

# RESOLUTION OF THE CITY COUNCIL

*No.* 145

*Approved* April 9, 2001

WHEREAS, St. Joseph's Church (hereinafter "Petitioner"), has sought:

(a) to construct a banner pole on the sidewalk adjacent to 92 Hope Street; and

WHEREAS, said banner pole will encroach upon the public walkway; and

WHEREAS, after study of Petitioner's request, the City, acting through its appropriate authorities, has determined that the proposed encroachment is not adverse to the public interest,

NOW, THEREFORE, BE IT RESOLVED That the Petitioner is granted permission to encroach upon the public way for the purpose of constructing and maintaining a banner pole three (3) feet from the curb line on sidewalk adjacent to 92 Hope Street.

1. All construction with relation to the said banner pole 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. (Copies of the subject plans are attached hereto).

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 ramp encroachment. Said insurance shall be from a company and in a form acceptable to the Department of Law.

3. The Petitioner shall execute an indemnification and hold harmless agreement satisfactory to the City Solicitor.

IN CITY COUNCIL  
MAR 15 2001  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
*Michael B. Clements* Clerk

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Claire E. Bestard*  
Mar. 26, 2001 Clerk

*Councilman Carbin (By Bequett)*

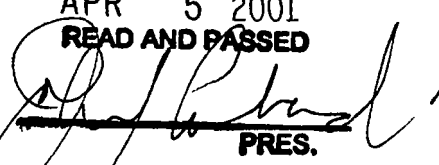
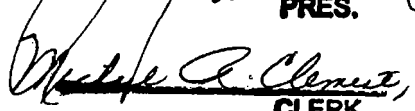

4. The Petitioner shall grant to the appropriate public utility(ies) and/or governmental agency(ies), by pertinent document, any easements, licenses, or the like, so as to maintain public services.


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

6. 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 .

7. Any rights or obligations granted hereunder shall remain in full force and effect for a period not to exceed two (2) years and shall in any event terminate automatically without further action by the city of Providence not later than 1 May, 2003 or in such event that the encroachment permitted hereby ceases to be utilized for the purposes for which it was granted provided, however, Petitioner shall at its own expense remove said encroachment in the event the City notifies said Petitioner or any successor in interest thirty (30) days in advance of the intent of the City to utilize said realty for any purposes. By commencing any alteration pursuant to this grant, Petitioner specifically waives any claim for damages it may have for such use.

8. Such other reasonable conditions as the Mayor and/or the Department of Law may impose hereunder.

IN CITY COUNCIL  
APR 5 2001  
READ AND PASSED  
  
PRES.  
  
CLERK  


APPROVED  
APR 9 2001  
  
MAYOR

FERDINAND C. IHENACHO, P.E., PTOE.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

*"Building Pride In Providence"*

March 28, 2001

Hon. Robert M. Clarkin  
Chairman of the Public Works Committee  
Providence City Council -- City Hall  
Providence, R.I. 02903

Re: Temporary Placement of a Banner Pole  
on Sidewalk - 92 Hope St. (St. Joseph's Church)  
for 150th Anniversary Celebration  
(Two-Year Period: April 2001 thru April 2003)

Dear Councilman Clarkin:

This Department has no objection to the temporary placement of a "banner pole" within the City Sidewalk (pedestrian right-of-way) 3 ft. off the curbline in front of St. Joseph's Church at 92 Hope Street. Said banner pole will be placed temporarily for a period of TWO YEARS -- from April/2001 to April/2003.

This is in conjunction with the attached plan, entitled, "Providence, R.I.- P.W. Dept. - Engineering Office, Street Line Section, Plan no. 064663, Dated 3/28/2001". St. Joseph's Church, 92 Hope Street is located on Lot 270, City of Providence Assessor's Plat 16. The placement of said banner pole will be in honor of the 150th Anniversary of St. Joseph's Church.

