

RESOLUTION OF THE CITY COUNCIL

No. 807

Approved September 14, 1979

RESOLVED, that the City Council of the City of Providence hereby judges that public necessity requires that certain parcels of land with all the buildings and improvements thereon said land being designated as Lot 952 on Assessor's Plat #43 owned by Edward G. Derosiers and Marjorie L. Marsells; and Lot 953 on Assessor's Plat #43 owned by Gaetana Gabriele and Elvira Melillo; and Lot 954 on Assessor's Plat #43 owned by the City of Providence, be taken by Eminent Domain pursuant to the provisions of Section 1 of Article IV of Chapter 121 of the 1960 Public Laws of the State of Rhode Island entitled, "Eminent Domain" and pursuant to the provisions of Chapter 104 of the Public Laws of 1963, entitled, "An Act Granting Certain Power to the City of Providence," and pursuant to Section 16-9-5 of the Rhode Island General Laws, 1956, as amended, entitled, "Power of town to condemn for school purposes," and in the exercise of the powers and authority conferred by said acts, the City Council of the City of Providence hereby deems it necessary to take, and the City of Providence, a municipal corporation created by the General Assembly of the State of Rhode Island, hereby elects to take and does take for municipal and educational purposes the above land to be used for school purposes. Said land with all the buildings and improvements thereon, situated in the City of Providence, State of Rhode Island is bounded and described as follows:

AREA

The parcel herein described lies on the South West corner of Potters Avenue and Vineyard Street in the City of Providence, Rhode Island, and is bounded and described as follows:

Beginning at a point on the south line of Potters Avenue, such point being the northwesterly corner of the herein described parcel,

thence running east along the south line of Potters Avenue 146.70 feet to a corner,

thence turning an interior angle of $95^{\circ}-41'$ and running south along the west side of Vineyard Street 100.0 feet to a corner,

thence turning an interior angle of $84^{\circ}-19'$ and running westerly 161.59 feet, bounded by land to the south row owned by the city of Providence, to a corner,

thence turning an interior angle of $87^{\circ}-06'-50''$ and running northerly 99.62 feet, to a corner,

bounded on the west by land now or formerly owned by Williams Enterprises Inc. to the point and place of beginning, containing 15,371 square feet of area.

A map of the premises to be condemned is herein attached and incorporated and made a part hereof.

The City of Providence expressly exempts from this taking the poles, wires, pipes, fixtures and other removable facilities of any public utility company located in, on or above the highways or streets located within the area taken, but does not waive or relinquish any existing right to order the same relocated or removed.

That although the measurement herein given and the measurements and areas given are shown on said plat, and believed to be approximately correct, yet, all the land described and delineated as included in the taking herein or hereunder are taken whether said areas are greater or less than shown herein.

That there be filed in the office of the Recorder of Deeds in said City a description of said lands over which said school is to be laid out, and also a plat thereof and a statement that the same are taken pursuant to the provisions of said acts which said description and statement shall be signed by the Mayor of said City.

After the filing of said description, plat and statement, the Director of Public Property shall enter upon and take possession of said lands in behalf of the City of Providence, and the Board of Contract and Supply is hereby authorized and empowered to confer with the owner or owners of any part or parts of the land taken hereunder, and to agree in behalf of the City of Providence upon the price of the land and improvements taken.

The Board of Contract and Supply is hereby further authorized as a part of any such agreement made by it to sell to the owner or owners thereof any and all improvements upon the premises of said owner or owners, and is also authorized as a part of said agreement to convey to the owner or owners thereof any excess land, which said City may acquire by reason of said condemnation from such owner or owners.

The Board of Contract and Supply is hereby authorized to determine the rents and charges for the use and occupancy of any and all lands of premises condemned pursuant to the provisions of this resolution and may designate some person to collect the rents for the City Collector of the City of Providence.

Said Board may sell at public auction or private sale any and all buildings and improvements within the condemnation area, which have not been sold to the former owner or owners thereof as part of the settlement agreement hereinbefore provided, and may provide for the tearing down and removal thereof where necessary.

The cost of taking or acquiring said land and property and all costs incidental thereto incurred in carrying out the terms of this resolution, shall be charged to the Bond Issue entitled, "School Modernization and Construction Loan No. 5."

