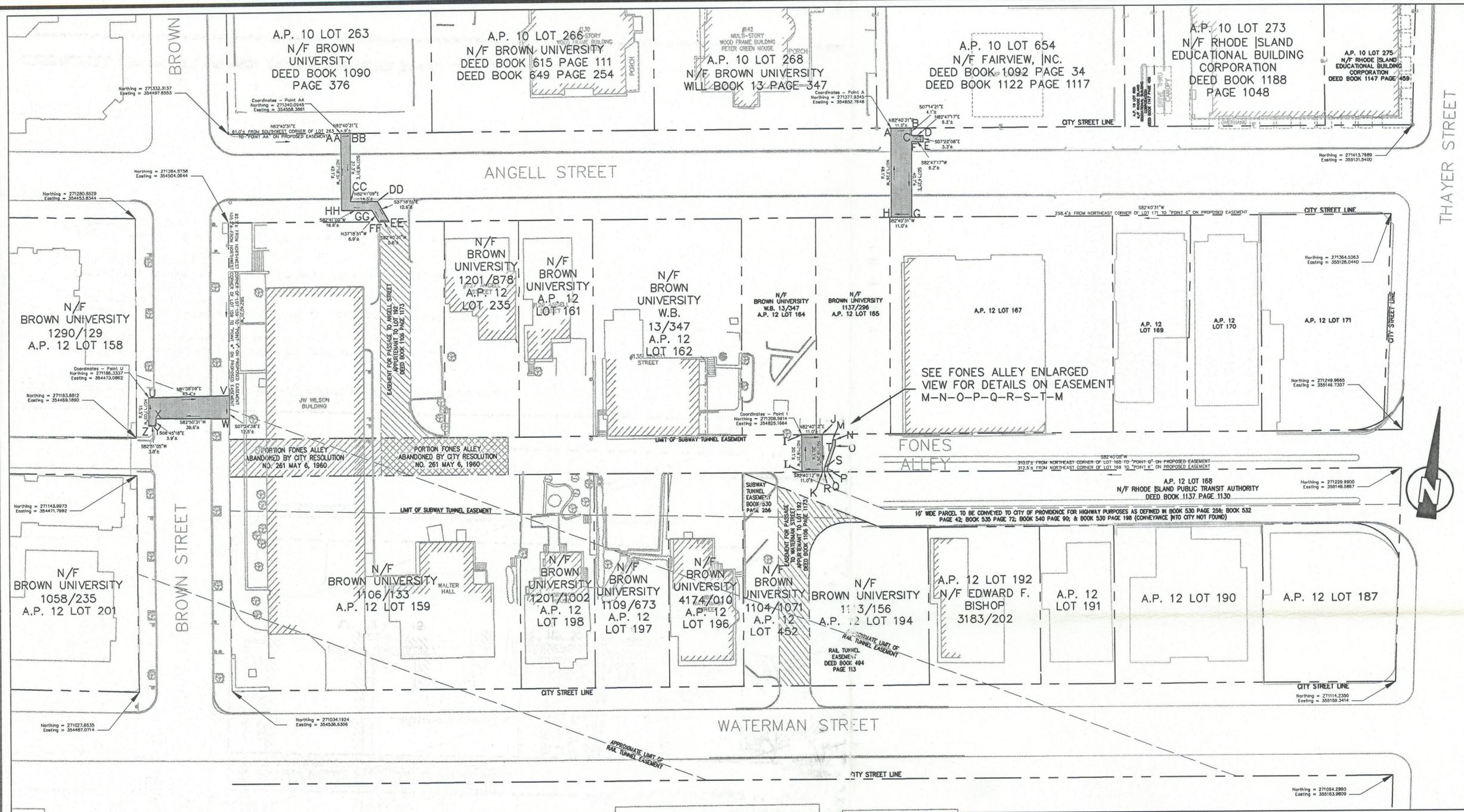


William G. Floriani
Certified Residential Appraiser



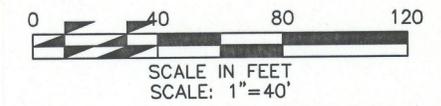
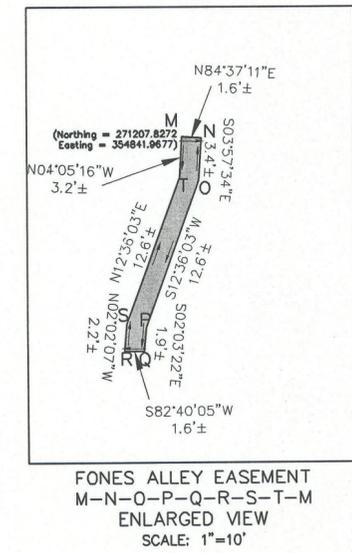
Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



- NOTE:** Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 550± sf
- Shaded area (I-J-K-L-I) indicates proposed utility easement.
Total square footage = 220± sf
