

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 590

Approved December 13, 1973

RESOLVED that His Honor the Mayor be, and he hereby is authorized to execute an amendments and extension agreement with PETROLANE, INC., of the State of California, a portion of Lot 25 on Assessor's Plat 56 situated in the Fields Point section of Providence, Rhode Island containing approximately 10.1 acres of land; said lease was for a term of 20 years, beginning last May 20, 1971 at an annual rental of \$56,284.67. The Lessee has an option to renew said lease for four successive terms of ten years each subject to the annual renegotiation of the rental between the parties, the first said option to begin on May 19, 1991; said amendments to further provide that said Lessee shall have a priority provision for the use of Berth #3. The Lessor has undertaken the construction of the dock face improvements in order to provide and guarantee 35 feet of water accessibility. The Lessee shall have the right to construct on the premises herein demised to it such buildings, structures and improvements as it may deem necessary or proper to conduct its business. All other terms and conditions shall remain the same as specified in the original lease, and said amendments and extension agreement shall contain such other terms and conditions as may be approved by His Honor the Mayor and the City Solicitor.

IN CITY COUNCIL

DEC 6 1973

READ AND PASSED

*Robert J. Hayton*  
PRES.  
*Vincent V. Vesper*  
CLERK

APPROVED

MAYOR

*Joseph A. Berley*  
DEC 13 1973

11-8-73 Original sent to  
Tony Bucci for execution

AMENDMENT AND EXTENSION AGREEMENT

THIS AGREEMENT, made and entered into in duplicate this day of 1973, subject to the approval of resolution of the City Council of the City of Providence # , by and between the City of Providence, a municipal corporation created under the laws of the State of Rhode Island, (hereinafter referred to as the Lessor), and PETROLANE INC., a corporation organized and existing under the laws of the State of California, (hereinafter referred to as the Lessee);

W I T N E S S E T H:

1. By instrument dated May 20, 1971, Lessor leased unto Petrolane Inc. of California a certain tract or parcel of land situated in the northeasterly corner of Fields Point Drive and Seaview Drive in the Fields Point section of the City of Providence, County of Providence, State of Rhode Island, more particularly described in said lease; and said Lessee shall have a priority use of Berth #3, more particularly described as follows:

That certain Berth situated in the Fields Point section in the City of Providence, R.I., as outlined in red on the accompanying plan entitled, "Providence, R.I., P.W. Dept. Engineering Office, City Property Section, Plan No. 063237, Date November 8, 1968," and described as follows:

Beginning at a point at an angle in the Sea Wall, said point marked "B" on the accompanying plan; thence in a generally northerly direction along the sea wall a distance of six hundred and five (605.0) feet to the north end of Berth #3.

2. The Lessor shall keep the channel along Berth #3 dredged to a depth of at least 35 feet below the mean low water level and shall guarantee the same in order to insure water accessibility. The Lessor shall grant to the Lessee first priority along side Berth #3 if the Lessee gives the said Lessor notice at least FIVE (5) working days prior to the arrival of a vessel.

Should a vessel fail to arrive on the scheduled date, then priority may, at the option of the Lessor, be rescinded, and the

vessel will be accepted on an "as available" basis.

NOW, THEREFORE, in consideration of the premises and the mutual advantage to each of the parties hereto accruing, and for other good and valuable considerations, it is mutually agreed by and between the Lessor and the Lessee as aforementioned, except as herein expressly and specifically changed and modified, said lease agreement herein above described and dated May 20, 1971, and each and all other terms, provisions and conditions therein contained shall continuously and at all times be and remain in full force and effect.

IN TESTIMONY WHEREOF, said CITY OF PROVIDENCE has caused these presents to be executed and its corporate seal to be hereunto affixed by JOSEPH A. DOORLEY, JR., Mayor, hereunto duly authorized by vote of its City Council, and said PETROLANE INC. has caused these presents to be executed by

duly authorized, the day and year first above written.

Signed, sealed and delivered  
in the presence of:

CITY OF PROVIDENCE

BY \_\_\_\_\_  
MAYOR

PETROLANE INCO

BY \_\_\_\_\_

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

In the City of Providence on the \_\_\_\_\_ day of \_\_\_\_\_ 1973, then personally appeared before me the above-named JOSEPH A. DOORLEY, JR., Mayor, to me known and known by me to be the person who executed the foregoing instrument, and he acknowledged the said instrument by him executed, in behalf of the City of Providence, to be his free and voluntary act and deed and the free and voluntary act and deed of said City.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

On this            day of            , 1973 personally appeared  
before me the above-named            ,

                    of PETROLANE INC., to me known and known by  
me to be the person who executed the foregoing instrument, and  
he acknowledged the said instrument by him executed, in behalf of  
PETROLANE INC., to be his free and voluntary act and deed and  
the free and voluntary act and deed of said PETROLANE INC.

