

RESOLUTION OF THE CITY COUNCIL

No. 369

Approved September 18, 2006

WHEREAS, Olneyville Housing Corporation and Riverside Gateway, LP (hereinafter "Petitioner"), in the course of a rehabilitation of 218-220 Manton Street, discovered that the existing steps to the building (of 18" depths and of varying heights) required modification from the original design; and

WHEREAS, the modified design for the steps (three standard 11" treads with 7" risers) has a total depth of 22" thus encroaching four inches upon the public walkway; and

WHEREAS, the sidewalk at 218-200 Manton Street is seven feet (7'0") wide, so that the proposed encroachment is not adverse to the public interest,

NOW, THEREFORE, BE IT RESOLVED That his Honor the Mayor may grant the Petitioner permission to encroach upon the public way for the purpose of constructing and maintaining the steps at 218-220 Manton Street, the dimensions of the encroachment not to exceed the cross-hatched area on the accompanying map (Exhibit "A"), provided that:

1. All construction is to be completed in accordance with plans and specifications submitted by the Petitioner to the City Department of Inspection & Standards as those plans may have been modified and/or approved by said department, the Department of Public Works, and the Council Committee on Public Works.

2. The Petitioner shall supply and retain in effect a certificate of insurance in an amount of not less than one hundred thousand dollars (\$100,000.00) protecting the City of Providence and its successors and assigns, its agents, servants, officers and employees as additional-named insureds against claims for the construction, maintenance and/or existence of said construction and maintenance. Said insurance shall be from a company and in a form acceptable to the Department of Law.

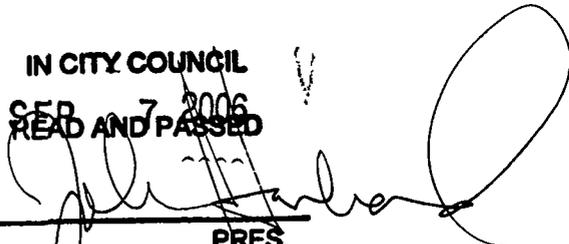
3. Petitioner shall ascertain that construction results in no adverse impact on any existing utility company and shall ensure the continued integrity of those existing structures and, if necessary, shall grant to the appropriate public utility(ies) and/or governmental agency(ies), by pertinent document, any easements, licenses, or the like, so as to maintain public services.

4. A certified copy of the within Resolution shall be recorded in the Office of Land Evidence of the City of Providence.

5. Any rights or obligations granted hereunder shall be deemed to run with the land and shall operate against any and all successors in interest and/or title.

6. Petitioner shall execute an indemnification and hold harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

7. Such other terms and conditions as may be deemed appropriate by the Mayor and the Department of Law.

IN CITY COUNCIL
SEP 7 2006
READ AND PASSED


PRES.


CLERK

APPROVED



MAYOR 9/14/06

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

Dear Council Members,

The undersigned respectfully petitions your honorable body

During the rehabilitation of 218-220 MANTON STREET WE BECAME AWARE THAT THE EXISTING STEPS INTO THE BUILDING NEEDED MODIFICATION FROM THE ORIGINAL DESIGN AND THAT THIS MODIFICATION WILL REQUIRE AN EASEMENT FROM THE CITY COUNCIL.

WE WERE ORIGINALLY HOPING TO KEEP THE EXISTING STEPS INTO THE BUILDING AND UPON FURTHER REVIEW DURING CONSTRUCTION, THE CONDITION REALLY WON'T BE ADEQUATE FOR THE NEEDS OF THE BUILDING.

