

**THE CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

**No. 555**

**Approved** November 8, 2004

CITY COUNCIL  
TO COMMITTEE ON  
PLANNING  
NOV 11 2004  
CITY 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.

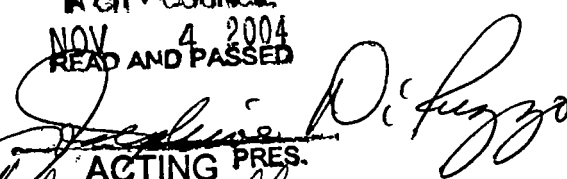
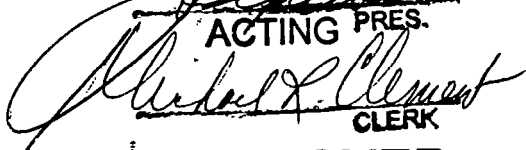
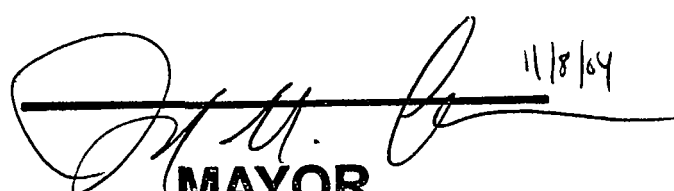
6. In the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easement granted herein, upon the ninety (90) days notice, CFS shall, at its own expense, and without claim against the City, its officers, servants or employees, for any damages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

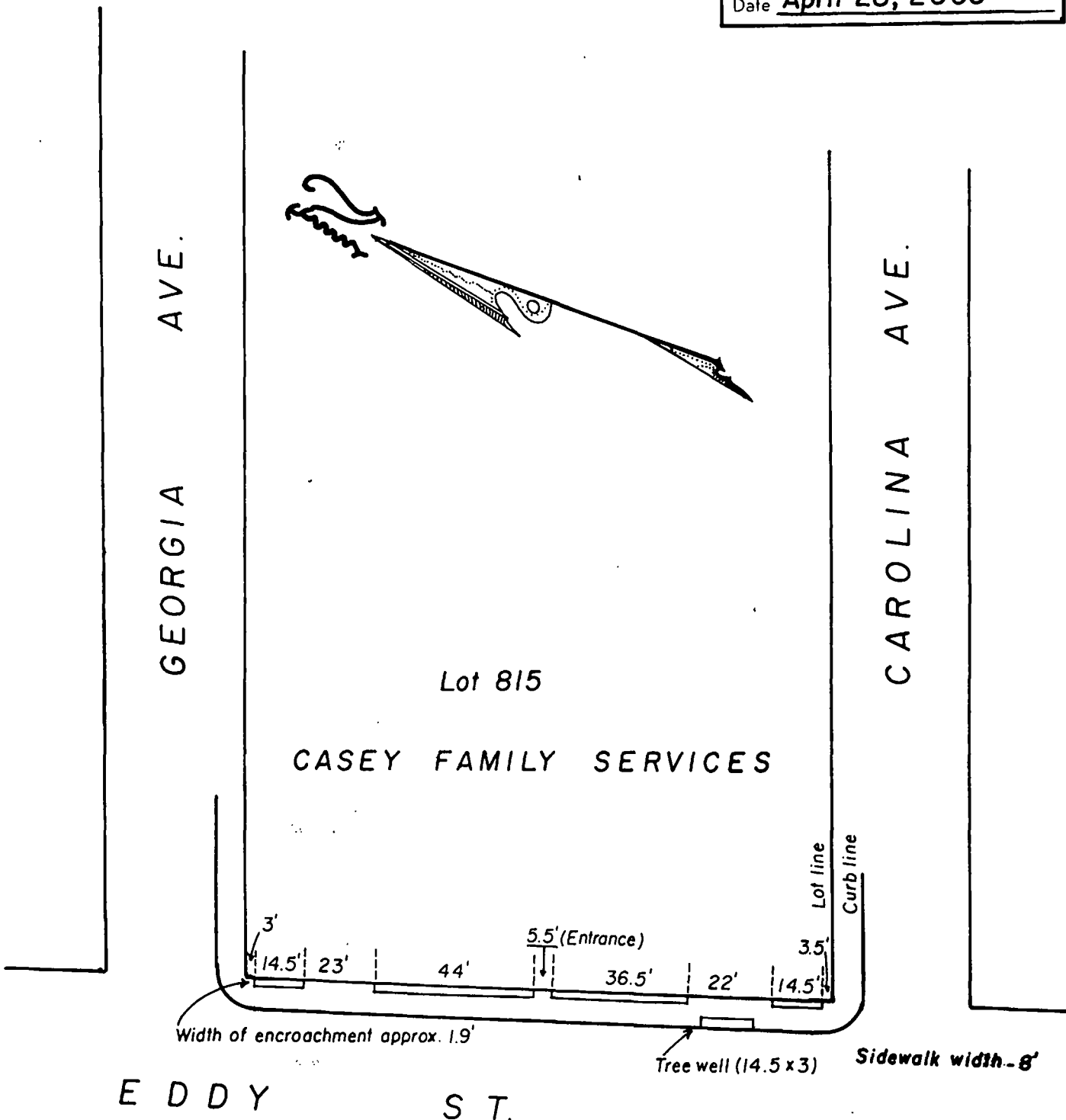
IN CITY COUNCIL  
APR 3 2003  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
Michael R. Clement  
CLERK  
Cms

