

RESOLUTION OF THE CITY COUNCIL

No. 451

Approved June 16, 2003

RECEIVED TO THE CITY CLERK
JUN 17 2003
CITY CLERK

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant a non-exclusive sub-surface easement below Union Street in the City of Providence to Cox Com, Inc., d/b/a Cox Communications (Cox). Said easement shall be granted specifically upon the following provisions:

1. Said easement shall be utilized only for the installation and maintenance of underground conduit necessary to serve 236 Westminster Street. Said easement shall not exceed the area of approximately two hundred sixteen square feet, as delineated on the accompanying map marked as Exhibit A.

2. Said easement shall be deemed to run with the land and shall operate against any successors in title and the easement or a memorandum of same shall be recorded in the Office of Land Records for the City of Providence.

3. Said easement shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforesated purposes.

4. The Assistant Director for Project Management and Construction has valued the easement at \$1,836.00 in legal tender of the United States of America. However, since Cox has appealed the assessment of such charges to the Rhode Island Public Utilities Commission, the Director of Public Works may issue the permit, subject only to the payment of a \$75.00 fee by Cox, pending the resolution of the Public Utilities Commission appeal.

5. Any breakout necessary for installation and/or repair or replacement shall be resurfaced/rehabilitated to the approval of the Director of the Department of Public Works.

6. Any installation of utilities or utility lines shall be underground so as to preserve the public right-of-way.

7. Any installation of electrical mechanisms shall be to the approval of the Director of the Department of Inspections & Standards.

8. 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.

IN CITY COUNCIL
SEP 5 2002
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Brown
CLERK

THE COMMITTEE ON
Public Works
Recommendation - Be Continued
Ann M. Hays
CLERK
10-17-02

THE COMMITTEE ON
Public Works
Recommendation - Approved
Ann M. Hays
CLERK
11-7-02

9. Cox 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.

10. Cox recognizes the applicability of Sections 23-107, 23-108 and 23-190 of the Code of Ordinances which read as follows:

23-107. Indemnity of city against claims arising out of electrical installations. No right of any person to maintain, use or operate any poles, wires, cables, conduits, ducts, pipes, manholes, handholes, or other appliances or appurtenances in any street or other traveled way in the city, shall be in preference or hindrance of public work in the city, and should any of the same in any way interfere with the construction, alteration or repair of any public work in, under, or over any such street or way, whether done by the city directly or by any contractor for the city, such person shall at his own expense protect, alter or move any of the same so interfering to some other location, or discontinue the use and operation thereof for the time being, as directed by the director of public works, without the city being liable for any damages suffered by such person thereby. The City shall notify such person not fewer than ninety (90) days prior to such public work, which will interfere with any of the same or the use or operation thereof. In case such person shall fail to comply with any such direction of said director, the city may protect, alter or move the same, and recover the cost thereof from such person.

23-108. Precedence of wires, apparatus of city signal service. The wires, poles, posts, structures and supports of the telephone, fire alarm and police signal service maintained by the city shall at all times take precedence and right-of-way as to all other wires, poles, posts, structures and supports maintained or erected in the city; and no lineman or other person, either in erecting wires, poles, posts, structures or supports in any way whatsoever shall interfere with, or disturb, disarrange or change any wires maintained by the city, or any appurtenance thereof; and in every instance of removal of any of said wires, poles, posts, structures or supports for the accommodation of any other corporation or party, or to place the same beyond danger from the electric current of any other corporation or party, the expense incident to said removal shall be paid immediately by such other corporation or party.

23-109. Indemnity of city against claims arising out of electrical installation.

