

# RESOLUTION OF THE CITY COUNCIL

No. 211

Approved March 4, 1983

WHEREAS, there appears to have arisen some concern over the sale of the Summit Avenue School.

WHEREAS, it is in the best interest of the City to convey said property.

THEREFORE BE IT RESOLVED, That Resolution No. 106 approved March 9, 1982, is hereby rescinded.

BE IT FURTHER RESOLVED, That Resolution No. 21 approved January 28, 1982, which was rescinded by Resolution No. 106 is and continues to be rescinded.

BE IT FURTHER RESOLVED, That His Honor the Mayor is hereby authorized to execute a Deed of Conveyance to the Miriam Hospital, 164 Summit Avenue, Providence, Rhode Island 02906; for land and buildings located along 86 Fourth Street, designated as Lot 374 on City Assessor's Plat 73, comprising an area of approximately 50,045 square feet of land, more or less, known as the former Summit Avenue School, for the total sum of One Hundred Forty Thousand (\$140,000.00) Dollars.

Said conveyance is to be made subject to an annual payment, made by the Miriam Hospital or its Successors to the City Collector, in lieu of taxes. Said payment is to be in the amount of Eight Thousand (\$8,000.00) Dollars for the first five (5) years after the execution of said Deed of Conveyance. After the expiration of said five (5) year period, said payment is to be determined in accordance with the tax rate established by the City Assessor and shall be adjusted annually as said tax rate is adjusted; provided, however, that the assessed value of said premises shall remain at its present level. It is further provided that in the event that the General Assembly of the State of Rhode Island enacts legislation subjecting property owned by hospitals institutions to property taxation, then the Miriam Hospital or its successors will not be obligated to make annual payments, once said legislation takes effect; rather the Miriam Hospital or its successors shall be obligated to make such

payments as required by the said legislation.

Further, it is provided that the following clause be made part of said Deed of Conveyance:

It is hereby agreed, understood and stipulated that if ever the said land and buildings hereby conveyed are sold by the Miriam Hospital or its successors to an institution exempt from property tax by the General Laws of the State of Rhode Island or by Charter, then said land and buildings shall revert to and become the property of the City of Providence.

Said conveyance is to be further made under such terms and conditions as may be provided for by His Honor the Mayor and the City Solicitor.

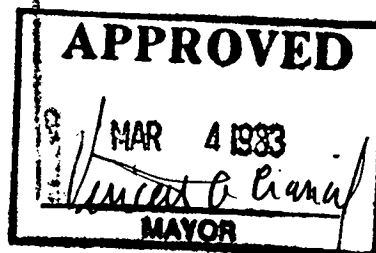
It is hereby expressly declared to be the opinion of the City Council that said land and properties have become unsuitable and have ceased to be used for public or municipal purposes.

IN CITY COUNCIL  
MAR 3 1983  
READ AND PASSED

*[Signature]* PRES.  
*[Signature]* CLERK

NO EXEMPTION

TO BE USED FOR  
PUBLIC PURPOSES



*Guilman Marshall (By Request)*

A RESOLUTION AUTHORIZING HIS HONOR  
THE MAYOR TO EXECUTE A DEED OF  
CONVEYANCE OF THE SUMMIT AVENUE  
SCHOOL TO THE MIRIAM HOSPITAL

THE COMMITTEE ON

CITY PROPERTY

Recommends

*Guilman Marshall*  
Chairman  
January 2, 1983

IN CITY COUNCIL  
AUG 5 1982

FIRST READING

REFERRED TO COMMITTEE ON

CITY PROPERTY

*Guilman Marshall*  
Chairman

THE COMMITTEE ON

CITY PROPERTY

Approves Passage of

The Within Resolution

*Guilman Marshall*  
Chairman  
February 23, 1983

THE COMMITTEE ON

CITY PROPERTY

Approves Passage of

The Within Resolution

*Guilman Marshall*  
Chairman  
October 5, 1982

IN CITY COUNCIL

OCT 2 1 1982

Second FIRST READING

REFERRED TO COMMITTEE ON CITY PROPERTY

*Guilman Marshall*  
Chairman



# The City Plan Commission

40 FOUNTAIN STREET

PROVIDENCE, RHODE ISLAND 02903

November 5, 1982

Councilman Harry A. Johnson, Chairman  
Committee on City Property  
c/o City Clerk's Office  
City Hall  
Providence, Rhode Island 02903

Re: - Resolution Proposing the Sale of Summit Ave. School to Miriam Hospital


Dear Councilman Johnson:

An earlier City Plan Commission letter dated August 10, 1982 was transmitted to you, setting forth this Commission's recommendation of approval of the subject Resolution, provided that certain amendments were made to said Resolution.