IN CITY COUNCIL

SEP 6 1979

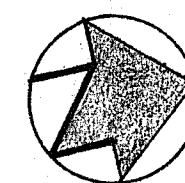
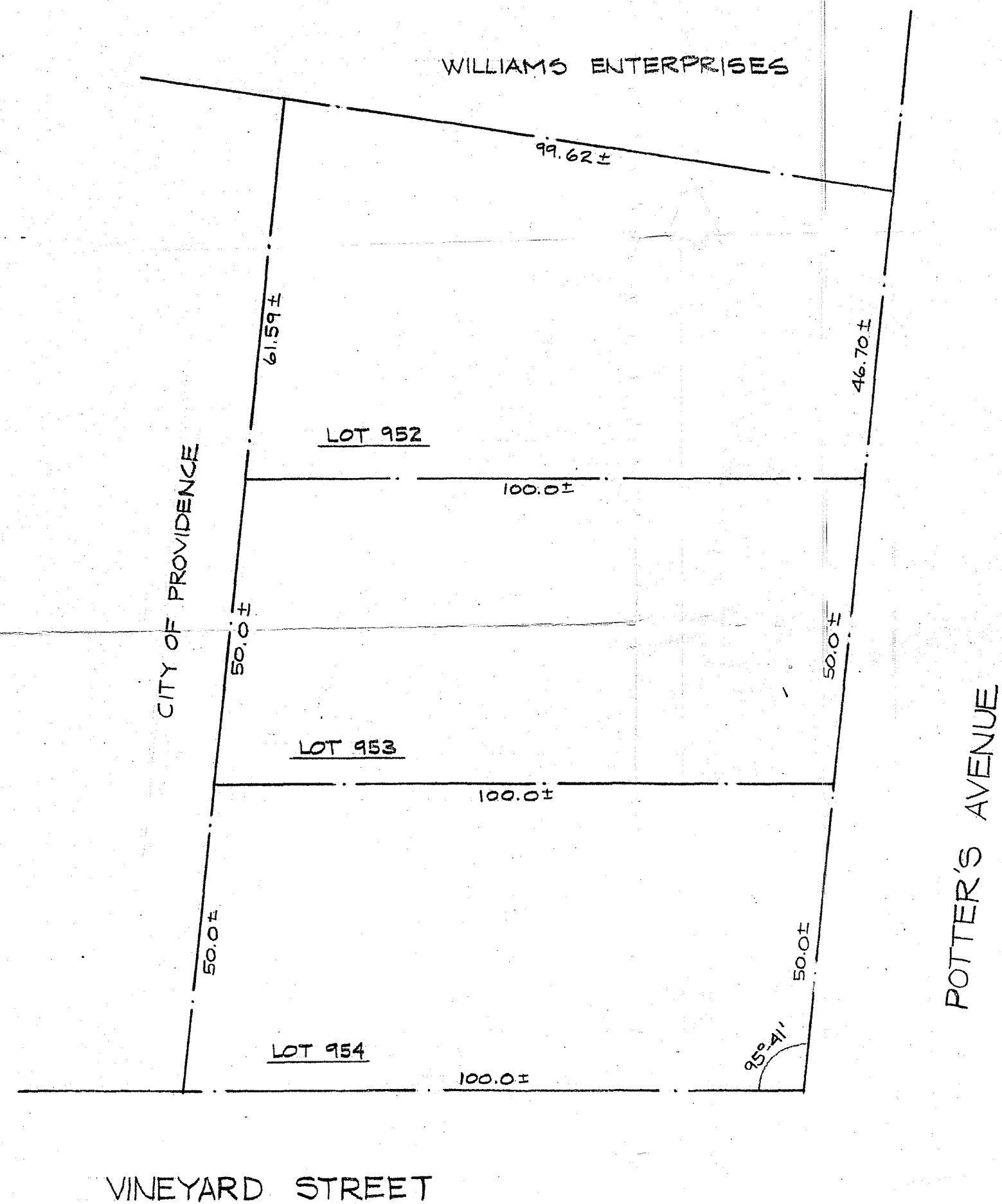
READ AND PASSED

Ralph August PRES.
Rose M. Mendonca CLERK

APPROVED

MAYOR

Vincenta. Civeri, Jr.
SEP 14 1979



PLAN

SCALE : 1" = 20'-0"

ASSESSOR'S		OWNER OR CLAIMANT	AREA
PLAT	LOT		
43	952	EDWARD G. DEROSIERS & MARJORIE L. MARSELLS	5421 S.F.
43	953	GAETANA GABRIELE & ELVIRA MELILLO	4976 S.F.
43	954	CITY OF PROVIDENCE	4974 S.F.