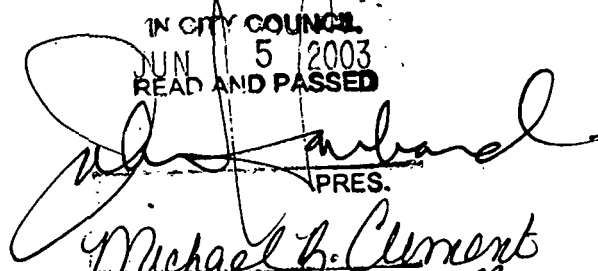
Every person erecting, maintaining or using electric wires or poles, fixture or structures, for the support or conducting of the same shall indemnify and save harmless the city, its officers, agents and servants, from and against all lawful claims and demands for injuries to persons or property occasioned by the existence of such poles, wires, fixtures or structures or the transmission of electric current by means thereof or by the digging up, opening or keeping open of any street, highway, traveled way, public place or part thereof, which shall be or has been opened for the purpose of installing, constructing or repairing any underground conduit, duct, structure, appliance or appurtenance by or for such person, or by any failure of such person to restore and keep in sound and safe condition for the required time any ground opened or dug up in the prosecution of any of its work in any street, way or place. The city, city council, or the officers, agents or servants of the city, exercising the rights, powers or permission, and

subject to the restrictions, respectively given and reserved herein shall not be held liable by such person or corporation on account thereof, or by reason of any injury or damage caused thereby.

and Cox, for itself and its successors, agrees to comply with the same.

11. Cox shall repave all excavated roadways in accordance with relevant ordinances, industry standards and to the reasonable satisfaction of the Director of Public Works and Cox, its successors and assigns, shall guarantee the fitness of said repairing and shall make, at its own cost, all necessary modifications, alterations and repairs to said repaving for a period of not fewer than five (5) years.

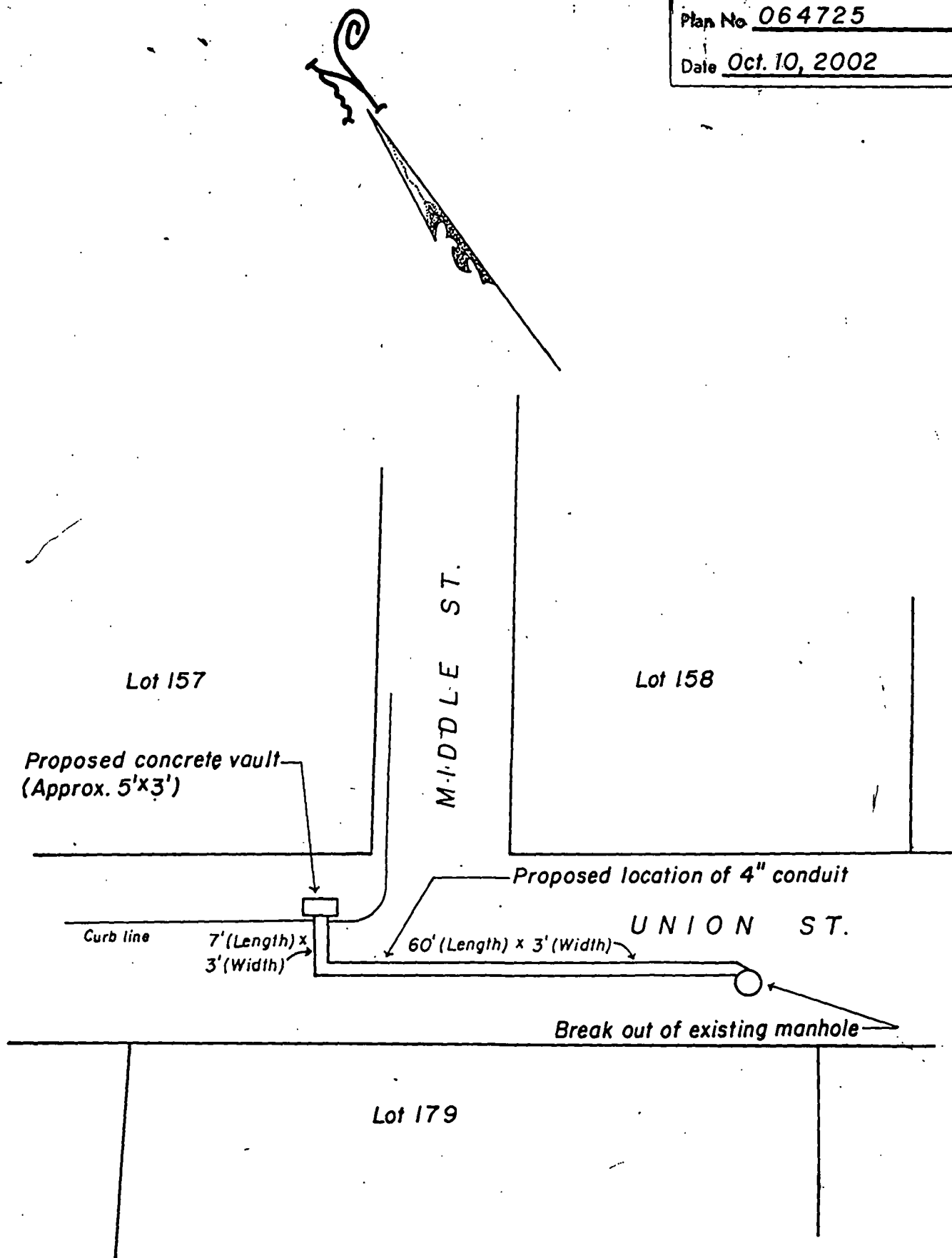
12. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