I have attached a photo and sketch of the steps. AS YOU WILL SEE FROM THE PHOTO, THE EXISTING STEPS ARE 18" DEEP AND OF VARYING HEIGHTS. WE ARE PROPOSING TO INSTALL THE NEW STEPS THAT ARE 7" RISERS & 11" TREADS. THE HEIGHT OF THE FLOOR IN RELATION TO THE SIDEWALK IS 21" WHICH RESULT IN 3 RISERS. THIS WILL BRING THE NEW PROPOSED STEPS TO 22" DEPTH (4" MORE THAN CURRENTLY EXISTS). THE EXISTING SIDEWALK IS 7'-0" WIDE AND I UNDERSTAND THAT THERE ARE PLANS TO WIDEN THIS PORTION OF THE SIDEWALK IN THE NEAR FUTURE.

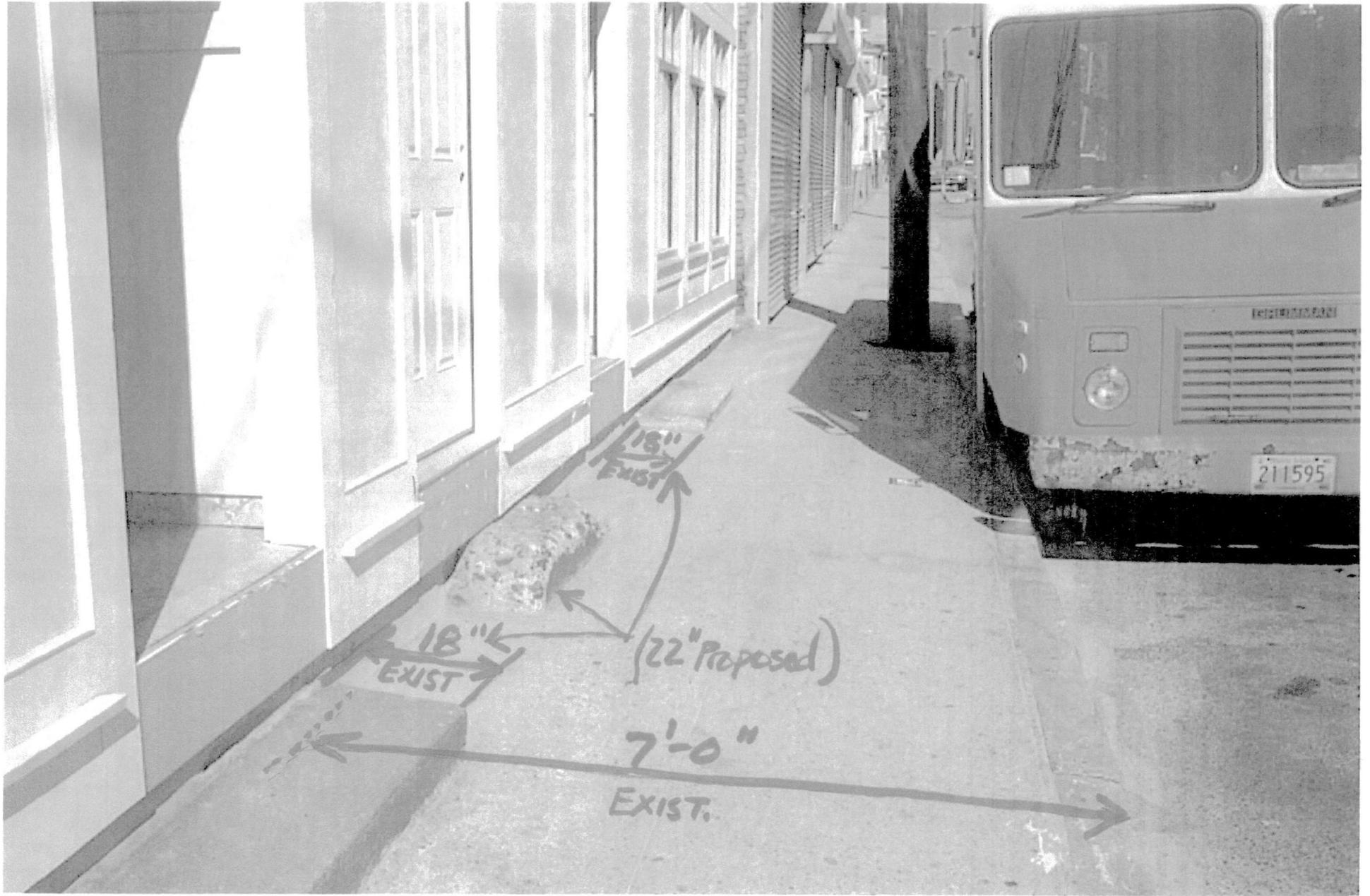
Thank you for consideration of this matter