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
Ann M. Stein  
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  
  
ACTING PRES.  
  
CLERK  
**APPROVED**  
 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 James A. Morier Associate Engr  
 Approved Mohamed Elmaghrabi 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*

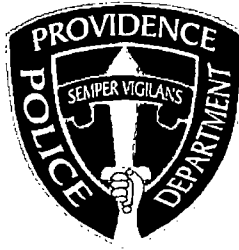
**DATE:** *April 28, 2003*

**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

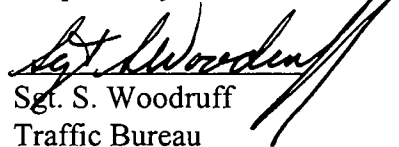
I have reviewed the enclosed documents. The width of the sidewalk is of concern to me from the aspect of pedestrian safety. The proposed easement would narrow the width of the sidewalk to six (6) feet, two (2) inches. Eddy Street is heavily traveled and there is a large pedestrian flow.

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"

*Handwritten signature and date: 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,

*Handwritten signature of Makram H. 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. H. Megall, P.E. Dir.-D.

FROM: JLE - Asst. Eng.

DATE: 4-23-13

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

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

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

When we took measurements, it was  
revealed that said planter was encroaching  
on Sidwalk 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  
~~reason~~ physical  
reason why  
they can't have  
the whole planting  
within their property

  
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 and 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

