

RESOLUTION OF THE CITY COUNCIL


No. 334

Approved October 12, 2022

RESOLVED, DECREED AND ORDERED:

Petitioner The Narragansett Electric Company, a domestic utility currently doing business as Rhode Island Energy, located at 280 Melrose Avenue in Providence, has requested an easement over, under, and across a portion of City-owned land at 50 Obediah Brown Road (Assessor's Plat 129 Lot 1), near Pleasant View Elementary School. The City Council hereby authorizes the Mayor to enter into the easement attached as Exhibit A.

IN CITY COUNCIL
OCT 6 2022
READ AND PASSED


JOHN J. IGLIZZ, PRESIDENT

Tina L. Mastrosianni
ACTING CLERK

I HEREBY APPROVE.



Mayor
Date: 10/12/22

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

The Narragansett Electric Company ("Narragansett" or the "Company") respectfully petitions the City Council to grant to Narragansett a permanent easement for an underground distribution system and padmounted transformer on Obediah Brown Road as explained in detail below.

The City of Providence is the owner of land located Obediah Brown Road in the City of Providence, designated as Lot 1, Providence Tax Assessor's Plat 129, being that lot or parcel of land conveyed to the City of Providence by deed from Anna M. Brown et al duly recorded with the Land Evidence Records of the City of Providence on May 14, 1928, in Book 707 at Page 382 ("City's Land"). The City's Pleasant View Elementary School is located on said City's Land.

The City of Providence has requested an increase in Pleasant View Elementary School's electrical service capacity. In order to meet this request, Narragansett Electric has agreed to install a new padmounted transformer together with a two-way duct bank containing primary cable to supply primary voltage to the new padmounted transformer ("distribution equipment") on the City's Land. For the benefit of the City of Providence and at the City's request, Narragansett is installing this distribution equipment on the City's Land to accommodate load growth for the Pleasant View Elementary School and for the sole purpose of providing electrical service to the Pleasant View Elementary School and the City's Land.

Wherefore, Narragansett respectfully requests that the City Council grant to Narragansett the permanent easement attached as Exhibit A for the installation of this distribution equipment.

Respectfully submitted,

THE NARRAGANSETT ELECTRIC
COMPANY



David J. Aho
Authorized Representative
The Narragansett Electric Company
280 Melrose Street, Providence, RI 02907
P: (781) 907-2274
David.aho@nationalgrid.com

April 26, 2022

City Clerk
Providence City Council
25 Dorrance Street
Providence, RI 02903

Re: Request for Easement – Pleasant View Elementary School

Dear City Clerk:

Downes Construction, the City of Providence and Providence Public School District (PPSD) have been working on the construction planning for multiple schools within the City of Providence. Downes Construction is the Owners Project Manager for the projects.

Pleasant View Elementary School requires an easement for the power company to access the property and install and maintain a new electrical service for the school renovations.

I am providing the following for consideration at the next City Council Meeting for approval:

- Petition for Easement.
- Grant of Easement for execution
- Petition for Easement Exhibit A – Map for easement area

Please contact me if you have any questions at 860-985-5139.

Sincerely,



Steven Smith
Downes Construction Co. LLC.

cc: file

GRANT OF EASEMENT

CITY OF PROVIDENCE, a Rhode Island municipal corporation with a usual place of business at 25 Dorrance Street, Providence, RI 02903 ("Grantor") for consideration paid, grants to THE NARRAGANSETT ELECTRIC COMPANY, a Rhode Island corporation having a principal place of business at 280 Melrose Street, Providence, Rhode Island 02907, ("Grantee"), its successors and assigns, with Quitclaim Covenants, a perpetual right and easement as described in Section 1 below ("Easement") in, under, through, over, across, and upon the Grantor's land, as described in Section 2 below ("Grantor's Land").

Section 1 – Description of Easement

The "Easement" granted by the Grantor to the Grantee consists of the perpetual right and easement:

- a) To install, construct, reconstruct, repair, replace, add to, maintain and operate an underground distribution system ("Distribution System") for the distribution of electric current to include a padmounted transformer, together with all the necessary wires, cables, conduits, transformers, handholes, pedestals, switches, anchors, guys, equipment, fixtures and appurtenances installed therein and attached thereto, in, under, through, over, across and upon the Grantor's land, as may from time to time be required for the purpose of supplying electric service to the Grantor's Land and the land of others adjoining the Grantor's Land;
- b) To clear and keep cleared from time to time the portions of the Grantor's Land wherein the Distribution System is located of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces as may in the opinion and judgment of the Grantee, its successors and assigns, interfere with the safe and proper operation of the Distribution System;
- c) To make such excavation or excavations as may be reasonable and necessary to construct, reconstruct, repair and remove the Distribution System. But the Grantee shall properly backfill any excavation and restore the surface of the Grantor's Land in as good condition as before the excavation was made; and
- d) To pass over and across the Grantor's Land as reasonable and necessary for all the purposes described in this Section.

