

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 647

Approved December 19, 1986

WHEREAS, the former Jenkins Street School, located at 53 Jenkins Street, has ceased to be utilized for public purposes, and

WHEREAS, said school is situated on Lot 20, as set out and delineated on City Assessor's Plat 8, consisting of approximately 23,049 square feet of land, more or less, and

WHEREAS, the City of Providence wishes to divest itself of the former Jenkins Street school,

NOW, THEREFORE, BE IT RESOLVED, that His Honor the Mayor is hereby authorized to execute a purchase sales agreement, deed and other necessary documents for the amount of One Hundred and One Thousand (\$101,000.00) Dollars to Wilmala S. Casinader, 286 Hillside Avenue, Pawtucket, Rhode Island 02860, in order to effectuate a conveyance of said school upon such terms and conditions established by the Committee on City Property of the City Council, His Honor the Mayor and the City Solicitor, which shall be incorporated into any deed, agreement, or other documents transferring the premises and agreed upon by the parties, and

BE IT FURTHER RESOLVED, that all proceeds for the sale of the property shall be deposited into the Department of Planning and Development, and

BE IT FURTHER RESOLVED, that the deed include the following restrictions and conditions:

1. That there be no more than twelve (12) residential units; 6-2 bedroom and 6-3 bedroom units; two (2) units shall be rented to families or individuals of low or moderate income.

2. That substantial rehabilitation be in progress within nine (9) months of the transfer from the City; substantial rehabilitation

being defined as the following:

- a. Building must be completely gutted.
- b. A new heating system installed.
- c. Installation of the requisite utilities.
- d. All rough petitioning and structural work complete.
- e. Basic interior and exterior work complete.

3. That the completion date be no more than eighteen (18) months from the transfer of the deed from the City.

4. That parking be provided in accordance with zoning requirements but in no event less than 24 parking spaces.

5. In the event any of these conditions are not met, the property shall revert to the City of Providence upon filing a notice of said reverter in the Land Evidence Records of the City of Providence.

6. Upon completion of the project, the Building Inspector shall issue a Certificate of Completion which shall be evidence of the fact that all conditions herein have been complied with.

7. Upon filing of said Certificate of Completion in the Land Evidence Records of the City of Providence, the City's right to reverter shall forever become null and void.

BE IT FURTHER RESOLVED, that this Resolution supercedes Resolution No. 507, approved September 11, 1986, which is hereby rescinded in its entirety.

IN CITY COUNCIL

READ AND PASSED

DEC 18 1986

PRES.

Rose M. Mendonça CLERK

APPROVED

DEC 19 1986

[Signature]

FILED
DEC 4 11 50 AM '86
DEPT. OF CLERK
PROVIDENCE, R.I.

THE COMMITTEE ON
CITY PROPERTY

Approves Passage of
The Within Resolution

Robert W. McNamee
Chairman
November 12, 1986

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: November 18, 1986

TO: City Solicitor Edward C. Clifton
Deputy City Solicitor Anthony Giannini, Jr. > Law Department

SUBJECT: FORMER JENKINS STREET AND BERKSHIRE STREET SCHOOLS

CONSIDERED BY: Councilman Andrew J. Annaldo, Chairman - Committee on City Property

DISPOSITION: Enclosed is correspondence from Berkshire Associates and Richard C. Tallo relative to the above subject matter.

The Committee on City Property voted to allow the request as outlined in the correspondence, and wishes the Law Department to draft the appropriate Resolutions amending those previously passed by the City Council, copies of which are attached, to delete the Conditions as requested.

I am further enclosing that portion on City Property record of November 12, 1986 for your perusal.

Enclosures: Copies of Letters

City Clerk

7

RICHARD C. TALLO

ATTORNEY AT LAW

RICHARD C. TALLO

LORI ANN DeFILIPPO
PARALEGAL

SUITE 102
1246 CHALKSTONE AVENUE
PROVIDENCE, RI 02908
(401) 421-4884

October 8, 1986

City Property Committee
Andrew Annaldo, Chairman
Providence, RI 02903

Re: Former Jenkins Street School
Location: 52 Jenkins Street
File No. 442

Dear Chairman Annaldo:

Pursuant to our conversation, I have discussed the enclosed Resolution, approved September 11, 1986, with the Mortgage Guarantee & Title Company. Specifically, I spoke with Anthony Montalbano of the Company. He indicated to me that in order for a deed, based upon this Resolution, to be marketable there must be elimination of the following:

Numbers 5 and 6 must be eliminated entirely.

