

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

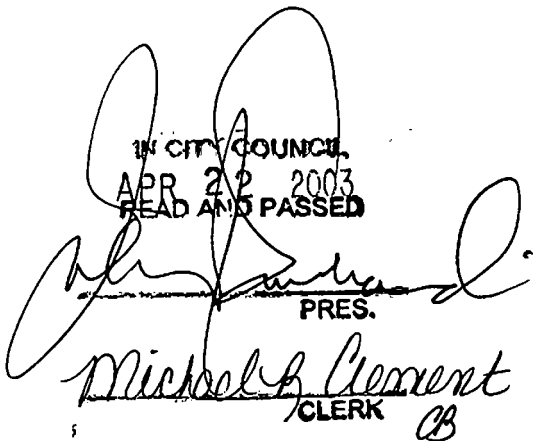
# RESOLUTION OF THE CITY COUNCIL

No. 275

Approved April 30, 2003

RECEIVED  
CITY OF PROVIDENCE  
CITY COUNCIL  
APR 30 2003

RESOLVED, That the Members of the Providence City Council  
hereby Endorse and Urge Passage of the General Assembly of House Bill 2003-  
H5753, Authorizing the City of Providence to Convey Certain Property Dedicated  
for Park Purposes.

IN CITY COUNCIL  
APR 22 2003  
READ AND PASSED  
  
PRES.  
Michael B. Clement  
CLERK CB

APPROVED  
  
MAYOR 4/30/03

IN CITY COUNCIL  
MAR 12 2003  
FIRST READING  
REFERRED TO COMMITTEE ON  
STATE LEGISLATION

Michael R. Alvest  
CLERK

THE COMMITTEE ON  
State Legislation  
Recommendation - Approval  
Ann M. Stetson  
CLERK  
4-7-03

COUNCILMAN WILLIAMS (By Request)

2003 -- H 5753

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LC02080  
=====**STATE OF RHODE ISLAND****IN GENERAL ASSEMBLY****JANUARY SESSION, A.D. 2003**

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**A N A C T****AUTHORIZING THE CITY OF PROVIDENCE TO CONVEY CERTAIN PROPERTY  
DEDICATED FOR PARK PURPOSES****Introduced By:** Representative Edith H. Ajello**Date Introduced:** February 11, 2003**Referred To:** House Corporations

It is enacted by the General Assembly as follows:

- 1-1       SECTION 1. The city of Providence is the owner of certain property (the "Premises")  
1-2       located on Wheaton street in said city described as follows:  
1-3       Beginning at a point in the westerly line of Wheaton street one hundred twelve and  
1-4       ninety-one one-hundredths (112.91) feet southerly from the southwesterly corner of Wheaton and  
1-5       Bowen streets, and the southeasterly corner of land now or formerly of Morris Lobel et ux.,  
1-6       thence southerly in the westerly line of Wheaton street and bounding easterly on Wheaton street,  
1-7       seventy-seven and thirty-three one-hundredths (77.33) feet to land now or formerly of Sarah H.  
1-8       Bullock, thence westerly and bounding southerly on land now or formerly of Sarah H. Bullock  
1-9       fifty-six and ninety-three one-hundredths (56.93) feet to land now or formerly of Claude C. Ball,  
1-10      thence northerly and bounding westerly on land now or formerly of Claude C. Ball, seventy-six  
1-11      and ninety-one-hundredths (76.91) feet more or less to land now or formerly of Morris Lobel and  
1-12      wife Anna, thence easterly and bounding northerly on land now or formerly of Morris Lobel and  
1-13      wife Anna, fifty-three and nine one-hundredths (53.09) feet to the westerly line of Wheaton street  
1-14      and the point and place of beginning. Said parcel contains approximately four thousand two  
1-15      hundred eight (4,208) square feet or land.  
1-16      Also that certain tract or parcel of land with all buildings and improvements thereon

1-17 situated in said city of Providence at the northeasterly corner of Wheaton and South Court streets,  
1-18 bounded and described as follows:

