

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2005-40

RECEIVED
CITY CLERK

No. 353

AN ORDINANCE

ESTABLISHING AND GRANTING A TAX STABILIZATION PLAN FOR SAMPALIS REALTY, LLC WITH RESPECT TO ASSESSOR'S PLAT 20, LOT 176 OF THE CITY OF PROVIDENCE

EFFECTIVE ~~XXXXXX~~ ^{Approved} August 1, 2005

Be it ordained by the City of Providence:

WHEREAS, the City Council, pursuant to Section 44-3-9 of the Rhode Island General Laws, as amended, and Sections 21-160 through 21-170.1 of the Code of Ordinances of the City of Providence, has the authority to exempt real and personal property used for manufacturing, commercial, and/or residential purposes from the payment of property taxes, or to stabilize said taxes, if the granting of the exemption or stabilization plan inures to the benefit of the City of Providence by reason of physical improvements within the City which will result in long-term economic benefit, and/or by reason of the willingness of a commercial enterprise to construct new buildings or to replace, reconstruct, convert, expand, retain or remodel existing buildings; and

THE COMMISSIONER OF REVENUE
CITY OF PROVIDENCE

WHEREAS, the City Council, pursuant to R.I. Gen. Laws Sec. 44-3-9, as amended, has the authority to exempt and/or stabilize said taxes for a term not to exceed twenty (20) years; and

WHEREAS, Sampalis Realty, LLC, a Rhode Island limited liability company (defined below as the "Project Owner") has made application for a tax stabilization plan under said Rhode Island General Law 44-3-9 and applicable ordinance of the City of Providence (Ordinance 21-169), as set forth in Exhibit A attached hereto and incorporated by reference, and has satisfied each condition of same; and

THE COMMISSIONER OF REVENUE
CITY OF PROVIDENCE

WHEREAS, there is underdeveloped land located at 203 Weybosset Street, and more specifically described as Assessor's Plat 20, Lot 176; and

No.

CHAPTER
AN ORDINANCE

IN CITY COUNCIL
APR 7 2005
FIRST READING

REFERRED TO COMMITTEE ON
FINANCE

Michael S. Almont CLERK

THE COMMITTEE ON

Finance

Recommends

Ann M. Stahl

CLERK

6-7-05. Schedule
6-27-05. P. Arg. held

THE COMMITTEE ON
FINANCE

Approves Passage of
The Within Ordinance

Ann M. Stahl

Clerk

6-27-05

Councilman Aponte, By Request

WHEREAS, the Project Owner has evidenced a willingness to renovate and expand an existing structure located in the historically significant "Benjamin Dyer Block" in two phases:

- o initially, a complete exterior/exterior renovation (with new interior elevator service) in conformance with DownCity District and historic preservation requirements; and, full service, Mediterranean style restaurant (2,400'+/-), with related storage mezzanine (600'+/-) and retail space (1,100'+/-) on the first floor, with fifteen (15) residential apartments (650' +/- each) on the second, third and fourth floors (defined herein as "Phase I" – May 2005/September 2006); and
- o construction of two (2) residential apartments (1,000' +/- each) on the new fifth floor (defined herein as "Phase II" – September 2007/May 2008);

WHEREAS, the Project (as hereinafter defined) will cause an increase in the tax base of the City of Providence, an increase in expenditures by residents in the City of Providence and will increase employment opportunities in the City of Providence; and

WHEREAS, the City Council has determined it is in the best interests of the residents of the City of Providence to grant such tax stabilization pursuant to the below stated plan (hereinafter called the "Agreement") to induce the development of The DownCity Arts District, and such tax stabilization will inure to the long-term benefit of the City of Providence,

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the findings set forth in the preceding recitals are hereby made and confirmed.

Section 2. Definitions. The following terms shall have the meanings set forth herein:

- (a) "Commencement Date" shall be upon passage of this ordinance.
- (b) "Personal Property" means any and all tangible personal property, including, but not limited to, all fixtures, equipment, furnishings, and other personal property, now or hereafter located at the Project Site (as hereinafter defined).
- (c) "Phase I" of the Project means and shall consist of the complete exterior/exterior renovation (with new interior elevator service) in conformance with DownCity District and historic preservation requirements; and, full service, Mediterranean style restaurant (2,400'+/-), with related storage mezzanine (600'+/-) and retail space

- (1,100'+/-) on the first floor, with fifteen (15) residential apartments (650' +/- each) on the second, third and fourth floors (May 2005/September 2006)
- (d) "Phase II" of the Project means and shall consist of the construction of two (2) residential apartments (1,000' +/- each) on the fifth floor (September 2007/May 2008)
- (e) "Project" means the Project Site (as hereinafter defined), the Real Property Improvements (as hereinafter defined), and Personal Property.
- (f) "Project Owner" means Sampalis Realty, LLC, a Rhode Island limited liability company, its successors and assigns, which holds legal title to the Real Property Improvements (as hereinafter defined) or Personal Property.
- (g) "Project Site" means the property located at and having a Providence address of 203 Weybosset Street, and more specifically described as Assessor's Plat 20, Lot 176, in the Land Evidence Records for the City of Providence, also being located in the "Benjamin Dyer Block" of the DownCity Arts District.
- (h) "Project Taxable Properties" means, collectively, the Project Site as proposed, the Real Property Improvements (as hereinafter defined), and the Personal Property, together constituting the Project.
- (i) "Real Property Improvements" means all structures, buildings and material improvements, including an appropriate proration of the land value, currently proposed to be located at the Project Site. Any material additional improvements involving the construction of any additional buildings, building additions or units in any improvement, shall require an amendment to this ordinance, except as provided herein.
- (j) "Stabilized Assessment" means:
- (1) The Project Site together with any and all existing infrastructure improvements thereon shall be the City of Providence tax assessment value as of December 31, 2004, as shown on Exhibit B attached hereto and incorporated by reference.
 - (2) The Real Property Improvements shall be assessed as follows:

Phase I

- o Restaurant (2,400'+/-), Retail (1,100' +/-) First Floor: \$, .00
(assessed at \$. per square foot)
- Mezzanine Storage (600' +/-): \$, .00 (assessed at \$. per square foot)
- Residential Apartments on 2nd, 3rd and 4th Floors (650' +/-):
\$, . (each of the fifteen (15) units being assessed at \$, .)