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

Very truly yours,

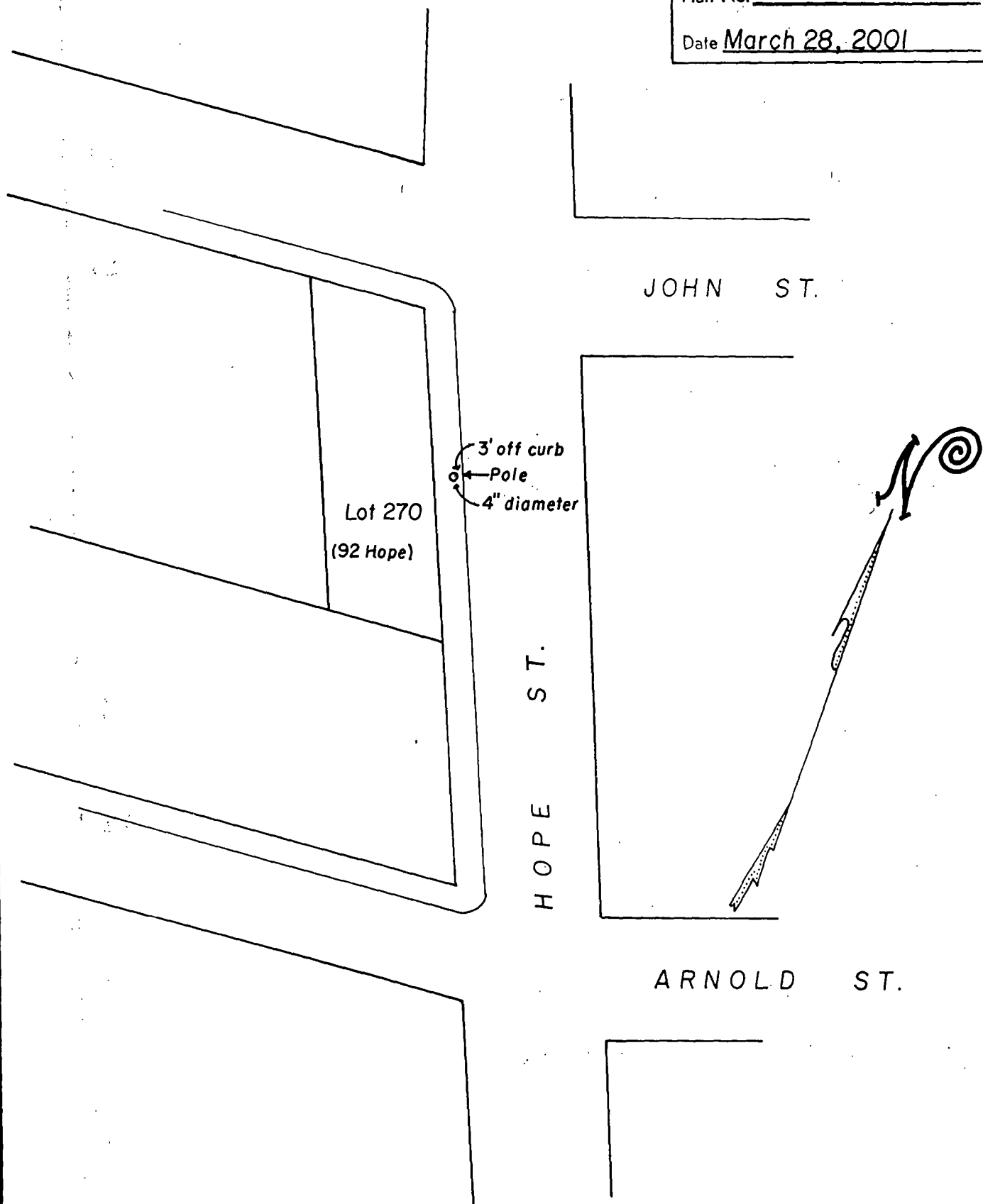
*Ferdinand C. Ihenacho*

Ferdinand C. Ihenacho, P.E.

For → Director

CC: M. Clement - City Clerk  
J. D'Amico, Esq.  
G. Florio  
JLC  
SZ

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064663  
 Date March 28, 2001

