

RESOLUTION OF THE CITY COUNCIL

No. 469

Approved October 9, 1992

WHEREAS, Algonquin Gas Transmission Co., has made petition requesting the City of Providence to allow it to construct a natural gas pipeline under certain portions of the Providence Hurricane Barrier.

WHEREAS, said construction will allow for a reliable source of fuel for, among others, the Narragansett Electric Company's Manchester Street Station.

WHEREAS, the construction as proposed in the design plans for the pipeline will not interfere in the integrity or operation of the Hurricane Barrier.

NOW THEREFORE BE IT RESOLVED, That Algonquin Gas Transmission Company is granted permission to breach the aforementioned easement for the purposes of installing and maintaining a natural gas pipeline and His Honor the Mayor is authorized to execute any documents to effect the same.

That said grant is expressly conditioned upon the following:

A.) The dimensions of said breach of easement shall be only so large as necessary to permit the construction and maintenance of said pipeline as the same has been indicated in the plans submitted to the City Council. Said plans are incorporated herein by reference.

B.) The Petitioner shall obtain the full and unreserved approval of the United States of America Army Corps of Engineers for said plans as submitted to the City Council

C.) The Petitioner shall supply the City with a certificate of insurance in an amount to be agreed upon by the Petitioner and the City. The City shall be named as an additional-named insured on said policy, which shall be with a reputable insurance company licensed to do business in the State of Rhode Island and shall protect the City against claims for damages to the Hurricane Barrier and for claims for consequential losses including claims by third parties:

D.) Petitioner shall execute an indemnification and hold harmless agreement, which shall meet the approval of the City Solicitor. Said Agreement shall indemnify and hold harmless the City from actual and consequential damages and claims from third parties which arise in any way from the Construction and maintenance of said pipeline.

**THE COMMITTEE ON
PUBLIC WORKS**

**Approves Passage of
The Within Resolution**

Michael R. Clement
~~Chairman~~

Sept. 23, 1992 *lch*

E.) The grant contained herein shall automatically be extinguished and all rights revert to the City without further action by said City at any such time as the said pipeline is no longer utilized for the purposes described herein.

IN CITY COUNCIL
 OCT 1 1992
 READ AND PASSED
James H. Smith
 PRES.
Michael L. Clement
 CLERK

APPROVED
 OCT 9 1992
James A. Casey
 MAYOR

Plans in fault

8/5/90
From the Clerk's
desk p^l ~~l~~^{to} ~~factor~~

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

0502a

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

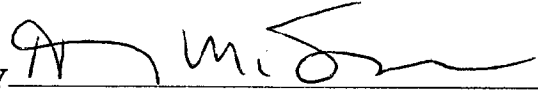
that it be granted consent to install and operate a 24-inch natural gas transmission pipeline under the Providence Hurricane Barrier on land of Narragansett Electric Company. Said proposed pipeline is designed to serve Narragansett Electric's Manchester Street Power Generating Plant for its conversion from oil to natural gas. Said pipeline will go beneath the Hurricane Barrier at a location shown on the attached plan. If granted, said pipeline will be placed below the Hurricane Barrier by means of directional drilling so that it will not be necessary to breach any portion of the Hurricane Barrier during construction of the pipeline or subsequent to such construction.

ALGONQUIN GAS TRANSMISSION
COMPANY

By its Attorneys,

DAVIS, JENCKES, KILMARX & SWAN

By


Henry M. Swan
1420 Hospital Trust Tower
Providence, Rhode Island 02903
(401) 273-9000

FILED

AUG 4 10 21 AM '92

DEF.
PROVIDENCE, R.I.

IN CITY COUNCIL
Sept. 3, 1992
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Cleneaux CLERK

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Michael R. Cleneaux
Chairman
Sept. 23, 1992

From The Clerk's Desk