

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 472

Approved September 26, 1989

WHEREAS, The City Council by Resolution No. 177, approved March 29, 1985, authorized His Honor the Mayor to execute an agreement, on behalf of the City of Providence, with the State of Rhode Island regarding the Memorial Boulevard Extension Project, and including the relocation of the Moshassuck and Woonasquatucket Rivers, traffic improvements, conveyance of land, and other matters relative to said property, and

WHEREAS, Pursuant to said Resolution, the City of Providence by His Honor the Mayor on January 16, 1987, executed an agreement with the State of Rhode Island entitled "Providence River Relocation--Memorial Boulevard Extension Project Comprehensive Agreement", and

WHEREAS, Pursuant to said Agreement, the City of Providence was to convey Parcel 9 in the Capital Center Project Area (71,902 sq. ft.) to the State of Rhode Island for appraised fair market value with an immediate payment by the State of Two Million, Five Hundred Thousand Dollars (\$2,500,000.00),

NOW, THEREFORE, BE IT RESOLVED, That His Honor the Mayor is authorized to convey to the State of Rhode Island said Parcel 9 in the Land Evidence Records in Plat Book 1, Page 87 (Sheet 1 of 5), the City being authorized to make said conveyance pursuant to Rhode Island General Laws, Section 45-24.4-21 and the execution and delivery of the conveyance dated July 7, 1988, by His Honor the Mayor is hereby ratified, confirmed and approved, and

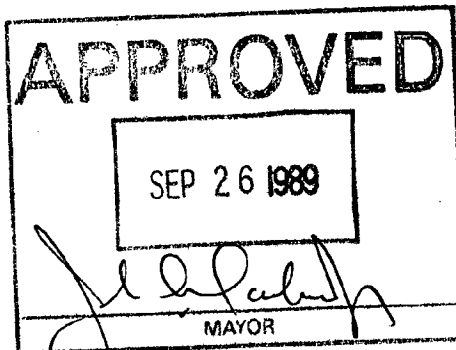
BE IT FURTHER RESOLVED, That said conveyance is conditional to and upon the dismissal of the pending law suit relative to this parcel.

IN CITY COUNCIL
SEP 21 1989

READ AND PASSED *as amended*

Richard W. Easton
PRES.

Robert Montague
CLERK



Councilman Annaldo (By Request)



Department of Planning and Development

"Building Pride In Providence"

September 18, 1989

The Honorable Rose M. Mendonca
City Clerk
c/o City Clerk's Office
City Hall
Providence, RI 02903-1789

Dear Mrs. Mendonca: *Rose*

On March 29, 1985, the City Council by Resolution No. 117, authorized His Honor the Mayor to execute an agreement, on behalf of the City of Providence, with the State of Rhode Island regarding the Memorial Boulevard Extension Project, and including the relocation of the Moshassuck and Woonasquatucket Rivers, traffic improvements, conveyance of land, and other matters related to said property.

Enclosed please find an original and fifteen (15) copies of a proposed resolution authorizing the conveyance of land, Parcel 9 in the Capital Center Project, to the State of Rhode Island.

Thank you for your attention to this matter and placing it on the City Council Docket for approval and ratification at the October 5, 1989 meeting.

Respectively,

A handwritten signature in cursive script, appearing to read "Tom".

Thomas V. Moses, Esq.
Director

Enclosures:

TVM:MJD

PARCEL NO. 9

Parcel No. 9, as shown on the Plan, is bounded and described as follows:

Beginning at the southwesterly corner of said Parcel No. 9, said corner being the intersection of the northerly line of the proposed Memorial Boulevard with the easterly line of the relocated Francis Street;

thence northerly bearing northeasterly along the arc of a curve having a radius of six hundred eighty-five and no hundredths (685.00) feet a distance along said arc and the easterly line of said relocated Francis Street of two hundred seventy-five and 30/100 (275.30) feet to a point of tangency;

thence N 5°-41'-29" E along the said easterly line of said relocated Francis Street a distance of seventy-three and 08/100 (73.08) feet to a corner;

thence S 82°-37'-58" E along the easterly line of said relocated Francis Street a distance of twenty and 01/100 (20.01) feet to a corner;

thence N 5°-41'-29" E along the easterly line of said relocated Francis Street a distance of thirty and 01/100 (30.01) feet to a corner;