Section 2 – Description of Grantor's Land

The "Grantor's Land" consists of land situated on the northerly side of Chalkstone Avenue in the City of Providence, County of Providence, State of Rhode Island, designated as Lot 1, Providence Tax Assessor's Map 129, being that certain tract or parcel of land conveyed to the Grantor by deed from Anna M. Brown et al, duly recorded with the Records of Land Evidence in Providence on May 14, 1928, in Book 707, Page 382.

RE30383485JX

Address of Grantee:
Narragansett El., 280 Melrose Street, Providence, RI 02907

After recording return to:
Christina Klein
National Grid USA
Service Company, Inc.
280 Melrose St.
Providence, RI 02907

49 PROVRI GEN 13232-002

Property Address: Obediah Brown Road, Providence, R.I.

Section 3 – Location of the Distribution System

The "Distribution System" shall extend underground in a general westerly direction from pole #6, which is located on the Grantor's Land on the easterly side of the northerly extension of Obediah Brown Road, to the proposed padmounted transformer, which is to be located within certain portions of the Grantor's Land, with an easement area around the padmounted transformer measuring fifteen (15) feet wide by fifteen (15) feet deep, as approximately shown on a sketch attached hereto as "Exhibit A" and recorded herewith, copies of which are in the possession of the Grantor and the Grantee herein. Final definitive locations of said "Distribution System" shall become established by the installation and erection thereof by the Grantee. Said Distribution System shall be located in a location on the Grantor's Land mutually satisfactory to the Grantor and to the Grantee and such location shall become established by and upon the installation thereof by the Grantee. The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of the Distribution System may not be changed or modified without the written consent of the Grantee, its successors and assigns, which consent may be withheld by the Grantee in its sole discretion.

Section 4 – Distribution System Ownership

It is agreed that the Distribution System shall remain the property of the Grantee, its successors and assigns, and that the Grantee, its successors and assigns shall pay all taxes assessed thereon.

IN WITNESS WHEREOF, CITY OF PROVIDENCE has caused these presents to be signed by its proper officer for that purpose duly authorized this ____ day of _____, 2021.

In the presence of:

CITY OF PROVIDENCE

By: Jorge O. Elorza
Its: Mayor

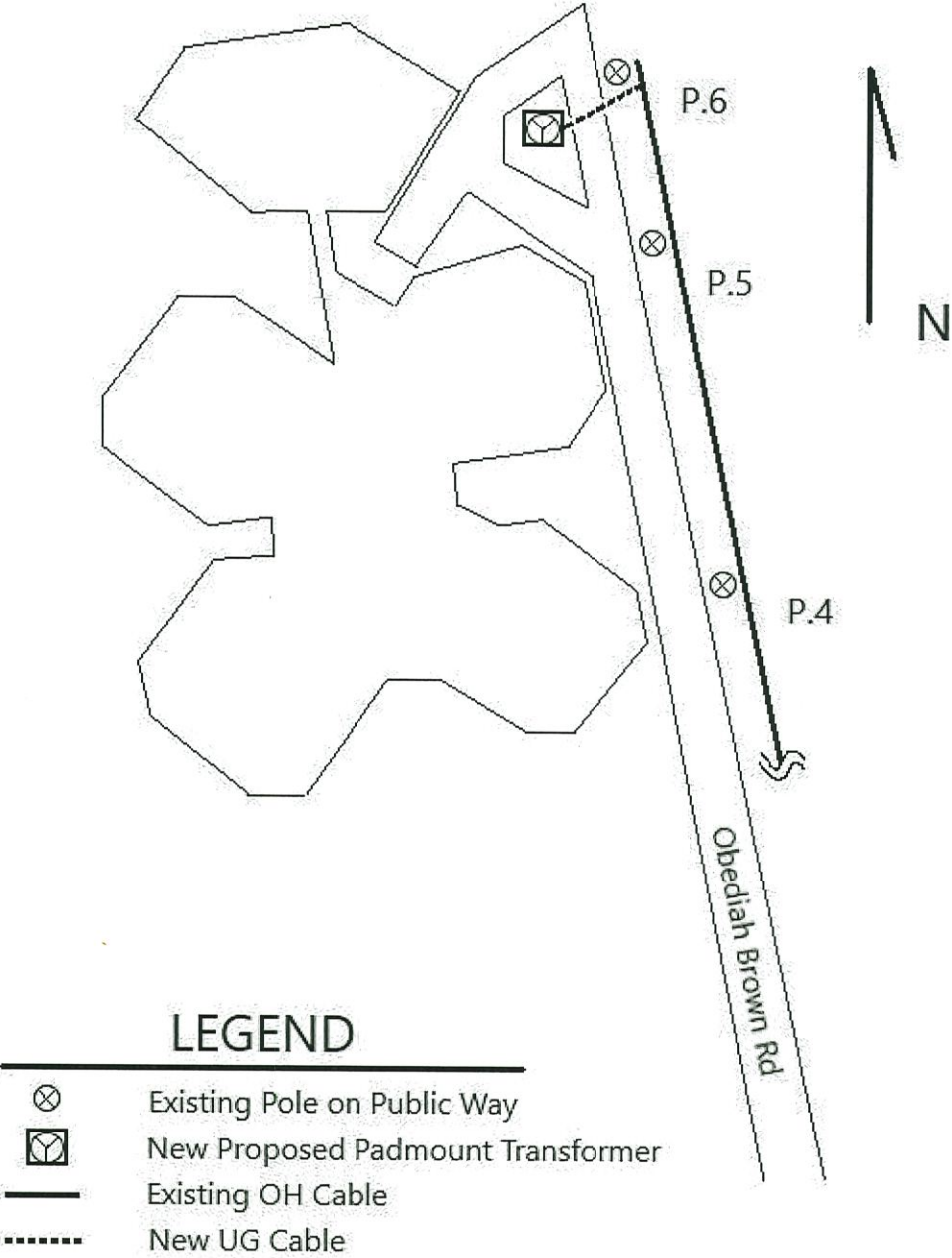
STATE OF _____
COUNTY OF _____

In _____ in said County on the ____ day of _____, 2021, before me personally appeared the above-named Jorge O. Elorza, Mayor of CITY OF PROVIDENCE, to me known and known by me to be the party executing the foregoing instrument, and he/she/they acknowledged said instrument, by him/her/them executed, to be his/her/their free act and deed, individually and in said capacity, and the free act and deed of CITY OF PROVIDENCE.

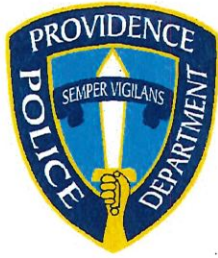
Notary Public
Printed Name: _____
My Commission expires: _____

Exhibit A – Not to Scale

The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.



ELECTRIC DISTRIBUTION EASEMENT				
LEGEND		nationalgrid		
See Above Sketch				
		Owner(s): Providence School Dept	Address: 50 Obediah Brown Road Providence, RI	
Date: 7/6/2021 Drawn By:		Sketch to Accompany Easement for: WR 30383485		
DRAWING NOT TO SCALE. DISTANCES ARE APPROXIMATE.				



PROVIDENCE POLICE DEPARTMENT
Patrol Bureau
325 Washington St., Providence, RI 02903

May 18, 2022

To: Sheri A. Petronio, City of Providence First Deputy City Clerk
From: Cpt Luis F. San Lucas, Traffic Bureau Commanding Officer
Subject: Petition to the City Council for granting of Permanent Easement underground distribution system and padmounted transformer Obediah Brown Rd

Sir,

After reviewing the petition for granting of permanent easement for an underground distribution system and padmounted transformer on Obediah Brown Road at Assessor's Plat 129, Lot 1 (Pleasant View Elementary School), dated May 12, 2022. The Providence Police Department has no objection to the request.

Respectfully Submitted

Luis F. San Lucas
/////original signed/////

Leo J. Perrotta
Director



Jorge O. Elorza
Mayor

DEPARTMENT OF PUBLIC WORKS
"Building Pride in Providence"

June 10, 2022

Councilman Michael Correia
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Petition for a Permanent Easement for underground distribution system and padmounted transformer on Obediah Brown Road

Dear Chairman Correia:

This department has no objection to the petition for a permanent easement on that portion of Obediah Brown Road as that portion of Obediah Brown Road was never accepted as a public right of way and is part of the Pleasant View Elementary School property (see attached). As such, the matter should be referred to the Public Properties Department of the City.