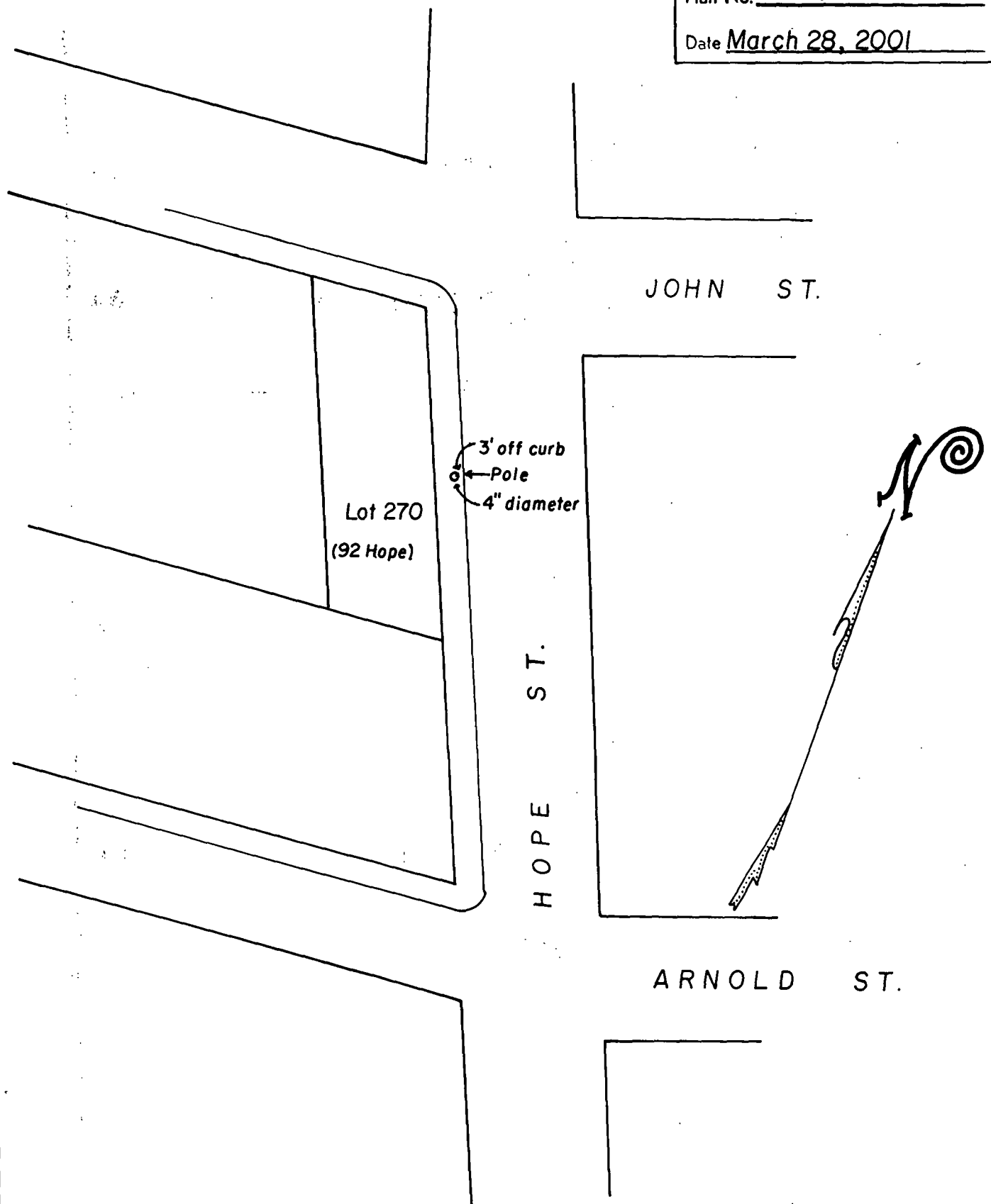


NOTES: Showing proposed installation of a banner pole,  
 temporarily, on a city sidewalk.  
 (Apr. 2001-Apr. 2003)  
 St. Joseph's 150th Anniversary

Lot number taken from A.P. 16.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed installation of a banner pole at 92 Hope St. on sidewalk.  
 Drawn by A. Zisiades Checked by alc  
 Scale 1" = 50' Date 3-28-01  
 Correct James A. Moss Associate Engr.  
 Approved Ronald J. Lavoie  
 For → CHIEF ENGINEER

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064663  
 Date March 28, 2001



NOTES: Showing proposed installation of a banner pole,  
 temporarily, on a city sidewalk.  
 (Apr. 2001-Apr. 2003)  
 St. Joseph's 150th Anniversary

Lot number taken from A.P. 16.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed installation of a banner pole at 92 Hope St. on sidewalk.  
 Drawn by A. Zisiades Checked by dec  
 Scale 1" = 50' Date 3-28-01  
 Correct James A. Moss Associate Engr.  
 Approved Ronald J. Ross  
 For FOR CHIEF ENGINEER