- Shaded area (M-N-O-P-Q-R-S-T-M) indicates proposed utility easement.
Total square footage = 28± sf
- Shaded area (U-V-W-X-Y-Z-U) indicates proposed utility easement.
Total square footage = 539± sf
- Shaded area (AA-BB-CC-DD-EE-FF-GG-HH-AA) indicates proposed utility easement.
Total square footage = 316± sf

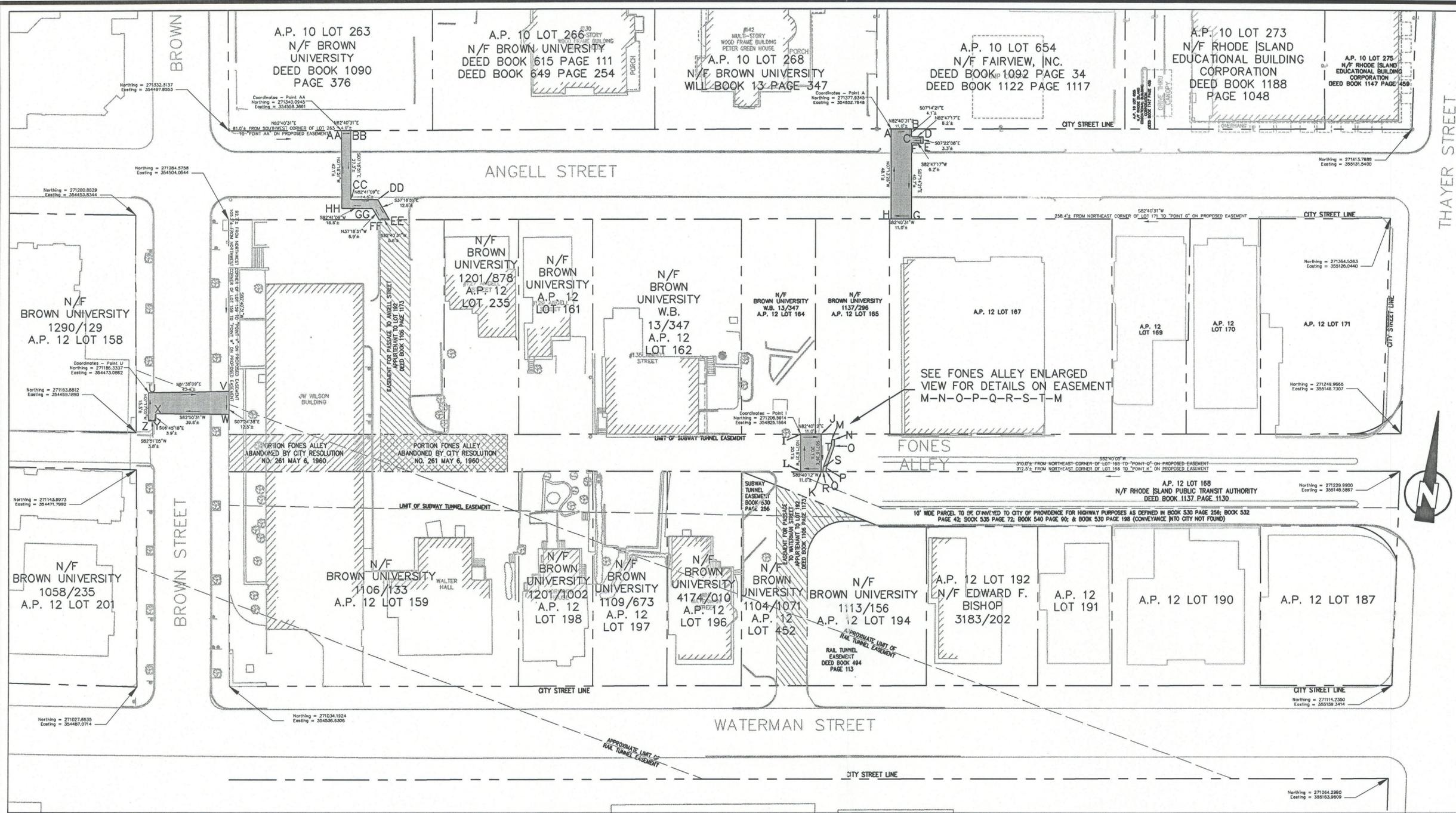
GENERAL NOTE: COORDINATES, BEARINGS AND AZIMUTHS REFER TO NAD 83, RI STATE PLANE



CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office

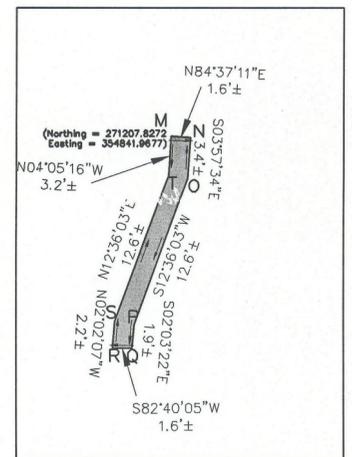
Showing PROPOSED UTILITY EASEMENTS FOR BROWN UNIVERSITY #4 UTILITY UPGRADE PROJECT

Drawn By SEA CONSULTANTS Checked By _____
Scale 1"=40' Date 02-08-07
Correct Associate Engr.
Approved _____ CHIEF ENGINEER

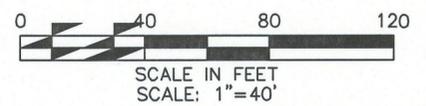


- NOTE:**
- Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement. Total square footage = 550± sf
 - Shaded area (I-J-K-L-I) indicates proposed utility easement. Total square footage = 220± sf
 - Shaded area (M-N-O-P-Q-R-S-T-M) indicates proposed utility easement. Total square footage = 28± sf
 - Shaded area (U-V-W-X-Y-Z-U) indicates proposed utility easement. Total square footage = 539± sf
 - Shaded area (AA-BB-CC-DD-EE-FF-GG-HH-AA) indicates proposed utility easement. Total square footage = 316± sf

