

# RESOLUTION OF THE CITY COUNCIL

No. 382

Approved June 9, 1995

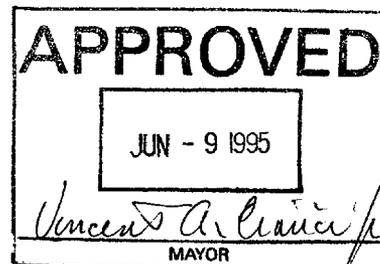
RESOLVED, That His Honor, the Mayor, is hereby authorized to execute any and all documents necessary to effectuate the construction of a state-mandated water pipeline, pursuant to 46-15.5-1 et seq., across City of Providence property located at Fields Point . Specifically, part of Lots 288 and 296 on Assessor's Plat 56 for a total of 38,228 of and the surrounding area. (see map attached as Exhibit "A"). Said consideration for the above-mentioned easement at Fields Point is One Hundred Forty-Five Thousand (\$145,000.00) Dollars for a term of thirty-five (35) years with two (2) fifteen-year options. In addition, the City agrees to allow Bristol Water Authority permission to utilize the City's easement described in Exhibit "B". Such easement is subject to the terms and conditions as have been imposed by the Committee on City Property, the City Council and His Honor, the Mayor. All documents must be approved by the City Solicitor.

Bristol Water Authority also agrees to improvements through any or all streets affected by this project. Such improvements to include curb to curb repavement of streets, replacement and repair of sidewalks, replacement of the existing water main in Washington Avenue and landscaping of the area between the curbs and sidewalks. All improvements must meet Department of Public Works approval.

The authority has also reached an Agreement with the Board of Park Commissioners relative to a necessary easement through Columbia Park which would result in an additional fee of Ten Thousand (\$10,000.00) Dollars and substantial improvements to the Park. Said improvements are to include complete rebuilding of all basketball courts, including lighting, improved landscaping and grading of the entire park, the installation of a walking/running tract, including lighting, and the creation of a new gym area with gym equipment. All improvements must meet Parks Department approval.

IN CITY COUNCIL  
JUN 1 1995  
READ AND PASSED

*Edlyn V. Fargnoli*  
ACTING PRES.  
*Michael R. Clement*  
CLERK





C4190

7-97

EXHIBIT "A"

DEED

The CITY OF PROVIDENCE, a municipal corporation created by the General Assembly of the State of Rhode Island for consideration paid, does hereby bargain, sell and convey to PROVPORT, INC., a Non-Profit Corporation organized and existing under the Laws of the State of Rhode Island, the following:

The land together with all buildings and improvements located thereon, situated in Fields Point, so called, Providence, Rhode Island and more particularly described and set forth in the legal descriptions attached hereto, incorporated herein, and designated as Exhibit A, Parcel A, Parcel B and Parcel C.

THIS CONVEYANCE IS BEING MADE SUBJECT TO THE FOLLOWING RESTRICTIONS:

The premises conveyed by this Deed are being conveyed subject to the restriction that said premises shall not at any time be used for the following:

- a. Passenger Shipping
- b. Eating and/or Drinking Establishments
- c. Casino Gambling Activities

The restrictions of this paragraph may be amended or removed only by resolution, of a majority vote of the entire membership of the City Council of the City of Providence after proper consideration, and subject to such additional conditions as it may deem reasonable.

RESERVING, HOWEVER, unto the Grantor, it's successor's and assigns, a forty (40) foot right of way over and across the land set forth and described in Exhibit A as the Proposed New Street for highway purposes and access to other land owned by this Grantor.

TO HAVE AND TO HOLD the same with all the rights, privileges and appurtenances thereunto appertaining, unto and to the use of PROVPORT, INC., its successors and assignees forever in fee simple.

This Deed is authorized by City Council resolution Number 404. Approved July 7, 1994.