Phase II

- o Residential Apartments on 5th Floor (1,000' +/-):
\$, . (each of the two (2) units being assessed at \$, .)
- o Personal Property: \$137,000.00 as estimated and illustratively shown on Exhibit B hereof, with each dollar of Personal Property being assessed at fair market value.

(k) "Stabilized Tax Payment" means, with respect to the Project Taxable Properties, the amounts listed in the schedule attached hereto as Exhibit B.

(l) "Stabilized Tax Rate" shall mean \$38.82 per \$1,000.00 of assessed valuation for Real Property Improvements and \$49.68 per \$1,000.00 of assessed valuation for Personal Property.

(m) "Termination Date" means June 30th of the year in which Stabilized Tax Payments based on the December 31, 2023 assessment date are to be paid in full

Section 3. Tax Stabilization. The City of Providence hereby grants to the Project Owner for the Project Site the Stabilized Assessment at the Stabilized Tax Rate in accordance with Exhibit B as attached hereto for the period commencing with the December 31, 2004 assessment date through the December 31, 2023 assessment date.

Section 4. Term. The term of the tax stabilization shall be for a period commencing on the Commencement Date and terminating on the Termination Date, as more particularly described on Exhibit B hereof, unless earlier terminated as provided herein.

Section 5. Stabilized Tax Payments. As long as Project Owner owns or operates the Project Site, it will continue to make the Stabilized Tax Payment(s) as set forth in Exhibit B

during the term of this tax stabilization agreement with regard to Phase I and, to the extent that Phase II, in whole or in part, is commenced by Project Owner during the term hereof, Exhibit B shall be modified whereby the schedule will indicate no tax payments due during the first tax year after the issuance of a permit for Phase II with payments for subsequent tax years being determined at the same percentage valuation as applied to Phase I for the duration of the term hereof. Project Owner, its successors and assigns, agrees that this Project Site will be subject to taxation, without regard to tax stabilization, as of the Termination Date and thereafter. Project Owner also agrees not to transfer the Project Site, or any portion thereof, to any tax-exempt entity which does not waive in writing its exemption and right to assert any exemption from any real and/or personal property taxes assessed by the City of Providence ("Waiver") or to allow any transfer by any subsequent transferee to any tax-exempt entity which does not also provide such Waiver during the term of this Agreement to stabilize taxes. Project Owner is also required as a condition precedent to this tax treaty to record notice in the Land Evidence Records of the City of Providence of the requirement that the subject property covered by this ordinance be transferred only to a tax-paying entity or to a tax exempt entity which provides such Waiver as long as this agreement is in effect. In the event that the subject property covered by this ordinance is transferred to a tax-exempt entity without such Waiver, despite the prohibition against such transfer, whether by the Project Owner or any subsequent transferee of such property, the Project Owner will be responsible to make payments in lieu of taxes to the City of Providence equal to the amount of taxes as set forth in Exhibit B which would henceforth have to be paid to the City of Providence if such prohibition against transfer to a tax-exempt entity without a Waiver had not been violated. In the event that Project Owner shall divide the Project Site or convert all or any portion thereof into residential and/or commercial condominiums, such residential and/or commercial condominium unit so converted and sold as a condominium unit shall, upon recording of the deed for transfer of such condominium unit by the Project Owner to a third party purchaser, no longer be covered under this ordinance and shall be subject to taxation without regard to any tax stabilization agreement (the remaining portion of the Project to be prorated accordingly and the Tax Stabilized Payments scheduled hereunder will thereby be reduced accordingly, to be calculated by \$, . per unit for the 2nd, 3rd and 4th floors and by \$, . per unit for the 5th floor based on the reduction in the number of units sold as a condominium),

provided that Project Owner provides written notice of any such sale to the tax assessor of the City of Providence indicating the name(s) of the purchaser, the date of purchase and the purchase price of the unit sold, otherwise said unit shall remain as a part of the tax payments due from Project Owner.

Section 6. Payment of Taxes. The following shall pertain to the payment of taxes set forth herein:

- (a) The Project Owner shall make Stabilized Tax Payments to the City of Providence as prescribed in the schedule attached in Exhibit B to the City, in lieu of all other real property and personal property taxes and assessments of every kind and nature which would now or hereafter otherwise be levied upon the Project and the City of Providence agrees to accept the Stabilized Tax Payments in lieu of all such other real property and personal property taxes.
- (b) Stabilized Tax Payments due the City of Providence, pursuant to the terms of this Agreement, may be made in either a lump sum during the first quarter of the applicable tax year or in equal quarterly installments. If quarterly payments are to be made, they shall be due on the same dates that quarterly taxes are due for all other taxpayers in the City of Providence and similarly subject to interest and late fee penalties if not timely made.
- (c) It is understood by the parties that Stabilized Tax Payments made hereunder are tax payments; and, the Project Owner shall be entitled to all the rights, privileges and obligations of a taxpayer in the City of Providence.
- (d) The liability for the Stabilized Tax payments due and owing under this Agreement shall constitute an obligation of the Project Owner, and the City of Providence shall be granted by the Project Owner a lien on the Project Taxable Properties, which lien shall be of the same priority and entitle the City of Providence to the same foreclosure remedy as the lien and foreclosure remedy provided under applicable laws and ordinances with respect to real and personal property taxes, not subject to a tax treaty or this Agreement.

Section 7. Satisfaction of Obligations. The City of Providence agrees that so long as the Stabilized Tax Payments are made by the Project Owner in accordance with the terms of this

ordinance, the City of Providence shall, during the term of this Agreement, accept said payments in full satisfaction of the obligations of the Project Owner as to the payment of any and all taxes and property assessments to the City of Providence which would otherwise be levied upon or with respect to the Project Taxable Properties, including future repairs and renovations of the Real Property Improvements and the Personal Property which may now exist or which may hereafter be placed or erected thereon or located thereat or used therein, but excluding material additional improvements beyond that contemplated in the Project.