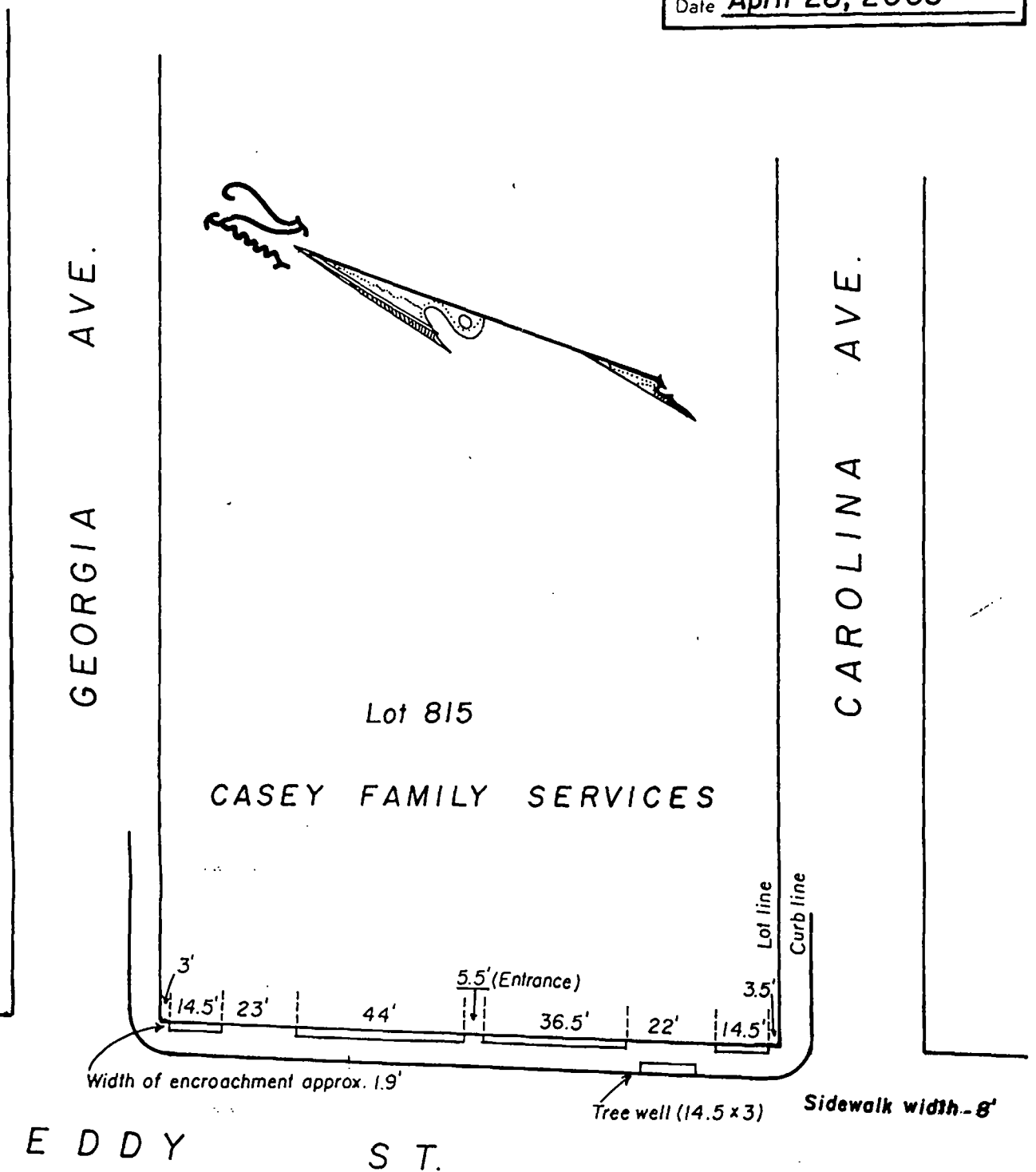
Scott P. Bodell  
Project Manager

*Rejected  
by Public Works  
for Pub. 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



NOTES: Plan showing proposed easement for a  
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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 R. Marini Associate Engr  
 Approved Mike Regan 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.**

*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 REVE  
CITY OF PROVIDENCE

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

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Providence, RI 02904

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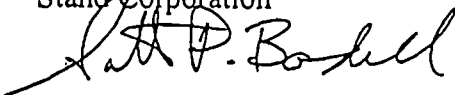
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Respectfully yours,  
Stand Corporation



Scott P. Bodell  
Project Manager



GEORGIA AVE

CAROLINA AVE

1268  
EDDY  
STREET

PLAT 58 LOT 658

26,370 S.F.

TOTAL COMBINED AREA 36,450

7-12  
SEE

PLANTING BED

STREET

(PUBLIC - 89.50' WIDE)

EDDY

2-6X6 PT TIMBERS

4" CONCRETE  
SIDEWALK

PLANTING  
BED

SECTION A-A

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**

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

A handwritten signature in cursive script, reading "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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**PETITION FROM SCOTT P. BODELL,  
PROJECT MANAGER, CASEY FAMILY  
SERVICES, REQUESTING AN EASEMENT  
FOR THE PLANTING BED LOCATED AT  
1268 EDDY STREET.**

Second Deputy

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

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

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.**

  
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.

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.**

A handwritten signature in cursive script, reading "Anna M. Stetson".

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.**

*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

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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, reading "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.

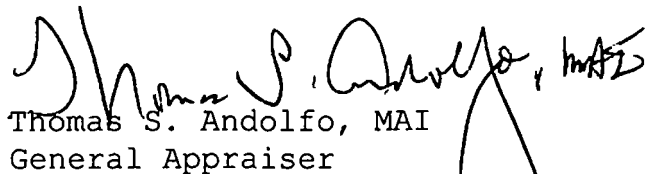
Therefore, 208 square feet x \$10.00 per square foot = \$2,080  
x .25 = \$520.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani  
Certified Residential Appraiser



Thomas S. Andolfo, MAI  
General Appraiser

WFG:TSA/fad