Sincerely,

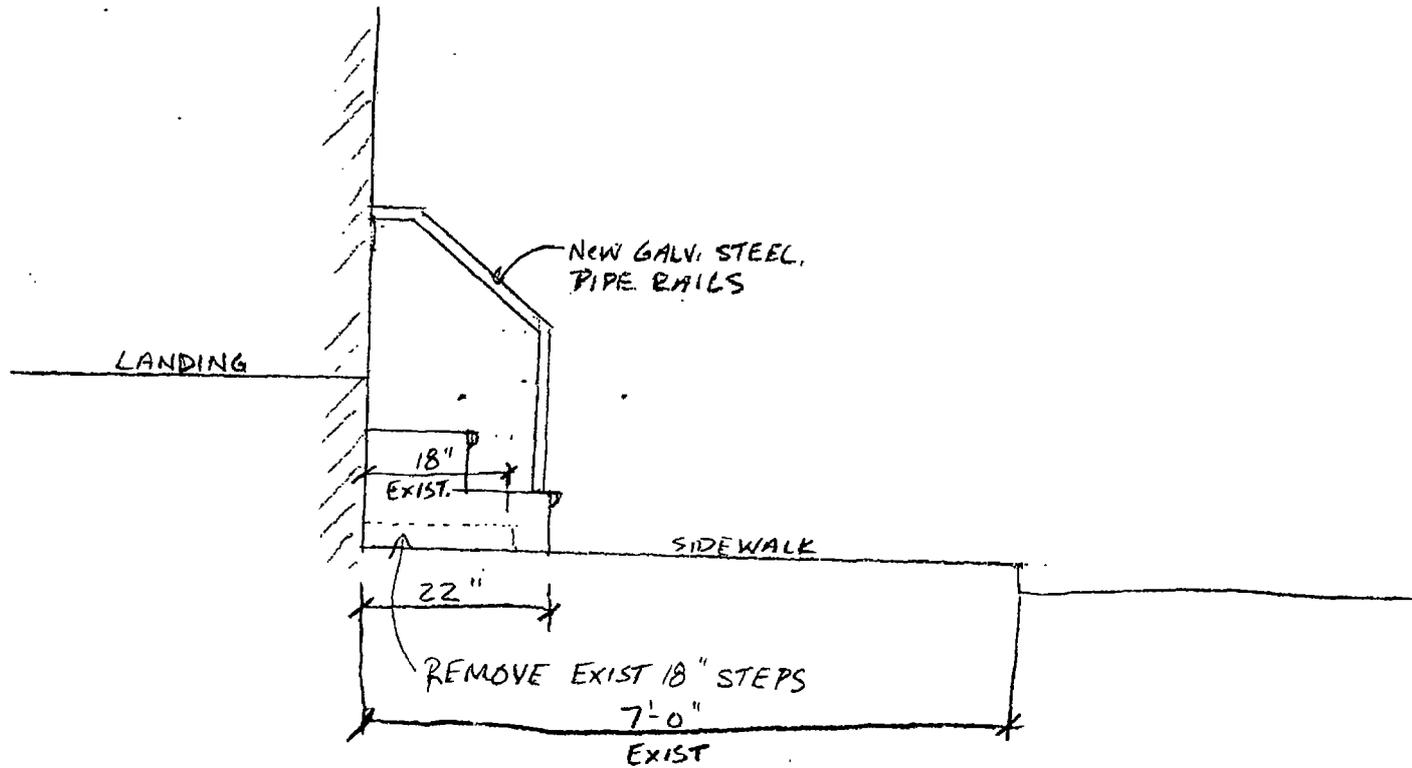
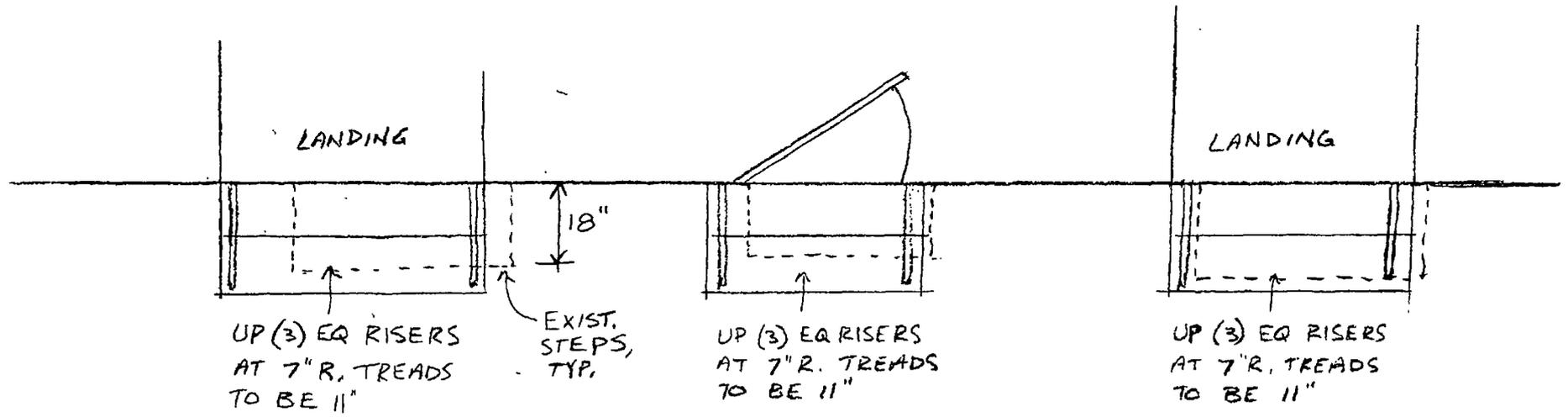
Alain NoiseT
Project Manager
OLNEYVILLE Housing Corporation
& RIVERSIDE GATEWAY, LP

