

RESOLUTION OF THE CITY COUNCIL

No. 555

Approved November 8, 2004

NOV 11 2004
CITY COUNCIL
CLERK

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant an easement on the sidewalk area of Eddy Street between Georgia Avenue and Carolina Avenue in the City of Providence to Stand Corporation, d/b/a Casey Family Services (CFS). Said easement shall be granted specifically upon the following provisions:

1. Said easement shall be utilized only for the installation and maintenance of a planting beds to beautify the entrance to the property at 1268 Eddy Street (AP 58, Lot 815). Said easement shall not exceed the area of two hundred eight square feet, plus or minus, with dimensions of one foot, ten inches by a total of one hundred nine feet, four inches in four separate beds, indicated 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 by CFS 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. CFS 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.

5. CFS shall supply the City of Providence with an insurance policy naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

6. In the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easement granted herein, upon the ninety (90) days notice, CFS shall, at its own expense, and without claim against the City, its officers, servants or employees, for any damages whatsoever, remove said improvements to the easement area.

7. The City explicitly waives any fee for this easement, which is designed for the beautification of the City and revitalization of the community.

IN CITY COUNCIL
APR 3 2003
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement
CLERK
ams

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution

Ann M. [Signature]
10-4-04 Clerk

8. 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.

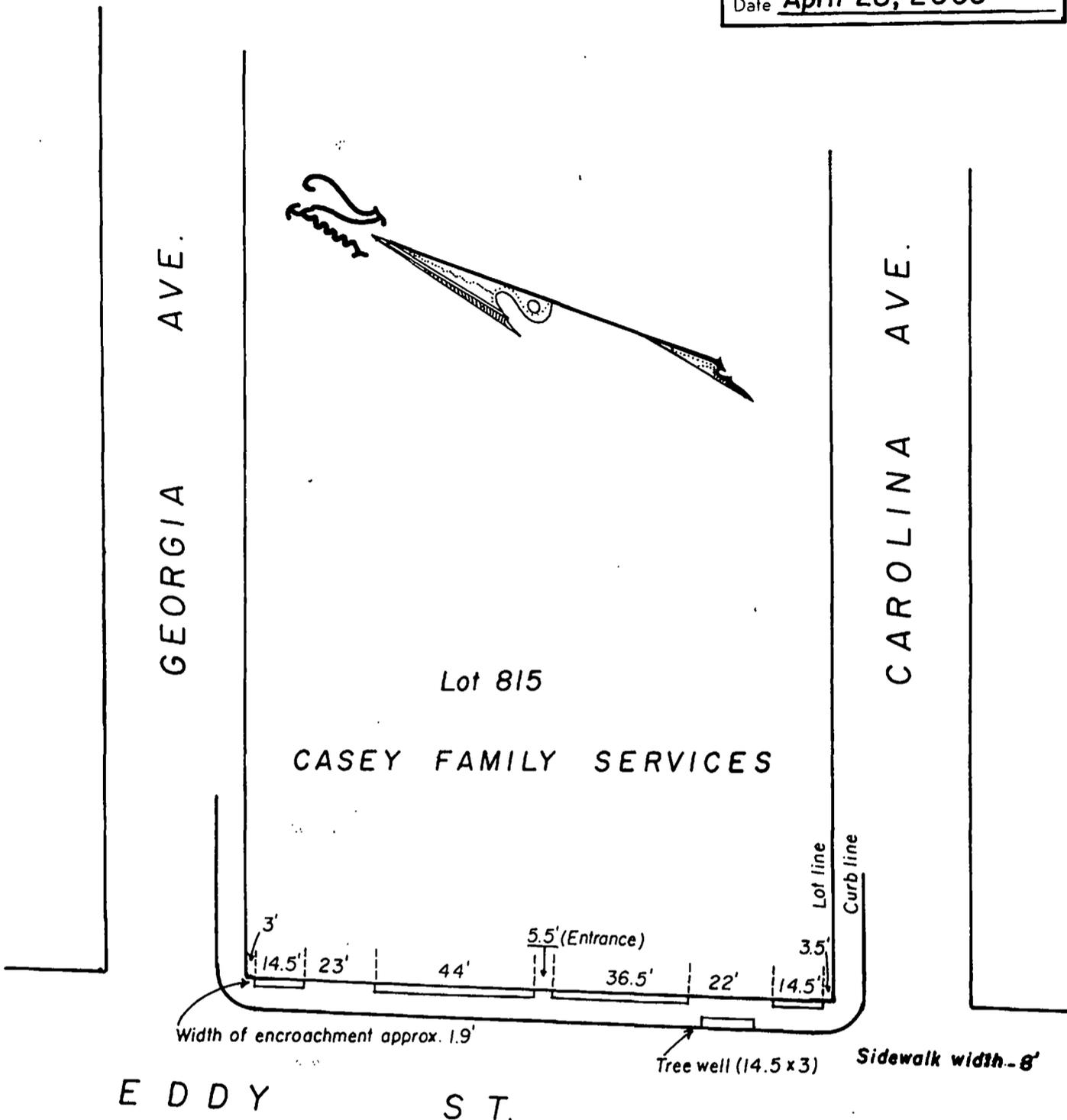
IN CITY COUNCIL
NOV 4 2004
READ AND PASSED

