

RESOLUTION OF THE CITY COUNCIL

No. 350

Approved August 5, 1960.

Resolved,

That His Honor the Mayor be and he hereby is authorized to execute an assurance to the United States of America (substantially in accordance with the accompanying draft) under the terms of which the city agrees that it will contribute twenty percent (20%) of the first cost of the hurricane barrier to be constructed across the Providence River at Fox Point; that it will hold and save the United States free from damages due to the construction work and that it will maintain and operate the improvements after completion in accordance with regulations prescribed by the Secretary of the Army; that in the event acquisition of any real estate is not accomplished by negotiation, condemnation proceedings will be instituted by the United States of America.

AND BE IT FURTHER RESOLVED that Resolution No. 191 as approved April 8, 1960 be and the same is hereby rescinded.

IN CITY COUNCIL

AUG 4 - 1960

READ and PASSED

Edward P. Hughes
President
Devereaux Whelan
Clerk

APPROVED

AUG 5 1960

Nathan H. Keyes
MAYOR

FILED

JUL 29 10 03 AM '60

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

RESOLUTION AUTHORIZING
EXECUTION OF ASSURANCE TO
UNITED STATES OF AMERICA
RELATIVE TO HURRICANE
BARRIER ACROSS THE PROV-
IDENCE RIVER AT FOX POINT

Mr. Wesley, long request

ASSURANCE
OF THE
CITY OF PROVIDENCE, RHODE ISLAND

WHEREAS, the project for Hurricane Flood Protection in Narragansett Bay, in Rhode Island is authorized by Act of Congress approved July 3, 1958, Public Law 85 - 500 and in accordance with the plans and recommendations in House Document No. 230, 85th Congress, 1st Session, to provide for the construction of a barrier across the Providence River at Fox Point with Accessory pump, river gates, cooling-water inlet facilities and dikes at each end with street gate structures generally in accordance with the plan of the Division Engineer and with such modifications thereof as in the discretion of the Chief of Engineers may be advisable; and

WHEREAS, this project within the limits indicated on plans prepared by the New England Division, Corps of Engineers, U.S. Army, can be constructed at a cost now estimated to be Sixteen Million One Hundred and Eighty Thousand Dollars (\$16,180,000.00) and

WHEREAS, the said project is to be prosecuted under direction of the Secretary of the Army and the supervision of the Chief of Engineers, Corps of Engineers, U.S. Army; and

WHEREAS, local interests desiring the prosecution of this project are agreeable that certain assurances for local cooperation will be executed.

NOW, THEREFORE, the City of Providence in compliance with the conditions contained in the above mentioned legislation will:

(a) Contribute 20% of the first cost of the project, said 20% being presently estimated at Three Million Two Hundred and Thirty Six Thousand Dollars (\$3,236,000.00) including the value of lands, easements, and rights-of-way;

(b) Hold and save the United States free from damages due to the construction works; and

(c) Maintain and operate the improvements after completion in accordance with regulations prescribed by the Secretary of the Army.

~~Resolved~~, the City of Providence does:

Agree that the value of the lands, easements and rights-of-way to be acquired by it shall be determined by two independent appraisers, the selection of whom shall be approved by the Division Engineer, New England Division.

Agree that the appraised value of any lands, easements or rights-of-way to be acquired shall be approved by the Division Engineer, New England Division prior to any negotiation with the owner.

Consent to the entry of a condemnation proceeding in the United States District Court for the District of Rhode Island in all instances where the owner of the lands, easements and rights-of-way refuses to accept the offer of the approved appraised value.

IN WITNESS WHEREOF, the City of Providence has executed the within assurance and affixed its seal this _____ day of _____ 1960.

Approval Recommended:

CITY OF PROVIDENCE

By _____

Mayor

ACCEPTANCE

The within Assurance is hereby accepted for and on behalf of the United States of America.

RESOLUTION OF THE CITY COUNCIL

No. 351

Approved August 5, 1960.

Resolved,

That His Honor, the Mayor, be and he hereby is authorized to execute a lease to Providence Preservation Society of the old brick school house on Meeting Street, Providence, said lease to be for a period of ten (10) years, at an annual rental of one (\$1) dollar, the existing lease to be terminated; the lessee to bear all expenses of maintenance; said lease to also contain a recapture clause and is to be renewable on such terms and conditions as may be provided for in said lease, and subject to the approval of His Honor the Mayor and the City Solicitor.