IN CITY COUNCIL
JUN 5 2003
READ AND PASSED

PRES.
Michael B. Clement
CLERK *MB*

APPROVED

MAYOR 6/16/03

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064725
 Date Oct. 10, 2002



NOTES: Plan showing proposed easement for
 underground conduit for Cox Communications
 Total square footage = 216'±

Lot numbers taken from A.P. 20.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed easement on Union St. for
Cox Communications
 Drawn by A. Zisades Checked by _____
 Scale 1" = 20' Date 10-10-2002
 Corrected James A. Morris Associate Engr.
 Approved Melvin Regan CHIEF ENGINEER

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

The undersigned respectfully petitions your honorable body

RECEIVED
CITY OF PROVIDENCE
AUG 27 2002
CITY CLERK

Cox Com Inc. d.b.a. Cox Communications is hereby requesting permission from the city of Providence to excavate and place conduit at the following location to service new customers.

1. 236 Westminster Street

From existing Verizon Manhole located on Union Street going 60 feet west. 90 degrees 7 feet to a concrete vault located in sidewalk to feed 236 Westminster Street.

Attached is a set of Engineered plans detailing the routes to be excavated and restored. Thank you for your time and I will be available to answer any questions that you may have regarding this request.



Barry Fontaine
Capital Support and Utilities Manager
Cox Communications New England
401-383-2261

8/27/02

FILED

AUG 27 12 15 PM '02

DEPT. OF PUBLIC WORKS
PROVIDENCE, R.I.

IN CITY COUNCIL
SEP 5 2002
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Richard R. Clement CLERK

