

Councilman  
 LOUIS R. STRAVATO  
 18 Jacqueline Drive 02909



CITY OF PROVIDENCE, RHODE ISLAND

COMMITTEES

Claims and Pending Suits  
 Chairman

Finance

Public Works

Naming of Buildings, Expressways, Bridges,  
 Edifices and Other City Construction

Bicentennial Celebration  
 Declaration of Independence

May 5, 1975

The Honorable Vincent A. Cianci, Jr.  
 Mayor of the City of Providence  
 City Hall  
 Providence, R. I. 02901

Dear Mr. Mayor:

In accordance with your request to investigate the charges directed at Judge Peter Spinella, I contacted said Judge and am enclosing a copy of his letter in respond to my inquiry. I also checked with the Secretary of States Office and am enclosing a copy of the charter of Evergreen Realty, Inc.. I further checked with the Code Inforcement Division of the City of Providence, and they enformed me that the properties of Evergreen Realty have code violations outstanding that are presently pending in the Muncipal Court.

After conducting this investigation and going over all of the pertinent matters; it is my belief that neither Judge Spinella nor any member of the law firm with which he is associated has any connection whatsoever with Evergreen Realty, Inc. except for the fact that a member of the firm incorporated said corporation. I find no conflict of interest with Judge Spinella's firm incorporating said corporation, and Judge Spinella's position as a member of the Municipal Court; and because of these facts, I believe that this investigation should be closed.

Yours very truly,

*Louis R. Stravato*

Louis R. Stravato  
 Councilman D-7

LRS/vgd

cc: Providence Journal  
 City Clerk

IN CITY COUNCIL  
 MAY 15 1975

READ:  
 WHEREUPON IT IS ORDERED THAT  
 THE SAME BE RECEIVED.

*Vincent A. Cianci*  
 CLERK

FILED  
 MAY 5 3 27 PM '75  
 DEPT. OF CITY CLERK  
 PROVIDENCE, R.I.

HODOSH, SPINELLA, HODOSH & ANGELONE

ATTORNEYS AT LAW  
808 UNION TRUST BUILDING  
P. O. Box 1516  
PROVIDENCE, RHODE ISLAND  
02903

AREA CODE (401)  
274-0200

SAUL HODOSH  
PETER SPINELLA  
MARVIN R. HODOSH  
THOMAS C. ANGELONE  
  
JAMES D. LEVITT  
RALPH J. GONNELLA  
GERARD McGOVERN DECELLES

May 2, 1975

R.

Councilman Louis Stravato  
18 Jacqueline Drive  
Providence, Rhode Island 02909

RE: Evergreen Realty, Inc.

Dear Councilman Stravato:

Please be advised that Mr. George Jonah of 19 Florence Street, Providence, Rhode Island, holds the offices of President, Treasurer and Secretary for the above corporation. Mr. Jonah is being designated as the Agent of Service of process and is the sole director and stockholder.

Neither I nor any member of my firm have had or does have any connection with Evergreen Realty other than the fact that Marvin R. Hodosh, my associate, was the attorney who incorporated said corporation. It is a routine procedure for an attorney who incorporates a business such as Evergreen Realty to appear on the papers of said corporation for the convenience of incorporating and gaining signatures for the corporation.

Should there be any further questions relative to this matter, please feel free to call.

Very truly yours,

HODOSH, SPINELLA, HODOSH & ANGELONE



Peter Spinella

PS:JD

ROBERT F. BURNS  
SECRETARY OF STATE



State of Rhode Island and Providence Plantations

DEPARTMENT OF STATE

OFFICE OF THE SECRETARY OF STATE

PROVIDENCE

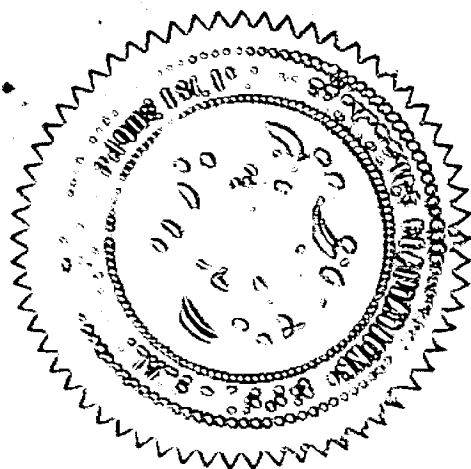
May 5, 1975

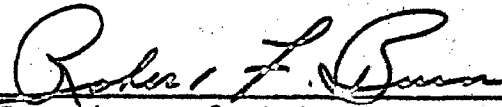
I, ROBERT F. BURNS, Secretary of State of the State of Rhode Island and Providence Plantations, HEREBY CERTIFY that EVERGREEN REALTY, INC., a Rhode Island corporation, filed original Articles of Incorporation in this office on the thirtieth day of October, A.D. 1974, effective on the first day of November, A.D. 1974; and