The Commission voted unanimously at its June 21, 1982 and August 4, 1982 meetings that those amendments as outlined in the earlier letter be incorporated in the resolution. Inasmuch as the subject Resolution has been referred to your Committee, the Commission at its November 3, 1982 meeting respectfully reiterated its recommendation that those amendments be executed.

For your convenience, attached herewith is an original and five (5) copies of the Resolution with the amendments as recommended by the Commission.

Sincerely yours,

  
Stanley Bernstein  
Director

SB/cd  
enc.



# The City Plan Commission

40 FOUNTAIN STREET

PROVIDENCE, RHODE ISLAND 02903

August 10, 1982

Councilman Harry A. Johnson, Chairman  
Committee on City Property  
c/o City Clerk's Office  
City Hall  
Providence, R. I.

Re: Resolution Proposing the Sale of Summit  
Avenue School to Miriam Hospital

Dear Councilman Johnson:

Attached herewith is a copy of an earlier City Plan Commission letter dated June 28, 1982 that was transmitted to Mayor Cianci setting forth this Commission's recommendation of approval of the subject Resolution, provided that certain amendments were made to said Resolution.

The Commission voted unanimously at its August 4, 1982 monthly meeting that the subject Resolution be further amended as follows:

Delete paragraph (a) entitled, "Location of the Parking Area" and insert the following paragraph in its stead:

- (a) Location of the Parking Area: The only on-site parking area shall be located within that portion of the yard area adjoining Fifth Street and extending across the full width of the lot with a maximum depth of 120 feet measured perpendicular to the southerly side of Fifth Street, provided that a minimum sixteen feet (16') wide planting strip for screening and landscaping be installed along the westerly side lot line and a minimum eight feet (8') wide planting strip for screening and landscaping be installed along the easterly side lot line adjoining Summit Avenue.

The Commission respectfully requested that the above outlined amendment be executed.

Sincerely yours,

*George D. Caldwell /s/*  
George D. Caldwell, Chairman

GDC/rb

cc: Vincent A. Cianci, Jr., Mayor  
Jerome R. Sapolsky, President,  
Miriam Hospital



# The City Plan Commission

40 FOUNTAIN STREET

PROVIDENCE, RHODE ISLAND 02903

June 28, 1982

The Honorable Vincent A. Cianci, Jr.  
Mayor of the City of Providence  
Executive Chambers  
City Hall  
Providence, Rhode Island 02903

RE: Resolution proposing the sale of Summit Avenue School to Miriam Hospital

Dear Mayor Cianci:

The Commission received your letter dated June 18, 1982 regarding the proposed sale of Summit Avenue School to the Miriam Hospital. The Commission voted unanimously at its June 21, 1982 rescheduled meeting to recommend approval of the subject Resolution provided that the following amendments be made to said Resolution:

(1) Add the following after the first two "WHEREAS" clauses:

- (a) WHEREAS, it is in the best interest of the City to preserve residential property values in the immediate vicinity of the Summit Avenue School.
- (b) WHEREAS, the 1976 Master Plan for Recreation called for an increase in recreation facilities in the Hope neighborhood.

(2) Add the following paragraph before the final paragraph of said Resolution:

Said conveyance is to be further made under the following conditions:

- (a) Location of the Parking Area: The only on site parking area shall be located within that portion of the yard area between 5th Street and Summit Avenue School and between the two lines which are established at each of the two existing entrances of the Summit Avenue School facing 5th Street and running northeasterly perpendicular to the southerly side of 5th Street.
- (b) Screening of the Parking Area: Said parking area shall be screened by a wall of solid and uniform appearing compact evergreen screen, fence or wall having a height of not less than four (4) feet at the entire easterly and westerly edges of said parking area.

