

RESOLUTION OF THE CITY COUNCIL

No. 513

Approved **NOVEMBER 26, 2007**

WHEREAS, The State of Rhode Island, acting through the Department of Administration's Division of State Purchasing, is seeking to sell certain property located on Public Street, described as Providence Tax Assessor's Plat 46, Lot 325, consisting of approximately .76 acres with approximately 210 linear feet of frontage on Public Street (the "Property"); and

WHEREAS, The State has determined that the Property is surplus, and acting through its Department of Administration's Division of Purchasing has solicited requests for proposals to purchase the Property; and

WHEREAS, The State will enter into a Purchase and Sales Agreement with the highest qualified bidder, to sell the Property pursuant to a Purchase and Sale Agreement (the "Purchase Agreement"); and

Whereas, Pursuant to R.I. General Laws §37-7-3, the State must offer the Property to the City for purchase under the same terms as contained in the Purchase Agreement, in as in condition, subject to an Environmental Land Use Restriction, with a requirement for a closing to occur on or before a date to be specified; and

WHEREAS, The Purchase Agreement will provide that the Purchase Agreement shall be terminated, null and void if the City exercises its rights to purchase the Property.

NOW, THEREFORE, BE IT RESOLVED, THAT

1. Having reviewed and considered the above-referenced terms of purchase, and the facts pertaining to the Property, including without limitation, the potential importance of the Property to the City for public uses and public purposes including, without limitation, the economic development potential benefiting the City from future use and development of the Property, the City Council hereby authorizes the Mayor to advise the State in writing, of the City's acceptance of the offer to purchase the Property pursuant to R.I. Gen. Laws §37-7-3.
2. For the foregoing reasons, the City Council hereby authorizes the purchase of the Property in accordance with the above-referenced terms, subject to modifications and adjustments thereto as may be agreed upon by the Mayor and subject to customary terms and conditions commonly pertaining to the acquisition of a property of this type.
3. The City of Providence of Providence is authorized to purchase the Property directly, and to hold, own and manage such Property, or to transfer the Property to the Providence Redevelopment Agency to hold, own, and manage such Property.

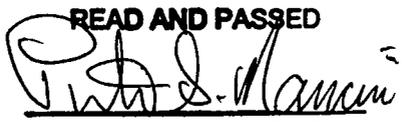
4. The City is also authorized to designate the Providence Redevelopment Agency as Agent of the City to acquire the Property directly and to hold, own, and manage such Property for the interest of the City and the Providence Redevelopment Agency and to declare the property tax exempt while under Providence Redevelopment Agency ownership.

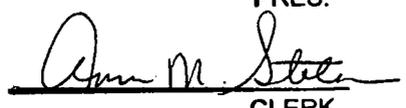
5. The City of Providence and/or the Providence Redevelopment Agency is hereby authorized to finance the acquisition of such Property in accordance with the applicable municipal requirements and on such terms as the Mayor of the Providence Redevelopment Agency, as the case may be, shall deem appropriate.

6. This Resolution shall take effect immediately upon passage.

IN CITY COUNCIL

READ AND PASSED


PRES.


CLERK

APPROVED


11/26/07
MAYOR

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 514

Approved NOVEMBER 26, 2007

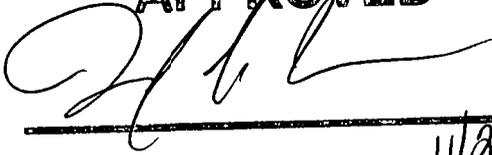
RESOLVED, That the Members of the Providence City Council hereby Authorize the transfer of the Providence Water Property/Dam to the Pawtuxet River Authority and Watershed Council to be used for environmental preservation and protection purposes.

IN CITY COUNCIL
NOV 15 2007
READ AND PASSED


PRES.