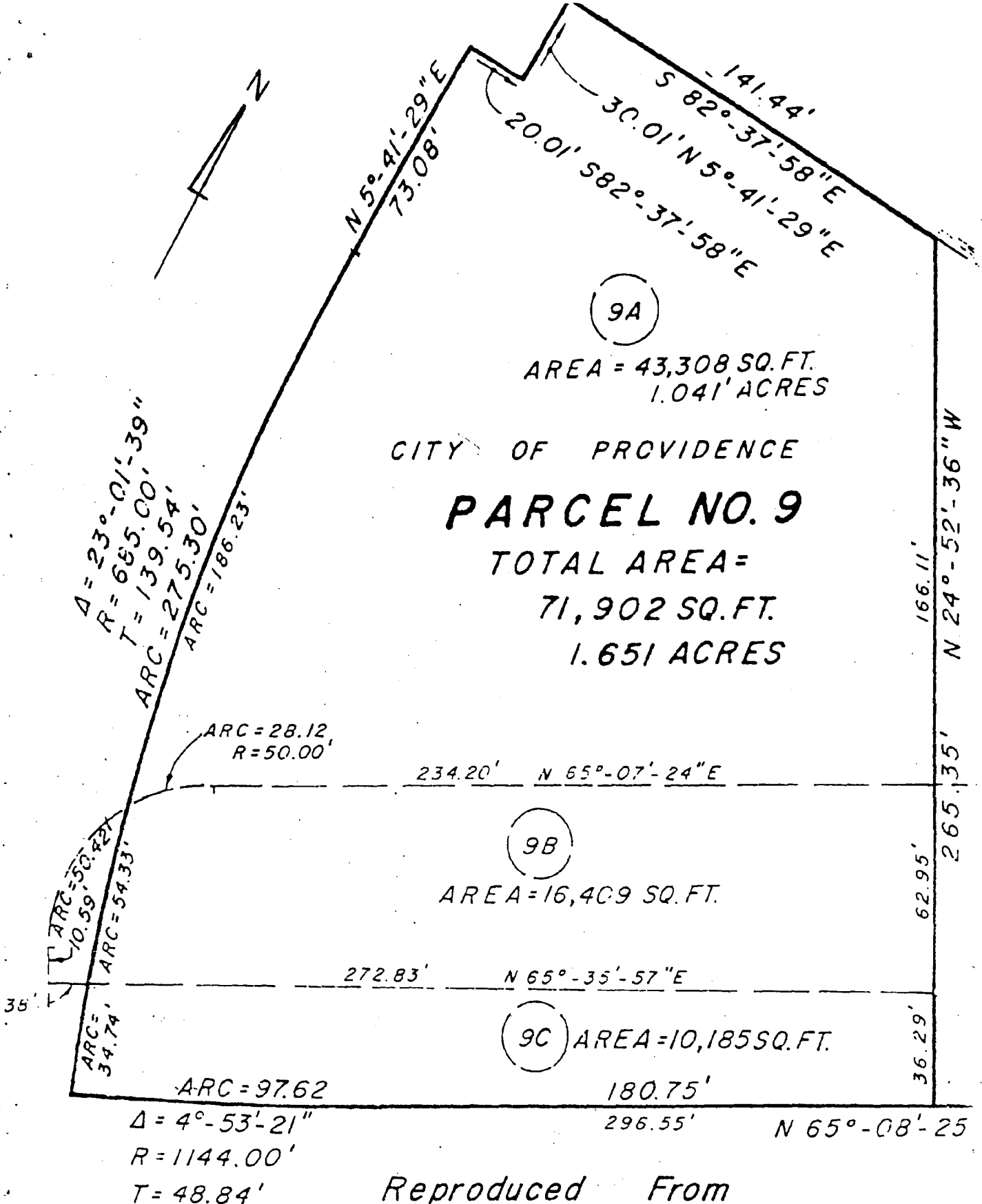
thence S 82°-37'-58" E bounded northerly by land now or formerly of the City of Providence a distance of one hundred forty-one and 44/100 (141.44) feet to a corner;

thence S 24°-52'-36" E along the easterly line of said Parcel No. 9 a distance of two hundred sixty-five and 35/100 (265.35) feet to a corner;

thence S 65°-08'-25" W along the northerly line of said proposed Memorial Boulevard a distance of one hundred eighty and 75/100 (180.75) feet to a point of curvature;

thence southwesterly bearing westerly along the arc of a curve having a radius of one thousand one hundred forty-four and no hundredths (1,144.00) feet a distance along said arc and the northerly line of said proposed Memorial Boulevard of ninety-seven and 62/100 (97.62) feet to the point and place of beginning.

The above described Parcel No. 9 contains an area of seventy-one thousand nine hundred two (71,902) square feet of land or one and six hundred fifty-one thousandths (1.651) acres, be the same more or less.



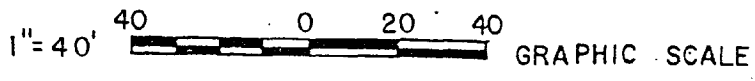
Reproduced From
Plan of Land in Providence, R.I.
Surveyed for the

CAPITAL CENTER


Surveyed and drawn by CE Maguire Inc.

May, 1982

REVISED DEC., 1982




JOSEPH A. MARRIER, JR.



No. 1584

REGISTERED
LAND SURVEYOR

ROBERT LEE PARE



No. 2051

REGISTERED
PROFESSIONAL ENGINEER

7/13/89

DEED

The CITY OF PROVIDENCE, a municipal corporation of the State of Rhode Island, for consideration paid, does hereby grant to the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, all of its right, title and interest in and to a parcel of land in the City of Providence known as Parcel 9 within the Capital Center Special Development District, which parcel is described on Exhibit A appended hereto and made a part hereof.