I FURTHER CERTIFY that said corporation is now of record and has a legal corporate existence in this office; and

I FURTHER CERTIFY that said corporation has not filed an annual report in this office as of this date.

IN TESTIMONY WHEREOF, I have  
hereunto set my hand and  
affixed the seal of the State  
of Rhode Island this fifth day  
of May, A.D. 1975



  
Secretary of State

# State of Rhode Island and Providence Plantations

## BUSINESS CORPORATION

### ORIGINAL ARTICLES OF INCORPORATION

The undersigned acting as incorporator(s) of a corporation under Chapter 7-1.1 of the General Laws, 1956, as amended, adopt(s) the following Articles of Incorporation for such corporation:

**FIRST.** The name of the corporation is EVERGREEN REALTY, INC.

(A ~~close~~ corporation pursuant to §7-1.1-51 of the General Laws, 1956, as amended) (strike if inapplicable)

**SECOND.** The period of its duration is (if perpetual, so state) perpetual

**THIRD.** The purpose or purposes for which the corporation is organized are:

for any and all legal purposes

The corporation shall have power: (See §7-1.1-4 of the General Laws, 1956, as amended.)

(a) To have perpetual succession by its corporate name unless a limited period of duration is stated in its articles of incorporation.

(b) To sue and be sued, complain and defend, in its corporate name.

(c) To have a corporate seal which may be altered at pleasure, and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced.

(d) To purchase, take, receive, lease, or otherwise acquire, own, hold, improve, use and otherwise deal in and with, real or personal property, or any interest therein, wherever situated.

(e) To sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of all or any part of its property and assets.

(f) To lend money and to use its credit to assist its employees.

(g) To purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge or otherwise dispose of, and otherwise use and deal in and with, shares or other interests in, or obligations of, other domestic or foreign corporations, associations, partnerships or individuals, or direct or indirect obligations of the United States or of any other government, state, territory, governmental district or municipality or of any instrumentality thereof.

(h) To make contracts and guarantees and incur liabilities, borrow money at such rates of interest as the corporation may determine, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises, and income.

(i) To lend money for its corporate purposes, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds so loaned or invested.

(j) To conduct its business, carry on its operations, and have offices and exercise the powers granted by this chapter, within or without this state.

(k) To elect or appoint officers and agents of the corporation, and define their duties and fix their compensation.

(l) To make and alter by-laws, not inconsistent with its articles of incorporation or with the laws of this state, for the administration and regulation of the affairs of the corporation.

(m) To make donations for the public welfare or for charitable, scientific or educational purposes.

(n) To transact any lawful business which the board of directors shall find will be in aid of governmental authority.

(o) To pay pensions and establish pension plans, pension trusts, profit-sharing plans, stock bonus plans, stock option plans and other incentive plans for any or all of its directors, officers and employees.

(p) To provide insurance for its benefit on the life of any of its directors, officers, or employees, or on the life of any stockholder for the purpose of acquiring at his death shares of its stock owned by such stockholder.

(q) To be a promoter, partner, member, associate, or manager of any partnership, enterprise or venture.

(r) To have and exercise all powers necessary or convenient to effect its purposes.

**FOURTH.** The aggregate number of shares which the corporation shall have authority to issue is:

(a) *If only one class:* Total number of shares 1000 1000

(If the authorized shares are to consist of one class only, state the par value of such shares or a statement that all of such shares are to be without par value.)

1¢ Par Value

or

(b) *If more than one class:* Total number of shares \_\_\_\_\_

(State (A) the number of the shares of each class thereof that are to have a par value and the par value of each share of each such class, and/or (B) the number of such shares that are to be without par value, and (C) a statement of all or any of the designations and the powers, preferences and rights, including voting rights, and the qualifications, limitations or restrictions thereof, which are permitted by the provisions of title 7 of the General Laws in respect of any class or classes of stock of the corporation and the fixing of which by the articles of association is desired, and an express grant of such authority as it may then be desired to grant to the board of directors to fix by vote or votes any thereof that may be desired but which shall not be fixed by the articles.)