With regard to Numbers 3, 4, and 7 they must indicate that these restrictions will be removed upon the issuance of a certificate of compliance, which will thereby make the reverter clause and the restrictions null and void.

Therefore, he is indicating that once the City has satisfied itself that these requirements and deadlines concerning the progress of the work, there should be issued from the City, specifically from the Clerks office, a certificate of compliance with all provisions of this Resolution.

Also, the certificate of compliance should indicate that the developer, Mr. Casinader's Company, has in fact complied with the provisions in the Resolution, and that the reverter clause contained in paragraph 7 now becomes null and void. This provision should be contained in the Resolution.

With regard to the restrictions of 5 and 6, if 5 and 6 are contained in separate agreements, we have no problem with them, but they must be contained in the separate

Page 2
October 7, 1986

agreement and they must be for no longer than absolutely necessary. For instance, No. 5 until the building is constructed and with No. 6, I would imagine only for a short period of time after the construction is complete. I believe that Mr. Brown will agree to this, I spoke to him and it appeared that he was in full agreement with having a side agreement to the effect just stated.

If this meets with your approval, kindly contact me and I would like to attend the next City Property Committee Meeting.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



RICHAD C. TALLO

RCT/1

Enclosure

pc The Honorable Joseph R. Paolino
Justin Casinader
Anthony A. Giannini, Jr.
Deputy City Solicitor

FILED

OCT 14 10 07 AM '86

DEPT. OF CLERK
PROVIDENCE, R.I.

(7)

RICHARD C. TALLO

ATTORNEY AT LAW

RICHARD C. TALLO

LORI ANN D. FILIPPO
PARALEGAL

SUITE 102
1246 CHALKSTONE AVENUE
PROVIDENCE, RI 02908
(401) 421-4884

September 26, 1986

City Property Committee
Andrew Annaldo, Chairman
Providence, RI 02903

Re: Former Jenkins Street School
Location: 52 Jenkins Street
File No. 442

Dear Chairman Annaldo:

Pursuant to our conversation, I have received a Draft Resolution from the City of Providence, indicating that the Mayor is authorized to execute a Purchase and Sales Agreement in the amount of \$101,000.00 to Wilmala Casinader under the conditions as set forth therein. At a consultation with the Title Company, it appears that some of the conditions in the Draft Resolution would make the deed unmarketable and would prohibit Mr. and Mrs. Casinader from obtaining mortgage financing.

I would like to, at this time, bring this to your attention and let you know that I am in the process of contacting the Title Company for instructions with regard to how these restrictions may be worded so that they would be acceptable to the Title Company. I will advise you when that has been accomplished.

Thank you for your consideration in this matter.

Very truly yours,


RICHARD C. TALLO

RCT/l

cc Justin Casinader
The Honorable Joseph R. Paolino, Jr.

RICHARD C. TALLO

ATTORNEY AT LAW

RICHARD C. TALLO

LORI ANN D. FILIPPO
PARALEGAL

SUITE 102
1246 CHALKSTONE AVENUE
PROVIDENCE, RI 02908
(401) 421-4884

September 26, 1986

Anthony J. Montablano, Esq.
123 Dyer Avenue
Providence, RI

Re: Jenkins Street Property
File No. 442

Dear Tony:

Pursuant to our telephone conversation of September 25, 1986, enclosed please find the Draft of The Council Resolution, conveying the Jenkins Street School to my client.

Please note that there are several restrictions and conditions. It is my opinion that these restrictions and conditions are over burdensome; would prevent the marketability of the title; and would prohibit my client from obtaining any financing at all. I have talked to several members of the Title Standard Committee, and they are in agreement.