Said Parcel 9 is also shown on that certain plan (consisting of 5 sheets) recorded in the Providence Land Records on January 27, 1983, in Plan Book 1, at Page 87 (Sheet 1 of 5).

The property herein conveyed is located within the Special Development District known as Capital Center, and this conveyance is made pursuant to Section 45-24.4-21 of the General Laws, the City Council having approved this conveyance and determined that this conveyance is consistent with and is desirable as being in furtherance of the plan of development for said Capital Center.

This conveyance is also made pursuant to a Preliminary Agreement between the State and the City dated October 8, 1985, as amended by letter dated October 8, 1985, and also to a Comprehensive Agreement between the State and the City dated January 16, 1987.

This conveyance is exempt from the Rhode Island Conveyance Tax under the provisions of said Section 45-24.4-21 of the General Laws.

IN WITNESS WHEREOF, the said City of Providence has caused

these presents to be executed by the Mayor on this 7 day of
July, 1989.

CITY OF PROVIDENCE

By Joseph R. Paolino, Jr.
Mayor

STATE OF RHODE ISLAND

COUNTY OF PROVIDENCE

In Providence on the 7 day of July, 1989, before me personally appeared JOSEPH R. PAOLINO, JR., Mayor of the City of Providence, to me known and known by me to be the party executing the foregoing Deed, and he acknowledged said instrument by him executed to be his free act and deed individually and in said capacity and the free act and deed of the City of Providence.

Carolyn M. Lanucci
Notary Public
Notary Public

Grantee's Address:

c/o Office of the Director
Rhode Island Department of Economic Development
7 Jackson Walkway
Providence, Rhode Island

Correct in Form and Satisfactory to Me:

Edward P. O'Neil
City Solicitor

PARCEL NO. 9

Parcel No. 9, as shown on the Plan, is bounded and described as follows:

Beginning at the southwesterly corner of said Parcel No. 9, said corner being the intersection of the northerly line of the proposed Memorial Boulevard with the easterly line of the relocated Francis Street;

thence northerly bearing northeasterly along the arc of a curve having a radius of six hundred eighty-five and no hundredths (685.00) feet a distance along said arc and the easterly line of said relocated Francis Street of two hundred seventy-five and 30/100 (275.30) feet to a point of tangency;

thence N 5°-41'-29" E along the said easterly line of said relocated Francis Street a distance of seventy-three and 08/100 (73.08) feet to a corner;

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The above described Parcel No. 9 contains an area of seventy-one thousand nine hundred two (71,902) square feet of land or one and six hundred fifty-one thousandths (1.651) acres, be the same more or less.

F.S. 4/89 Law Dept

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

CAPITAL PROPERTIES, INC. :

VS. :

No. 88-0158

THE STATE OF RHODE ISLAND :

VS. :


STEPHEN T. NAPOLITANO, in
his capacity as Treasurer
of the City of Providence :

S T I P U L A T I O N

The parties hereby dismiss all claims, including the
complaint and third-party complaint, with prejudice; no interest
and no costs.

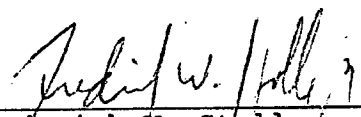
CAPITAL PROPERTIES, INC.

By its Attorneys,


Gerald J. Petros
HINCKLEY, ALLEN, SNYDER & COMEN
1500 Fleet Center
Providence, RI 02903
(401) 274-2000

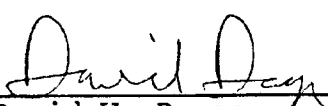
Dated: Sept 15, 1979

STEPHEN T. NAPOLITANO, in his
capacity as Treasurer of the
City of Providence
By his Attorneys,


Frederick W. Stolle
Assistant City Solicitor
60 Eddy Street
Providence, RI 02903
(401) 421-7740

Dated: _____

THE STATE OF RHODE ISLAND
By its Attorney,


David W. Dugan
Special Assistant Attorney
72 Pine Street
Providence, RI 02903
(401) 274-2000

Dated: 10/2/89



Department of Law

"Building Pride In Providence"

October 4, 1989.

Rose Mendonca, City Clerk,
City Hall,
Providence, R.I. 02903.

Dear Rose:

RE: PARCEL 9, CAPITAL CENTER PROJECT

At the September 21, 1989 Council Meeting, the Council approved by Resolution the sale of Parcel 9 to the State of Rhode Island. See Item 8 of the docket.

As a pre-condition to the sale, a certain lawsuit was required to be dismissed. I enclose a copy of the dismissal stipulation. Thus, the Mayor is authorized to transfer Parcel 9 without further hindrance.

Please file the enclosed in your records and attach same to copies of the Resolution when they are distributed.

Thank you for your kind attention.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Fred", is written over the typed name of Frederick W. Stolle, Jr.

FREDERICK W. STOLLE, JR.,
DEPUTY CITY SOLICITOR

FWS:RAF

cc: Thomas Moses--Director of the Dept. Planning and Development
Gerald J. Petros, Esq., Hinckley, Allen, etc.
David W. Dugan, Attorney General's Office