2-1 Beginning at the northeasterly corner of Wheaton and South Court streets, thence  
2-2 northerly and bounding westerly on said Wheaton street forty-two and fifty-six one-hundredths  
2-3 (42.56) feet to land now or formerly of Max Bromberg Estate, thence easterly making an interior  
2-4 angle of 85 degrees-22'-00" and bounding northerly on land now or formerly of said Max  
2-5 Bromberg Estate seventy-four and eighteen one-hundredths (74.18) feet to land now or formerly  
2-6 of Henry A. Schermerhorn, thence southerly making an interior angle of 89 degrees-37'-36" and  
2-7 bounding easterly on land now or formerly of said Schermerhorn eighty-five and thirty-one one-  
2-8 hundredths (85.31) feet to the northeasterly line of South Court street, thence northwesterly  
2-9 making an interior angle of 56 degrees-06'-12" and bounding southwestly on said South Court  
2-10 street seventy-six and fifty-one one-hundredths (76.51) feet to an angle in said street, thence  
2-11 westerly making an interior angle of 215 degrees-49'-25" and bounding southerly on said South  
2-12 Court street six and ninety-six one-hundredths (6.96) feet to the easterly line of Wheaton street  
2-13 and the point and place of beginning. Said parcel contains approximately four thousand four  
2-14 hundred twenty-two (4,422) square feet of land. Being the second parcel ("Second Parcel") and  
2-15 third parcel ("Third Parcel") described in that certain deed from Rhode Island Hospital Trust  
2-16 Company to the city dated March 13, 1939 and recorded March 23, 1939 at 2:50 p.m. in the Land  
2-17 Evidence Records of the city of Providence in book 820 at pages 233 through 235; and

2-18 WHEREAS, Pursuant to the terms of said deed the premises is to be used "for park and  
2-19 playground purpose"; and

2-20 WHEREAS, It is no longer in the best interest of the city of Providence to continue to  
2-21 own the premises subject to said restriction, the city is hereby authorized, notwithstanding Rhode  
2-22 Island general laws section 45-2-6 and any general law to the contrary to sell, convey, or lease the  
2-23 premises free of said restriction provided that the release of said restriction and the sale, lease,  
2-24 and ownership and occupancy by said city or other party is subject to the following requirements:

2-25 (1) The proceeds from any conveyance, lease, or sale of the premises by the city or the  
2-26 Providence Redevelopment Agency shall be placed in a trust fund administered by the Board of  
2-27 Park Commissioners and the income from such fund shall be used to maintain Lower Prospect  
2-28 Terrace Park located on Wheaton street.

2-29 (2) The second parcel shall be subject to the following perpetual restrictions:

- 2-30 (a) No structure shall be constructed on the second parcel other than fences and retaining  
2-31 walls.  
2-32 (b) No parking spaces may be placed on the second parcel.  
2-33 (3) The third parcel shall be subject to the following perpetual restrictions:  
2-34 (a) No structure shall be constructed on the second parcel other than fences, retaining  
3-1 walls and one garden shed. Underground utility pipes and lines for water and electricity shall be  
3-2 permitted.  
3-3 (b) No parking or paving shall be permitted on the third parcel other than a sidewalk  
3-4 along the street edges.  
3-5 SECTION 2. This act shall take effect upon passage.

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LC02080  
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**EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF**

**A N A C T  
AUTHORIZING THE CITY OF PROVIDENCE TO CONVEY CERTAIN PROPERTY  
DEDICATED FOR PARK PURPOSES**

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- 4-1 This act would authorize the city of Providence to sell certain real property located in the  
4-2 city, free from certain restrictions. The proceeds from any such sale would be placed in a trust  
4-3 fund administered by the board of park commissioners and be used to maintain Lower Prospect  
4-4 Terrace Park on Wheaton street.  
4-5 This act would take effect upon passage.

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LC02080  
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DEPARTMENT OF CITY CLERK



Michael R. Clement  
City Clerk

DEPARTMENT OF CITY CLERK  
CITY HALL

Claire E. Bestwick  
First Deputy

Anna M. Stetson  
Second Deputy

RESOLUTIONS AND ORDINANCES REQUESTED

Date: 2.26.03

Time: 10:58

Council Person Williams

By Request ☒  
Not By Request ☐

Summary: Resolution requesting endorsement  
City Council - two House Bill - General  
Assembly H5751 - H5753

Taken By: [Signature]