Section 8. Minority and Local Contractors/Vendors. It shall be the goal and the Project Owner shall use its best efforts to hire contractors and subcontractors and to purchase construction materials from entities which/who are situated in and/or are residents of the City of Providence. Further, the Project Owner shall use its best efforts to award 25% of the total dollar value of construction to Minority Business Enterprises ("MBEs") and Women Business Enterprises ("WBEs"). These are enterprises with at least 51 % of business ownership by a minority (Black, Hispanic, American Indian, or of a group found to be economically or socially disadvantaged by the Small Business Administration) or a woman, as certified by state agency or by the Director of the Department of Planning and Development, City of Providence. The total fee and non-biddable "General Conditions" of the prime contractor will be deducted from the calculation. The Project Owner will use its best efforts to work with the prime contractor to reduce the size of bid packages where possible so as to maximize accessibility of contract work to small contractors from the community.

It is the intent of the parties that the participation of each element of business enterprise not fall below twelve and a half (12.5%) percent.

Section 9. Employment. Project Owner will include in all subcontracts an affirmative action and community hiring program in which the employer commits to notify Project Owner of any job openings at the Project Site and to a willingness to interview candidates identified through said program. Project Owner has set a target minimum of ten (10%) percent of total hires as community hires over the course of the Project construction period. In addition, Project Owner agrees to provide training and/or apprenticeships for City of Providence residents hired on the Project. Such training and/or apprenticeship program shall be submitted in writing to the Director of the Department of Planning and Development, City of Providence, for his or her

written approval, as a condition precedent to any tax stabilization as envisioned under this ordinance, which may include an apprenticeship created under Section 28-45-1, et seq., of the General Laws of Rhode Island, as amended.

Section 10. Purpose. The City of Providence has entered into this tax treaty to provide residential, retail, office, hotel and other commercial units in the City of Providence and to increase its tax base as a result of such construction. This treaty shall be in effect during its term as long as the property is utilized primarily for the Project and failure to use the Project Site primarily for such purposes renders the treaty null and void. This ordinance does not extend to any building or buildings used as a "dormitory" or an "apartment dormitory." The use of any building or a portion of a building for "dormitory" or "apartment dormitory" purposes would render the treaty null and void. The treaty being rendered null and void for any reason would require the Project Owner to pay all taxes and fees as due and owing as if no treaty had been entered.

Section 11. Basis of Calculation. The schedule listed in Exhibit B is based, in part, upon information provided to the tax assessor of the City of Providence by Project Owner. This tax treaty is conditioned upon commencement of construction by December 31, 2005. Failure to begin construction by December 31, 2005 renders the treaty null and void and shall subject the Project Owner liable for the real estate and tangibles that would have been assessed against such property as if no treaty had been entered.

Section 12. Back Taxes. This treaty is conditioned upon Project Owner at all times owing no back taxes to the City of Providence and remaining current on all payments due under this tax treaty. Failure to make timely payments may render this treaty null and void.

Section 13. Reporting and Monitoring. Project Owner shall, not less than sixty (60) days after the end of each fiscal year of the Project Owner, submit to the Director, Department of Planning and Development of the City of Providence, a report that will provide evidence of compliance with Sections 8, 9 and 10 hereof on forms provided by said director for said purpose. The director may require additional information to demonstrate compliance.

Section 14. Notices. All notices, certificates, requests, demands, consents, approvals, and other communications which may or are required to be served or given hereunder (for the

purposes of this section, collectively called "Notices") shall be in writing and shall be sent by registered or certified mail, postage pre-paid, return receipt requested and received overnight delivery by a recognized public or private carrier, or by facsimile, in either case as evidenced by a receipt or other evidence of delivery showing the date, time and, for facsimile, telephone number or receipt and addressed to the party to receive such Notice as identified below:

If to: City of Providence
City Hall
25 Dorrance Street
Providence, RI 02903
Attn: Mayor, City of Providence

Copies to: City Solicitor
City of Providence
275 Westminister Street, 2nd Fl.
Providence, RI 02903

Director, Department of Planning and Development
400 Westminister Street
Providence, RI 02903

If to: Sampalis Realty, LLC
Sampalis Realty, LLC
203 Weybosset Street
Providence, Rhode Island 02903

Copy to:
Stephen M. Litwin, Esq.
One Ship Street
Providence, RI 02903
Tel: 401.273.5155

Section 15. Penalties and Petition for Relief. In the event that Project Owner does not substantially comply in all material respects with any and/or all of material provisions of this ordinance, the Director of the Department of Planning and Development, City of Providence, may provide written notice, mailed by certified mail, postage-prepaid, return receipt requested, to Project Owner at its/his/her last known address, setting forth the nature of such non-compliance and the date upon which the tax stabilization agreement shall be rendered null and void because of such non-compliance, unless said non-compliance is cured prior to said date ("Early Termination Date"). The full tax which would otherwise have been due and payable, if there had been no tax stabilization agreement, plus interest and penalties as provided by law ("Full Tax"), will become immediately due and payable on the Early Termination Date, with the

calculation thereof being contained in the notice. However, the Early Termination Date shall be at least one hundred and twenty (120) days from the mailing of the written notice Project Owner may petition the City Council, City of Providence, for a hearing with respect to the issue of non-compliance. The hearing shall be held within sixty (60) days of the receipt of the petition by the City Clerk, City of Providence. At the hearing Project Owner shall have an opportunity to present evidence of compliance and/or request relief. In the event that the City Council, City of Providence, does not act after a hearing of the Project Owner prior to the early Termination Date, the determination of the Director, Department of Planning and Development, City of Providence, shall be conclusive and Project Owner shall immediately make payment of the Full Tax to the City of Providence.

Section 16. Expiration Dates. That in accordance with the laws of the State of Rhode Island and the Code of Ordinances of the City of Providence, the City Council hereby approves the Project Owner's application for tax stabilization as set forth as Exhibit A and authorizes said tax stabilization as provided in this ordinance in accordance with it and with the schedule of payments set forth in Exhibit B.