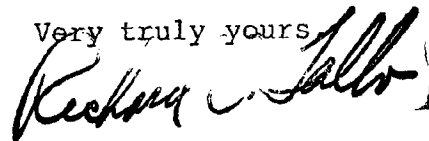
I am sending this letter so that I may request your opinion as to the following:

1. The present marketability and insurability of this title.
2. What needs to be done in terms of revisions, restrictions, and time periods to provide the City with some guidelines, and also to allow the title to be marketable.
3. What your suggestions are in terms of inclusion in the Resolution of covenants which would achieve the City's purpose and not effect the marketability and insurability of the title.

Page 2
September 26, 1986

Your prompt response to this matter would be greatly appreciated.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Richard C. Tallo", written over a horizontal line.

RICHARD C. TALLO

RCT/1
Enclosure
pc Justin Casinader
Mayor Joseph R. Paolino
Andrew Annaldo

Mount Hope Neighborhood Association Inc.

194 Camp Street
Providence, Rhode Island 02906
Telephone - 274-7050

August 12, 1986

City Property Committee
Andrew Annaldo, Chairman
Providence, RI 02903

RE: Proposed sale of the Jenkins Street School

Dear Councilman Annaldo:

Members of the Mount Hope Neighborhood Association, Inc. Board and residents of the area around the school met with interested bidders to review their proposals. From this meeting, several recommendations emerged.

- * Renovations should include not more than twelve units
- * Adequate parking should be provided while allowing space for yards and children's play area
- * Rental costs should be targeted to be affordable for the neighborhood's current residents

These recommendations were adopted by the Board of Directors at the last regular meeting.

Furthermore, I urge your committee to establish reasonable deed restrictions to assure the timely completion of this project as proposed, and to prohibit the sale of units as condominiums. However, support only those proposals that meet and fulfill these project guidelines.

Furthermore, we did meet with Mr. Casinader, Councilman Annaldo, Mayor Paolino, Mr. Vincent Paolloszi, the Mayor's Aide, and agreed to the compromise of six two-bedroom apartments and six three-bedroom apartments. It is the general feeling of the Jenkins Street Neighborhood that this renovation should take place as soon as possible.

Sincerely,


Vincent Brown, Chairman
Board of Directors

VB:DMN

RECEIVED NOV 24 1986 447

Mount Hope Neighborhood Association Inc.
194 Camp Street
Providence, Rhode Island 02906
Telephone - 274-7050

Councilman Andrew J. Annaldo
City Properties Committee
City Hall
Providence, Rhode Island 02903
Attn City Clerk

November 22, 1986

Dear Councilman,

The Mt. Hope Neighborhood Association, after consulting with the residents living near the Jenkins St. School, agree to the deletions of conditions contained in items numbered 5 & 6 from the deed or any other agreement with the City of Providence, Mr. Casinader, in the sale of the Jenkins St School.

We take this action to further promote goodwill and understanding hoping to make this deed marketable.

It is our desire that the deletions be removed and incorporated in a seperate agreement among the City of Providence, Mr Casindar and the Mt. Hope Neighborhood Association. The association will represent the Jenkins Street residents.

Furthermore, it would be appreciated if a copy of this agreement be forwarded to our agency, upon it's completion.

Sincerely,

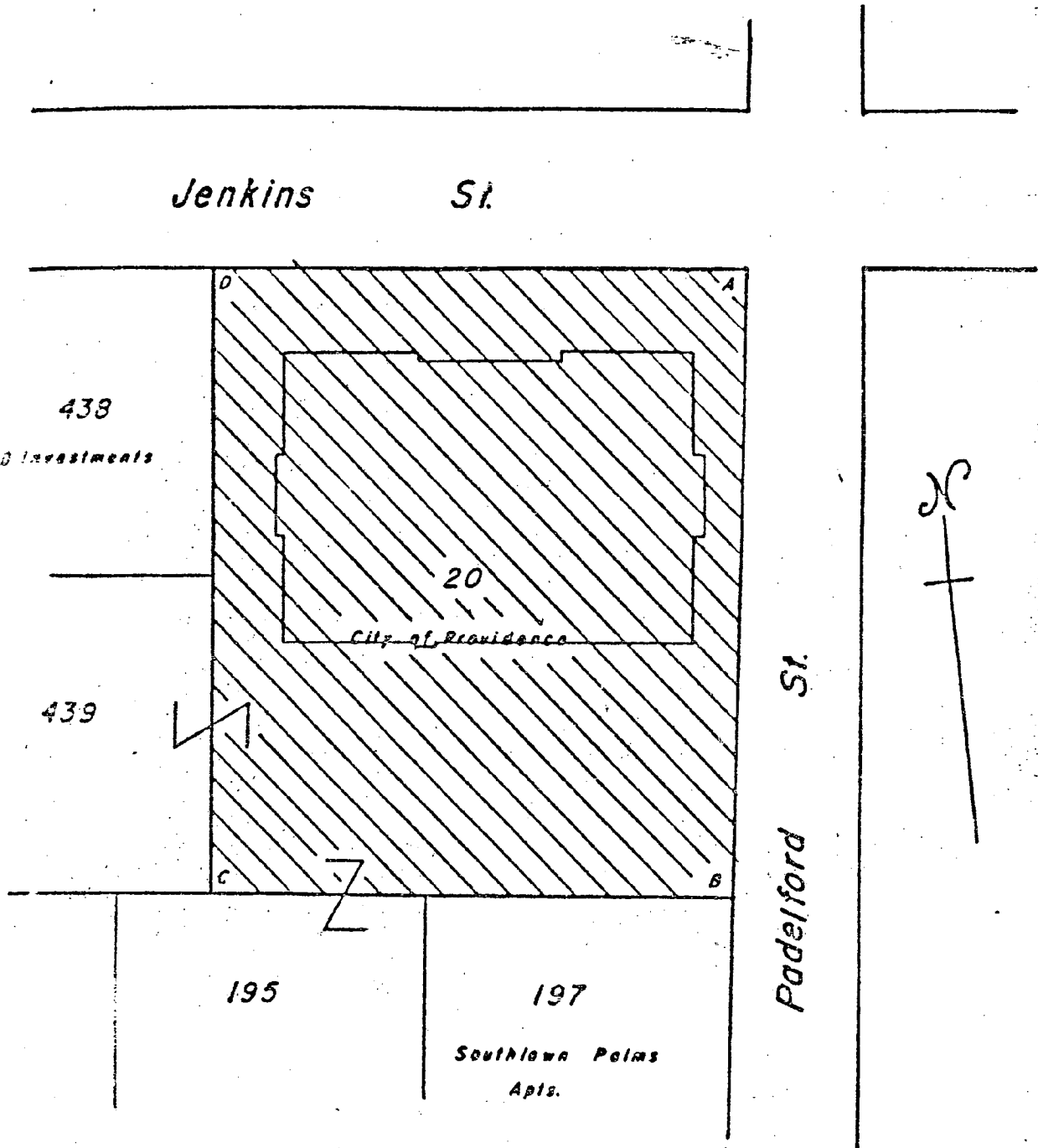

Vincent Brown, Chairman

CC:
Richard C. Tallo

PROVIDENCE R. I.
 P. W. DEPT. ENGINEERING OFFICE
 CITY PROPERTY SECTION
 Plan No. 064362
 Date August 1, 1986

Note:

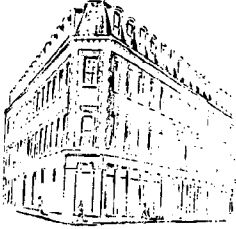
Cross-Hatched Area (A-B-C-D-A)
 Indicates Proposed Sale.



CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Sale
 Drawn by J. A. N. Checked by R. L. R.
 Scale 1/2" = 10' Date 8-1-86
 Corrected by [Signature] Approved [Signature]
 Approved M. H. H. City Engineer

As per From Assessor's Plat B

RECEIVED NOV 25 1986



MORTGAGE GUARANTEE & TITLE COMPANY

TITLE INSURANCE

123 DYER STREET

PROVIDENCE, R. I. 02903

TELEPHONE: (401) 331-1100

November 24, 1986

Richard C. Tallo, Esquire
Suite 102
1246 Chalkstone Avenue
Providence, Rhode Island 02908

Dear Richard:

I have reviewed The Council Resolution concerning the Jenkins Street School located at 53 Chester Street, Providence, Rhode Island, and I am concerned about Clause 7 which states that the property shall revert to the City of Providence if conditions are not complied with.