Joseph P. DeLuca
ACTING PRES.
Richard S. Clement
CLERK

APPROVED

[Signature] 11/8/04
MAYOR

PROVIDENCE, R. I.
 P. W. DEPT. • ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No 064740
 Date April 28, 2003



NOTES: Plan showing proposed easement for a planting bed at 1268 Eddy St.
 All measurements are approximate.
 Total square footage = 208'±

Lot number taken from A.P. 58.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed easement on Eddy St.
 Drawn by A. Zisiades Checked by JLC
 Scale 1" = 40' Date 4-28-2003
 Corrected by James A. Morice Associate Engr
 Approved Mark Regalini 5-2-03
 CHIEF ENGINEER

JAMES F. RATTIGAN
CHIEF OF DEPARTMENT



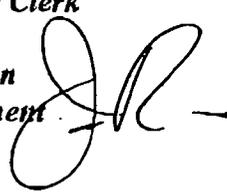
DAVID N. CICILLINE
MAYOR

Department of Public Safety, Fire Department

"Building Pride in Providence"

MEMORANDUM
Via Facsimile

TO: *Office of the City Clerk*

FROM: *James F. Rattigan*
Chief of Department 

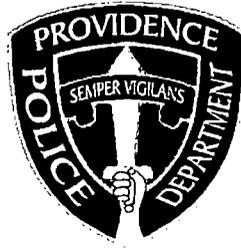
DATE: *April 28, 2003*

SUBJECT: *PETITION TO CITY COUNCIL*

This office is in receipt of the Memorandum to the City Clerk relative to a petition from Scott P. Bodell, Project Manager, Casey Family Services, requesting an easement for the planting bed located at 1268 Eddy Street.

Please be advised this Department has no objection to this petition.

jfr/rh



PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU
Sergeant Steven G. Woodruff, Commanding

To: Col. Dean M., Esserman, Chief of Police via
Maj. P. Fitzgerald, Uniform Division, Commanding
From: Sgt. S. Woodruff, Traffic Bureau
Subject: Easement for 1268 Eddy Street

I have reviewed the enclosed documents. The width of the sidewalk is of concern to me from the aspect of pedestrian safety. The proposed easement would narrow the width of the sidewalk to six (6) feet, two (2) inches. Eddy Street is heavily traveled and there is a large pedestrian flow.

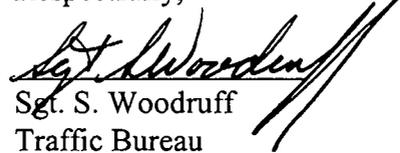
Because of my concern I contacted the Cities Highway Department and talked with one of their engineers. I was informed that they have rejected a Certificate of Occupancy on this basis. The proposed changes already exist.

I would caution the narrowing of this sidewalk.

2/11
NOTED

JME

Respectfully,


Sgt. S. Woodruff
Traffic Bureau

MAKRAM H. MEGALLI, P.E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works

"Building Pride in Providence"

Anna
5/7/03

Hon. Terrence M. Hassett
Chairman of the Public Works Committee
Providence City Council -- City Hall
Providence, R.I. 02903

Dear Councilman Hassett:

RE: Petition from Scott P. Bodell, Project Manager - Casey Family Services
Requesting Easement for Planting Bed Located at 1268 Eddy Street

This Department has an objection to the proposed Easement at 1268 Eddy St.
in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. - Engineering
Office, Street Line Section, Plan No. 064740 Date: 4/28/03, as noted above.