- (c) Open Space: The balance of existing yard areas shall remain open and shall be adequately landscaped and maintained at all times.

Sincerely,

*George Caldwell* ~~SS~~.

George Caldwell  
Chairman

GC/jp

cc: Miriam Hospital

DEPARTMENT OF PUBLIC SCHOOLS  
211 VEAZIE STREET  
PROVIDENCE, RHODE ISLAND 02904

JEROME B. JONES  
SUPERINTENDENT

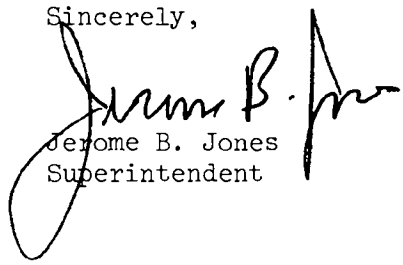
January 5, 1981

Chairman  
City Property Committee  
c/o Rose Mendonca  
City Clerk  
Providence City Hall  
Providence, Rhode Island

Dear Chairman:

Enclosed please find a copy of Resolution 1034 duly adopted by the Providence School Committee on December 18, 1980 returning the Summit Avenue Administration Building to the City of Providence effective January 1, 1981.

Sincerely,

  
Jerome B. Jones  
Superintendent

JBj:ecm  
CC: Mr. Charles Matoian  
Mr. George Moorachian

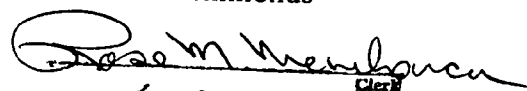


FILED  
JAN 7 9 18 AM '81  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

THE COMMITTEE ON

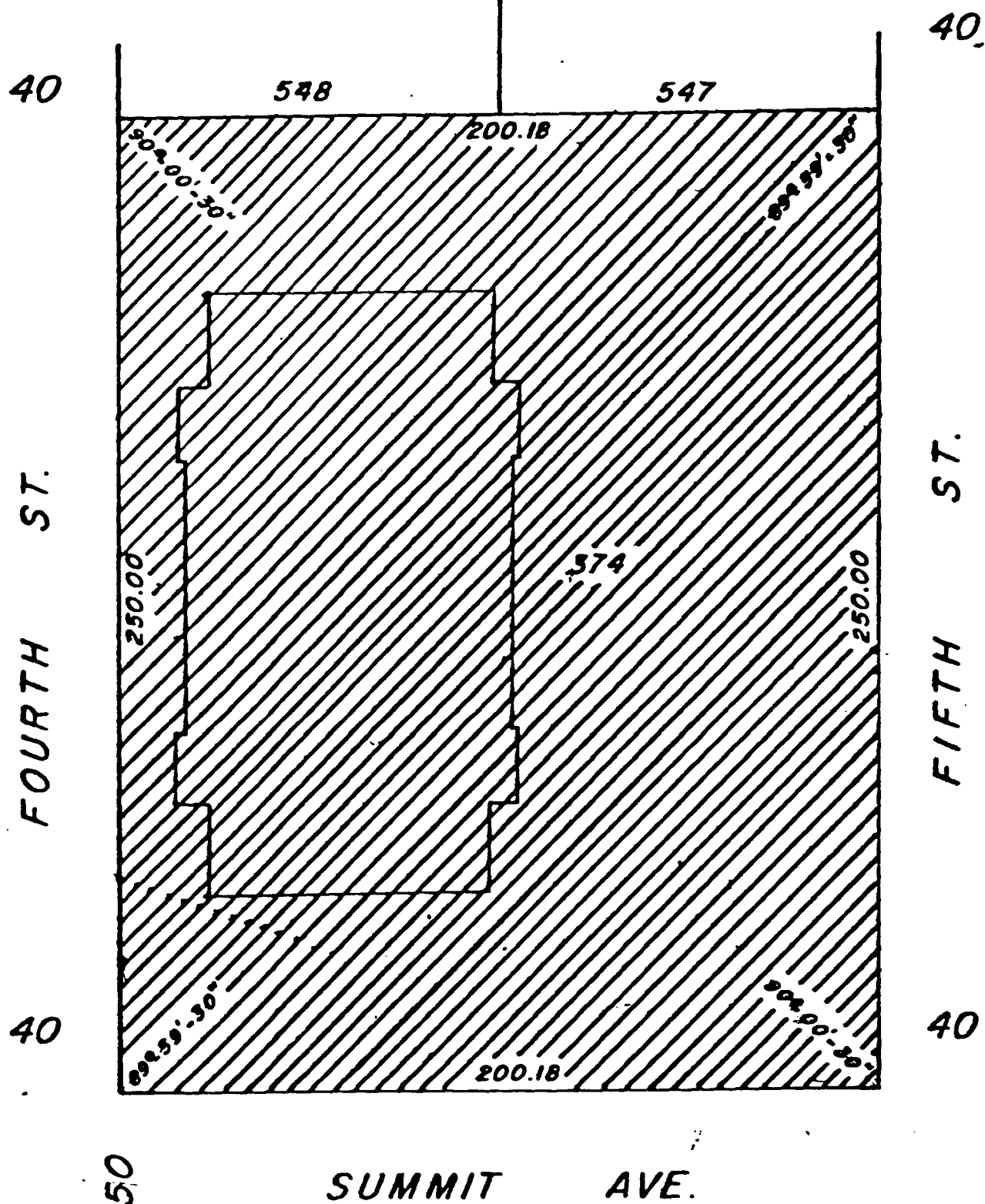
CITY PROPERTY

Recommends

  
Clerk

Feb 9, 1981

PROVIDENCE R. I.  
 P. W. DEPT. ENGINEERING OFFICE  
 CITY PROPERTY SECTION  
 Plan No. 069153  
 Date Sept. 8, 1981



CITY OF PROVIDENCE, R. I.  
 Public Works Dept. Engineering Office  
 Showing PERMANENT SALE SUMMIT AVE. School  
 Drawn by A.P.A. Checked by B.J.D.  
 Scale 1" = 50' Date Sept. 8, 1981  
 Corrected by [Signature] Associate Eng.  
 Approved by [Signature] P.E.  
 CHIEF ENGINEER

March 8, 1983

Jerome R. Sapolsky, President  
The Miriam Hospital  
164 Summit Avenue  
Providence, Rhode Island 02906

Dear Mr. Sapolsky,

Enclosed is certified copy of Resolution No. 212,  
approved March 4, 1983, the same being self-explanatory.

Will you kindly communicate with the City Solicitor's  
Office so that the deed of conveyance for said land and  
buildings will be executed.

Very truly yours,

Rose M. Mendonca,  