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

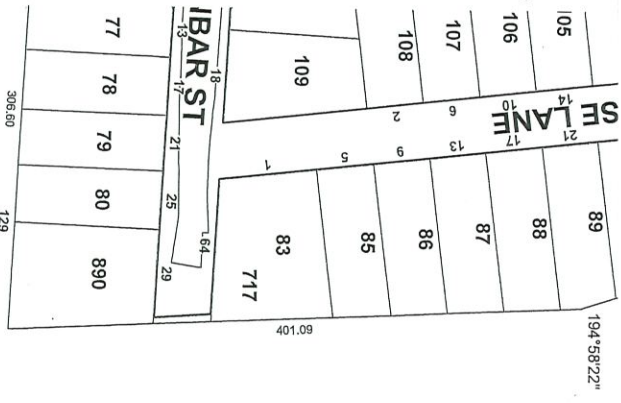
Very truly yours,

A blue ink signature of Leo J. Perrotta, consisting of stylized initials and a long horizontal stroke.

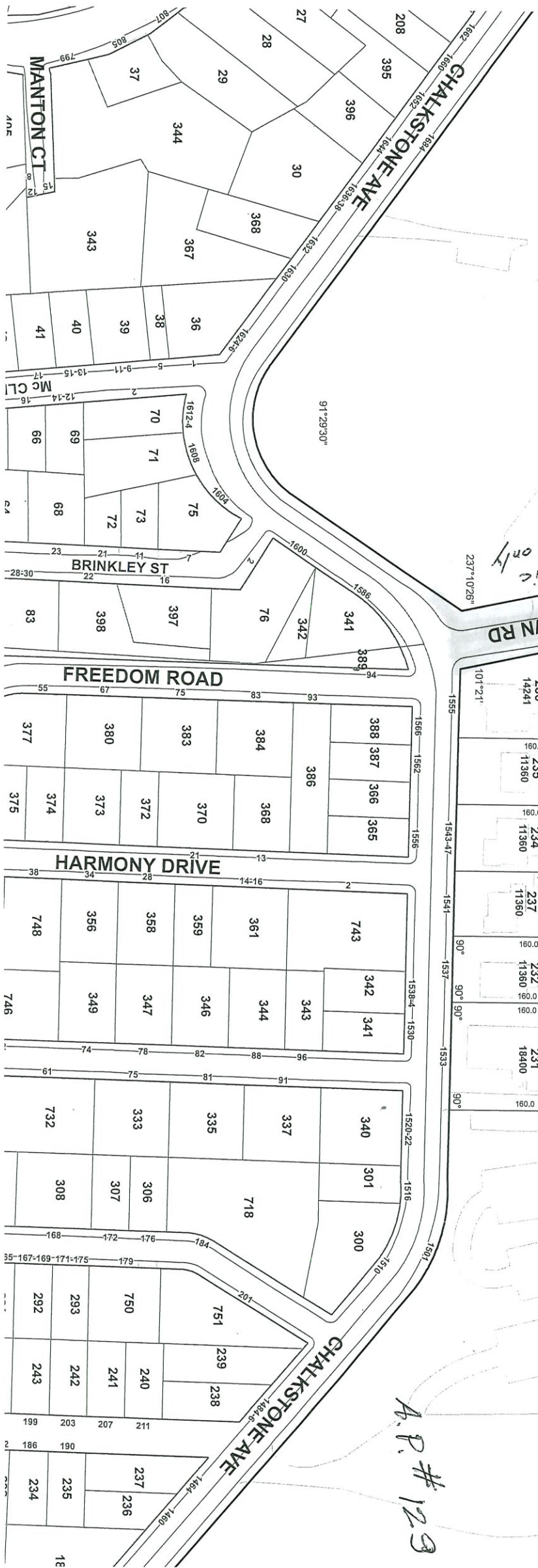
Leo J. Perrotta
Director of Public Works

Cc: Sheri Petronio- First Deputy Clerk

700 Allens Avenue Providence, Rhode Island 02905
Phone 401-467-7950/Fax 401-941-2567
www.providenceri.com/dpw



Portion of public
right of way only



A.P. # 123

Petronio, Sheri

From: Khun, Phirom
Sent: Tuesday, May 31, 2022 11:38 AM
To: Petronio, Sheri
Cc: Nilsson, Wendy
Subject: No neighboring parks impact

Hi Sheri,
There are no neighboring parks impacted by the following projects:

- 99 Taft Avenue, Providence, RI (easement to install bollards)
- Pleasant View Elementary School, Providence, RI (permanent easement for underground distribution system)
- 60 Camden Ave, Providence, RI (permanent easement for an electric distribution system)
- 27 Penelope Pl, Providence, RI (abandonment a portion of Penelope Pl)

Thank you!