I feel that the resolution shall provide that upon completion of the project that the Reverter will become null and void upon the filing of a certificate of completion in the Land Evidence Records signed by someone authorized by the City Council.

Possibly the City Council can authorize the building inspector or City Clerk to sign said certificate. The reverter should also contain a time limit and at the expiration of said time the reverter shall be null and void.

Also, during the period allotted for the expiration of the reverter, the City must file notice that restrictions have not been complied with in order to trigger the reverter clause.

If you have any further questions, please do not hesitate to contact me.

Very truly yours,

MORTGAGE GUARANTEE & TITLE COMPANY

Anthony J. Montalbano
Vice President

AJM/dbm

A G R E E M E N T

WHEREAS, WILMALA S. CASINADER, 286 Hillside Avenue, Pawtucket, Rhode Island wishes to effectuate the purchase of the former Jenkins Street School located at 53 Jenkins Street, Providence, Rhode Island, and

WHEREAS, the City Council has approved a Resolution authorizing the sale of said school, and

WHEREAS, the above parties wish to improve the overall economic conditions in the Jenkins Street area, it is hereby agreed as follows:

1. Where employment opportunities exist in the construction and operation of this renovation project, neighborhood residents be given preference in hiring, if possible.

2. Neighborhood residents shall be given preference on rentals when the project is ready for occupancy and that rents will be \$425.00 for two-bedroom units and \$475.00 for three-bedroom units until such time as economic factors determine the need for revision. Said revisions shall fall within reasonable economic parameters as dictated by the local economy.


WILMALA S. CASINADER

ANDREW J. ANNALDO, CHAIRMAN
COMMITTEE ON CITY PROPERTY

RICHARD C. TALLO

ATTORNEY AT LAW

RICHARD C. TALLO

LORI ANN DeFILIPPO

PARALEGAL

December 9, 1986

SUITE 102

1246 CHALKSTONE AVENUE

PROVIDENCE, RI 02908

(401) 421-4884

Rose M. Mendonca, City Clerk
City Hall
25 Dorrance Street
Providence, R.I. 02903

Re: Jenkins Street School Property
File No. 442

Dear Mrs. Mendonca:

Please find enclosed an Agreement signed by Wilma S. Casinader which must be signed by Andrew Annaldo, Chairman of the Committee on City Property. Would you kindly have Mr. Annaldo sign this Agreement at your earliest convenience.

Thank you for your attention to this matter.

Very truly yours,



RICHARD C. TALLO

RCT/p

Enclosure

pc Anthony Giannini, Jr., Deputy Solicitor

Rose M. Mendonca

City Clerk

Clerk of Council

Clerk of Committees



Michael R. Clement

First Deputy

Grace Nobrega

Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

December 30, 1986

Ms. Wilmala S. Casinader
286 Hillside Avenue
Pawtucket, Rhode Island 02860

Dear Ms. Casinader:

Enclosed is certified copy of Resolution No. 647, approved December 19, 1986, the same being self-explanatory.

Please contact the City Solicitor, Edward C. Clifton, so that the deed may be executed for the property involved.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enc.

Rose M. Mendonca
City Clerk

Clerk of Council

Clerk of Committees



DEPARTMENT OF CITY CLERK
CITY HALL

Michael R. Clement
First Deputy

Grace Nobrega
Second Deputy

December 30, 1986

Richard C. Tallo, Esquire
1246 Chalkstone Avenue
Providence, RI 02908

Dear Mr. Tallo:

Enclosed is certified copy of Resolution No. 647, approved December 19, 1986, the same being self-explanatory.

Please contact the City Solicitor, Edward C. Clifton, so that the deed may be executed for the property involved.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enc.