CLERK

APPROVED



11/26/07

MAYOR

Councilman Deluca and Councilman Solomon

ANDREW K. MOFFIT
Chairman

JOSEPH D. CATALDI
Vice Chairman

BRUCE T. MILLER
Ex-Officio

CARISSA R. RICHARD
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor

PAMELA M. MARCHAND, P.E.
Chief Engineer & General Manager

JOSEPH DE LUCA
City Councilman

MICHAEL A. SOLOMON
City Councilman

JOHN A. FARGNOLI
Member

EVERETT BIANCO
Member

November 2, 2007

Council President Peter S. Mancini
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Dear Council President Mancini:

The Providence Water Supply Board has approved the transfer of Providence Water property/dam to the Pawtuxet River Authority and Watershed Council to be used for environmental preservation and protection purposes.

City Council approval is needed before we can proceed further.

We are requesting that this matter be put on the docket for the November 15, 2007 meeting of the Providence City Council. I have attached a copy of the related Certificate of Secretary.

Please contact me at 521-6300 extension 7197 if you have any questions.

Respectfully,
PROVIDENCE WATER SUPPLY BOARD


Carissa Richard, Board Secretary

cc: Councilman J. DeLuca, Councilman M. Solomon, A. Stetson, P. Marchand, M. Russo,
M. Covellone, R. Blodgett

WWW.PROVWATER.COM

552 ACADEMY AVENUE ◊ PROVIDENCE, RHODE ISLAND ◊ 02908 ◊ (401) 521-6300 ◊ FAX (401) 331-5081 ◊ TDD (401) 751-0203

ANDREW K. MOFFIT
Chairman
JOSEPH D. CATALDI
Vice Chairman
ALEXANDER D. PRIGNANO
Ex-Officio
CARISSA R. RICHARD
Secretary
FERNANDO S. CUNHA, ESQ.
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DAVID N. CICILLINE
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PAMELA M. MARCHAND, P.E.
Chief Engineer & General Manager
JOSEPH DE LUCA
City Councilman
PATRICK K. BUTLER
City Councilman
ANNE T. QUINTERNO
Member
EVERETT BIANCO
Member

CERTIFICATE OF SECRETARY

I, Carissa R. Richard, do upon oath depose and say:

1. That I am the duly appointed Secretary of the Providence Water Supply Board (PWSB), an entity established by the Home Rule Charter of the City of Providence.
2. That at the regular monthly meeting of the PWSB held on Wednesday, March 15, 2006, the following was voted:

RESOLVED:

1. That the Pawtuxet River Authority and Watershed Council desires to reestablish a fish passage upstream of the dam owned by Providence Water, which is located adjacent to a 2,614 sq. ft. tract of Providence Water property located in the Pawtuxet Cove area of Warwick, along the west side of Post Road; and
2. That the transfer of this property and dam will benefit Providence Water and will result in future maintenance costs and associated liabilities being the responsibility of the Pawtuxet River Authority and Watershed Council; and
3. That the transfer of this property and dam is conditional upon agreement by the Pawtuxet River Authority and Watershed Council that the land/dam is used for environmental preservation and protection purposes; and
4. That the Board of Directors voted to authorize the transfer of ownership of the property described as Assessor's Plat 291, Lot 33 and adjacent dam located in the City of Warwick, to the Pawtuxet River Authority and Watershed Council, and authorize the Chief Engineer and General Manager to process the transfer through the City Council and City Properties Committee of the City of Providence, and further, authorize the necessary recordings.

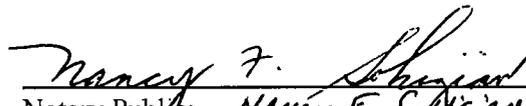
In Witness Whereof, I have set my hand and seal this 28th day of March, 2006.


Carissa R. Richard, Secretary
Providence Water Supply Board

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STATE OF RHODE ISLAND
PROVIDENCE, sc.

In Providence on the 28 day of March, 2006, there personally appeared before me the above-named, Carissa R. Richard, individually and in her capacity as Secretary of the Providence Water Supply Board, and she acknowledged the execution of this certificate to be her free act and deed and in her said capacity.


Notary Public: NANCY F. SOGHIAN
My Commission Expires: 6/10/07

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