Proposed easement/encroachment area is shown on the accompanying plan, as noted. Width of encroachment onto the pedestrian right-of-way is approx. 1.9 ft. Sidewalk width fronting 1260 Eddy St. is 8 ft. There is a treewell 14.5 ft. x 3 ft. at the southeasterly corner of said property further limiting passage of the pedestrian right-of-way. Therefore, said encroaching planter (which is already built in place prior to the approval of easement) should be removed and reconstructed entirely within private property at said location, thus retaining access to the handicapped, to baby carriages, etc. within the entire right-of-way. Lot numbers for this plan were taken from A.P. 58. Total Sq. Footage is 208'±.

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

Very truly yours,

Makram Megalli
Makram H. Megalli, P.E.
Director

CC: M. Clement
A. Southgate, Esq.
T. Deller
G. Florio
S.Z.
JLC

CITY OF PROVIDENCE

DEPARTMENT OF PUBLIC WORKS

INTERDEPARTMENTAL MEMORANDUM

Janice / Jim

Have the easement
plan prepared.

TO: M. A. Negalli, P.E. Dir.-D.

FROM: JLE - Assoc Eng.

DATE: 4-23-13

SUBJECT: Casey Family Services
Planting Gas Easement Request
1208 Teddy St.

Have the written
recommendation indicate
denial and instruction
for them to relocate
mark

There is no reason why they could
not have build the entire planting bed
w/ in their prop; however, it was
already build in place prior to their
request for a C.O.

When we took measurements, it was
revealed that said planter was encroaching
on Swalk approx 2.5 ft. The former director
of DPW requested that planter be dismantled
& pushed back onto their prop. The next
thing we knew, they applied for an Easement.

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 21, 2003
TO: Makrim H. Megalli, Director of Public Works
SUBJECT: PUBLIC WORKS COMMITTEE
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical.

**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**

Tania/Jim
Is there any
~~any~~ physical
reason why
they can't have
the whole planting
within their property

Handwritten signature of Anna M. Stetson.

Second Deputy City Clerk

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

Rita Williams
City Hall
Council room 310
25 Dorrance Street
Providence, RI 02903

RE: Casey Family Services
1268 Eddy Street
Providence, RI 02904

Dear Rita,

Stand Corporation would like to request an easement for the planting bed located at 1268 Eddy Street.

We have attached two legal sized drawings showing the planting bed locations requiring the easement.

The drawings are as follows:

Drawing C1 is the locus of the entire property.

Drawing C2 is an enlargement of the planting bed area.

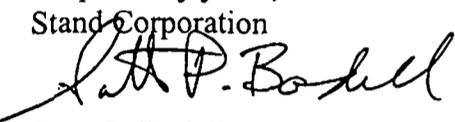
John Campanini of the Providence Parks Department and Stand Corporation has met on several occasions in regards to the planting bed that is currently installed.

The Easement is for a 1'-10" increase to the planting bed width, this will reduce the sidewalk width from 8'-0" to its current width of 6'-2".

The increased width of the planting bed is needed to allow for trees to be planted for the revitalization of the community.

If you have any questions or concerns with this request please do not hesitate to call us at 401-737-8420, fax us 401-732-3710 or you can mail us at Stand Corporation P.O. Box 7346 Warwick, RI 02888.