Phirom Khun
Supervisor of Project Planning
Parks Department
Dalrymple Boathouse
Roger Williams Park
1000 Elmwood Avenue
Providence, RI 02905
pkhun@providenceri.gov
(401) 680-7225 - Office
(401) 996-4219 - Mobile
Call to Connect | [PVD311](https://www.providence-ri.gov/311)

Janesse Muscatelli
Tax Assessor



Jorge O. Elorza
Mayor

PROVIDENCE A CITY THAT WORKS

**Finance Department
Office of Tax Assessment**

May 25, 2022

Department of the City Clerk
Sheri A. Petronio, First Deputy City Clerk
25 Dorrance St.
Providence, RI 02903

Re: Proposed easement Obediah Brown Road

Dear Ms. Petronio,

The information submitted for the proposed easement is located at Plat 129 Lot 1, where the current electrical connections and transformers are located. Since there appears to be no change with the exception of the formalization of the easement, we would recommend that no value be assigned. If you need further assistance, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janesse Muscatelli".

Janesse Muscatelli
Tax Assessor

City of Providence Assessor's Office • City Hall, Room 208
25 Dorrance St • Providence RI 02903 • (401) 680-5229
providenceri.com/assessor



June 29, 2022

City of Providence
Office of the City Clerk
Tina L. Mastroianni, Acting City Clerk
25 Dorrance St
Providence, RI 02903

VIA email c/o S. Petronio (spetronio@providenceri.gov) and US Mail

Re: Petition dated May 12, 2022 for a permanent easement from City of Providence to The Narragansett Electric Company for an underground distribution system @ Obediah Brown Rd in Providence RI

Dear City Clerk:

Please be advised that The Narragansett Electric Company has no objections to the above-mentioned easement.

Please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joyce Xifaras", written over a blue circular stamp.

Joyce Xifaras
Right of Way Agent | RI Property Services
280 Melrose Street, Providence, RI 02907
(O): 401.784.7513 | (M): 774.991.9603
JXifaras@RIEnergy.com



Enclosures: letter

Cc (via email): M. O'Malley (RI Energy); S. Smith and J. Desanti (Downes Construction);



44 Old Townhouse Rd
ATTN: Daryl Crossman – ROW Manager
South Yarmouth, MA 02664

June 13, 2022

City of Providence
Office of the First Deputy City Clerk
Attn: Sheri A. Petronio
25 Dorrance Street
Providence, Rhode Island 02903

ATTN: Sheri A. Petronio, First Deputy City Clerk

RE: REQUEST A PERMANENT EASEMENT FOR A PORTION OF OBEDIAH BROWN ROAD

Dear Ms. Petronio,

Upon investigation it has been determined that Verizon presently has aerial facilities at the intersection Street, at the section identified for an Easement request to be granted.

These facilities include a pole with cables and wires that provides service to the surrounding area.

Verizon will not object to the granting of said Easement, provided that in the event the Easement is granted, the requestor will convey an Agreement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the requestor that telephone facilities are to be relocated, the requestor will assume all costs of the relocation.

Sincerely,

A handwritten signature in black ink that reads "Daryl Crossman".

Verizon New England Inc.
Attn: Daryl Crossman - ROW
44 Old Townhouse Rd
South Yarmouth, MA 02664

(508) 398-5754 – South Yarmouth Office
daryl.crossman@verizon.com - Email

The Narragansett Bay Commission
Interceptor Maintenance
One Service Road
Providence, Rhode Island 02905

401 • 461 • 8848
401 • 461 • 6551 FAX

<http://www.narrabay.com>



Vincent J. Mesolella
Chairman

Laurie A. Horridge
Executive Director

MEMORANDUM
from the Interceptor Maintenance Section

DATE: May 18, 2022

TO: Sheri A Petronio
First Deputy City Clerk

FROM: Pat Chiellini

RE: Permanent Easement
Obediah Brown Rd Providence RI

I have received the petition dated May 12, 2022 along with attachments pertaining to the request to abandon a portion of Obediah Brown Rd in Providence RI.

The Narragansett Bay Commission has no facilities within in this area designated. Therefore, we have no objections to the easement of the requested portion of Bay St, Providence as depicted in the request.

Patricia Chiellini Asset Management Specialist
Narragansett Bay Commission
1 Service Road
Providence, RI 02905
pchiellini@narrabay.com
401-572-3041
401-461-8848 ext. 304
401-461-6551 fax