Section 17. Applicable Law. This Agreement shall be construed under the laws of the State of Rhode Island.

Section 18. Effective Date. This ordinance shall take effect upon its passage.

IN CITY COUNCIL
JUL 7 2005
FIRST READING
READ AND PASSED
Claire E. Bestwick
CLERK

IN CITY COUNCIL
JUL 21 2005
FINAL READING
READ AND PASSED
[Signature]
PRESIDENT
Claire E. Bestwick
CLERK

Effective without the Mayor's Signature:

Claire E. Bestwick
Claire E. Bestwick
Acting City Clerk

CITY OF PROVIDENCE, RHODE ISLAND

APPLICATION REQUESTING

TAX STABILIZATION FOR COMMERCIAL / INDUSTRIAL & RESIDENTIAL
PROPERTIES

ACCORDING TO

CHAPTER 21 OF THE CODE ORDINANCES AS AMENDED

PAY OF NON-REFUNDABLE APPLICATION FEE
MUST ACCOMPANY APPLICATION ACCORDING TO
THE FOLLOWING SCHEDULE:

\$150.00 FOR PERMIT UP TO - \$250,000 (COM/IND)
\$225.00 FOR PERMIT FROM \$251 - \$750,000
\$300.00 FOR PERMIT OVER - \$751,000
\$200.00 FOR COMPUTER / TELEPHONE
.001% OF EST. CONSTRUCTION COSTS (RESIDENTIAL.)

DATE 2005

1. NAME & ADDRESS OF APPLICANT SAMPALIS REALTY, LLC.
(IF CORPORATION/PARTNERSHIP, 199-209 WEYBOSSET STREET
GIVE NAME & TITLE OF CEO FILING PROVIDENCE, RHODE ISLAND 02903
APPLICATION).
2. IF APPLICANT IS LESSEE, GIVE N/A
NAME AND ADDRESS OF OWNER
AND SPECIFIC TERMS OF LEASE
3. LOCATION OF PROPERTY 199-209 WEYBOSSET STREET
4. ASSESSOR'S PLAT AND LOT AP 20, LOT 176
5. DATE & PURCHASE PRICE OF ♦
EXISTING PROPERTY
6. COST & PROJECTED DATE OF
ADDITIONAL PROPERTY TO BE
PURCHASED FOR THIS
EXPANSION PROJECT

♦ The current members of Sampalis Realty, LLC. purchased their respective interests (constituting 100% of the fee simple) in the situs as follows: Vasso Sampalis - August 5, 1982; Dionisios P. Sampalis (aka Dennis Sampalis) - February 28, 2001.

7. ESTIMATED COST OF EXPANSION/ RENOVATION. (ATTACH EVIDENCE SUPPORTING SUCH FIGURE: COP OF BIDS, CONSTRUCTION CONTRACT, ARCHITECT'S CERTIFICATION). GIVE DETAILS AS TO SCOPE OF PROJECT TO BE UNDERTAKEN--# OF STORIES TYPE OF CONSTRUCTION, TOTAL SQ. FT. ETC.) PLEASE SEE ATTACHED SUPPLEMENT

8. DESCRIBE EXISTING FACILITY: # OF STORIES # OF SQ. FT./ FLOOR AGE OF BUILDING(S) TYPE OF CONSTRUCTION INTERIOR CONDITION EXTERIOR CONDITION PLEASE SEE ATTACHED SUPPLEMENT

9. APPLICATION IS MADE UNDER THE PROVISION OF THE ORDINANCE FOR THE FOLLOWING REASON(S) (CHECK ONE OR MORE)

- a. locate in City of Providence
- b. replace section of premises
- d. expand building
- e. remodel facility
- f. construct new building (s)
- g. computer/telephone
- h. other

10. WILL PROPOSED CONSTRUCTION/ ALTERATION INCREASE THE EMPLOYMENT AT YOUR COMPANY? YES NO PLEASE SEE ATTACHED SUPPLEMENT

IF YES, GIVE ESTIMATE AS TO NEW POSITIONS TO BE CREATED AND JUSTIFICATION FOR SAME

11. WILL THE PROPOSED ALTERATION/ CONSTRUCTION CAUSE ANY OTHER FACILITY TO CLOSE? YES NO

12. WILL CONSTRUCTION/ALTERATION REQUIRE PURCHASE OF ADDITIONAL FURNITURE/FIXTURES/EQUIPMENT? IF YES, GIVE DETAILS AS TO NUMBER AND TYPE TO BE PURCHASED YES NO PLEASE SEE ATTACHED SUPPLEMENT

13. CONSTRUCTION SHALL BEGIN ANTICIPATED THAT CONSTRUCTION SHALL BE COMPLETED PLEASE SEE ATTACHED SHEET

14. ARE ALTERATIONS/CONSTRUCTION PLANS PERMITTED UNDER THE PRESENT ZONING; YES X NO _____

IF NO, PLEASE ADVISE AS TO WHETHER APPLICATION HAS BEEN OR WILL BE FILED WITH ZONING BOARD OF REVIEW. N/A

HAS HEARING BEEN SCHEDULED? N/A

IT IS THE UNDERSTANDING OF THE APPLICANT(S) THAT THE EXEMPTION, IF APPROVED, IS APPLICABLE ONLY TO COMMERCIAL/ INDUSTRIAL CONCERNS WHO WISH TO LOCATE IN THE CITY, OR WHO WISH TO REPLACE, RECONSTRUCT, EXPAND OR REMODEL CURRENT FACILITIES; THAT MEET THE APPROVAL OF THE BUILDING INSPECTOR; THAT ALL CURRENT AND PAST TAXES DUE BY THE APPLICANT(S) MUST BE PAID IN FULL; THAT THE EXEMPTION WOULD BE ATTRIBUTABLE ONLY TO THAT PORTION OF THE ASSESSMENT ATTRIBUTABLE TO THIS CONSTRUCTION / RENOVATION; THAT THE EXEMPTION MAY BE REVOKED IN THE EVENT OF FRAUD OR MISREPRESENTATION BY THE APPLICANT(S).