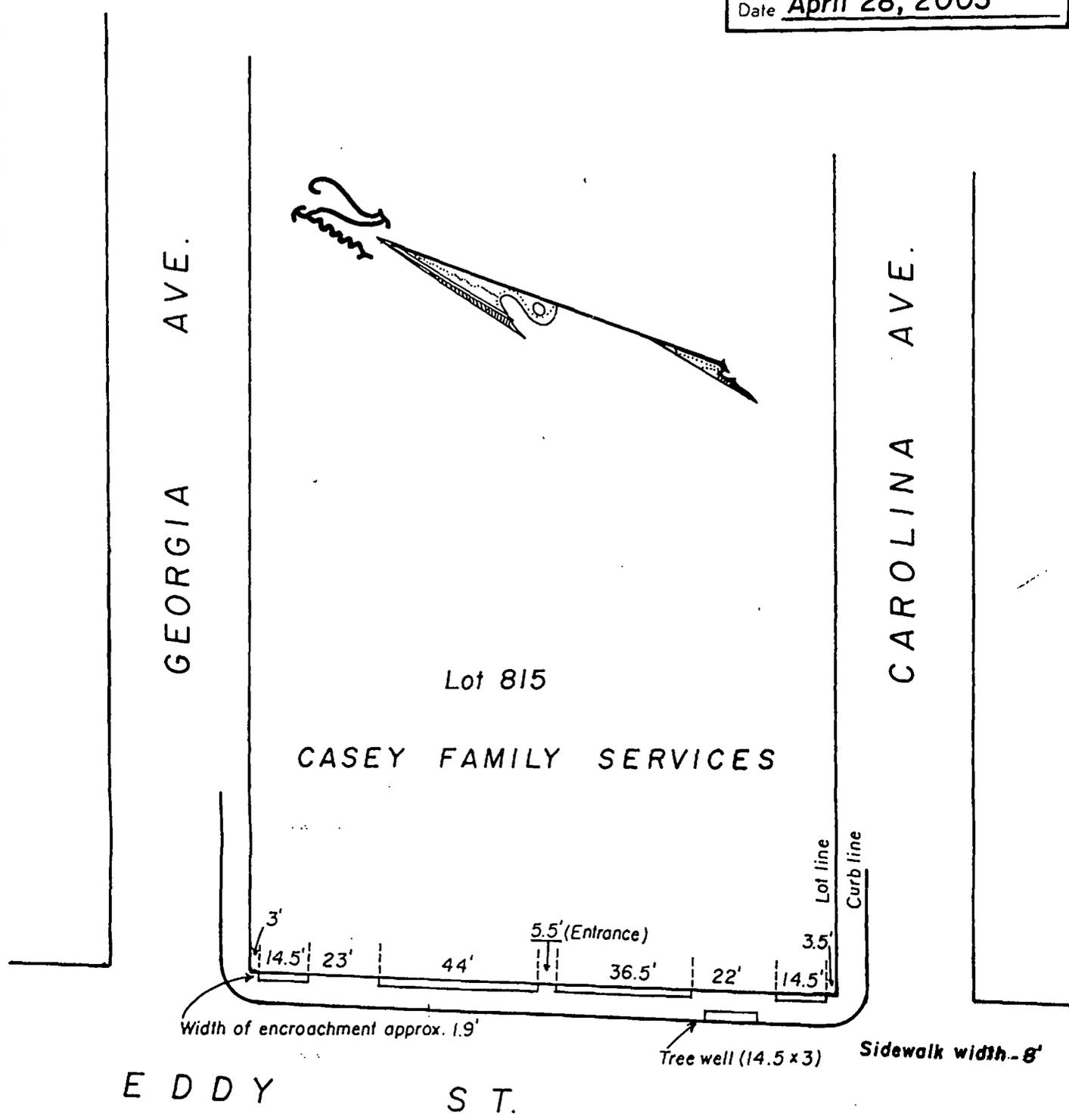
Respectfully yours,
Stand Corporation


Scott P. Bodell
Project Manager

*Rejected
by Public Works
for Ped-Safety*

03 JUN 37 PM 4:41
RECEIVED
OFFICE OF THE CHIEF
PROVIDENCE POLICE

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064740
 Date April 28, 2003



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CITY OF PROVIDENCE, R. I.
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 Drawn by A. Zisiades Checked by JLC
 Scale 1" = 40' Date 4-28-2003
 Corrected by James R. Marini Associate Engr
 Approved Mark Magallon 5-2-03
 CHIEF ENGINEER

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 3, 2003

TO: Dean Esserman, Police Department

SUBJECT: **PUBLIC WORKS COMMITTEE**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical.

SECOND NOTICE

**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**

Sgt Steve Wood Ruff

Mj. Fitzgerald
to assign
& respond

to

Anna M. Stetson
Second Deputy City Clerk

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

RECEIVED TO COMMISSIONER
FIRST READING
CITY OF PROVIDENCE
MAY 12 1994

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Rita Williams
City Hall
Council room 310
25 Dorrance Street
Providence, RI 02903

RE: Casey Family Services
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Providence, RI 02904

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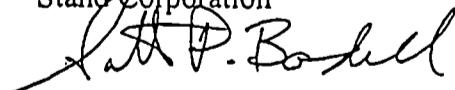
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Respectfully yours,
Stand Corporation