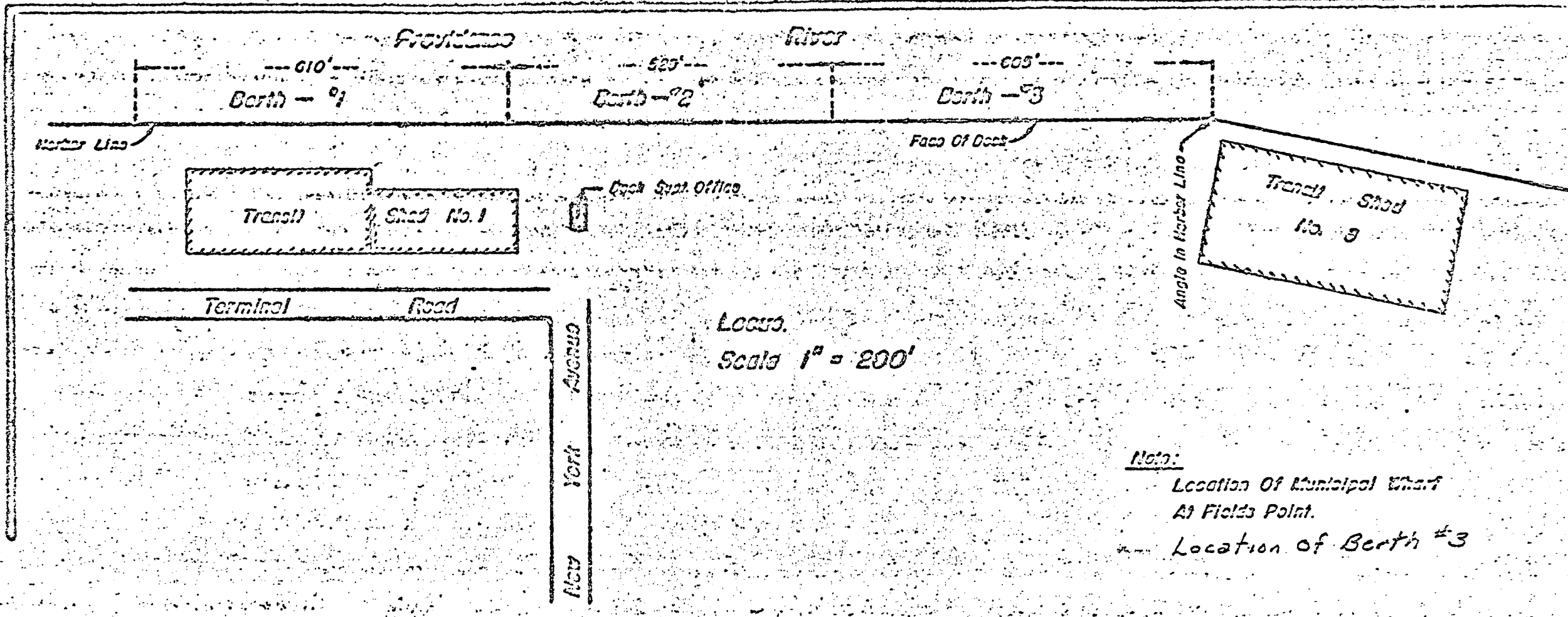
\_\_\_\_\_  
NOTARY PUBLIC

The within Amendment and Extension Agreement is approved  
by the City Property Committee.

\_\_\_\_\_  
Michael Kelley, Chairman

CORRECT IN FORM AND SATISFACTORY TO ME.

\_\_\_\_\_  
CITY SOLICITOR



Locus.

Scale 1" = 200'

Note:

Location Of Municipal Wharf  
At Fields Point.

Location of Berth #3

CITY OF PROVIDENCE  
Various Leases At  
Fields Point  
Drawn by Scungio  
Scale 1" = 200'  
Checked by R.J.O.  
Date Nov. 8, 1968  
Corrected by [illegible]  
Approved by [illegible]

Revised July, 1969 - 70 Aug. 72