JOHN STREET

SIDE WALK

ST. JOSEPH'S  
RECTORY

GRASS  
COVERED LOT

CHURCH SIGN  
← ~~HERE~~ →

TWO RAILROAD IRON FENCE  
← → ← → ← → ← → ← →

ST. JOSEPH'S  
CHURCH

SIDE WALK

ARNOOLD STREET

SIDE WALK

POLE HERE

NEAR 4" TREE

(SPARK structure)

HERE

PLACE SIGN POLE IN BETWEEN TREE

92 HOPE STREET

# RESOLUTION OF THE CITY COUNCIL

*No.* 145

*Approved* April 9, 2001

WHEREAS, St. Joseph's Church (hereinafter "Petitioner"), has sought:

(a) to construct a banner pole on the sidewalk adjacent to 92 Hope Street; and

WHEREAS, said banner pole will encroach upon the public walkway; and

WHEREAS, after study of Petitioner's request, the City, acting through its appropriate authorities, has determined that the proposed encroachment is not adverse to the public interest,

NOW, THEREFORE, BE IT RESOLVED That the Petitioner is granted permission to encroach upon the public way for the purpose of constructing and maintaining a banner pole three (3) feet from the curb line on sidewalk adjacent to 92 Hope Street.

1. All construction with relation to the said banner pole 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. (Copies of the subject plans are attached hereto).

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 ramp encroachment. Said insurance shall be from a company and in a form acceptable to the Department of Law.

3. The Petitioner shall execute an indemnification and hold harmless agreement satisfactory to the City Solicitor.



4. The Petitioner 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.

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

6. 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 .

7. Any rights or obligations granted hereunder shall remain in full force and effect for a period not to exceed two (2) years and shall in any event terminate automatically without further action by the city of Providence not later than 1 May, 2003 or in such event that the encroachment permitted hereby ceases to be utilized for the purposes for which it was granted provided, however, Petitioner shall at its own expense remove said encroachment in the event the City notifies said Petitioner or any successor in interest thirty (30) days in advance of the intent of the City to utilize said realty for any purposes. By commencing any alteration pursuant to this grant, Petitioner specifically waives any claim for damages it may have for such use.

8. Such other reasonable conditions as the Mayor and/or the Department of Law may impose hereunder.



A true copy,  
Attest:

*Michael R. Clement*  
Michael R. Clement  
City Clerk

FERDINAND C. IHENACHO, P.E., PTOE.

Director



VINCENT A. CIANCI, JR.

Mayor

## Department of Public Works

*"Building Pride In Providence"*

March 28, 2001

Hon. Robert M. Clarkin  
 Chairman of the Public Works Committee  
 Providence City Council -- City Hall  
 Providence, R.I. 02903

Re: Temporary Placement of a Banner Pole  
 on Sidewalk - 92 Hope St. (St. Joseph's Church)  
 for 150th Anniversary Celebration  
 (Two-Year Period: April 2001 thru April 2003)

Dear Councilman Clarkin:

This Department has no objection to the temporary placement of a "banner pole" within the City Sidewalk (pedestrian right-of-way) 3 ft. off the curbline in front of St. Joseph's Church at 92 Hope Street. Said banner pole will be placed temporarily for a period of TWO YEARS -- from April/2001 to April/2003.

This is in conjunction with the attached plan, entitled, "Providence, R.I.- P.W. Dept. - Engineering Office, Street Line Section, Plan no. 064663, Dated 3/28/2001". St. Joseph's Church, 92 Hope Street is located on Lot 270, City of Providence Assessor's Plat 16. The placement of said banner pole will be in honor of the 150th Anniversary of St. Joseph's Church.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ferdinand C. Ihenacho".

