

RESOLUTION OF THE CITY COUNCIL

No. 389

Approved September 9, 2019

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant an easement to allow secondary power lines to cross Clemence Street south of Westminster Street in the City of Providence to Lapham 290, LLC. Said easement shall be granted specifically upon the following provisions:

1. Said easement shall be utilized only for the installation and maintenance of secondary power lines. Said easement shall not exceed the area of 278 square feet, plus or minus, with dimensions of 20.0 feet by between 13.86 or 13.95 feet, and indicated as a shaded area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064800 dated April 18, 2019.

2. Said easement shall be deemed to run with the land and shall operate against any successors in title and the easement or a memorandum of same shall be recorded by Lapham 290, LLC in the Office of Land Records for the City of Providence.

3. Said easement shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforesated purposes.

4. Lapham 290, LLC shall execute an indemnification and hold-harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

5. Lapham 290, LLC shall supply the City of Providence with an insurance policy naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

6. In the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easement granted herein, upon the ninety (90) days' notice, Lapham 290, LLC shall, at its own expense, and without claim against the City, its officers, servants or employees, for any damages whatsoever, remove said improvements to the easement area.

7. Lapham 290, LLC previously tendered funds in the amount of Twenty-four Thousand Eight Hundred Dollars (\$25,800.00) to the City of Providence in connection with two previous applications for easements at this location. Those funds exceed the valuation of the easement made by City Assessor Thaddeus J. Jankowski in a letter dated April 2, 2019, setting the estimated value at Eight Thousand Three Hundred Forty Dollars (\$8,340.00). Upon the passage of this Resolution by the Providence City Council, the two previous applications will be rendered null and void, and the balance of the funds paid will be refunded in excess of \$8,340.

8. Petitioner shall grant an easement in favor of the Providence Water Supply Board, permitting the maintenance of its facilities on Clemence Street, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

9. Petitioner shall grant an easement in favor of the Verizon, permitting the maintenance of its facilities on Clemence Street, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation

10. Petitioner shall abide by the conditions outlined by National Grid in its letter of June 19, 2019, as to its facilities on Clemence Street.

11. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

IN CITY COUNCIL

SEP 05 2019

READ AND PASSED

Sabrina Mats
PRES.

Shawn L. Lohr
CLERK

I HEREBY APPROVE.

[Signature]
Mayor
Date: 9/9/19

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

March 12, 2019

Shawn Selleck
Providence City Clerk
25 Dorrance Street, Room: 311
Providence RI 02903

Mr. Selleck:

The attached survey illustrates a request for a permanent easement on Clemence Street.

The request is compelled by the current redevelopment of buildings and land located at the following locations:

- Plat-Lot | Map 20 | Lots 165, 166, 167, 169 & 179
- Address | 266-270 Westminster + 276-290 Westminster Street

The redevelopment involves an investment of roughly \$40M to restore vacant historic buildings and convert infill land area into modern and efficient mixed-use apartments, office and retail space. The schedule has construction being completed in 2019.

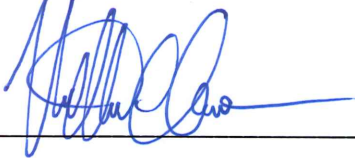
As an integral component of the development projects, the existing electrical service must be upgraded and enhanced. In working closely with project professionals and with National Grid, the project will require an above-ground electrical vault located on private land behind the building located 270 Westminster Street. The easement is necessary to allow secondary power lines to cross Clemence St. The lines will serve the buildings located at 276 Westminster and 290 Westminster Street. The entity applying for this easement is Lapham 290, LLC.

The accompanying survey reflects the general area where the proposed easement would be located, with the precise location of the easement to be more precisely defined following comments from the City's Department of Public Works, any applicable utilities, and any other party the City determines to be appropriate. A proposed easement agreement is also attached, though we respectfully request that approval of both the final easement agreement and the final location of the easement itself be delegated to appropriate City staff in order to finalize both in as expeditious and efficient a manner as reasonably possible.

Please do not hesitate to contact us with any questions, concerns, or a need for additional information.

Given development timelines, time is of the essence – and your cooperation in improving this area of the City is much appreciated.

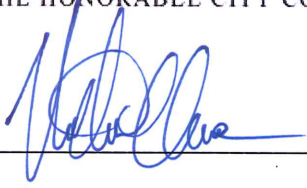
Thank You,



CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:



The undersigned respectfully petitions your honorable body

Lapham 290, LLC
46 Aborn St, 4th Floor
Providence, RI. 02903
(401) 421-0254

GRANT OF EASEMENT
BY AND BETWEEN THE CITY OF
PROVIDENCE AND LAPHAM 290, LLC

GRANT OF EASEMENT, made this _____ day of _____, 20__, by and between the City of Providence, a municipality having a principal place of business at 25 Dorrance Street, Providence, Rhode Island 02903, and Lapham 290, LLC, having a principal place of business at 46 Aborn Street, 4th floor, Providence, Rhode Island 02903 ("Grantee"), as the owner of that certain real property located at 276-290 Westminster Street, Providence, Rhode Island (Plat 20/Lot 167 and Lot 169), being more particularly described in Exhibit A attached hereto (the "Property").

THE CITY OF PROVIDENCE (hereinafter "Grantor") for nominal consideration, the receipt and sufficiency of which are hereby acknowledged under seal, hereby grants to the Grantee, its successors and assigns, a perpetual easement in the area identified as "Proposed Easement" on Exhibit B (the "Permanent Easement Area") for the purposes of operating, installing, maintaining, repairing and/or replacing subsurface electrical service lines and necessary conduits and appurtenances thereto for the provision of utilities from certain property owned by an affiliate of Grantee located at 177 Union Street, Providence, RI (Plat 20/Lot 179) to the Property and any other property now or hereafter owned or controlled by Grantee or an affiliate of Grantee and located adjacent thereto (the "Utility Facilities").

Grantor further grants to Grantee a temporary easement to temporarily use other areas of Clemence Street and other property owned by Grantor adjacent to the Permanent Easement Area as are reasonably necessary for the inspection, installation, repair, replacement, or removal of the Utility Facilities (hereinafter the "Temporary Construction Easement").

Pursuant to the terms of this Grant of Easement, Grantor shall have the right to install, maintain, repair and replace the Utility Facilities within the Permanent Easement Area.

To effectuate the purposes of this Grant of Easement, Grantee may from time to time grant temporary or permanent easement rights, for the Permanent Easement Area or a portion thereof, to applicable utility companies providing the Utility Facilities. However, to be clear, Grantee does not have the power to, and may not, grant any easement rights to such utility companies that are greater than the easement rights granted by Grantor to Grantee hereunder. Further, any such grant of easements to utility companies shall not relieve Grantee of its obligations under this Grant of Easement, which obligations shall continue to be binding upon Grantee and its successors and assigns, and inure to the benefit of Grantor, and its successors and assigns.

Grantor, for itself and its heirs, successors, and assigns, hereby covenants and agrees with Grantee that: (i) The easements granted hereunder shall constitute covenants and easements running with, and appurtenant to, the Property. All terms, covenants and easements of this Grant of Easement shall be binding upon and inure to the benefit of each of Grantor and Grantee and their respective successors and assigns. This Grant of Easement shall be recorded by Grantee in the Office of Land Records for the City of Providence, (ii) At the time that construction or installation of the Utility Facilities is complete, Grantee shall restore the portions of Clemence street and the sidewalk affected by such construction to substantially their previous condition; (iii) Grantee shall indemnify and hold Grantor harmless for liabilities and losses arising from injury, loss or damage to any person or property arising from Grantee's (and its agents' and employees') negligence or willful misconduct in the exercise of Grantee's easement rights hereunder, except to the

extent such claims result from the joint or sole negligence or willful misconduct of Grantor and its agents and employees; (iv) Grantee shall maintain a comprehensive general liability insurance policy during the period of construction naming said Grantor, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00), which policy Grantee has obtained and the City's Department of Law has approved as of the date hereof; (v) If at any time, Grantor determines the Permanent Easement Area should require repavement, or any other maintenance or improvements, Grantee shall remove any permanent structures affixed to the surface of the Permanent Easement Area, at its own expense, to allow Grantor to conduct said repavement, maintenance, or improvements; (vi) Grantee's use of the Permanent Easement Area and Temporary Construction Easement shall be in compliance with all applicable ordinances and regulations.

TO HAVE AND TO HOLD the above granted rights and easements, with all the privileges and conditions agreed to, unto and to the use of the Grantee.

IN WITNESS WHEREOF, the parties have caused this Grant of Easement to be duly executed as of the day and year found below.

[Signatures appear on the following pages.]

GRANTEE:

LAPHAM 290, LLC

By: _____

Name: _____

Title: Authorized Signatory

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE, ss.

On this ____ day of _____, 2019, before me, the undersigned notary public, personally appeared _____, Authorized Signatory of LAPHAM 290, LLC proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☐ personal knowledge of the undersigned, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose in his/her capacity as the Authorized Signatory of LAPHAM 290, LLC and he acknowledged said instrument and the execution thereof to be his/her free act and deed in said capacity and the free act and deed of said LAPHAM 290, LLC.

Notary Public

Printed Name: _____

My Commission Expires: _____

[AFFIX SEAL]

GRANTOR:

THE CITY OF PROVIDENCE

By: _____
Name:
Title:

STATE OF RHODE ISLAND

COUNTY OF PROVIDENCE, ss.

On this ____ day of _____, 2019, before me, the undersigned notary public, personally appeared _____, _____ of The City of Providence, proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☐ personal knowledge of the undersigned, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose in his/her capacity as the _____ of The City of Providence.

Name:
Notary Public
My commission expires:

Approved as to form and correctness:

Jeffrey Dana, City Solicitor

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

[Starts on following page]

Commitment Number: 7177502

276 Westminster Street, Providence, RI
Plat 20 Lot 167

That certain lot or parcel of land, with any and all buildings and improvements thereon, located on the southerly side of Westminster Street in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at the southwest corner of said Westminster Street and Clemence Street; thence running southwesterly bounding northwesterly by said Westminster Street thirty-six and $86/100$ (36.86) feet to land now or formerly belonging to Rachel L. Cohen et al.; thence turning an interior angle of 89 degrees 40 minutes 30 seconds and running southeasterly bounding southwesterly by said last named land one hundred four and $32/100$ (104.32) feet to an angle; thence turning an interior angle of 178 degrees 20 minutes 15 seconds and running southeasterly bounding southwesterly by said last named land seventeen and $83/100$ (17.83) feet to land now or formerly Edward Winsor, Trustee et al.; thence turning an interior angle of 87 degrees 36 minutes 15 seconds and running northeasterly bounding southeasterly by said last named land forty-three and $75/100$ (43.75) feet to said Clemence Street; thence turning an interior angle of 88 degrees 20 minutes and running northwesterly bounding northeasterly by said Clemence Street thirty-nine and $21/100$ (39.21) feet to an angle; thence turning an interior angle of 183 degrees 20 minutes and running northwesterly bounding northeasterly by said Clemence Street seventy-nine and $88/100$ (79.88) feet to the point of beginning.

290 Westminster Street, Providence, RI
Plat 20 Lot 169

That certain lot or parcel of land, with all buildings and improvements thereon, situated on the southeasterly side of Westminster Street and the northeasterly side of Mathewson Street in the City and County of Providence, State of Rhode Island, bounded and described as follows:

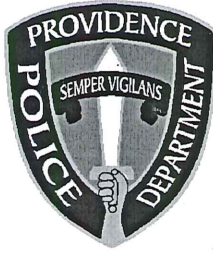
Beginning at a point in the southeasterly side of Westminster Street which point is located forty and $62/100$ (40.62) feet northeasterly from the easterly corner of Westminster Street and Mathewson Street; thence running northeasterly bounding northwesterly on Westminster Street a distance of forty and $67/100$ (40.67) feet, more or less, to a point at land now or formerly of Providence Black Repertory Company and formerly of I. Wit Realty Company; thence turning an interior angle of $90^{\circ}-19'-30''$ and running southeasterly bounding northeasterly on said last-named land a distance of one hundred four and $32/100$ (104.32) feet, more or less, to a point; thence turning an interior angle of $181^{\circ}-36'-15''$ and continuing southeasterly bounding northeasterly on said last-named land in part, and in part on land now or formerly of Mathewson Street, LLC a distance of thirty-two and $76/100$ (32.76) feet, more or less, to a point; thence turning an interior angle of $88^{\circ}-59'-25''$ and running southwesterly bounding southeasterly of said last-named land a distance, of eighty one and $29/100$ (81.29) feet, more or less to a point in the northeasterly line of Mathewson Street; thence turning an interior angle of $89^{\circ}-47'-20''$ and running northwesterly bounding southwesterly on Mathewson Street a distance of forty-five and $38/100$ (45.38) feet, more, or less, to a point at land now or lately of Stanley Weiss Associates; thence turning an interior angle of $89^{\circ}-19'$ and

running northeasterly bounding northwesterly on said last named land a distance of thirty nine and $\frac{67}{100}$ feet (39.67), more or less to a point at the easterly corner of said last named land; thence turning an interior angle of $270^{\circ}-06'$ and running northwesterly bounding southwesterly on said last named land a distance of ninety two and $\frac{96}{100}$ (92.96), more or less, to Westminster Street at the point or place of beginning; said line forming an interior angle of $89^{\circ}-52'-30$ with the first described course.

EXHIBIT B

EASEMENT PLAN

[Starts on following page]



PROVIDENCE POLICE DEPARTMENT
Traffic Bureau
325 Washington St., Providence, RI 02903
243-6279

04/26/19

To: Shawn Selleck/Providence City Clerk
From: Lt. John K. Ryan
Subject: Permanent Easement on Clemence Street (allowing secondary power lines to cross Clemence Street)

Sir,

After reviewing the request for a permanent easement on Clemence Street the Providence Police Department has no objection to the easement.

Respectfully Submitted

Lt. John K. Ryan #19

PROVIDENCE POLICE DEPARTMENT

TRAFFIC BUREAU

APR 26 2019

STEVEN M. PARÉ
Commissioner of Public Safety
Acting Chief of Department



JORGE O. ELORZA
Mayor

Department of Public Safety, Fire Department
"Building Pride in Providence"

April 22, 2019

The Honorable Michael J. Correia
Councilman
Chairman, Committee on Public Works
Providence City Hall
25 Dorrance Street
Providence, RI 02903

RE: Petition for Permanent Easement on Clemence Street

Dear Councilman Correia:

I am in receipt of your memorandum regarding the petition that was filed by Nathaniel Chace of Lapham 290, LLC, who has filed a petition for a permanent easement on Clemence Street.

After review and consideration, the Providence Fire Department does not have any objection to this request because all of the powerlines downtown are underground, therefore, I do not have any public safety concerns at this time.

If you have any questions, please feel free to contact my office.

Respectfully,

Steven M. Paré
Commissioner of Public Safety
Acting Chief of Department

cc: Shawn Selleck, City Clerk

Public Safety Complex | 325 Washington Street | Providence, RI 02903
401-243-6060 phone | 401-243-6487 fax

Antonio J. Morabito III
Director



Jorge O. Elorza
Mayor

DEPARTMENT OF PUBLIC WORKS
"Building Pride in Providence"

May 1, 2019

Honorable Michael J. Correia
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903


RE: Proposed Easement on a Portion of Clemence St.

Dear Councilman Correia:

This department has no objection to the proposed easement on a portion of Clemence St. in conjunction with the attached plan, entitled "Prov., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064860. Area of easement is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

Total square footage equals 278 +/-
See accompanying plan for plat and lot numbers.

If we can further assist you in this regard, please advise.
Very truly yours,


Antonio J. Morabito III

Director-D.P.W.

cc: Shawn Selleck-City Clerk
AJM, AZ-DPW
A. Southgate, Esq.-Law Dept.
L. Garzone-Tax Assessors
B. Nickerson-Planning & Development

700 Allens Avenue Providence, Rhode Island 02905
Phone 401-467-7950/Fax 401-941-2567
www.providenceri.com/dpw

PLAN No. 064860

DATE 4-18-19



Crossed-hatched area (A-B-C-D) indicate proposed easement for the installation of under-ground electric transformer vault. Total square footage of Easement (A-B-C-D) is 278±sf

CITY OF PROVIDENCE, RI.
PUBLIC WORKS DEPT. & ENGINEERING OFFICE

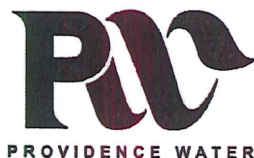
SHOWING: PROPOSED ELECTRIC VAULT EASEMENT ON
CLEMENCE STREET

DRAWN BY: SCA SHOWING: BJM

SCALE: 1"=20' DATE: 04-01-2019

CORRECT: _____ ASSOCIATE ENGR.

APPROVED: William C. Samard
CHIEF ENGINEER



July 15, 2019

The Hon. **Jorge O. Elorza**
Mayor
Ricky Caruolo
General Manager

Mr. Shawn Selleck
City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Subject: Petition Permanent Easement on Clemence St., Providence

Dear Mr. Selleck:

BOARD OF DIRECTORS

Xaykham Khamsyvoravong
Chairperson

Joseph D. Cataldi
Vice Chairperson

Luis A. Aponte
Councilperson

Jo-Ann Ryan
Councilperson

Lawrence J. Mancini
Ex-Officio

Cristen L. Raucci, Esq.
Member

Kerri Lynn Thurber
Member

Carissa R. Richard
Secretary

William E. O'Gara, Esq.
Legal Advisor

The referenced Clemence Street Easement Petition to the City Council has been reviewed for any impact this action might have on the Providence Water (PW) water distribution system. Our records indicate that we have an active 6-inch water main located near the referenced subject site. There are also active services on this 6-inch main. Accordingly, this main and these services need to remain active. In addition to the active services, there are 3 closed and abandoned services that must be removed prior to the installation of the proposed electrical duct bank.

PW has no objection to the proposed partial public roadway easement provided that the Petitioner grants full access to PW to maintain, construct, repair, etc. the existing water main and its appurtenances and that no other permanent construction, whatsoever, be allowed within the proposed easement. PW must be notified prior to any work being done around our facilities and we must be on site. All construction must be coordinated with PW inspections division.

If you have any further questions, please feel free to contact me at (401) 521-6300, extension 7282.

Respectfully,
PROVIDENCE WATER

Kathleen Topp
Water Quality Supervisor

cc: P. LePage
A. Pion
File

MEMBER

Rhode Island Water Works Assn.
New England Water Works Assn.
American Water Works Assn.
Water Research Foundation

An EPA WaterSense Partner

(401) 521-6300

125 Dupont Drive
Providence, RI 02907

www.provwater.com

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Like us at:
facebook.com/Providencewater

Antonio J. Morabito III
Director



Jorge O. Elorza
Mayor

DEPARTMENT OF PUBLIC WORKS
"Building Pride in Providence"

MEMO

TO: SHERI PETRONIO, DEPUTY CITY CLERK
FROM: NATALE D. URSO, PE, PTOE, TRAFFIC ENGINEER *NDU*
DATE: MAY 30, 2019
Re: Communication from John M. Restivo, Esquire, Darrow Everett, LLP, dated November 15, 2018, on behalf of RWB associates, LLC, requesting to revise the easement for the property located at 260-270 Westminster street, Providence, Rhode Island, and 276-290 Westminster Street, Providence, Rhode Island

XC: ANTONIO MORABITO, PUBLIC WORKS DIRECTOR

THE DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION HAS REVIEWED THE ABOVE MENTIONED COMMUNICATION IN REGARD TO EASEMENTS ON CLEMENCE ST. AND HAS NO COMMENTS OR CONCERNS.

700 Allens Avenue Providence, Rhode Island 02905
Phone 401-467-7950/Fax 401-941-2567
www.providenceri.com/dpw



CITY OF PROVIDENCE

MEMORANDUM

TO: SHAWN SELLECK
CITY CLERK

FROM: WENDY NILSSON
PARKS SUPERINTENDENT

DATE: APRIL 24, 2019

RE: Resolution to the City Council
Requesting a permanent easement on Clemence Street.

Dear City Clerk,

The Providence Parks Department is in receipt of the Petition to the City Council dated March 12, 2019, with regards to the request for a permanent easement on Clemence Street.

Please be advised that this department has no properties on Clemence Street therefore, the Providence Parks Department has no objections to this proposal.

Sincerely,

A handwritten signature in black ink, appearing to be "Wendy Nilsson", written over a horizontal line.

Wendy Nilsson
Superintendent of Parks
City of Providence

Thaddeus J. Jankowski Jr.
City Assessor



Jorge O. Elorza
Mayor

Janesse Muscatelli
Deputy City Assessor

PROVIDENCE A CITY THAT WORKS

Finance Department
Office of Tax Assessment

April 2, 2019

Department of the City Clerk
Shawn Selleck, City Clerk
25 Dorrance St.
Providence, RI 02903

RE: Proposed permanent easement of portion of Clemence Street

Dear Mr. Selleck,

At your request, our office has inspected the real estate located between assessors plat 20 lots 179 and 169, 172 also known as a portion of Clemence St., the lots in question are bisected by Clements street with frontage on Clemence Street. The easement in question crosses the street between the lots. The proposed easement is intended to be subterranean. Based on the information provided we understand that it would be used for underground electrical service between the properties. The plans provided with your request indicate the easement is 278 ft.² ±. Based on the land value assessed in the immediate area square footage of this type would have a value of \$60 per square foot since the easements are subterranean the calculation typically would be for 50% of its value there for \$30 per square foot has been utilized. Value for the easement of 278 ft.² would be Eight Thousand Three Hundred Forty Dollars (\$8,340).

I hope this information is useful for your purposes if you require any additional data please do not hesitate to contact me.

Respectfully submitted,

Thaddeus J. Jankowski
City Assessor

City of Providence Assessor's Office • City Hall, Room 208
25 Dorrance St • Providence RI 02903 • (401) 680-5229
providenceri.com/assessor

Petronio, Sheri

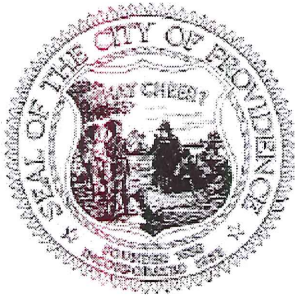
From: Ise, Christopher
Sent: Monday, May 13, 2019 12:00 PM
To: Petronio, Sheri
Subject: 270, 276 & 290 Westminster Projects - Clemence Easement Application for City Council

Hi Sheri-

This email will confirm that the City Plan Commission does not need to comment on the above referenced easement application.

Please contact me if you have any questions.

Chris



CHRISTOPHER J. ISE
Principal Planner | Development Plan Review
Department of Planning and Development
Joseph A. Doorley, Jr. Municipal Building
444 Westminster Street, Suite 3A
Providence, Rhode Island 02903
(401) 680-8521 OFFICE
(401) 680-8492 FAX
cise@providenceri.gov

June 19, 2019

City of Providence
Office of the City Clerk
Shawn Selleck, City Clerk
25 Dorrance St
Providence, RI 02903

VIA email c/o S. Petronio (spetronio@providenceri.gov)

Re: Request by Nathaniel Chace, Lapham 290 LLC to the City of Providence for Permanent Easement on Clemence Street in Providence, Rhode Island

Dear Mr. Selleck:

Please be advised that after review it has been determined that The Narragansett Electric Company, d/b/a National Grid (the "Company"), has underground electrical and gas equipment within the portions of Clemence Street where the Permanent Easement area is proposed.

The Company has no objection to the Permanent Easement, provided that the following conditions be met, all of which have been communicated to the Petitioner via email, along with a copy of this letter on this date. The conditions are as follows:

1. The Petitioner/owner of the privately-owned ducts should participate in DigSafe; National Grid will not mark the location of our ducts/mains. All electric and gas Facilities must be located and marked by the Petitioner before the start of construction, and markings must be maintained throughout the construction project.
2. a) A one (1) foot separation between conduit and any gas facility is required.
b) The use of grinding wheel type trenchers over any gas facility is prohibited. Only hand digging is permitted.
c) If it is necessary to go under National Grid's gas facility and the facility is 4", 6" or 8" cast iron, the Petitioner must avoid encroachment and must properly backfill to the Company's specifications (provided to the Petitioner) otherwise the facility must be replaced, at the sole cost and expense of the Petitioner.

Please feel free to contact me with any questions or concerns.

Very truly yours,


Joyce-Ann Xifaras
Real Estate Representative, Capital RI
Right of Way and Survey Engineering
nationalgrid | Business Services
1-401-784-7513
Joyce-Ann.Xifaras@nationalgrid.com
280 Melrose Street, Providence, RI 02907

Enclosures: none

Cc (via email): T. Bellrose, National Grid; R. Bauman-Echlin, Peregrine Group; N. Chace, 290 Lapham LLC



385 Myles Standish Blvd
Taunton, MA 02780

April 26, 2019

City of Providence
Office of the City Clerk
Attn: Shawn Selleck
25 Dorrance St, RM 311
Providence, Rhode Island 02903

ATTN: Shawn Selleck, City Clerk

RE: PETITION TO GRANT EASEMENT BY CITY ON A PORTION OF CLEMENCE STREET

Dear Mr. Selleck,

Upon investigation by MA-RI OSP CENTER (ma-ri.osp.center@one.verizon.com), our in house Engineering Group, it has been determined that Verizon presently has existing facilities on various sections of said Clemence Street as presented.

These facilities, cables and wires, provides service to the surrounding area.

Verizon will not object to the granting of said Easement, provided that in the event an Easement is approved and granted by the City, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

Sincerely,

Verizon New England Inc.
Attn: Daryl Crossman - ROW
385 Myles Standish Blvd
Taunton, MA 02780

(774) 409-3191 - Office
(774) 409-3930 - Fax
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The Narragansett Bay Commission
One Service Road
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401 • 461•8848
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Rep. Vincent J. Mesolella
Chairman

Laurie A. Horridge
Executive Director

March 29, 2019

Mr. Shawn Selleck
Providence City Clerk
25 Dorrance Street, Room 311
Providence, Rhode Island 02903

**Re: 266-270 and 276-290 Westminster Street Redevelopment
Clemence Street-Permanent Easement
Utility Notification/Verification**

Dear Mr. Selleck:

We have reviewed the above-referenced easement location sent with the letter from the City of Providence City Clerk dated 22 March 2019. As indicated in the attached GIS map, we do not have any facilities in this area. If you have any questions regarding this matter, please feel free to contact me anytime at (401) 461-8848 extension 362.

Sincerely,

David C. Bowen, P.E.
Engineering Manager
Narragansett Bay Commission