ALAIN NOISET FOR
OLNEYVILLE Housing Corporation
& RIVERSIDE GATEWAY, LP

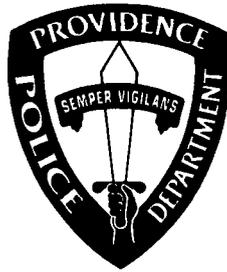
1 CURTIS STREET
PROVIDENCE RI 02909



218 Mantori



218 Manton



Department of Public Safety, Police Department
"Building Pride in Providence"

September 20, 2006

To: Anna M. Stetson, Second Deputy City Clerk

From: Capt. James T. Nolette

Subject: Petition from Alain Noiset

Dear Anna:

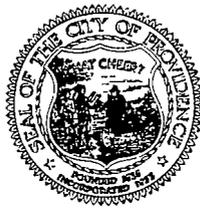
After looking at the plans and descriptions, the Police Department has no objections to proposed petition to grant a sidewalk easement at 218-220 Manton Ave.

Sincerely,



Capt. James T. Nolette

JOHN D. NICKELSON, PE
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
"Building Pride in Providence"

Sept. 22, 2006

Honorable Terrence N. Hassett
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Easement on Manton Ave.

Dear Councilman Hassett:

This department has no objection to the proposed easement on a portion of Manton Ave. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064801. Area of easement is designated as shaded area on the accompanying plan.