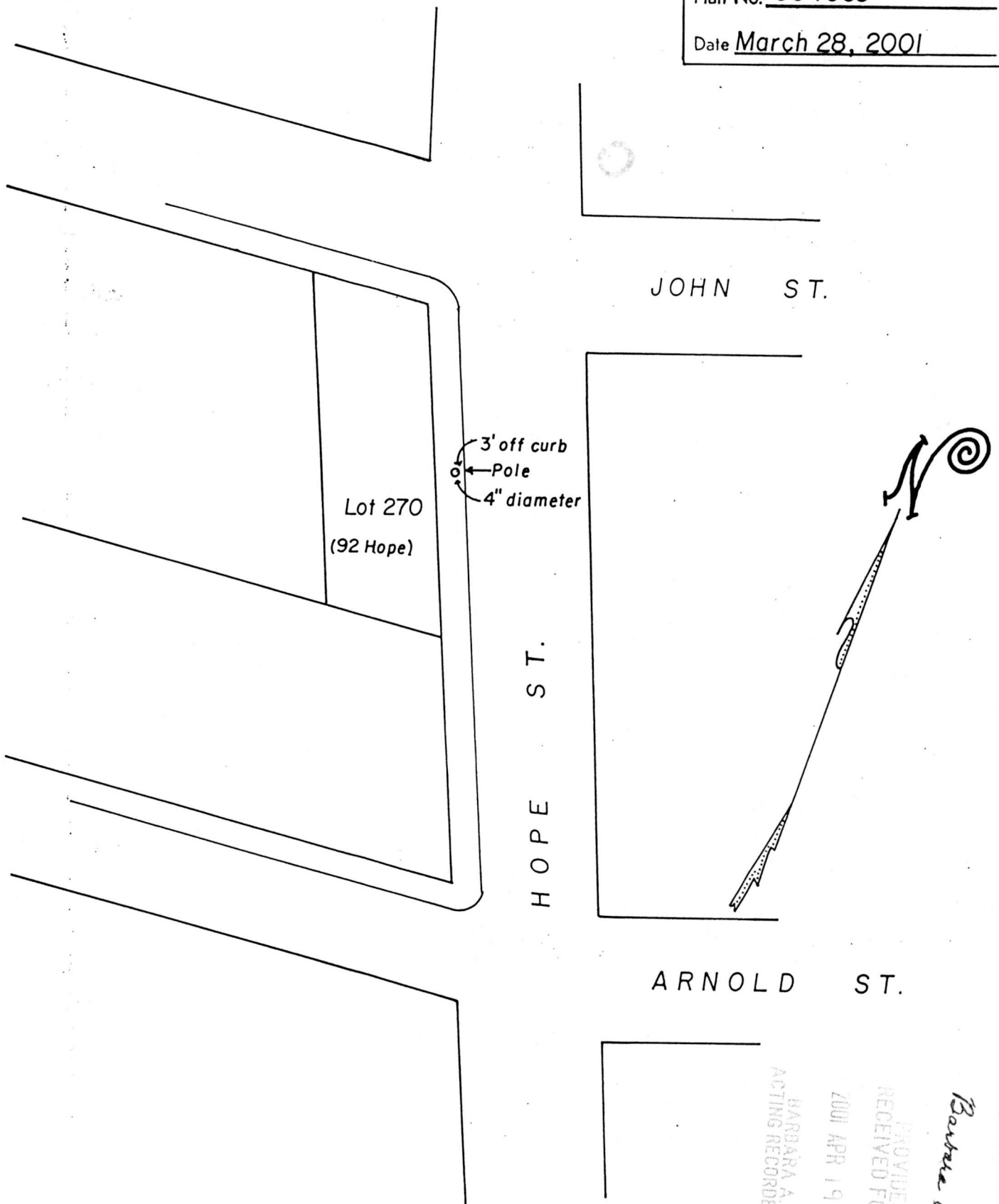
Ferdinand C. Ihenacho, P.E.

For → Director

CC: M. Clement - City Clerk  
 J. D'Amico, Esq.  
 G. Florio  
 JLC  
 SZ

BK4658PG035

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064663  
Date March 28, 2001



NOTES: Showing proposed installation of a banner pole,  
temporarily, on a city sidewalk.  
(Apr. 2001-Apr. 2003)  
St. Joseph's 150th Anniversary

Lot number taken from A.P. 16.

*Barbara A. Troncy*  
PROVIDENCE, RI  
RECEIVED FOR RECORD  
2001 APR 19 P 2:51  
BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed installation of a banner pole at 92 Hope St. on sidewalk.  
Drawn by A. Zisiades Checked by dec  
Scale 1" = 50' Date 3-28-01  
Correct James A. Mous Associate Engr.  
Approved Arnold J. Ross  
For → CHIEF ENGINEER

4658- 32 35

PROVIDENCE, RI  
RECEIVED FOR RECORD

2001 APR 19 P 2:51

BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

C

18141