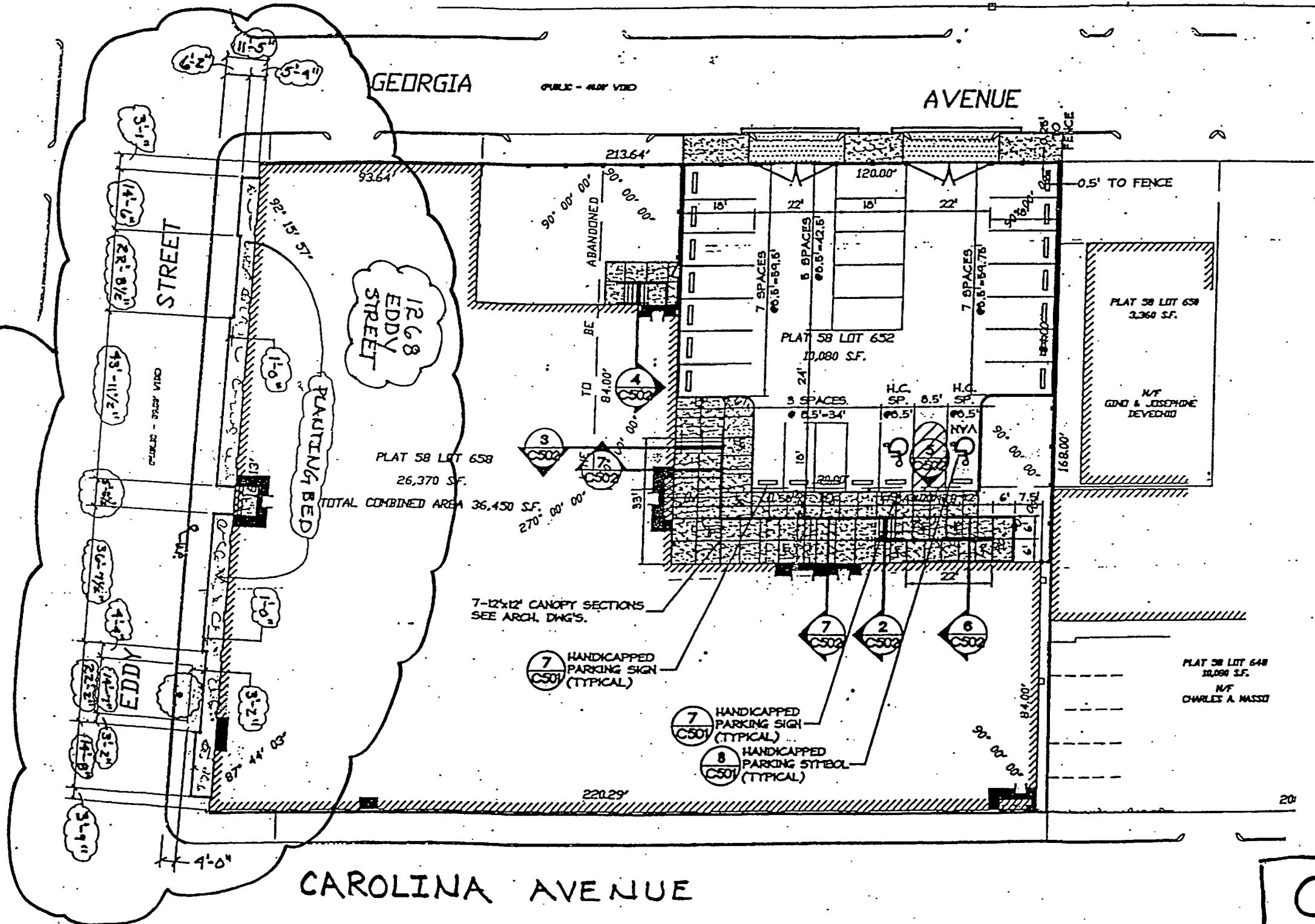
Scott P. Bodell
Project Manager

GEORGIA

PUBLIC - AIR VISO

AVENUE

SEE SHEET C2 FOR CLARIFICATION



C1

GEORGIA AVE

CAROLINA AVE

1268
EDDY
STREET

PLAT 58 LOT 658
26,370 S.F.
TOTAL COMBINED AREA 36,450

7-12
SEE

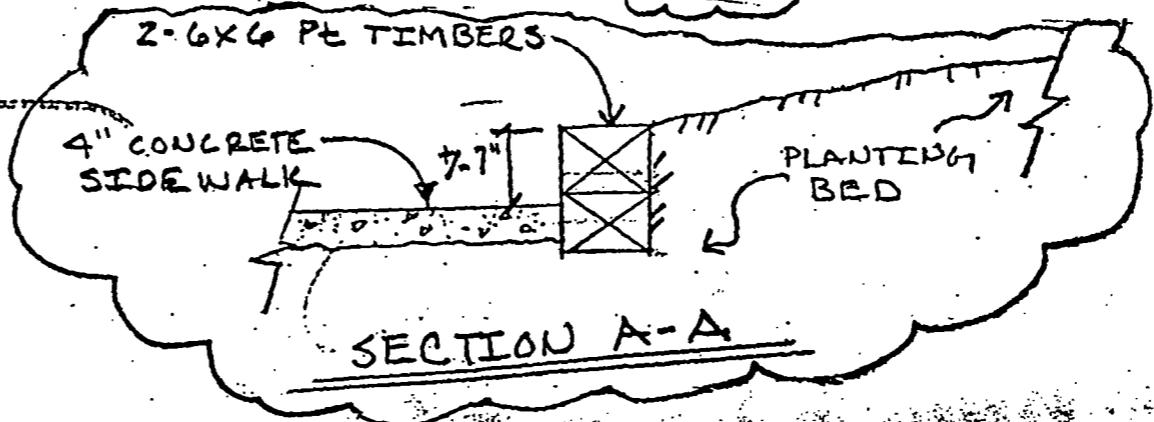


STREET

PUBLIC - 89.50' WIDE

EDDY

- 3'-1"
- 14'-6"
- 22'-8 1/2"
- 43'-11 1/2"
- 5'-8 1/2"
- 36'-7 1/2"
- 4'-4"
- 14'-7"
- 22'-2"
- 3'-2"
- 14'-8"
- 3'-9"



C2

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 21, 2003

TO: Makrim H. Megalli, Director of Public Works

SUBJECT: **PUBLIC WORKS COMMITTEE**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**

A handwritten signature in cursive script, appearing to read "Anna M. Stetson".

Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 21, 2003
TO: Chief Dean Esserman, Police Department
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**

Second Deputy 
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 21, 2003
TO: Chief James Rattigan, Chief of Fire
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**


Second Deputy City Clerk



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 24, 2003

TO: John Gelati, Acting City Assessor

SUBJECT: **PUBLIC WORKS COMMITTEE**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

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**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**

Handwritten signature of Anna M. Stetson in cursive.

Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 3, 2003
TO: John Gelati, Acting City Assessor
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical.

SECOND NOTICE

**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**


Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 3, 2003

TO: Dean Esserman, Police Department

SUBJECT: **PUBLIC WORKS COMMITTEE**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical.

SECOND NOTICE

**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**

A handwritten signature in cursive script that reads "Anna M. Stetson".

Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 8, 2004
TO: John Gelati, Acting City Assessor
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back to this office as soon as practical.