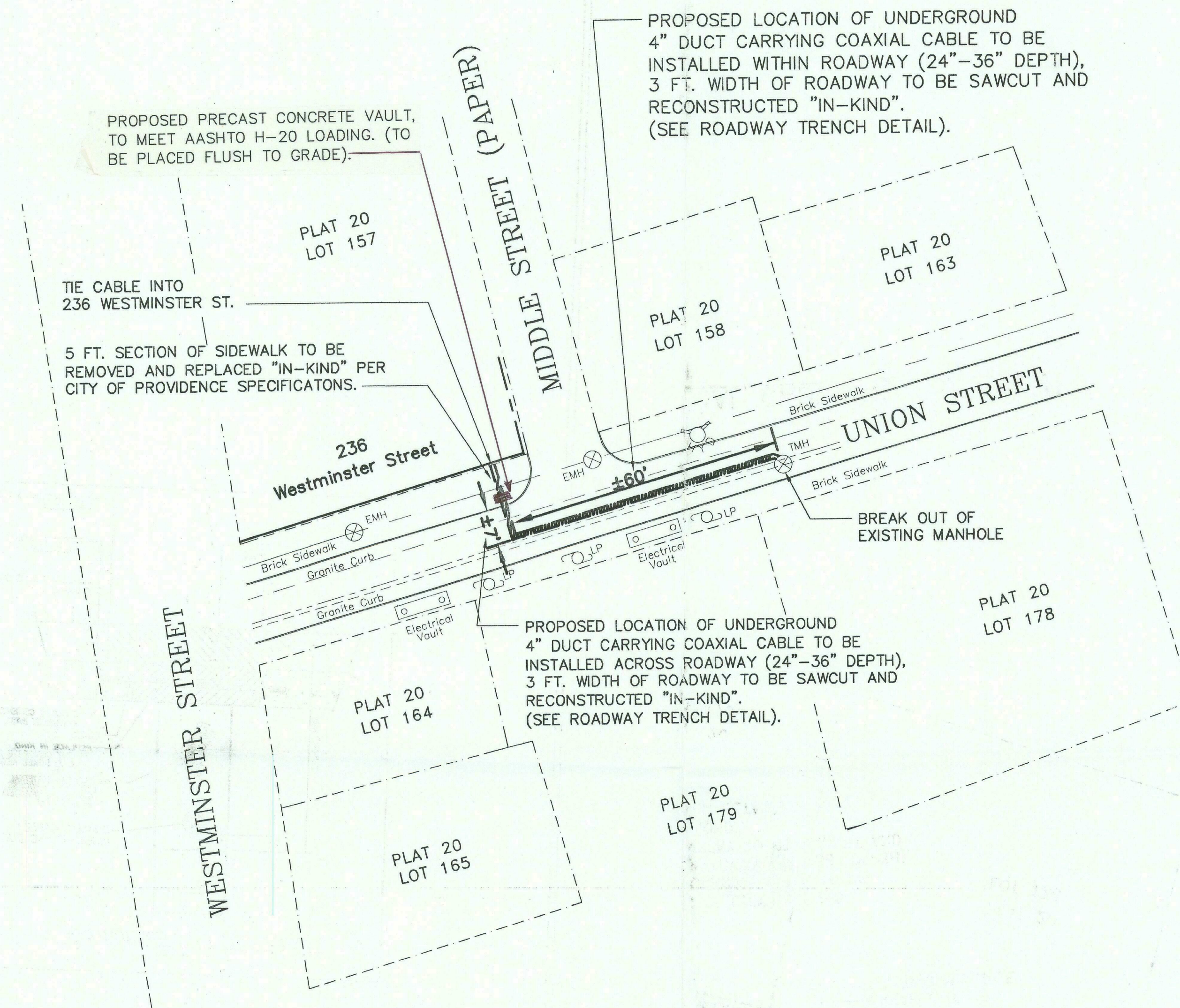
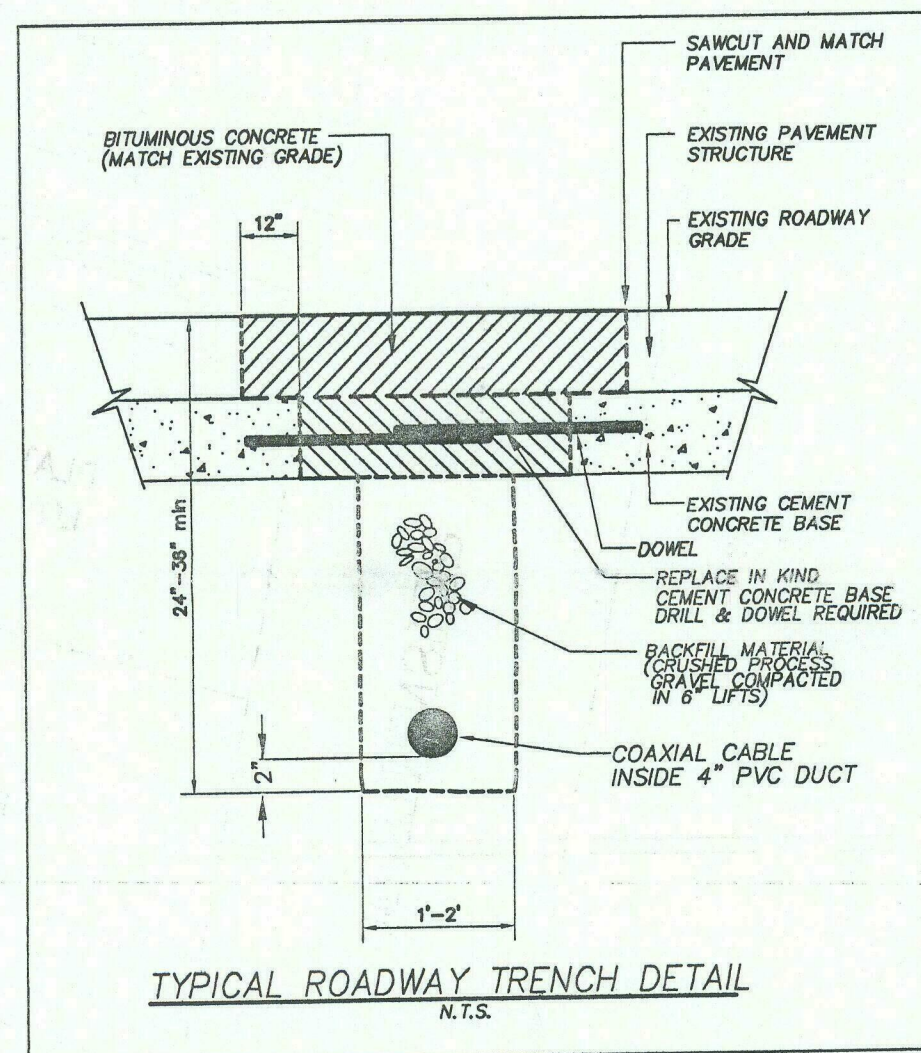
THE COMMITTEE ON