SAMPALIS REALTY, LLC.

Dennis Smpalis

SIGNATURE OF APPLICANT
DENNIS SAMPALIS, MANAGER
C/O 199-209 WEYBOSSET STREET
PROVIDENCE, RHODE ISLAND 02903

ADDRESS

Antonio Mallozzi

WITNESS

2/7/2005 2005
DATE

2/7/2005 2005
DATE

Contact Telephone Numbers:

Office: 401-831-1299

Cell: 401-374-2260

RECEIVED BY CITY ASSESSOR
PROVIDENCE RHODE ISLAND

DATE

APPLICATION FEE FORWARDED TO COLLECTOR

AMOUNT

REVIEWED BY ASSESSOR WITH THE FOLLOWING RECOMMENDATIONS

SIGNATURE/DATE/ASSESSOR

John J. Galt 2/9/05

*** **

RECEIVED BY CITY COLLECTOR

2/9/05

APPLICANT OWES FOLLOWING TAXES

2004 YEAR 3,081¹⁸ AMOUNT

4th QTR - Current as of 2/9/05

TAXES ARE PAID IN FULL

n/a

ARRANGEMENTS HAVE BEEN MADE

n/a YES

NO

SIGNATURE/DATE/COLLECTOR

J. J. Galt

*** **

RECEIVED BY BUILDING INSPECTOR DATE

PLANS AS REVIEWED MEET ALL CURRENT CODES/STATUTES OF CITY

YES

NO

NO VIOLATIONS EXIST ON THIS OR OTHER PROPERTIES OWNED BY APPLICANT

YES

NO

* VIOLATIONS EXIST AS FOLLOWS

VIOLATIONS HAVE BEEN DISCUSSED WITH APPLICANT(S) ARRANGEMENTS HAVE BEEN MADE TO CORRECT SAME

YES

NO

SIGNATURE/DATE/BUILDING INSPECTOR

REVIEW BY THE ASSESSOR OF THE

APPLICATION FOR TAX STABILIZATION FOR COMMERCIAL/INDUSTRIAL & RESIDENTIAL PROPERTY

APPLICATION FEE FORWARDED TO COLLECTOR

AMOUNT

REVIEWED BY ASSESSOR WITH THE FOLLOWING RECOMMENDATIONS

SIGNATURE/DATE/ASSESSOR

*** **

RECEIVED BY CITY COLLECTOR

APPLICANT OWES FOLLOWING TAXES

YEAR

AMOUNT

TAXES ARE PAID IN FULL

ARRANGEMENTS HAVE BEEN MADE

YES

NO

SIGNATURE/DATE/COLLECTOR

*** **

RECEIVED BY BUILDING INSPECTOR DATE

Edgar Paxson 2/10/05

PLANS AS REVIEWED MEET ALL CURRENT CODES/STATUTES OF CITY

Drawings have been reviewed through design development phase. Drawings to date show compliance with the Building Code. Approvals by other ~~XXXX~~ authorities ~~XXXX~~ follow.

NO VIOLATIONS EXIST ON THIS OR OTHER PROPERTIES OWNED BY APPLICANT

No zoning ordinance or building code violations were found on this property. A list of other properties is needed to determine other violations. YES NO

VIOLATIONS EXIST AS FOLLOWS

N/A

VIOLATIONS HAVE BEEN DISCUSSED WITH APPLICANT(S) ARRANGEMENTS HAVE BEEN MADE TO CORRECT SAME

N/A

YES

NO

SIGNATURE/DATE/BUILDING INSPECTOR

Edgar Paxson 2/10/05

REVIEW BY THE ASSESSOR OF THE

APPLICATION FOR TAX STABILIZATION FOR COMMERCIAL/INDUSTRIAL & RESIDENTIAL PROPERTY

- 1. Name & Address of Applicant _____

- 2. Location of Property _____

- 3. List Plat/Lot(s) _____
- 4. Fee Paid Yes _____ No _____
- 5. Application Reviewed by Building Inspection & Approved No Violations Yes _____ No _____
- 6. Application reviewed by Collector with no outstanding taxes Yes _____ No _____
- 7. Application is eligible for program on the basis of the following (check one)
 - a. _____ Cause a commercial/industrial concern to locate in the city;
 - b. _____ Cause a commercial/industrial concern to replace, expand, reconstruct, or remodel existing building thereby increase tax base
 - c. _____ Cause a commercial/industrial concern to construct new buildings/facilities and thereby increase employment
- 8. Property is eligible for stabilization program in that it meets the criteria as commercial/industrial property Yes _____ No _____
- 9. Application has been filed with Assessor prior to obtaining building permit Yes _____ No _____
- 10. Improvements to be undertaken _____

- 11. Recommend that the project be approved for stabilization exemption program Yes _____ No _____

RECAPITULATION OF EXEMPTION BREAKDOWN

Assessment date prior to Stabilization _____

INSTRUCTION FOR FILING
APPLICATION FOR TAX STABILIZATION
FOR COMMERCIAL/INDUSTRIAL & RESIDENTIAL PROPERTIES

PURPOSE: THE PURPOSE OF THE ORDINANCE IS TO GRANT A PROPERTY TAX EXEMPTION FOR PROPERTY USED FOR INDUSTRIAL PURPOSES IF THE GRANTING OF AN EXEMPTION WILL:

- * cause a commercial/industrial & residential concern to locate in the city;
- * cause a commercial/industrial & residential concern to replace, reconstruct,
- * expand or remodel existing buildings and facilities and thereby increase the tax base in the city.
- * cause a commercial/industrial & residential concern to construct new buildings or facilities and thereby increase employment opportunities

ELIGIBILITY: PROVISIONS OF THIS ORDINANCE SHALL APPLY TO COMMERCIAL / INDUSTRIAL & RESIDENTIAL PROPERTY DEFINED TO MEAN BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS THERETO, THE PRIMARY PURPOSE AND USE OF WHICH IS THE MANUFACTURE OF GOODS AND MATERIALS, OFFICE USE, RETAIL USE, OR HOUSING.