IN CITY COUNCIL

AUG 4 - 1960

READ and PASSED

Edmund R. Murphy
President
Waverette Wilson
Clerk

APPROVED

AUG 5 1960

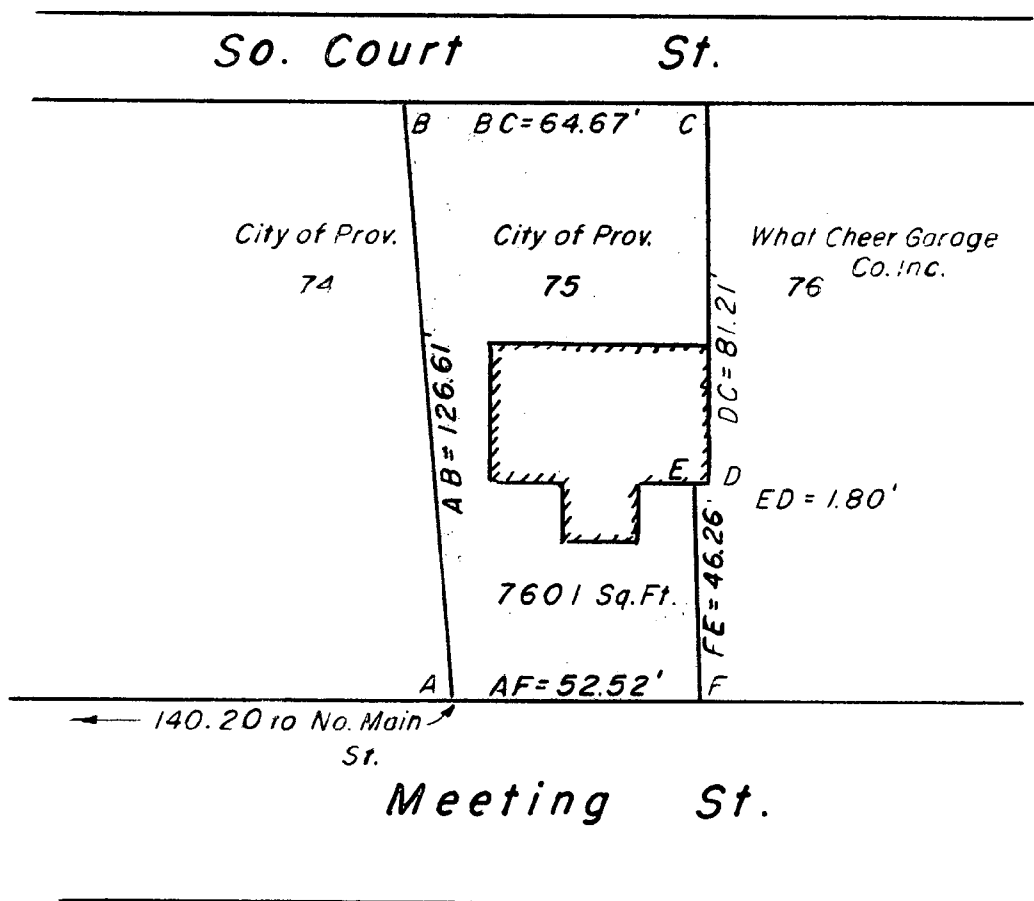
Matthew R. F. G. G. G.
MAYOR

RESOLUTION AUTHORIZING LEASE
OF MEETING STREET SCHOOL
PROPERTY TO PROVIDENCE PRESERVA-
TION SOCIETY.



061939

October 13, 1959



Assessor's Plot 10

Proposed Lease
(Meeting St. School)
E.F. Toppi
1" = 40' 10-13-59

RESOLUTION OF THE CITY COUNCIL

No. 352

Approved August 5, 1960.

Resolved,

That

His Honor the Mayor be and he hereby is authorized to execute a Lease to the Rhode Island Episcopal Convention of a certain tract containing 37,528.22 square feet of land located on Danielson Pike in the Town of Scituate, Rhode Island, and adjoining another tract of land leased to said lessee; the Lease to be for a term of fifty (50) years, at an annual rental of ONE (\$1) DOLLAR and any additional sum equal to taxes which may be assessed thereon annually or otherwise by the Town of Scituate or other governmental body, and the Lease further to contain such other terms and conditions as may be approved by His Honor the Mayor and the City Solicitor.

IN CITY COUNCIL

AUG 4 - 1960

READ and PASSED

Edward P. Chagley
President
Robert A. Chagley
Clerk

APPROVED

AUG 5 1960

William H. Reynolds
MAYOR

FILED

JUL 7 2 33 PM '60

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

RESOLUTION AUTHORIZING
LEASE OF 37,528 SQUARE
FEET OF LAND IN SCITUATE
TO THE RHODE ISLAND
EPISCOPAL CONVENTION.

IN CITY
COUNCIL

JUL 7 1960

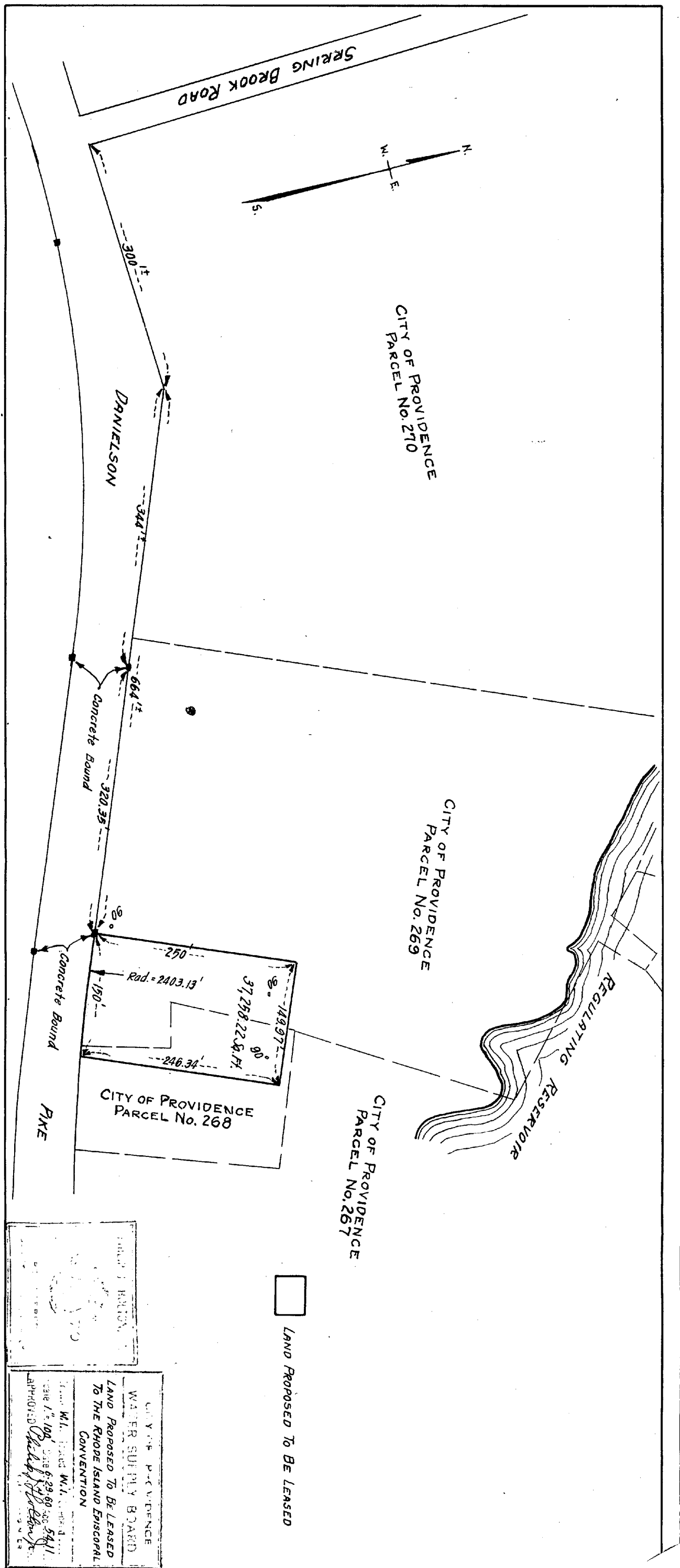
FIRST READING

REFERRED TO COMMITTEE ON

.....CITY PROPERTY.....

Devereaux W. Dr. CLERK

THE CITY OF PROVIDENCE



CITY OF PROVIDENCE
PARCEL NO. 270

CITY OF PROVIDENCE
PARCEL NO. 269

CITY OF PROVIDENCE
PARCEL NO. 267

DANIELSON

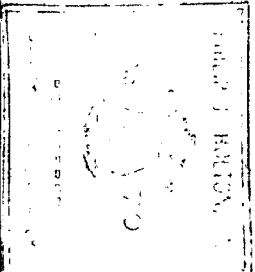
Concrete Bound

PIKE

REGULATING RESERVOIR

CITY OF PROVIDENCE
PARCEL NO. 268

LAND PROPOSED TO BE LEASED



CITY OF PROVIDENCE
WATER SUPPLY BOARD
LAND PROPOSED TO BE LEASED
TO THE RHODE ISLAND EPISCOPAL
CONVENTION
APPROVED
W.L. BOARD W.L. BOARD
JUN 1 1909
6:29-60 3411

THE CITY OF PROVIDENCE

WATER SUPPLY BOARD

JOHN A. DOHERTY, CHAIRMAN

EARL H. ASHLEY

UGO RICCIO

JOHN J. TIERNEY

MICHAEL N. CARDARELLI, EX-OFFICIO

552 ACADEMY AVENUE
PROVIDENCE 8, R. I.

PHILIP J. HOLTON, JR.

CHIEF ENGINEER

WILLIAM I. McDONALD

DEPUTY CHIEF ENGINEER

JOHN T. WALSH

LEGAL ADVISOR

JOHN J. DEARY

SECRETARY

July 1, 1960

Mayor Walter H. Reynolds
City Hall
Providence, Rhode Island

Dear Mayor Reynolds:

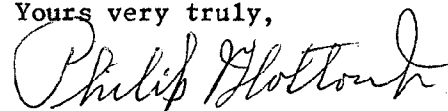
In accordance with your request of last week we contacted the Venerable William L. Kite, Archdeacon of the Episcopal Diocese of Rhode Island, who is interested in obtaining a lease on an additional parcel of land to enable them to erect a school in the Town of Scituate.

Under Council Resolution No. 495 approved September 3, 1948, the Mayor was authorized to execute a lease to the Diocesan Council of the Episcopal Church of Rhode Island of a certain tract containing 62,500 square feet of land located on Danielson Pike east of Spring Brook Road in the Town of Scituate for a period of fifty years. On this original parcel they erected a church and a rectory. As stated previously, to erect a school they will require additional land adjacent to that which was leased to them in 1948. We have prepared a lease, a copy of which is enclosed, which is identical to the one prepared in 1948 with the exception of the land description.

This matter was reviewed by the Water Supply Board at their meeting held today and they had no objection to leasing additional land to the Episcopal Diocese to enable them to construct a school adjacent to the Church.

Also enclosed is a print Acc. 5411 dated June 29, 1960, entitled Land Proposed to be Leased to the Rhode Island Episcopal Convention.

Yours very truly,



Philip J. Holton, Jr.
Chief Engineer

PJH:kam

Enclosure

LEASE

This indenture of lease made and entered into on this 1st day of August, in the Year of Our Lord, 1960, by and between the City of Providence, a municipal corporation created by the General Assembly of the State of Rhode Island, of the first part, Lessor, and the Rhode Island Episcopal Convention, a Rhode Island corporation, party of the second part, Lessee:

WITNESSETH:

That the said Lessor, for and in consideration of the rents and covenants hereinafter specified, and contained, on the part of said Lessee, its successors, administrators and assigns, to be kept and performed, does hereby demise and lease unto the said Lessee, its successors, administrators and assigns, for and during a term of fifty (50) years, beginning on the first day of August, A. D. 1960, that certain tract or parcel of land located in the Town of Scituate, bounded and described as follows:

Beginning at a concrete bound on the northerly line of Danielson Pike so called Nine Hundred Sixty Four (964) feet more or less easterly of the intersection of the easterly line of Spring Brook Road so called, and the northerly line of Danielson Pike, thence in a generally northerly direction, forming an exterior angle of Ninety (90) degrees with the northerly line of Danielson Pike, a distance of Two Hundred Fifty (250) feet, thence in a generally easterly direction, forming an interior angle of Ninety (90) degrees, a distance of One Hundred Forty Nine and 97/100 (149.97) feet, thence in a generally southerly direction, forming an interior angle of Ninety (90) degrees, a distance of Two Hundred Forty Six and 34/100 (246.34) feet to the northerly line of Danielson Pike, thence in a generally westerly direction along the arc of a curve whose radius is Twenty Four Hundred Three and 13/100 (2403.13) feet, said arc being the northerly line of Danielson Pike, a distance of One Hundred Fifty and 00/100 (150.00) to the point of beginning, said tract or parcel containing Thirty Seven Thousand Five Hundred Twenty Eight and 22/100 (37,528.22) square feet, the whole being a part of Parcel 268 and a part of Parcel 269 as shown on Sheet A-2 of Plat of Lands Condemned by the City of Providence for Water Supply Purposes in the Town of Scituate, Rhode Island, and being further delineated on a plat entitled "City of Providence - Water Supply Board - Land Proposed to be Leased to the Rhode Island Episcopal Convention" Dated June 29, 1960, Acc. 5411 approved by Philip J. Holton, Jr., Chief Engineer, a copy of which is attached hereto and made part hereof.

TO HAVE AND TO HOLD the same, with all the rights and privileges thereof unto the said Lessee, its successors, administrators and assigns for and during a term of fifty (50) years from the first day of August, A. D. 1960, they yielding and paying therefor as a yearly rent, the sum of one (\$1.00) dollar, and an additional sum equal to the taxes which may be assessed thereon annually or otherwise by the Town of Scituate or other governmental body, the same to be paid within one (1) month of the assessment of said tax.

Provided always, and this lease is made upon the following express conditions:

That the said Lessee, its successors, administrators and assigns shall, during the continuance of this lease, use and occupy the aforescribed premises for the religious and charitable purposes of the Rhode Island Episcopal Convention, and for no other purpose whatsoever;

That they shall observe and abide by all statutes, laws, ordinances, rules and regulations which are now in force, or which may be hereafter enacted with respect to such occupancy;

That they shall not use or suffer said premises, or any part thereof, to be used or occupied for any unlawful business or any unlawful purposes whatsoever. And they will preserve the peace and maintain good order on said premises at all times; that they will not assign, underlet or part with the possession of the whole or any part of the demised premises without first obtaining the written consent of the Lessor, acting by and through its Water Supply Board.

It is further understood and agreed by and between the parties hereto that any buildings or other improvements now or hereafter erected on said premises are to be held at the sole risk of said lessee, its successors, administrators and assigns.

And it is further understood and agreed that upon any violation of any of the foregoing conditions or covenants, the said Lessor, by any agent duly authorized, shall be at liberty to terminate this lease, and

may thereupon lawfully, immediately or at any time thereafter, and without notice or demand, enter into and upon said premises and repossess the same as of their former estate.

And it is further understood and agreed by and between the parties hereto that if the said lessee, its successors, administrators and assigns, shall not within six months from and after the expiration or other termination of this lease remove any and all buildings, structures and other improvements now or hereafter erected on said premises by said lessee, the same shall become and be the sole and lawful property of the said lessor.

It is further understood and agreed by and between the parties hereto that all buildings and improvements erected or placed upon said land are and shall be pledged for the payment of all rents accruing or owing under this lease.

IN TESTIMONY WHEREOF, said City of Providence has caused these presents to be executed and its corporate seal to be hereunto affixed by WALTER H. REYNOLDS, its Mayor, thereunto duly authorized by City Council Resolution No. _____, approved _____ 1960; and said RHODE ISLAND EPISCOPAL CONVENTION has caused these presents to be executed and its seal to be hereunto affixed by _____, its Treasurer, thereunto duly authorized by vote of the Convention held _____ 1960.

Signed and sealed in
presence of:

CITY OF PROVIDENCE

By

Walter H. Reynolds
MAYOR

RHODE ISLAND EPISCOPAL CONVENTION

By

TREASURER

STATE OF RHODE ISLAND

COUNTY OF PROVIDENCE

In the City of Providence, on the day of ,
A. D. 1960, then personally appeared before me the above named WALTER H.
REYNOLDS, Mayor of the City of Providence, to me known and known by me to
be the party executing the foregoing instrument, and acknowledged said
instrument by him executed in the name and behalf of said City of Providence
to be his free and voluntary act and deed and the free and voluntary act
and deed of said City of Providence.

NOTARY PUBLIC

STATE OF

COUNTY OF

In , on the day of ,
A. D. 1960, before me personally appeared the above named ,
to me known and known by me to be the party executing the
foregoing instrument, and acknowledged said instrument, by him executed,
to be his free and voluntary act and deed.

NOTARY PUBLIC