**PETITION FROM SCOTT P. BODELL,
PROJECT MANAGER, CASEY FAMILY
SERVICES, REQUESTING AN EASEMENT
FOR THE PLANTING BED LOCATED AT
1268 EDDY STREET.**

A handwritten signature in cursive script that reads "Anna M. Stetson".

SECOND DEPUTY City Clerk



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

October 2, 2004

Mr. John Gelati
Acting City Tax Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Sidewalk Easement - 1268 Eddy Street

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located at 1268 Eddy Street, Providence (Assessors Plat 58, Lot 815). The purpose of our analysis was to determine the fair market value of the easement in the sidewalk for a series of flower boxes requested by Casey Family Services. The subject area is located in the Washington Park neighborhood.

Specifically, the proposed easement runs along the sidewalk from Carolina Avenue to Georgia Avenue along the front of the subject property at Lot 815, a/k/a 1268 Eddy Street. The easement is 1.10 feet by 109 feet for a total of 208 square feet along the inside edge of the sidewalk. The City's Department of Public Works has no objection to this request. However, they will require a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value of the requested easement. The petitioner will gain use of the public right-of-way, a City sidewalk, to further enhance the commercial viability of their property. The easement area is zoned M-1 Industrial, but the highest and best use of this portion of Eddy street is commercial.

ANDOLFO APPRAISAL ASSOCIATES, INC.

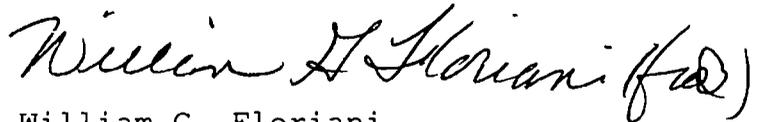
Mr. John Gelati
Page 2
October 2, 2004

Based on an analysis of comparable sales as contained within the offices of Andolfo Appraisal Associates, Inc., as well as reviewing the most recent tax assessment revaluations, a value of \$10.00 per square foot is hereby estimated for this site. This value, however, must be reduced by 75% due to fact that the City is not giving up its full fee title to the property.

Therefore, 208 square feet x \$10.00 per square foot = \$2,080
x .25 = \$520.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
General Appraiser

WFG:TSA/fad