Public Works
Recomm. Be Continued
Anna M. Steen
10-17-02 CLERK

THE COMMITTEE ON

Public Works
Recomm. Be Approved
Anna M. Steen
11-7-02 CLERK

From The Clerk's Desk

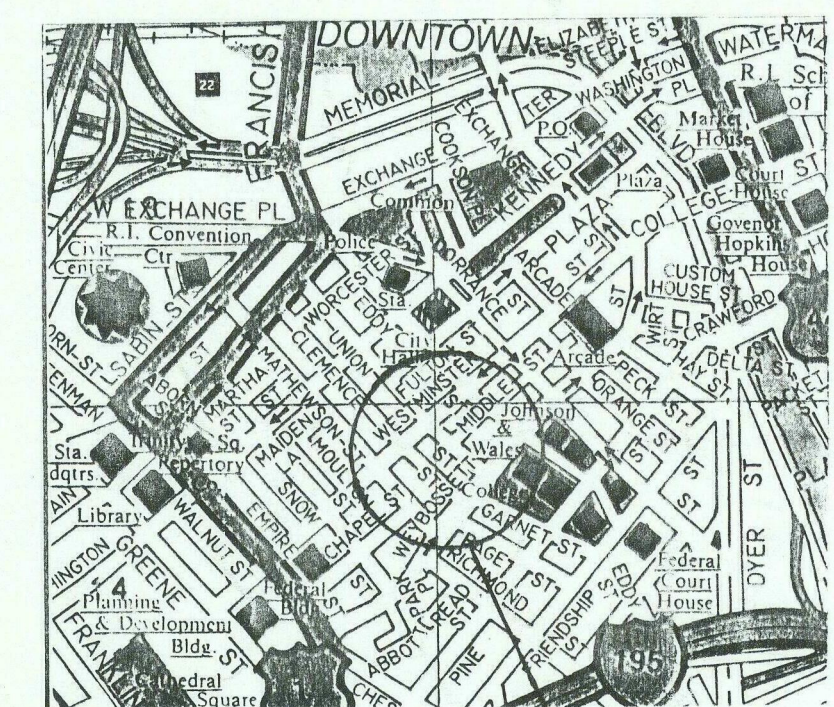


PROPOSED UNDERGROUND COAXIAL CABLE ROUTING PLAN

1" = 20'

NOTES:

- EXISTING UTILITIES AND STRUCTURES ARE SHOWN FROM BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES WITH DIG-SAFE.
- ALL TRAFFIC CONTROL DEVICES AND OPERATIONS MUST BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), 1988 EDITION WITH LATEST ADDENDA.
- ALL SIGNS AND MOUNTINGS SHALL CONFORM TO THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION'S STANDARD DETAILS AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, 1988 EDITION WITH LATEST ADDENDA.
- ALL SIGNS SHALL HAVE A BLACK LEGEND ON A RETROREFLECTIVE ORANGE BACKGROUND.
- ALL CONES SHALL BE 28" IN HEIGHT AND CONFORM TO THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION'S STANDARD DETAIL 26.6. CONE SPACING FOR TAPERS SHALL BE 20' O.C. ALL OTHER CONE SPACING SHALL BE 40' O.C..
- ALL WORK PERSONNEL SHALL WEAR RETROREFLECTIVE VESTS AT ALL TIMES.
- ALL WORK SHALL BE PERFORMED DURING THE DAYLIGHT HOURS OF 1/2 HOUR AFTER SUNRISE TO 1/2 HOUR BEFORE SUNSET.
- IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONTINUE TO PERFORM ALL WORK IN COMPLIANCE WITH THE TRAFFIC CONTROL REQUIREMENTS OF THE MUTCD AND THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION BEYOND THE LIMITS OF THE WORK ZONE SHOWN ON THIS PLAN.
- THE CONTRACTOR SHALL UTILIZE A MINIMUM OF 1 UNIFORMED LAW ENFORCEMENT OFFICER AT ALL TIMES TO DIRECT TRAFFIC.
- ALL SIGNS SHALL BE REMOVED WHEN THEY ARE NO LONGER APPLICABLE AND AT THE END OF EACH WORK DAY. THE CONTRACTOR SHALL ENSURE THAT ADEQUATE TIME IS ALLOWED AT THE END OF EACH DAY TO PERFORM THIS WORK DURING THE DAYLIGHT HOURS.



LOCUS MAP
N.T.S.

LEGEND

- Proposed Coaxial Cable
- Granite Curb/Street Line
- Light Pole
- Fire Hydrant
- Manhole
- Electric Vault
- Telephone Line
- Water Line
- Gas Line
- Electric Line
- Property Line
- Existing Building

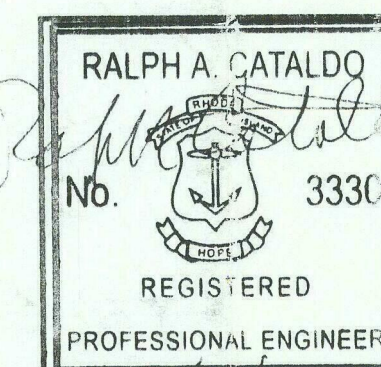
CONTACTS

COX COMMUNICATIONS
9 J.P. HIGHWAY
WEST WARWICK, RI
attn: JOHN SALAMONE
PHONE: (401) 821-1919 ext. 2317

CONTRACTOR

TELENETWORKS
24 QUAIL RUN
CRANSTON, RI
attn: GEORGE CANCEL
PHONE: (401) 641-7195

COX COMMUNICATIONS		PROJECT NO.: 3003-109	
9 J. P. HIGHWAY WEST WARWICK, RHODE ISLAND		DATE: NOVEMBER, 2001	
PROPOSED CABLE ROUTING PLAN AND DETAIL		SCALE: 1" = 20'	
236 WESTMINSTER STREET		DESIGNED: FLR	
PROVIDENCE RHODE ISLAND		DRAWN: FLR	
CATALDO ASSOCIATES		CHECKED: GS	
CIVIL ENGINEERS		SHEET NO. 1 OF 1	
ONE COMMERCE WAY JOHNSTON, RI 02819		NO. DATE REVISIONS	
(401) 458-5909 FAX: (401) 458-4117 cataldoeng@aol.com			



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IN CITY COUNCIL
JUN 5 2003
READ AND PASSED

PRES.