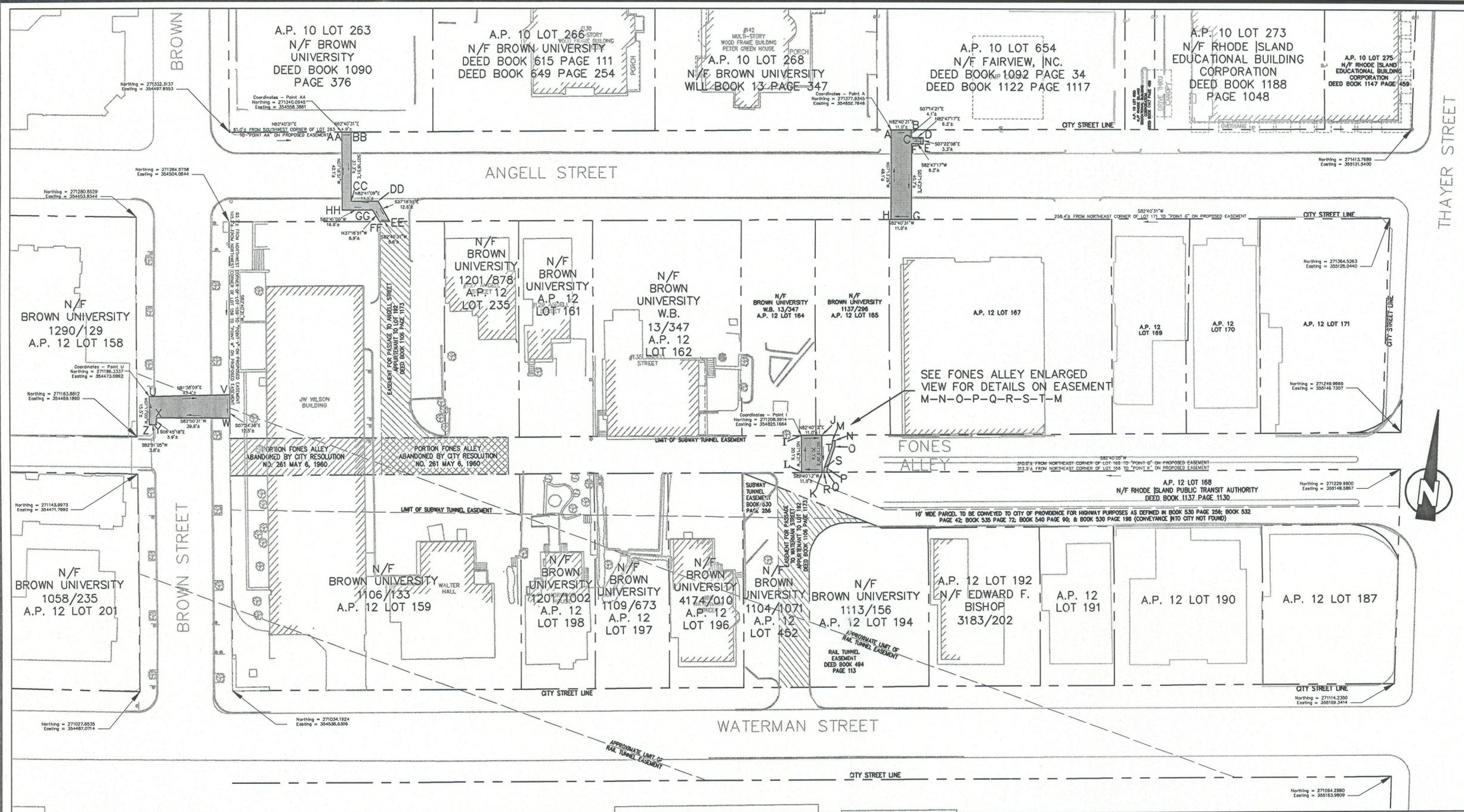
GENERAL NOTE: COORDINATES, BEARINGS AND AZIMUTHS REFER TO NAD 83, RI STATE PLANE



FONES ALLEY EASEMENT
M-N-O-P-Q-R-S-T-M
ENLARGED VIEW
SCALE: 1"=10'