**FIFTH.** Provisions (if any) dealing with the preemptive right of shareholders pursuant to §7-1.1-24 of the General Laws, 1956, as amended:

Any stockholder including heirs, assigns, executors or administrators of a deceased stockholder, desiring to see or transfer any stock of this corporation shall first offer such stock to the corporation through its Board of Directors at not more than the book value of such stock as shown upon financial statement of the corporation to be drawn as of the first of the month preceding the offer, provided, however, that the corporation shall exercise its right to purchase within 30 days after the stockholder shall have notified it in writing of his desire to sell said shares, and if the corporation shall decide to purchase said shares, such stockholder shall, upon the proper tender of the price thereof, transfer to the corporation his shares so sold, and if the corporation shall elect not to purchase said shares within 30 days, such stockholder may at any time after the expiration of said 30 days, sell such shares to any other party, but not at less than the price at which the same was offered to this corporation.

No shares of stock shall be assigned or transferred upon the books of the corporation until these provisions shall have been complied with, but the Board of Directors may at any time waive these requirements.

SIXTH. Provisions (if any) for ~~the~~ regulation of the internal affairs of the corporation:

SEVENTH. The address of the initial registered office of the corporation is 808 Union Trust Building, Providence, R. I. 02903 (add Zip Code)

and the name of its initial registered agent at such address is:

Marvin R. Hodosh

EIGHTH. The number of directors constituting the initial board of directors of the corporation is one and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and shall qualify are:

(If this is a close corporation pursuant to §7-1.1-51 of the General Laws, 1956, as amended, state the name(s) and address(es) of the officers of the corporation.)

Name	Address
Marvin R. Hodosh	1 Cedar Pond Road, Warwick, R.I.

NINTH. The name and address of each incorporator is:

Name	Address
Marvin R. Hodosh	1 Cedar Pond Road, Warwick, R.I.

TENTH. Date when corporate existence to begin (not more than 30 days after filing of these articles of incorporation):

November 1, 1974

Dated 10/29, 1974

2 r. f. b. c.

STATE OF RHODE ISLAND

COUNTY OF PROVIDENCE

In the City

~~Town~~

of Providence

in said county this 29th day of October, A.D. 1974

then personally appeared before me Marvin R. Hodosh

each and all known to me and known by me to be the parties executing the foregoing instrument, and they severally acknowledged said instrument by them subscribed to be their free act and deed.

*Paul Celis*

Notary Public

REC-OF 1448 CD\*\*\* 110.00  
OCT 30-74 STATE

*APG*

OCT 30 1974

State of Rhode Island and Providence Plantations



Department of State

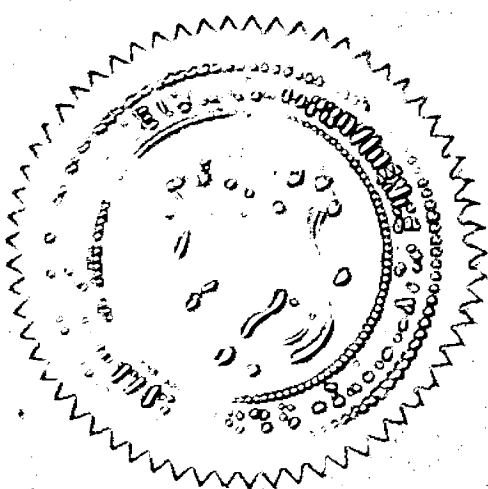
Office of the Secretary of State

I, ROBERT F. BURNS Secretary of State  
of the State of Rhode Island and Providence Plantations,  
hereby Certify that the foregoing is a true xerographic

copy of the original Articles of Incorporation of EVERGREEN  
REALTY, INC.; the same being

*taken from the records in this office and compared with the*  
*original* articles of incorporation filed in this office on the  
thirtieth day of October, A.D. 1974, effective on the first  
day of November, A.D. 1974

*and now remaining on file and of record in this office.*



In Testimony Whereof, I have hereunto  
set my hand and affixed the seal  
of the State of Rhode Island, this  
fifth day of  
May, A. D. 1975

Robert F. Burns  
Secretary of State.