City Clerk.

RMM; jma

KNOW ALL MEN BY THESE PRESENTS:

That the CITY OF PROVIDENCE, a municipal corporation, created by the General Assembly of the State of Rhode Island, in the County of Providence, in said State, for and in consideration of the sum of ONE HUNDRED FORTY THOUSAND (\$140,000) DOLLARS, to it paid by THE MIRIAM HOSPITAL, a non-profit Rhode Island corporation, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said THE MIRIAM HOSPITAL, its successors and assigns forever in fee simple, that certain tract and parcel of land and buildings situated in the City of Providence shown as cross-hatched area on the accompanying plan, entitled "Providence, Rhode Island, Public Works Department, Engineering Office, City Property Section, Plan No. 064153, Date: September 8, 1981," bounded and described as follows

(formerly known as the Summit  
Avenue School)

Beginning at the northwesterly intersection of Summit Avenue and Fourth Street:

thence westerly along the northerly line of Fourth Street, two hundred and fifty (250.00') feet to the southwesterly corner of herein described parcel:

thence making an interior angle of 90°-00'-30" and running in a generally northeasterly direction, bounded westerly by Lots 548 and 547 on City of Providence Assessor's Plat 73, two hundred and 18/100ths (200.18') feet to the southerly street line of Fifth Street and northwesterly corner of herein described parcel:

thence making an interior angle of 89°-59'-30" and running along the southerly line of Fifth Street, two hundred and fifty (250.00') feet to the southwesterly intersection of Fifth Street and Summit Avenue:

thence making an interior angle of 90°-00'-30" and running in a generally southwesterly direction along the westerly line of Summit Avenue two hundred and 18/100ths (200.18') feet to the northwesterly intersection of Summit Avenue and Fourth Street, said point being point and place of beginning.