Commercial/ Industrial property shall include facilities related to a manufacturing operation including but not limited to office, engine, research and development, warehousing or parts distribution facilities, but shall not include land.

PROCEDURE:

1. No person shall be entitled to any exemption without first filing an application with the Office of City Assessor.
2. No application shall be considered unless application is filed prior to the issuance of building permit with respect to the property.
3. No application shall be considered unless estimated cost of new construction exceeds 20 % of the assessed value of the commercial/ industrial property or \$100,000 whichever is less.
4. The Building Inspector shall review the application to determine any violations of the provisions of the building code with respect to the property of the applicant and any other property in the city owned by the applicant.

If violation(s) so exist, the Building Inspector shall forward a statement stating the nature and extent of such violations. No exemptions shall be granted until such violations have been cured.

SAMPALIS REALTY LLC

199-209 Weybosset Street
Providence, RI 02903

Telephone: 401.8311299

Supplement to Tax Stabilization Application:

Section 7. It is the intention of Sampalis Realty LLC to renovate the existing structure (as fully described in Section 8 hereof and the related documents submitted with the application) in its entirety.

The renovation will be phased-in as follows:

Phase I - Complete exterior/envelope renovation (with new interior elevator service) in conformance with Downcity District and historic preservation requirements; and, full service, Mediterranean style restaurant (2,400' +/-), with related storage mezzanine (600' +/-) and retail space (1,100'+/-) on 1st floor, with 12 apartments (650'+/- each) on the 3rd, 4th and new 5th floors.

Project/Construction Cost: \$1,900,000 +/-

Equipment Cost: \$ 112,000 +/-
(\$76,000 restaurant; \$36,000 residential)

Start/Completion Dates: May 2005 through
September 2006

Phase II - Construction of 5 residential units (650' +/- each) for the 2nd floor.

Project/Construction Cost: \$ 300,000 +/-

Equipment Cost: \$ 15,000 +/-

Start/Completion dates: September 2011
Through May 2012

The total cost (as estimated above) for Phases I and II is \$ 2,200,000 for project/construction and \$ 127,000 for equipment. The scope of the project involves the installation of an interior elevator, roof, envelope restoration, thermal windows, walls, floors, ceilings, electric, plumbing, and power plants for high efficiency heating and air conditioning systems.

We propose a mixed use of commercial (restaurant and retail on the first floor) with well-constructed, affordable residential units for the upper stories all on a phase-in basis as described herein.

Section 8. The existent brick building is a historically significant edifice housing a two retail stores and a pizzeria on the first floor, with a dance studio on the second. The third and fourth floors are vacant as they have been these past 30 years at least.

The current useable square footage is approximately as follows:

Basement:	2,900' (not in use and not suitable for future use, except as very limited storage space)
First Floor:	3,000'
Second Floor:	3,000'
Third Floor:	3,000'
Fourth Floor:	3,000'

The building dates back to 1820 and comprises two of four row houses comprising the "Benjamin Dyer Block." The proposed renovation will maintain the character of the outside of the building while we work with the Providence Preservation Society to ensure historic authenticity in light of the need to refurbish the exterior materials. The project has been presented to the Department of Inspection and Standards and the Downcity District Design Review Committee and has been received favorably.

The project, while independent of other DownCity renovations of late, continues the substantial revitalization of the Downcity Arts District as encouraged by the Providence City Council and supported by the Providence Planning Department. Situated across from the Providence Performing Arts Center and Johnson & Wales University, the situs is part of the entryway to the core of downtown Providence.

Section 10. During the construction of the project, it is estimated that upwards of 50 persons will be employed to work on the renovation. Sampalis Realty LLC is committed to engaging minorities from the Providence area and Providence contractors/suppliers which are similarly committed. To that end, we look forward to working with the Providence Planning Department in this regard.

In addition to the construction workers/contractors/suppliers, it is anticipated that the full-service restaurant will require the hiring of assistant managers, wait staff and chefs/cooks. Permanent employees are expected to rise from 3 employees for the existent pizzeria to 8 employees for the restaurant. The retail store can be expected to hire 4 employees.

Section 12. Equipment to be purchased in connection with each phase is as follows:

Phase I - Restaurant/Retail/Mezzanine on 1st floor,
etc.: a. refrigeration; b. oven/stoves/ventilation;
c. computers; d. mixers; e. chairs/tables, etc.:

Equipment Cost: \$ 76,000
Purchase Date: September 2005

- 12 Residential Units on 3rd, 4th and
Penthouse floors:
a. refrigerators; b. stoves; c. dishwashers, etc.

Equipment Cost: \$ 36,000
Purchase date: September 2006

Phase II - 5 residential Unites on new 2nd floor:
a. refrigerators; b. stoves; c. dishwashers, etc.

Equipment Cost: \$ 15,000
Purchase Date: May 2012

SAMPALOS REALTY LLC

199-209 Weybosset Street
Providence, RI 02903

Telephone: 401.8311299

Phase-In Proposal for Tax Payment Schedule:

Phase I

(Restaurant/Mezzanine/Retail/Exterior/Elevator; 12 Residential Units 3rd, 4th and new 5th floors)

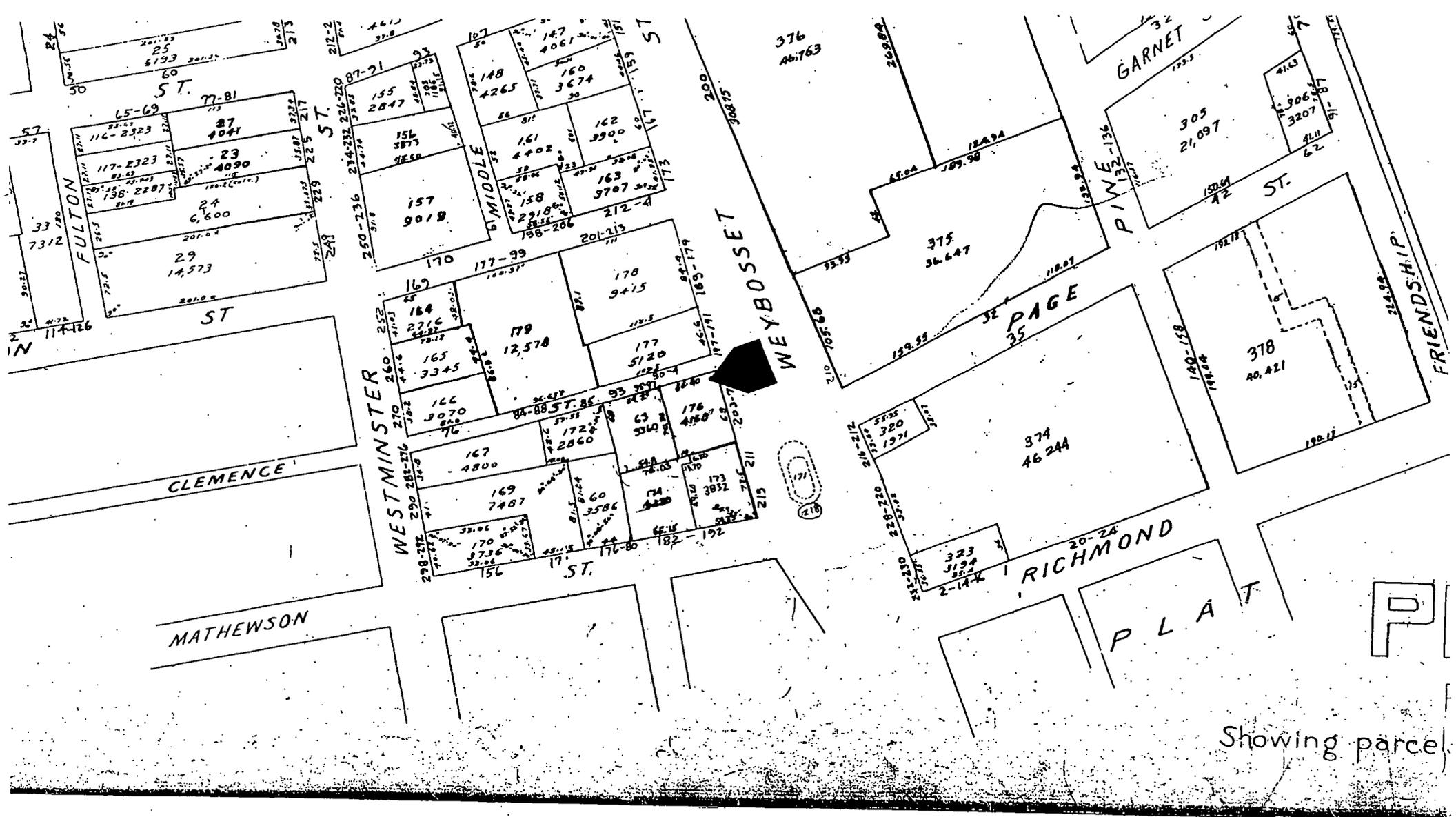
\$0.00 payment for two years with standard schedule to follow for remaining 18 years.

Phase II

(5 Residential Units on 2nd floor)

\$0.00 payment for one year from the "pulling of construction permit"; thereafter conforming to the same percentage as Phase I for the balance of the stabilization period.

The valuation of the restaurant/retail/residential space(s) to be discussed and agreed to with the tax assessor. The land to be valued as of December 31, 2004 throughout the term of the tax stabilization period.



Showing parcell



FEBRUARY 7, 2005

TO WHOM IT MAY CONCERN:

Attached, please find application materials for the Tax Stabilization proposal pertaining to Sampalis Realty, LLC. The subject property is located at 199-209 Weybosset Street, Providence, Rhode Island, 02903 and is being rehabilitated as described in the attached materials. As the architect of this project, we invite you to contact this office if there are any questions or concerns regarding this matter.

Thank you for your time and consideration.

Respectfully,

Americo Mallozzi, AIA
Principal

AMERICO MALLOZZI & ASSOCIATES

Loew's Theatre Building | 220 Weybosset Street | Suite #400 | Providence, RI 02903 | Ph: 401-421-7426 | Fax: 401-421-7426 | rico_ama@hotmail.com

MUNICIPAL LIEN CERTIFICATE
 CITY OF PROVIDENCE - OFFICE OF THE COLLECTOR
 CITY HALL PROVIDENCE, R. I. 02903 (401) 331-5252

DATE	PLAT	LOT	UNIT	LOCATION	CERT #	PAGE
June 22, 2005	020	0176	0000	203 Weybosset St	36,487	1
ASSESSED OWNER	Demetris Sampalis Sakis Pizza (dba)			Vasso Sampalis		

STATUS OF REAL ESTATE BILL AS OF DATE PRINTED

YR	TYPE	ORIGINAL TAX	CHARGE	ADJUSTMENT ABATEMENT	PAID	BALANCE DUE	INTEREST	TOTAL DUE	BILL NAME
04	RE	\$12,324.72	\$0.00	\$0.00	\$12,324.72	\$0.00	\$0.00	\$0.00	Demetris Sampalis
		<u>\$12,324.72</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$12,324.72</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	

NOTE - INTEREST SHOWN IS VALID FOR 30 DAYS FROM DATE ISSUED. ADDITIONAL CHARGES MAY APPLY IF PAYMENT IS RECEIVED LATER THAN 30 DAYS FROM DATE.
 NOTE - PLEASE BE AWARE THAT UNPAID TAXES MAY BE SUBJECT TO TAX SALE.

PLEASE CONTACT THE WATER SUPPLY BOARD AT 521-6300
 PLEASE CONTACT THE NARRAGANSETT BAY COMMISSION AT 521-6300

C E R T I F I C A T I O N

THIS IS TO CERTIFY THAT THE ABOVE IS TRUE AND CORRECT, SAID CERTIFICATION BEING GIVEN IN ACCORDANCE WITH 44-7-11 OF THE GENERAL LAWS OF RHODE ISLAND 1956, AS OF THE DATE PRINTED ABOVE.