Total square footage equals 21 ft. +/- See accompanying plan for plat and lot numbers.

Purpose of easement is for steps leading up to existing building.

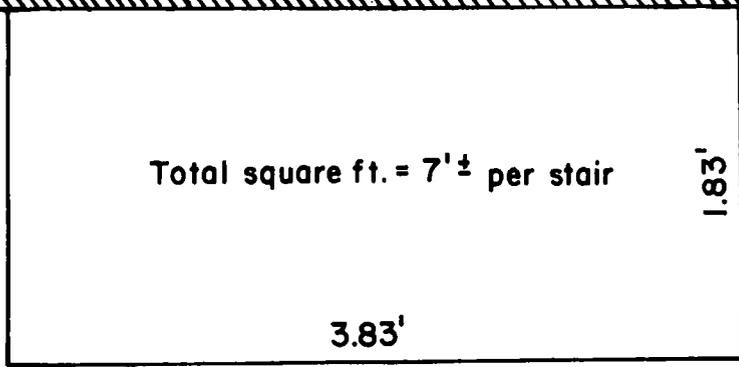
If we can further assist you in this regard, please advise.

Very truly yours,

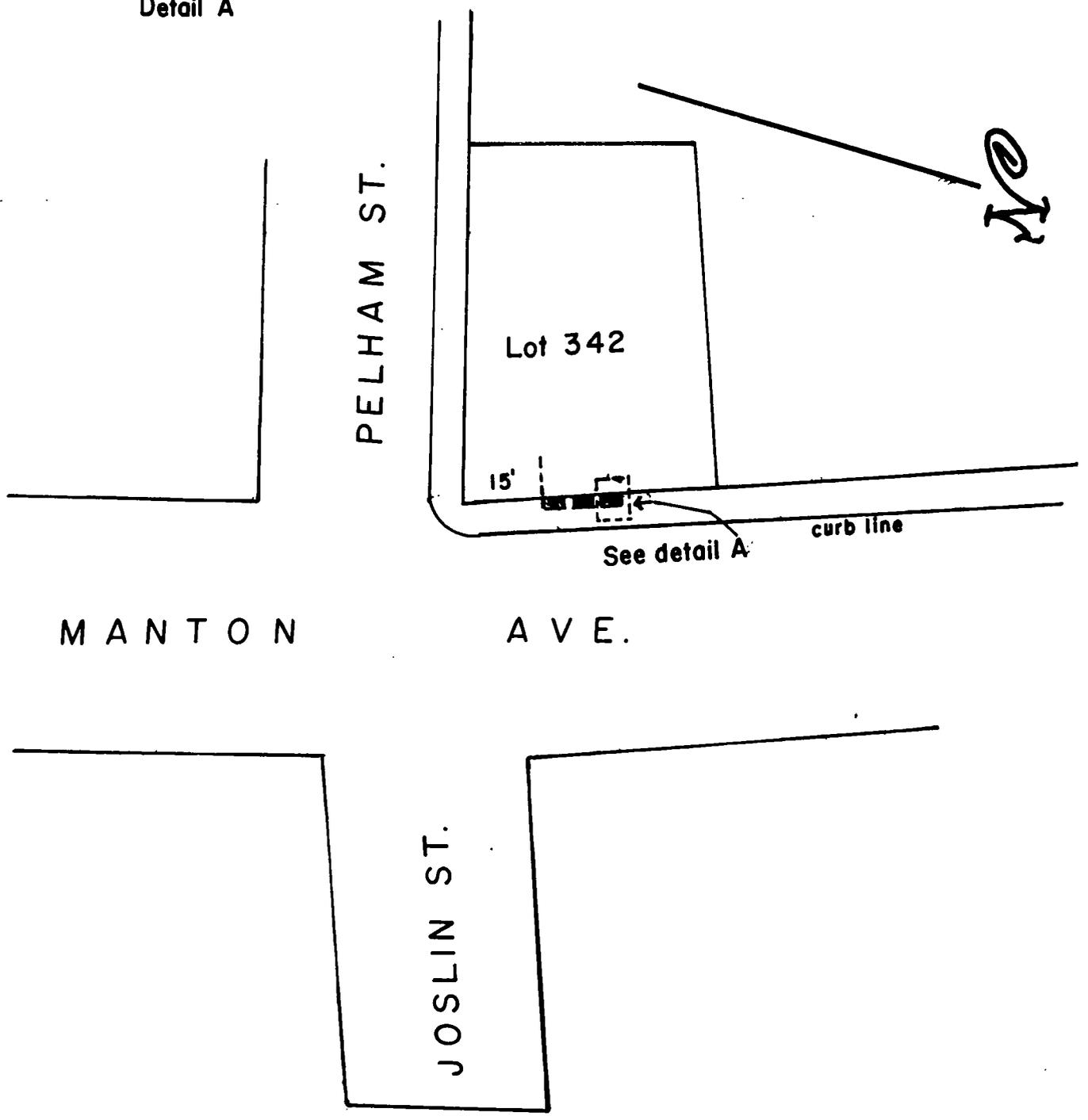
John D. Nickelson, PE
Director

cc: Ann Stetson-City Clerk
BB, AZ-DPW
A. Southgate, Esq.- Law Dept.
T. Deller- Planning
J. Gelati- Tax Assessors

PROVIDENCE, R. I.
 CIVIL ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064801
 Date Sept. 22, 2006