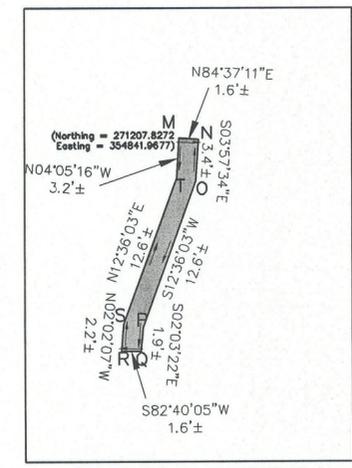


CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office
Showing PROPOSED UTILITY EASEMENTS FOR BROWN UNIVERSITY H4 UTILITY UPGRADE PROJECT
Drawn By SEA CONSULTANTS Checked By _____
Scale 1"=40' Date 02-08-07
Correct Associate Engr.
Approved _____ CHIEF ENGINEER

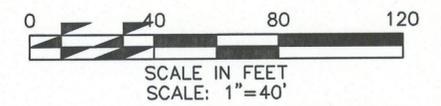


- NOTE:** Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 550± sf
- Shaded area (I-J-K-L-I) indicates proposed utility easement.
Total square footage = 220± sf
- Shaded area (M-N-O-P-Q-R-S-T-M) indicates proposed utility easement.
Total square footage = 28± sf
- Shaded area (U-V-W-X-Y-Z-U) indicates proposed utility easement.
Total square footage = 539± sf
- Shaded area (AA-BB-CC-DD-EE-FF-GG-HH-AA) indicates proposed utility easement.
Total square footage = 316± sf

GENERAL NOTE: COORDINATES, BEARINGS AND AZIMUTHS REFER TO NAD 83, RI STATE PLANE



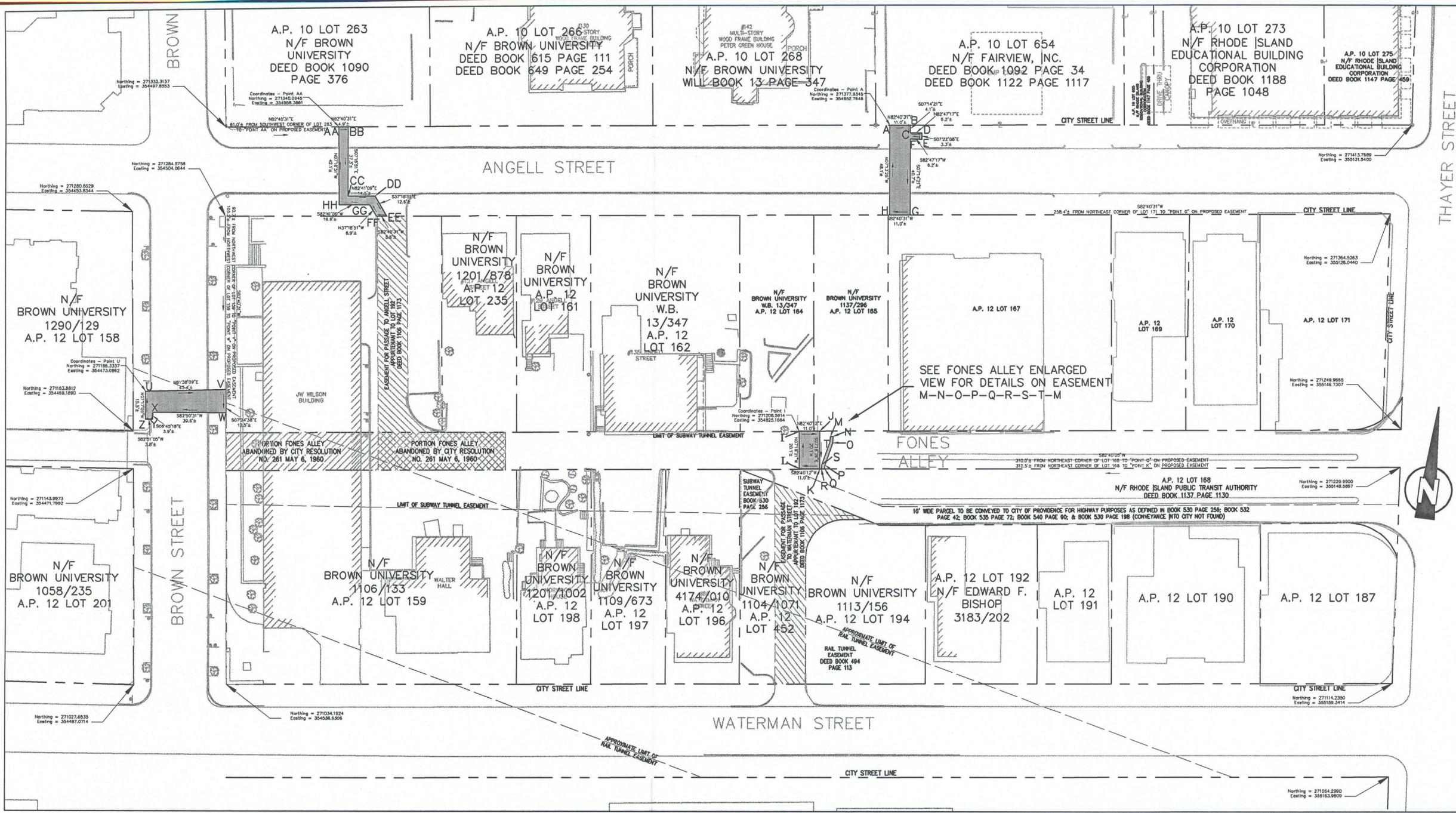
FONES ALLEY EASEMENT
M-N-O-P-Q-R-S-T-M
ENLARGED VIEW
SCALE: 1"=10'



CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office

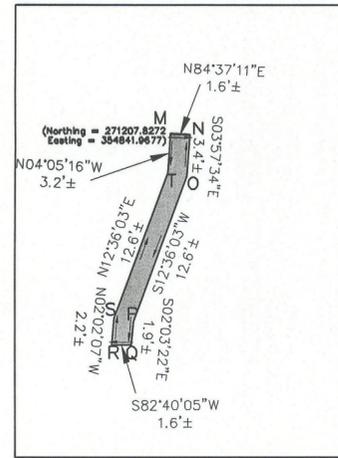
Showing PROPOSED UTILITY EASEMENTS FOR BROWN
UNIVERSITY H4 UTILITY UPGRADE PROJECT

Drawn By SEA CONSULTANTS Checked By _____
Scale 1"=40' Date 02-08-07
Correct _____ Associate Engr.
Approved _____ CHIEF ENGINEER

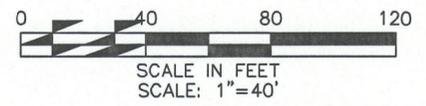


- NOTE:** Shaded area (A-B-C-D-E-F-G-H-A) indicates proposed utility easement.
Total square footage = 550± sf
- Shaded area (I-J-K-L-I) indicates proposed utility easement.
Total square footage = 220± sf
- Shaded area (M-N-O-P-Q-R-S-T-M) indicates proposed utility easement.
Total square footage = 28± sf
- Shaded area (U-V-W-X-Y-Z-U) indicates proposed utility easement.
Total square footage = 539± sf
- Shaded area (AA-BB-CC-DD-EE-FF-GG-HH-AA) indicates proposed utility easement.
Total square footage = 316± sf

GENERAL NOTE: COORDINATES, BEARINGS AND AZIMUTHS REFER TO NAD 83, RI STATE PLANE



FONES ALLEY EASEMENT
M-N-O-P-Q-R-S-T-M
ENLARGED VIEW
SCALE: 1"=10'



CITY OF PROVIDENCE, R.I.
Public Works Dept. & Engineering Office

Showing PROPOSED UTILITY EASEMENTS FOR BROWN UNIVERSITY H4 UTILITY UPGRADE PROJECT

Drawn By SEA CONSULTANTS Checked By _____
Scale 1"=40' Date 02-08-07
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