EXHIBIT "B"

This sale is not subject to withholding under RIGL 44-30-71.3 because the Grantor is a political subdivision of the State of Rhode Island.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and its corporate seal to be hereunto affixed by VINCENT A. CIANCI, JR., its Mayor, thereunto duly authorized this 20th day of September, 1994.

CITY OF PROVIDENCE

BY Vincent A. Cianci  
VINCENT A. CIANCI, JR.

STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

In Providence in said County on the \_\_\_\_ day of September, 1994, before me personally appeared the above-named VINCENT A. CIANCI, JR., Mayor of the City of Providence, to me known and known by me to be the person executing the foregoing instrument, and he acknowledged said instrument by him executed, to be his free act and deed in his said capacity and the free act and deed of the City of Providence.

\_\_\_\_\_  
NOTARY PUBLIC  
COMMISSION EXPIRES:

APPROVED AS TO SUBSTANCE AND FORM.

\_\_\_\_\_  
City Solicitor

port/deed

September 22, 1994

Recommended Description of Land  
Port of Providence  
Providence, Rhode Island  
Project No. 408.00  
Parcel 'A'

Exhibit A

Parcel 'A'

That certain tract or parcel of land situated northerly of Ernest Street, easterly of Ellis Street and southerly of Terminal Road in the City of Providence, County of Providence and State of Rhode Island and Providence Plantations designated as Parcel 'A' on a plan entitled "Survey Plan of The Port of Providence, R.I. situated at Field's Point Providence, Rhode Island Scale: 1"=100' Date: September 21, 1994 Prepared for ProvPort, Inc. & Peabody & Brown 1 Citizens Plaza Providence, Rhode Island Project No. 408.00 Dwg. No. 408-S1 Sheets 1 & 2 of 2 Sheets Crossman Engineering, Inc. Warwick, Rhode Island Richard S. Lipsitz, PLS #1837", bounded and described as follows;

Beginning at the intersection of the northerly streetline of Ernest Street and the easterly streetline of Ellis Street at the southwesterly corner of the parcel herein described;

thence proceeding N03°13'50"E along the easterly streetline of said Ellis Street a distance of 155.00' to a point of curvature;

thence proceeding northerly and northeasterly along the arc of a curve tangent to the previous course, deflecting to the right and having a central angle of 32°31'30" and a radius of 115.79' a distance of 65.73' to a point of tangency;

thence proceeding N85°45'20"E, tangent to the previous curve a distance of 217.20' to the northwesterly corner of the parcel herein described and the southerly streetline of Terminal Road. The last three herein described courses run by and with the easterly streetline of said Ellis Street;

thence proceeding N78°00'24"E a distance of 389.30' to a point of curvature;

thence proceeding easterly along the arc of a curve tangent to the previous course, deflecting to the right and having a central angle of 17°19'00" and a radius of 1000.00' a distance of 302.23' to a point of tangency;

thence proceeding S86°40'36"E, tangent to the previous course a distance of 619.05' to the northeasterly corner of the parcel herein described at land now or formerly of the Narragansett Bay Commission. The last three herein described courses run by and with the southerly streetline of said Terminal Road;

thence proceeding S00°02'58"E bounded easterly by said NBC land a distance of 430.01' to the southeasterly corner of the parcel herein described;

thence proceeding N86°45'37"W bounded southerly in part by said NBC land and in part by land now or formerly of Marr Scaffolding Company a distance of 455.00' to an angle point;

thence proceeding S24°37'36"W a distance of 113.65' to an angle point;

thence proceeding S75°20'10"W a distance of 109.33' to a corner;

thence proceeding S03°13'50"W a distance of 79.38' to the said northerly streetline of Ernest Street. The last three herein described courses are bounded southerly and easterly by said Marr Scaffolding land;

thence proceeding S86°46'10"W by and with the said northerly streetline of Ernest Street a distance of 775.79' to the point and place of beginning;

The herein described parcel contains 644,058 square feet (14.785 ac.) of land, more or less.

  
Richard S. Lipsitz, PLS  
Crossman Engineering, Inc.  
Survey Director