Last herein described line makes an interior angle with first herein described line of 89°-59'-30".

Said parcel of land contains 50,045 square feet of land.

Said parcel is further identified as being Lot 374 on City of Providence Assessor's Plat 73.

The City Council of the City of Providence has declared that said land and properties have become unsuitable and have ceased to be used for any public or municipal purposes.

This conveyance is to be made subject to an annual payment, made by THE MIRIAM HOSPITAL, or its successor, to the City Collector, in lieu of taxes. Said payment is to be in the amount of EIGHT THOUSAND (\$8,000) DOLLARS for the first five (5) years after the execution of this Deed of Conveyance: After the expiration of said five (5)-year period, said payment is to be determined in accordance with the tax rate established by the City Assessor and shall be adjusted annually as said tax rate is adjusted; provided, however, that the assessed value of said premises shall remain at its present level.

It is further provided that in the event that the General Assembly of the State of Rhode Island enacts legislation subjecting property owned by hospital institutions to property taxation, then THE MIRIAM HOSPITAL, or its successor, will not be obligated to make said annual payments, once said legislation takes effect; rather, THE MIRIAM HOSPITAL, or its successor, shall be obligated to make such payments as required by the said legislation.

It is hereby agreed, understood and stipulated that if ever the said land and buildings hereby conveyed are sold by THE MIRIAM HOSPITAL, or its successors, to an institution exempt from property tax by the General Laws of the State of Rhode Island, or by Charter, then, said land and buildings shall revert to and become the property of the City of Providence.

It is further agreed, understood and stipulated that the within conveyance is made under the terms and conditions set forth in Resolution of the Providence City Council No. 211, Approved March 4, 1983, attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the same with all the rights, privileges

shall be obligated to make such payments as required by the said legislation.

Further, it is provided that the following clause be made part of said Deed of Conveyance:

It is hereby agreed, understood and stipulated that if ever the said land and buildings hereby conveyed are sold by the Miriam Hospital or its successors to an institution exempt from property tax by the General Laws of the State of Rhode Island or by Charter, then said land and buildings shall revert to and become the property of the City of Providence.

Said conveyance is to be further made under such terms and conditions as may be provided for by His Honor the Mayor and the City Solicitor.

Said conveyance is to be further made under the following conditions:

- (a) Location of the Park Area: The only on-site parking area shall be located within that portion of the yard area adjoining Fifth Street and extending across the full width of the lot with a maximum depth of 120 feet measured perpendicular to the southerly side of Fifth Street, provided that a minimum sixteen ft. (16') wide planting strip for screening and landscaping be installed along the westerly side lot line and a minimum eight ft. (8') wide planting strip for screening and landscaping be installed along the easterly side lot line adjoining Summit Ave.
- (b) Screening of the Parking Area: Said parking area shall be screened by a wall of solid and uniform appearing compact evergreen screen, fence or wall having a height of not less than four (4) feet at the entire easterly and westerly edges of said parking area.
- (c) Open Space: The balance of existing yard areas shall remain open and shall be adequately landscaped and maintained at all times.

It is hereby expressly declared to be the opinion of the City Council that said land and properties have become unsuitable and have ceased to be used for public or municipal purposes.

A true copy,  
Attest:

*Rose M. Mendonca*  
Rose M. Mendonca,  
City Clerk.

PROVIDENCE R. I.  
 P. W. DEPT. ENGINEERING OFFICE  
 CITY PROPERTY SECTION  
 Plan No. 064153  
 Date Sept. 8, 1981

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548

547

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FOURTH ST.