Michael B. Clement
CLERK

APPROVED

MAYOR

6/16/03

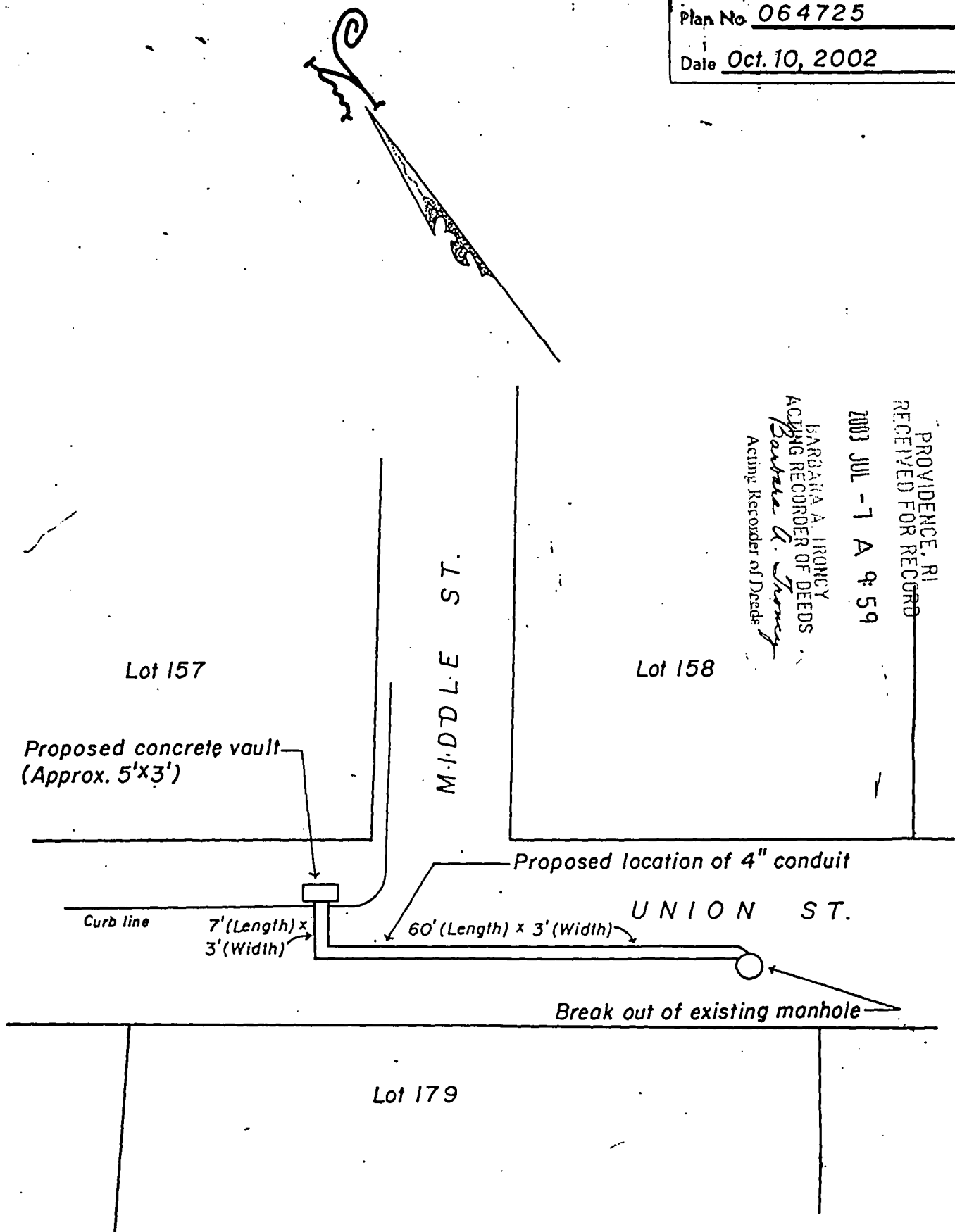
A true copy

Attest

Michael R. Clement
City Clerk

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064725
 Date Oct. 10, 2002

PROVIDENCE, R.I.
 RECEIVED FOR RECORD
 2003 JUL -7 A 9 59
 BARBARA A. IRONCY
 ACTING RECORDER OF DEEDS
Barbara A. Ironcy
 Acting Recorder of Deeds



NOTES: Plan showing proposed easement for
 underground conduit for Cox Communications
 Total square footage = 216'±

Lot numbers taken from A.P. 20.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed easement on Union St. for
 Cox Communications
 Drawn by A. Zisides Checked by _____
 Scale 1" = 20' Date 10-10-2002
 Correct James A. Morris Associate Engr.
 Approved Melvin Regan
 CHIEF ENGINEER

5884/228.231

PROVIDENCE, RI
RECEIVED FOR RECORD

2003 JUL -7 A 9:59

BARBARA A. TRUNCY
ACTING RECORDER OF DEEDS

5/05