Detail A

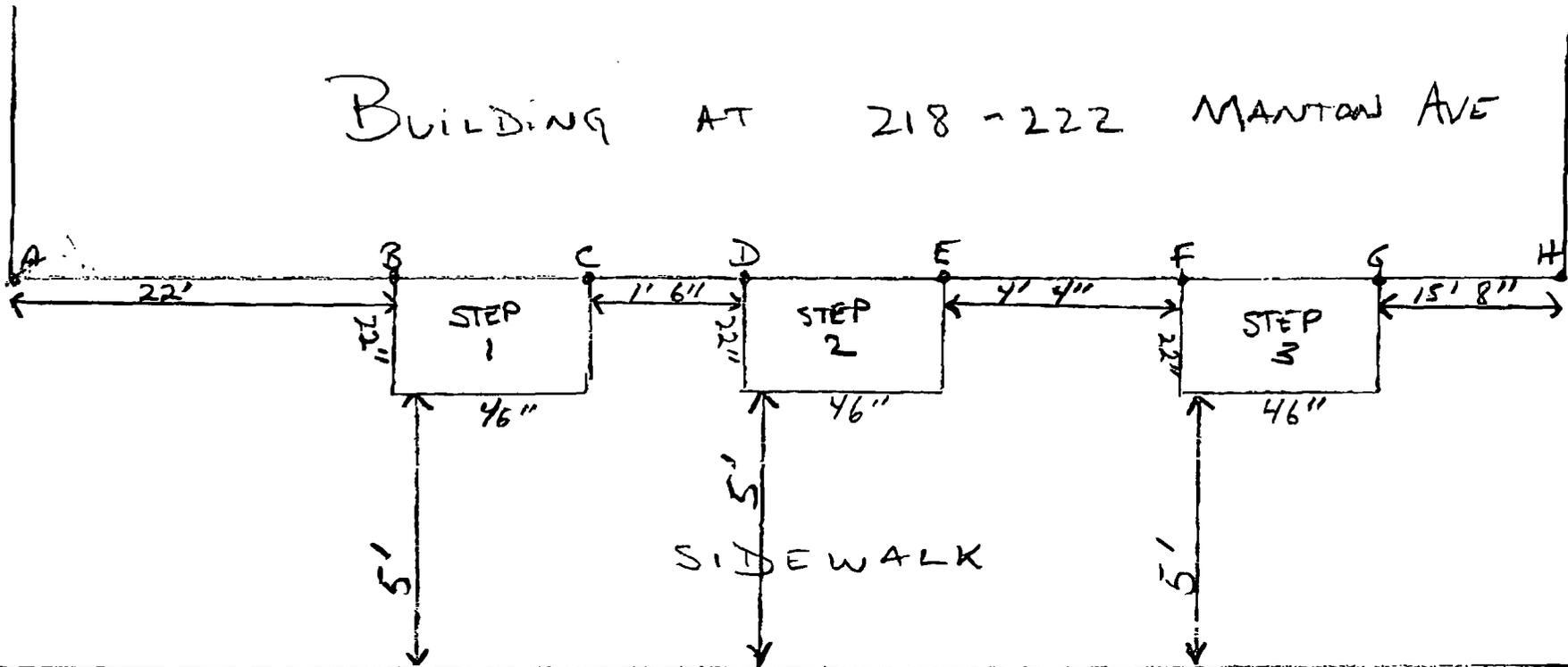


NOTES: Shaded areas indicate proposed easement on sidewalk for stairs to 218 Manton Ave.
 Total square footage = 21'±

Lot number taken from A.P. 63.

CIVIL ENGINEERING OFFICE - R. I.
 Public Works and Transportation Office
 Showing proposed easement on
Manton Ave.
 Drawn by A. Zislades Checked by _____
 Scale 1" = 30' Date 9-22-06
 Correct _____ Associate Engr.
 Approved William [Signature]
 CIVIL ENGINEER

BUILDING AT 218 - 222 MANTON AVE



MANTON AVENUE

- ① ALL STEPS UNIFORM 22" x 46"
- ② ALL STEPS REPLACING PREVIOUSLY EXISTING STEPS THAT WERE NON-UNIFORM
- ③ DISTANCE
 - A TO B = 22 FEET
 - C TO D = 1 FOOT 6 INCHES
 - E TO F = 4 FEET 4 INCHES
 - G TO H = 15' 8"
- ④ ALL STEPS 5 FEET FROM EDGE OF CURB.



ANDOLFO APPRAISAL ASSOCIATES, INC.

**REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510**

October 25, 2006

Mr. John Gelati
Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed easement on Manton Avenue

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Manton Avenue, otherwise designated Lot 342 on Plat 63 of the Tax Assessor's Plat Maps for the City of Providence, State of Rhode Island.

