

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 477

Approved August 12, 1982

WHEREAS, NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, a New York corporation, authorized to do business in the State of Rhode Island as a public utility corporation, is desirous of obtaining a perpetual easement from the CITY OF PROVIDENCE, and

WHEREAS, the said NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY seeks said easement for the purpose of obtaining the right to lay, construct, reconstruct, operate, maintain, replace and remove lines for the transmission of intelligence including the necessary wires, cables, pipes, conduits, fixtures, concrete pad(s) and appurtenances in, upon, under, and over a certain parcel of real estate located in the Town of Scituate, County of Providence, State of Rhode Island, comprising an area of approximately 600 square feet more or less, and is the same parcel as shown on the drawing entitled "PLAN SHOWING AN EASEMENT ON LAND OF CITY OF PROVIDENCE TO BE GRANTED TO THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY ON FIELD HILL ROAD IN SCITUATE, R. I. MAY 1982 - SCALE 1" = 10'" which is appended to that certain agreement between NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY and the CITY OF PROVIDENCE of an even date hereof, which is incorporated by reference and made a part of this Resolution, and

WHEREAS, in consideration of the grant of said perpetual easement to NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, as hereinbefore set forth, the said NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY shall upon the execution of said Easement Deed and Collateral Agreement thereto pay to the said CITY OF PROVIDENCE the sum of Five Hundred Dollars (\$500.00), and as further consideration for said grant of easement, the said NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY agrees to pay all taxes assessed on any fixtures, lines of towers, poles, cables, and conduits and other appurtenances which may be placed on said land, and

WHEREAS, the said CITY OF PROVIDENCE is agreed to grant said perpetual easement, as hereinbefore set forth, under the terms and conditions and considerations hereinbefore recited and those recited in the proposed Easement Deed and Collateral Agreement thereto.

Continued ---

NOW, THEREFORE, be it resolved that His Honor, the Mayor, be and he hereby is authorized to execute an Easement Deed and a Collateral Agreement thereto, both of which are incorporated by reference, as set forth above, to NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, its successors and assigns, for the purposes as set forth above on that certain strip of land located in the Town of Scituate, County of Providence, State of Rhode Island, comprizing approximately 600 square feet more or less, and being the same parcel as shown on the drawing entitled "PLAN SHOWING AN EASEMENT ON LAND OF CITY OF PROVIDENCE TO BE GRANTED TO THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY ON FIELD HILL ROAD IN SCITUATE, R. I. MAY 1982 - SCALE 1" = 10'", which is appended to the Collateral Agreement of even date herewith.

IN CITY COUNCIL

AUG 5 1982

READ AND PASSED

Robert L. Lynch
PRES.*Rose M. Mendonça*
CLERK

APPROVED

AUG 12 1982

Vincent A. Ciunif
MAYOR

FILED
JUN 12 18TH '82
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL
JUN 24 1982

FIRST READING
REFERRED TO COMMITTEE ON CITY PROPERTY

Rose M. Mendonca CLERK

THE COMMITTEE ON
CITY PROPERTY

Approves Passage of
The Within Resolution

Rose M. Mendonca
Chairman

CLERK
August 2, 1982

Councilman Cielli and Councilman Flynn (By Request)

RICHARD A. CARROLL
Chairman
ALFRED T. CICCONE
Member
JOHN A. DOHERTY
Member
ROBERT F. HOWARD
Member
VINCENT J. CIRELLI
Councilman
LAURENCE K. FLYNN
Councilman
JAMES R. BERNARDO
Ex-Officio

WATER SUPPLY BOARD



CITY OF PROVIDENCE

WILEY J. ARCHER
P.E., Acting Chief Engineer
WILLIAM J. McGAIR
Legal Advisor
JAMES A. LOMBARDI
Secretary

June 1, 1982

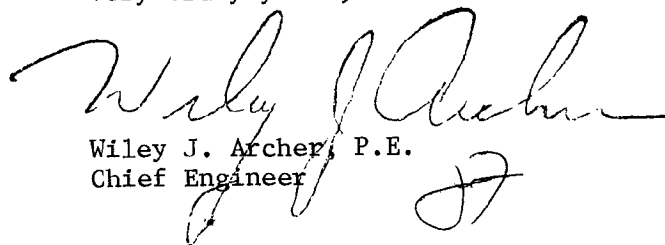
Mrs. Rose Mendonca
City Clerk
City Hall
Providence, Rhode Island

Dear Mrs. Mendonca:

We are enclosing nine (9) copies of a Resolution for the granting of a perpetaul easement to the New England Telephone and Telegraph Company on Water Supply Board land.

Please place this on the agenda of the next City Council meeting.

Very truly yours,


Wiley J. Archer, P.E.
Chief Engineer

ms

encs.

cc: Water Supply Board

FILED

JUN 1 2 18 PM '82

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

KNOW ALL MEN BY THESE PRESENTS, that THE CITY OF PROVIDENCE, a Municipal Corporation created by the General Assembly of Rhode Island, (hereinafter called the Grantor) for consideration paid, grants to NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, (hereinafter called the Grantee), a New York Corporation having its principal place of business at 185 Franklin Street, Boston, Massachusetts, 02110, its successors and assigns, the right to lay, construct, reconstruct, operate, maintain, replace and remove lines for the transmission of intelligence including the necessary wires, cables, pipes, conduits, fixtures, concrete pad(s) and appurtenances in, upon, under and over the following described premises in the Town of Scituate, County of Providence, State of Rhode Island to wit:

Description of an easement over certain land of the City of Providence located on the southwesterly side of Field Hill Road (so-called) in the Village of Clayville, Town of Scituate, County of Providence, State of Rhode Island, to be granted to New England Telephone and Telegraph Company. Said easement being further described as follows:

Beginning at a point marked by a concrete bound set in the southwesterly line of said Field Hill Road. Said point being 194.0 feet, more or less, southeasterly of a stone bound, standing in the southerly line of Rhode Island Route 102 (Plainfield Pike so-called), said stone bound marking the line between the Town of Foster and the Town of Scituate. Said point being the northwesterly corner of the herein described easement.

Thence running northeasterly, from said concrete bound, in and along the said southwesterly line of Field Hill Road, Thirty and 00/100 (30.00) feet to a point marked by a concrete bound. Said point being the northeasterly corner of the herein described easement.

Thence turning an interior angle of 90° and running southwesterly, bounded southeasterly on other land of the said City of Providence, Twenty and 00/100 (20.00) feet to a point marked by a concrete bound. Said point being the southeasterly corner of the herein described easement.

Thence turning an interior angle of 90° and running northwesterly, bounded southwesterly on said other land of the City of Providence, Thirty and 00/100 (30.00) feet to a point marked by a concrete bound. Said point being the southwesterly corner of the herein described easement.

Thence turning an interior angle of 90° and running northeasterly, bounded northwesterly by said other land of the City of Providence, Twenty and 00/100 (20.00) feet to the point and place of beginning.

Said first and last described lines intersect to form an interior angle of 90° and said easement as described contains 600. square feet of land.

The parcel described above has an area of 600 square feet more or less, and is the same parcel as shown on the drawing entitled "PLAN SHOWING AN EASEMENT ON LAND OF CITY OF PROVIDENCE TO BE GRANTED TO THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY ON FIELD HILL ROAD IN SCITUATE, R. I. MAY 1982 - SCALE 1" = 10'. SURVEYED BY W & W LAND SURVEYORS, WEST KINGSTON, R. I."

The location of said wires, cables, pipes, conduits, fixtures, concrete pad(s) and appurtenances are to be established by and upon the erection thereof by the Grantee.

Also the right and easement from time to time to clear and keep cleared said wires, cables, pipes, conduits, fixtures, concrete pad(s) and appurtenances of trees, underbrush, and structures as necessary for the safe and proper operation of said wires, cables, pipes, conduits, fixtures, concrete pad(s) and appurtenances and to renew, replace, add to and otherwise change said wires, cables, pipes, conduits, fixtures, concrete pad(s) and appurtenances and each and every part thereof but not the general location and to pass and repass over the Grantor's said land as reasonable and necessary for all the above purposes.

The Grantee agrees to indemnify and save harmless the Grantor, its successors and assigns from loss, cost, damage or expenses arising out the act or neglect of the Grantee, its agents and servants.

The aforementioned facilities shall be located within the Grantor's land substantially as laid out and delineated on that certain plan entitled "PLAN SHOWING AN EASEMENT TO THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY ON FIELD HILL ROAD IN SCITUATE, R. I. MAY 1982 - SCALE 1" = 10'. SURVEYED BY W. & W. LAND SURVEYORS, WEST KINGSTON, R. I.", which plan is incorporated herein by reference hereto and is recorded contemporaneously herewith in the Records of Land Evidence in said Town of Scituate, Rhode Island.

It is agreed that the rights and easements herein granted are compatible with the Grantor's primary purpose of ownership and the Grantee covenants and agrees with the Grantor, its successors and assigns, that it will permit no act in the exercise of said rights and easements on said Grantor's premises which is inconsistent with said Grantor's primary purpose of ownership.

IN WITNESS WHEREOF, the said CITY OF PROVIDENCE has caused its
Corporate Seal to be hereto affixed and these presents to be signed
in its name and behalf by _____
being thereunto duly authorized this _____ day of _____,
1982.

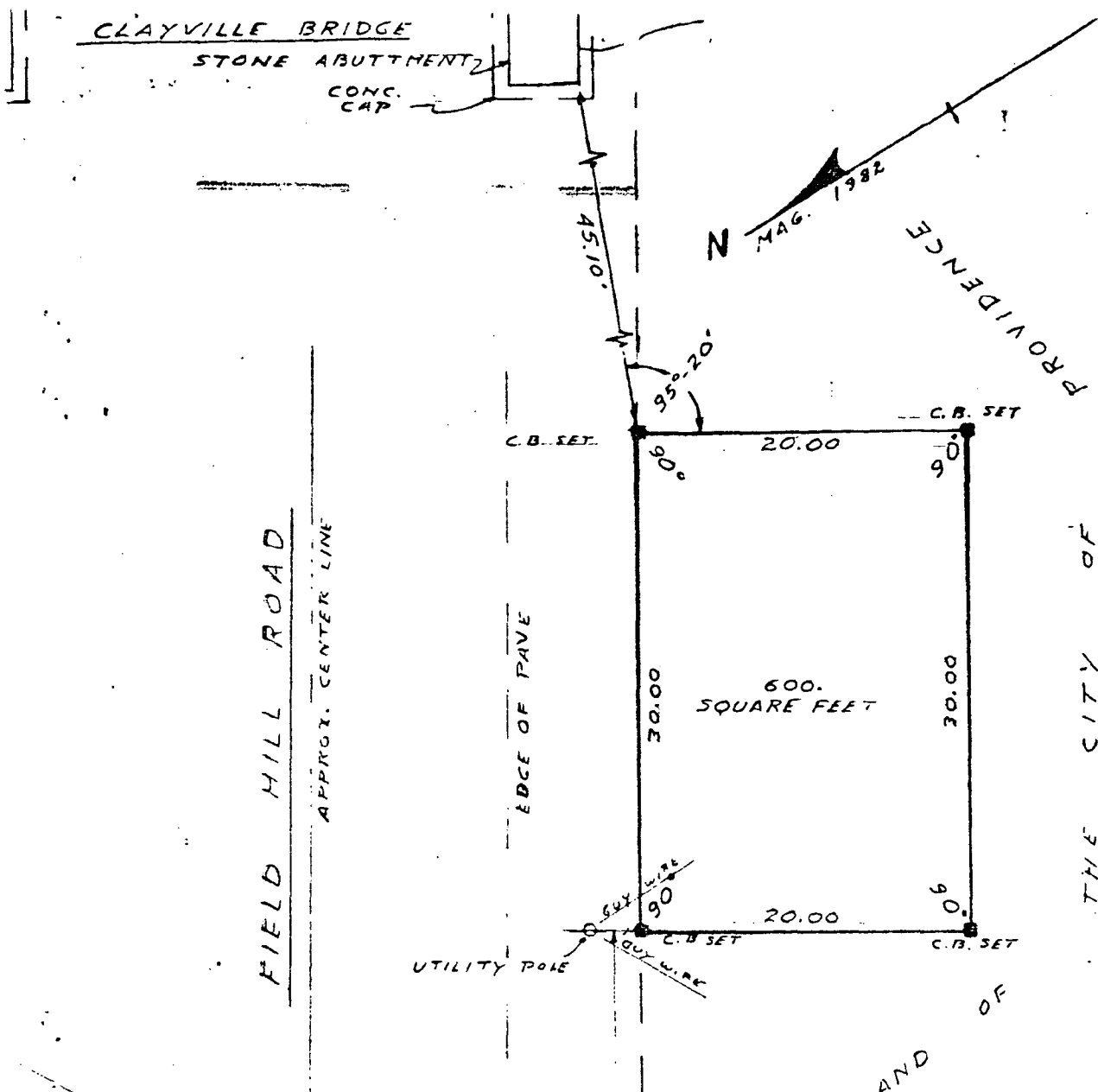
CITY OF PROVIDENCE

STATE OF RHODE ISLAND

_____ County In _____,
in said County on the _____ day of _____, 1982, before
me personally appeared the above named _____

each and all to me known and known by me to be the parties executing
the foregoing instrument and acknowledged said instrument by them ex-
ecuted to be the free act and deed of the CITY OF PROVIDENCE.

NOTARY PUBLIC



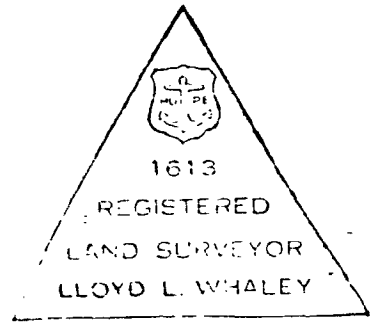
PLAN SHOWING AN EASEMENT
ON LAND OF
THE CITY OF PROVIDENCE
TO BE GRANTED TO
THE NEW ENGLAND TELEPHONE &
TELEGRAPH CO.

ON FIELD HILL ROAD
IN SCITUATE, R.I.
MAY 1982 SCALE - 1" = 10'

APPROX. CENTER LINE -
R.I. ROUTE 102 -
PLAINFIELD PIKE

[C.B. SET : CONCRETE BOUND SET

SURVEYED BY
WFW LAND SURVEYORS, INC.
WEST KINGSTON, R.I.



STONE
BOUND
TOWN OF SCITUATE
TOWN OF FOSTER