

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 113

Approved March 11, 1978

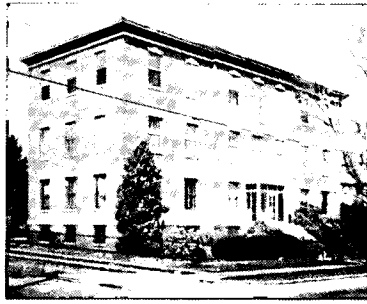
RESOLVED, That His Honor the Mayor is hereby authorized to Execute a Quit-Claim Deed to New England Academy of Torah, 262 Blackstone Boulevard, Providence, Rhode Island for that Real Estate located at 36 Smith Street, Providence, being also Lot 224, as set out and delineated on City Assessor's Plat 4, for whatever interest the City of Providence may have.

IN CITY COUNCIL
MAR 2 1978
READ AND PASSED

Ralph Fagnano PRES.
Rose M. Mendez CLERK

AD
Vincent A. Gauri
MAR 11 1978

LOUIS and SARAH FISHBEIN
MEMORIAL BUILDING



NEW ENGLAND
ACADEMY OF TORAH, Inc.

262 BLACKSTONE BOULEVARD • PROVIDENCE, RHODE ISLAND 02906 • (401) 831-5914

October 18, 1977

RABBI NACHMAN CDHEN
Dean

Mr. Harry Johnson
Chairman, City Properties Comm.
City Hall
Providence, Rhode Island

Dear Sir:

The undersigned respectfully requests you approve the assignment of the City's interest in real estate located at 36 Smith Street, Providence, Rhode Island. The building thereon was donated to the Providence Hebrew Day School and New England Academy of Torah, its dormitory division.

The title to this property is very complex. A photo-stat of the title search for the Providence Redevelopment Agency is attached hereto and made a part hereof. The Penn Central railroad and others have claims to this real estate, although all concede that NEAT, Inc. owns the building.

In order to clear the title and permit the remodeling of this building, the City is respectfully requested to assist. This would permit it back on the tax rolls as soon as possible, and would be of great advantage to the community.

Your favorable consideration would be greatly appreciated.

Sincerely yours,
NEW ENGLAND ACADEMY OF TORAH

By David Hassenfeld
David Hassenfeld, Esq.

DH:geg
Enclosure
cc: Rose Mandanica, City Clerk
Mr. Littler, Tax Assessor

TITLE GUARANTEE COMPANY of RHODE ISLAND

66 South Main Street. Providence, R.I.

TELEPHONE
DE 1-5331

Charles J. Hill, President
Frederick E. Schoeneweiss, Vice President
Clarence L. Fuller, Secretary
Daniel J. Higgins, Treasurer
Earle R. Straight, Assistant Secretary
John W. Steere, Assistant Secretary
Frederick M. Clark, Assistant Secretary
John J. Gallagher, Assistant Secretary

February 27, 1964

6 7 4 8 0

C. Willis Thompson, Counsel
Eugene H. Sullivan, Title Officer
C. Warren Bubier, Title Officer

Railroad Re-Location Project
No. R.I. - R-8
Promenade Street and Smith Street
Assessor's Flat 4 Lot 224

Providence Redevelopment Agency
410 Howard Building
10 Dorrance Street
Providence, R.I.

Gentlemen:

We have completed our title search to the property hereinafter described to and including April 22, 1965 and report that on said date title stood as follows:

As to PORTION A on the sketch annexed hereto title is in the BOSTON AND PROVIDENCE RAILROAD COMPANY, a Massachusetts and Rhode Island Corporation.

As to PORTIONS B, C, & D, title in the CITY OF PROVIDENCE, the same being formerly Cove land.
Subject to the following:

1. As to Portion D on said sketch the Blackstone Canal Co. having acquired under its charter certain easements by indenture dated June 25, 1846 recorded in book 102 at page 27 transferred its right, title and interest to the Providence and Worcester Railroad Company. We do not know whether any such easements were effectively conveyed thereby because of the essential difference between the rights to use for canal purposes and rights to use for railroad purposes. Such rights or easements in any, are now one-half in the Providence and Worcester Railroad Company and one-half in the Boston and Providence Railroad Company.
2. As to Portions B, C, & D, by resolution or 1847 the City of Providence granted rights to use the same for railroad purposes and upon cessation of such use the same to remain for public use forever. These rights are presently held one-half by the Providence and Worcester Railroad Company and one-half by the Boston and Providence Railroad Company.

6 7 4 3 0

appointed successor individual trustee recorded in Providence Land Records on January 11, 1955 at 9:10 A.M.

8. New York, New Haven & Hartford Railroad Company is in bankruptcy in the United States District Court, New Haven, Connecticut Case #30226.
9. Boston & Providence Railroad Company is in bankruptcy in the United States District Court, Boston, Massachusetts.
10. This land is within the area covered by the Providence Terminal Agreement between New York, New Haven & Hartford Railroad Company, Providence and Boston Railroad Company, and the Providence and Worcester Railroad Company, dated September 13, 1935, and recorded in the Land Evidence of the City of Providence in Deed Book 787 at page 426. We are uncertain as to the effect of this agreement, but it is assumed that the same may give to each of the executing Companies some right, title or interest in the property or the other Companies.
11. As to Portion C the same was formerly a part of Old Railroad Crossing Street which may be subject to rights of others over and across the same.
12. It appears that this parcel constitutes or may constitute a portion of the area presently being used for a public parking lot. We have found no lease of record covering the same, but understand that the said parking lot is being operated by one of the Meyers Parking corporations and it is possible that the operator of said parking lot may have or claim some interest in this parcel.
13. Mortgage from Providence and Worcester Railroad Company pursuant to Section 4, Article 2, of the so-called Providence Terminal Agreement of September 13, 1935 to Rhode Island Hospital Trust Company, as trustee for underlying bondholders. This mortgage was to secure underlying bondholders in the sum of \$1,500,000 and is recorded in the Providence Land Evidence in Mortgage Book 829 at page 193. New York, New Haven & Hartford Railroad, lessee joins in this mortgage.

The subject matter of this report is a parcel bounding northerly on Smith Street and easterly on the Narragansett River.

TITLE GUARANTEE COMPANY of RHODE ISLAND (Page IV February 27 64
19)
6 7 4 8 0

The above named parties should be made parties in any condemnation proceedings.

It is, of course, understood that this report is not intended as a certificate of title, but as preliminary to the issuing of a title policy pursuant to your final instructions.

Very truly yours,

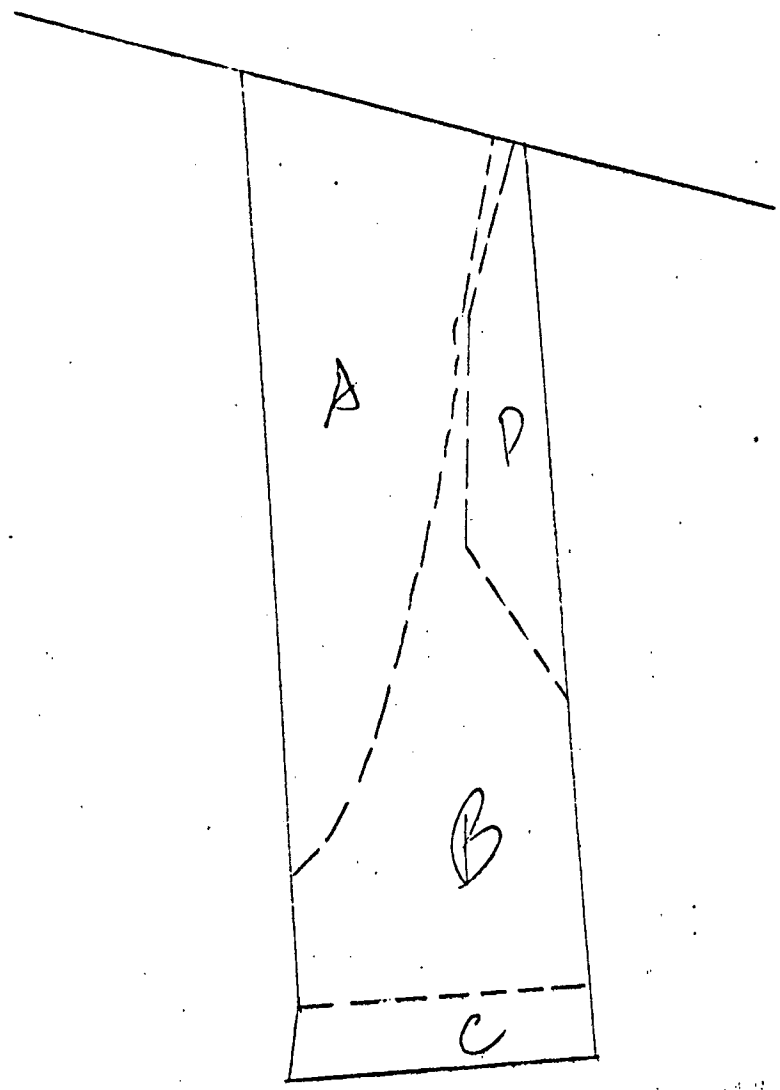
TITLE GUARANTEE COMPANY OF RHODE ISLAND

By

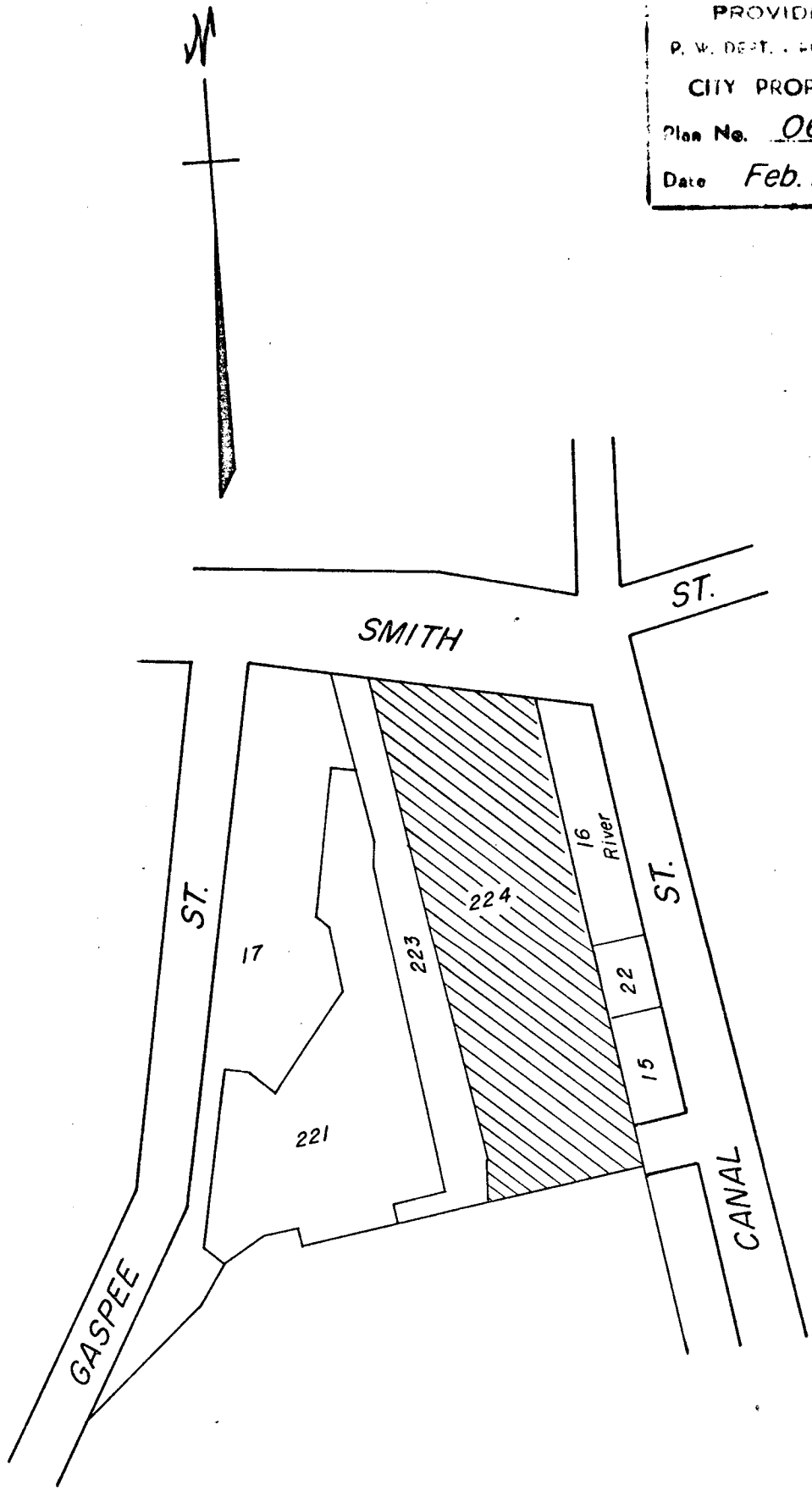


Counsel

CWT:mc



PROVIDENCE R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 CITY PROPERTY SECTION
 Plan No. 064046
 Date Feb. 28, 1978



Note:

Cross-Hatched Area Indicates
 Proposed Quitclaim.

Lot Numbers From Assessor's Plat 4

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Quitclaim
 Drawn by Petruska Checked by J.A.M.
 Scale Nat. To Scale Date Feb. 28, 1978
 Corrected by [Signature] Associate Engr.
 Approved [Signature] CHIEF ENGINEER