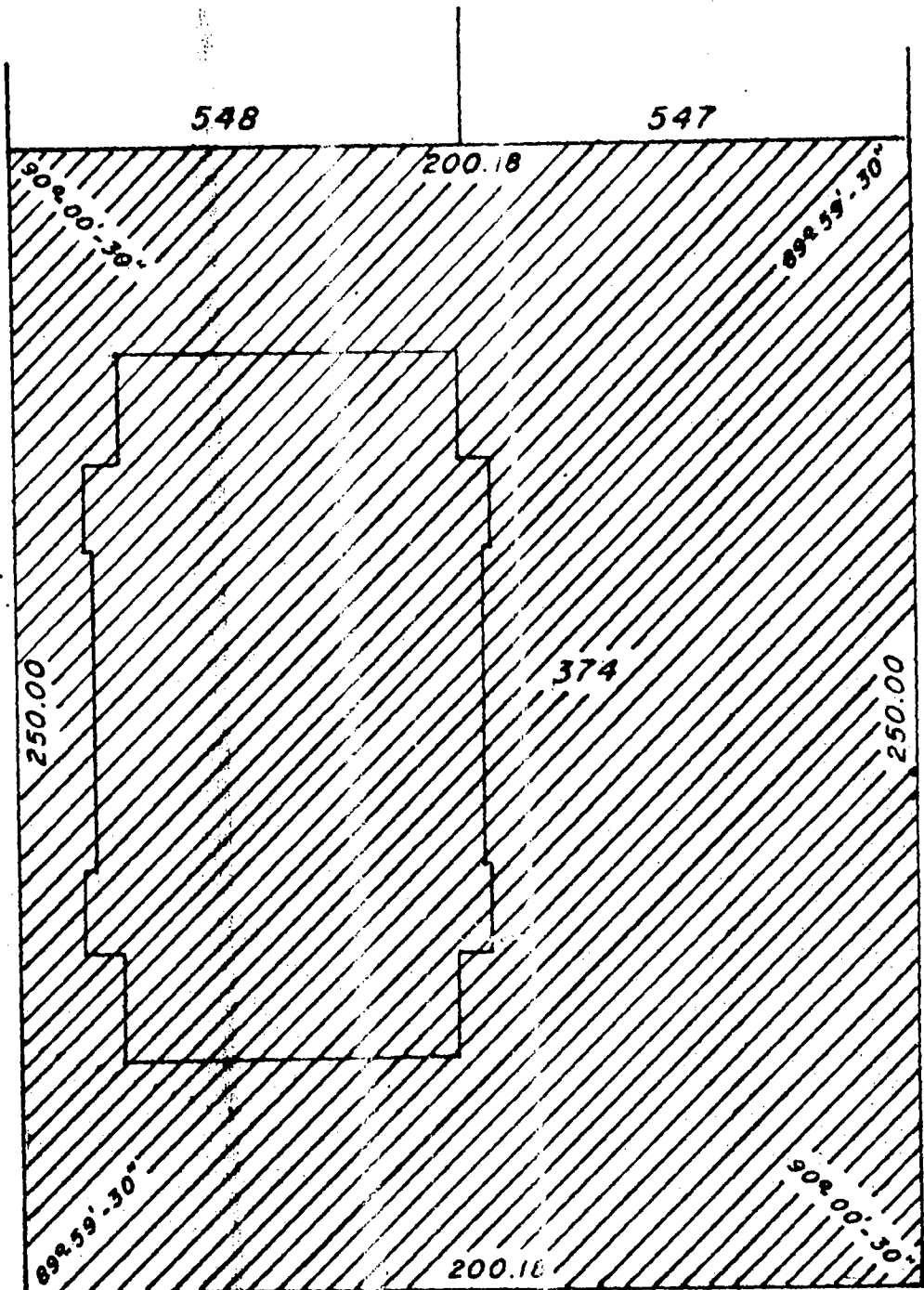
FIFTH ST.

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50

SUMMIT AVE.



CITY OF PROVIDENCE, R. I.  
 Public Works Dept. Engineering Office  
 Showing Proposed Sale Summit Ave. School  
 Drawn by L.P.A. Checked by R.M.D.  
 Scale 1\"/>

Lot Numbers From Assessors Plat 73