MAILED TO: City Council
 City of Providence

Robert P. Ceprano

ROBERT P. CEPRANO
 TAX COLLECTOR

MARC CASTALDI
 DEPUTY COLLECTOR

1119

D.V.M. FOODS INC.
27 DRYDEN LN.
PROVIDENCE, RI 02903

DATE 2/7/2005 57-1/115

TO THE
ER OF

City of Providence

\$ 300.00

Three - Hundred and 00/100

DOLLARS  Security Features
Included.
Details on Back.



52000

Small Business Services
smallbiz.fleet.com Cranston, RI

Donna B. Spina MP

⑈001119⑈ ⑆011500010⑆ 94959 68240⑈

APPLICATION FEE FORWARDED TO COLLECTOR

AMOUNT

REVIEWED BY ASSESSOR WITH THE FOLLOWING RECOMMENDATIONS

SIGNATURE/DATE/ASSESSOR

*** **

RECEIVED BY CITY COLLECTOR

APPLICANT OWES FOLLOWING TAXES

YEAR

AMOUNT

TAXES ARE PAID IN FULL

ARRANGEMENTS HAVE BEEN MADE.

YES

NO

SIGNATURE/DATE/COLLECTOR

*** **

RECEIVED BY BUILDING INSPECTOR DATE

Edgar Paxson 2/10/05

PLANS AS REVIEWED MEET ALL CURRENT CODES/STATUTES OF CITY

Drawings have been reviewed through design development phase. Drawings to date show compliance with the Building Code. Approvals by other ~~XXXX~~ authorities ~~XXXX~~ follow.

NO VIOLATIONS EXIST ON THIS OR OTHER PROPERTIES OWNED BY APPLICANT

No zoning ordinance or building code violations were found on this property. A list of other properties is needed to determine other violations. YES NO

* VIOLATIONS EXIST AS FOLLOWS

N/A

VIOLATIONS HAVE BEEN DISCUSSED WITH APPLICANT(S) ARRANGEMENTS HAVE BEEN MADE TO CORRECT SAME

N/A

YES

NO

SIGNATURE/DATE/BUILDING INSPECTOR

Edgar Paxson 2/10/05

REVIEW BY THE ASSESSOR OF THE

APPLICATION FOR TAX STABILIZATION FOR COMMERCIAL/INDUSTRIAL & RESIDENTIAL PROPERTY

SAMPALIS REALTY, LLC

Stabilization For: Sampalis Realty LLC
 Address: 190 Weybosset St
 Assumptions:
 Plat 20 Lot 176
 Land Area 4,168 Sq.Ft.
 Land Assessment S 270,920
 Assessment Value:

AS ESTIMATED

	Sq.Ft.	Units	Total Assessment
Restaurant	2,400	1	\$240,000
Retail	1,100	1	\$93,500
Apt- Floors 2nd-4th	650	15	\$1,125,000
Apt- 5th	1,100	2	\$270,000
Total			\$1,728,500
Land Assessment (Less)			\$270,920
Building Assessment			\$1,457,580

TERMS:

STABILIZATION YEAR #	DATE OF ASSESSMENT	LAND ASSESSMENT	LAND TAX AT \$37.00 PER SQ.FT.	ASSESSMENT ESTIMATE	TAX RATE PER \$1000	UNADJUSTED TAX CONCLUSION	% TAXABLE	STABILIZATION ASSESSMENT TAXABLE	STABILIZATION ASSESSMENT ABATED	STABILIZATION TAX AMOUNT	EXEMPTED STABILIZATION TAX AMOUNT	TOTAL STABILIZED
												TAX PAYMENT (LAND & BUILDING)
1	12/31/2005	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	5%	\$71,879	\$1,365,701	\$2,660	\$50,531	\$12,684
2	12/31/2006	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	10%	\$143,758	\$1,293,822	\$5,319	\$47,871	\$15,343
3	12/31/2007	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	15%	\$215,637	\$1,221,943	\$7,979	\$45,212	\$18,003
4	12/31/2008	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	20%	\$287,516	\$1,150,064	\$10,638	\$42,552	\$20,662
5	12/31/2009	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	25%	\$359,395	\$1,078,185	\$13,298	\$39,893	\$23,322
6	12/31/2010	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	30%	\$431,274	\$1,006,306	\$15,957	\$37,233	\$25,981
7	12/31/2011	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	35%	\$503,153	\$934,427	\$18,617	\$34,574	\$28,641
8	12/31/2012	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	40%	\$575,032	\$862,548	\$21,276	\$31,914	\$31,300
9	12/31/2013	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	45%	\$646,911	\$790,669	\$23,936	\$29,255	\$33,960
10	12/31/2014	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	50%	\$718,790	\$718,790	\$26,595	\$26,595	\$36,619
11	12/31/2015	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	55%	\$790,669	\$646,911	\$29,255	\$23,936	\$39,279
12	12/31/2016	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	60%	\$862,548	\$575,032	\$31,914	\$21,276	\$41,938
13	12/31/2017	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	65%	\$934,427	\$503,153	\$34,574	\$18,617	\$44,598
14	12/31/2018	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	70%	\$1,006,306	\$431,274	\$37,233	\$15,957	\$47,257
15	12/31/2019	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	75%	\$1,078,185	\$359,395	\$39,893	\$13,298	\$49,917
16	12/31/2020	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	80%	\$1,150,064	\$287,516	\$42,552	\$10,638	\$52,576
17	12/31/2021	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	85%	\$1,221,943	\$215,637	\$45,212	\$7,979	\$55,236
18	12/31/2022	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	90%	\$1,293,822	\$143,758	\$47,871	\$5,319	\$57,895
19	12/31/2023	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	95%	\$1,365,701	\$71,879	\$50,531	\$2,660	\$60,555
20	12/31/2024	\$ 270,920	\$ 10,024.04	\$1,437,580	\$ 37.00	\$53,190	100%	\$1,437,580	\$0	\$53,190	\$0	\$63,215
TOTALS						\$1,063,809		\$15,094,590	\$13,657,010	\$558,500	\$505,309	\$758,981

5/31/2005 9:05 AM