The purpose of our inspection was to estimate the "as is" fee simple market value of a proposed easement on Manton Avenue which would contain approximately 21 square feet. The area in general is rectangular in shape along the sidewalk of Manton Avenue. The City's Department of Public Works has no objection to this request; however, they are requiring a Class 1 survey for recording. The parcel is zoned C-1.

We have taken into account a number of factors in arriving at the fair market value of the site. The petitioner will gain full use of the site for either commercial or residential use, however, an easement will be required by the City of Providence Department of Public Works.

The highest and best use of the parcel would be commercial given its close proximity to the Manton Avenue commercial corridor. As proposed, the petitioner would have partial use of the site and as such, value should be reduced by 50% to reflect that encumbrance.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
October 25, 2006

Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a fee value of \$10.00 per square foot is hereby estimated. The value is then reduced by 50% to reflect the site's restricted use and utility given the city's retention of the easement.

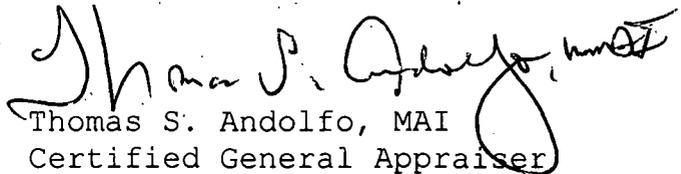
Therefore, 21 square feet x \$10.00 per square foot = \$210 x .50 = \$105.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad