

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 186

EFFECTIVE ~~ANNOUNCED~~ March 14, 2011

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant a use easement on certain land between the property of the Narragansett Boat Club (NBC) and the relocated curb line of River Drive in the City of Providence to the Narragansett Boat Club. Said easement shall be granted specifically upon the following provisions:

1. Said easement shall be utilized only for outside boat storage, a water access point, and/or as a building site for the benefit of the NBC Community Rowing Center (AP 41, Lot 258). Said easement shall not exceed the area of six thousand, two hundred eighty-five square feet, plus or minus, as indicated on the accompanying City of Providence Street Line Section Plan No. 064827, dated December 29, 2010, marked as Exhibit A.
2. Said use easement is granted for a period of ninety-nine years from the date of the grant, and the easement or a memorandum of same shall be recorded by NBC 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 stated purposes.
4. NBC 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. NBC 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. NBC must bear the cost for and satisfactorily complete all requirement improvements including the installation of proposed new sidewalks and curbs along River Avenue in accordance with State and City standards and regulations.
7. NBC shall install signs to caution motorists of the narrowed stretch of River Drive.
8. The fee simple market value of the easement area was estimated at \$279,000 by the City's appraiser. In view of the public purposes in which the NBC is engaged, the City grants the NBC's petition to pay a fee of \$1.00 per annum for the use easement rights.

9. 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
MAR - 3 2011
READ AND PASSED



MAYOR



CLERK

Effective without the
Mayor's Signature:


Anna M. Stetson
City Clerk

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

July 17, 2010

The Narragansett Boat Club (NBC) (www.rownbc.org) is not for profit 501c3 corporation. The organization, founded in 1838, has been on the Seekonk River next to the Blackstone Park since the mid 1800's. We offer open membership opportunities for the general public, and, through the NBC Community Rowing Center, we have an extensive learn-to-row program for adults and juniors. Last year, the organization's junior scholastic rowing program included over 250 students from 29 different area high schools. There are over 150 adults actively participating in the programs of the rowing facility.

The NBC Community Rowing Center is located on parcel 0410258000 at 2 River Road near the foot of Angel Street. Our abutters are the City of Providence to the North and West, the Seekonk River to the East, and property owned by Moses Brown School Foundation to the South. [

Request:

We request that the east boundaries of the River Road easement be relocated to the locations shown on the attached plan. (Please note that these changes do not extend into the Blackstone Park property.)

We request that we be granted a use easement of the land between our property line and the new road easement line per the attached plan.

We propose that said use easement would allow the NBC to use the area as:

- an outside boat storage area
- a water access point
- and / or as a building site for the benefit of the NBC Community Rowing Center.

We propose that said use easement would be for 99 years commencing with the City granting the petition. We propose that the easement be renewable with City agreement in the future. We propose that a fee of \$1.00 per annum be assessed for the easement rights.

We request that said use easement be put in effect by September 10, 2010.

NBC and the NBC Community Rowing Center is a positive force in the Blackstone Park. We have the support of the local community, the City Parks Department, and from Cliff Wood, the City Councilor of the area.

Attached you will find drawing of requested easement change.

Please direct inquiries and questions on this request to:

James C. Devol, Jr.
NBC
PO Box 60311
Providence, RI 02906
401 714 8283 cell

A handwritten signature in black ink, appearing to read 'JC Devol', written in a cursive style.

SEEKONK RIVER

NARRAGANSETT BOAT CLUB
PLAT 41 LOT 258
AREA=6,285± S.F.

MOSES BROWN SCHOOL
PLAT 41 LOT 2
AREA=14,828±

BOAT HOUSE

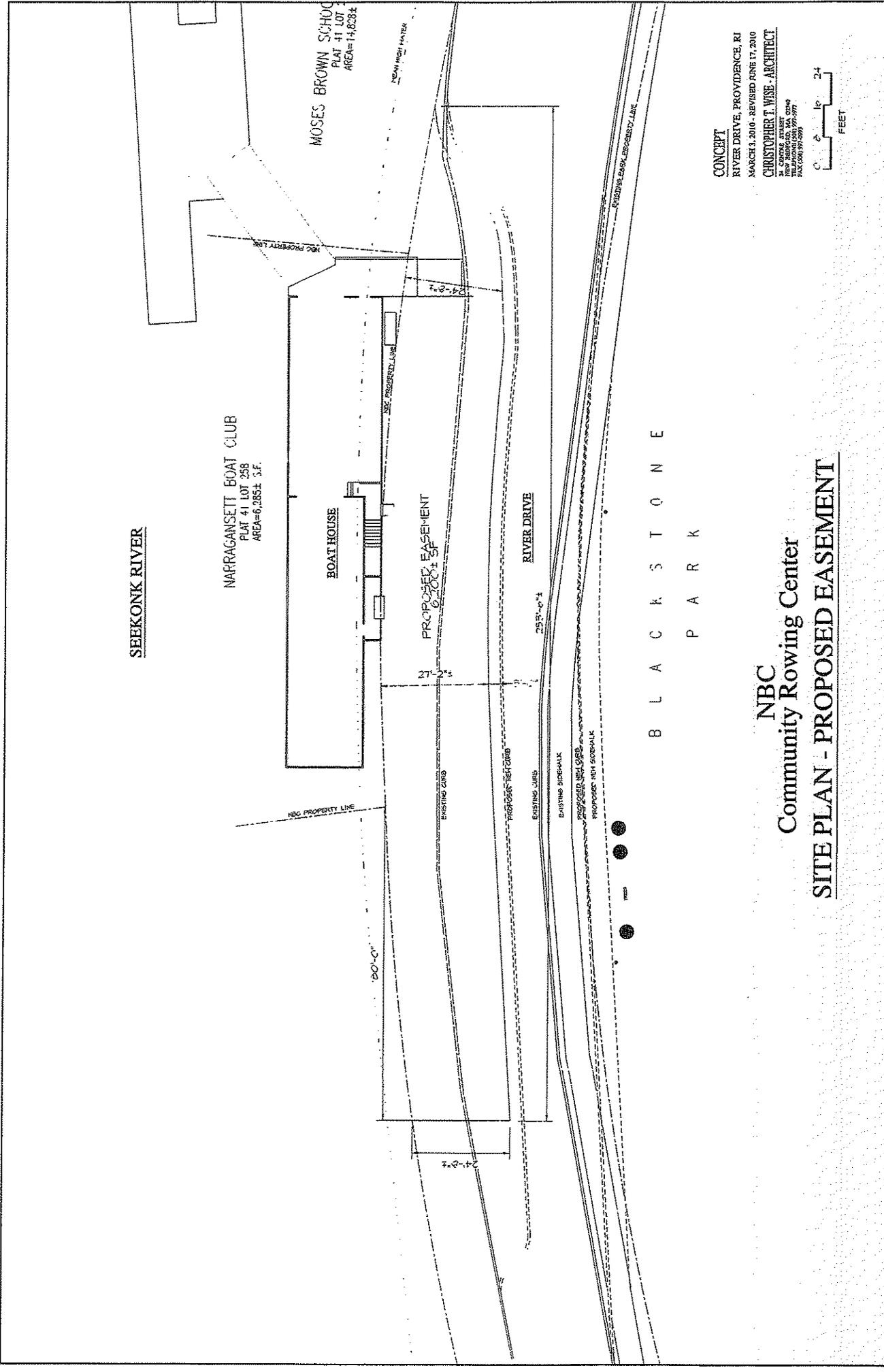
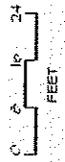
PROPOSED EASEMENT
6,200± S.F.

RIVER DRIVE

B L A C K S T O N E
P A R K

NBC
Community Rowing Center
SITE PLAN - PROPOSED EASEMENT

CONCEPT
RIVER DRIVE, PROVIDENCE, RI
MARCH 3, 2010 - REVISED JUNE 17, 2010
CHRISTOPHER T. WISE - ARCHITECT
200 STATE STREET
PROVIDENCE, RI 02903
TELEPHONE (401) 971-9771
FAC (401) 971-0299



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver Stedman Government Center
4808 Tower Hill Road, Wakefield, RI 02879

PUBLIC NOTICE

File Number: 2011-01-005

Date: February 1, 2011

This office has under consideration the application of:

Narragansett Boat Club
c/o James C. Devol, Jr
P. O. Box 603011
Providence, RI 02906

for a State of Rhode Island Assent to: expand and re-configure existing approved float arrangement for rowing vessels. Also, establish "structural perimeter limit" around in-water facility. The existing float area is 2,562 s.f., and new area will be 4,492 s.f. (new additional float area is 1,970 s.f.).

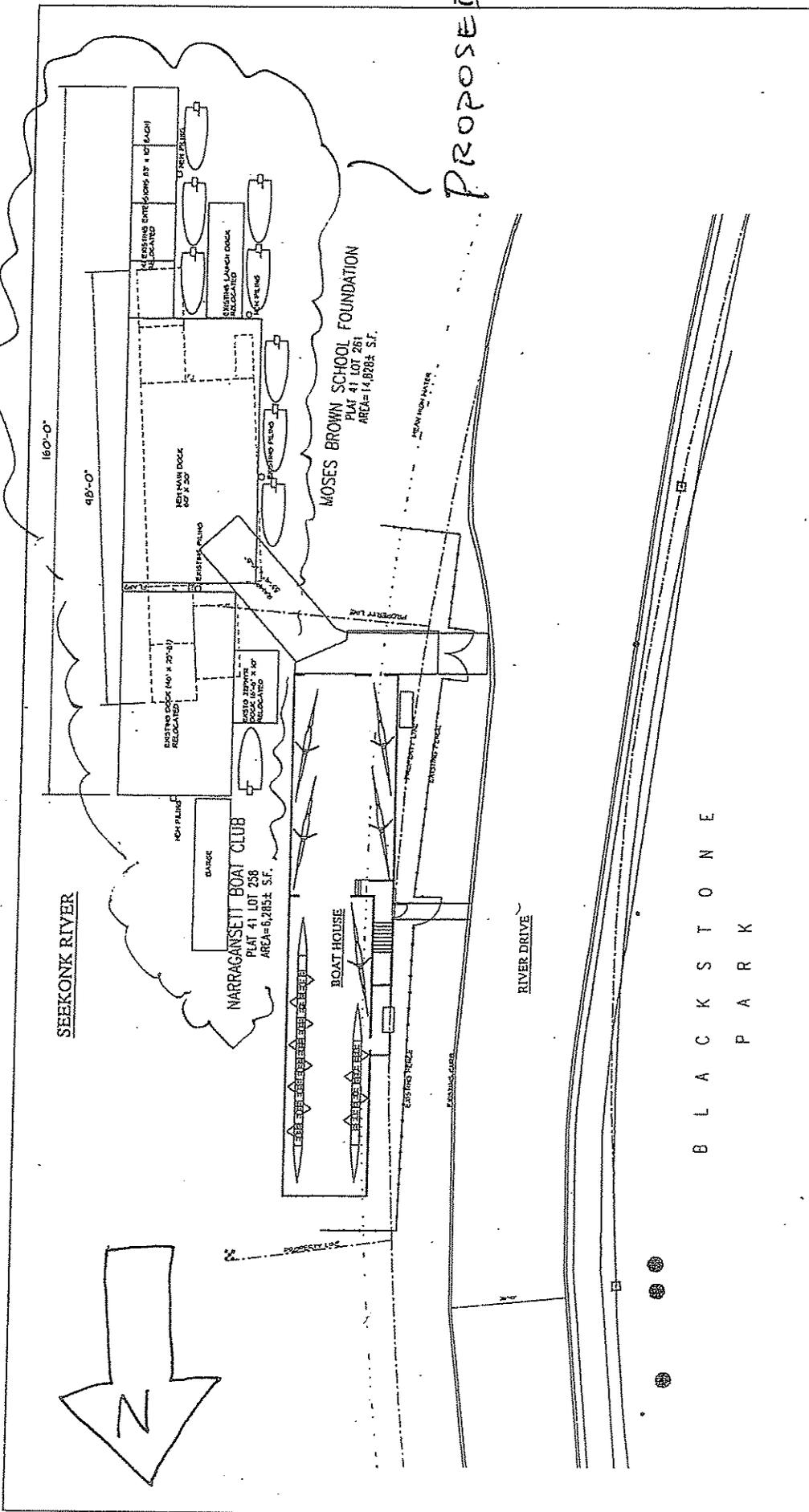
| | |
|-------------------|---------------|
| Project Location: | 2 River Drive |
| City/Town: | Providence |
| Plat/Lot: | 41 / 258,261 |
| Waterway: | Seekonk River |

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (with your correct mailing address and **e-mail address**) and be received at this office on or before March 1, 2011.



RIVER DRIVE, PROVIDENCE, RI
 OCTOBER 11, 1988
 CHRISTOPHER WISE - ARCHITECT
 25 STATE STREET
 PROVIDENCE, RI 02903
 TEL: 847-2222

NARRAGANSETT BOAT CLUB
SKETCH SITE PLAN SHOWING PROPOSED DOCKS - ALT. #1

DRAWING DERIVED FROM A PLAN ENTITLED:

| | |
|--------------------------|--------|
| MAP OF LAND | DATE |
| PROVIDENCE, RHODE ISLAND | |
| PREPARED FOR | |
| NARRAGANSETT BOAT CLUB | |
| DATE | |
| COMPLETED BY | |
| CHRISTOPHER WISE | |
| 1100 BANGS STREET | |
| PROVIDENCE, RI 02903 | |
| 857-1222-8888 | |
| SHEET | 1 OF 1 |

B L A C K S T O N E
 P A R K

PROPOSED



PROVIDENCE POLICE DEPARTMENT

Colonel Dean M. Esserman

Chief of Police

TRAFFIC/PARKING ENFORCEMENT

Sergeant Paul F. Zienowicz, Commanding



1-31-11

To: Sheri Petronio, City Clerks Office
From: Sgt. Paul Zienowicz, Traffic Services
Subject: River Rd

Dear Ms. Petronio,

I have reviewed the area in reference to the easement of to River Rd abutting Assessor's Plat 41, Lots 258 for the purpose of an outside boat storage area.

At this time, the Providence Police Department has no objections to the easement of this property to The Narragansett Boat Club as it is constituted on the site plan provided to me.

Respectfully,

Sgt. Paul Zienowicz

Angel Taveras
Mayor

Steven M. Pare
Commissioner of
Public Safety



George S. Farrell
Chief of Department

Thomas N. Warren
Assistant Chief of Department

Department of Public Safety, Fire Department
"Moving Providence Forward"

January 31, 2011

Office of the City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Re: Easement for the Narragansett Boat Club

Ms. Anna Stetson:

The Providence Fire Department has reviewed the Petition to the City Council by Narragansett Boat Club for a use easement of the land between their property and the new road easement line.

The Providence Fire Department has no objection to granting this easement as long as the access to River Road remains unobstructed .

Yours truly,

Thomas N. Warren
Assistant Chief of Department



Department of Public Works
Engineering Division

David N. Cicilline, Mayor | William C. Bombard PE, Chief Engineer | Paul J. Thomas, Director

Jan. 19, 2011

Honorable Terrence Hassett
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Easement Adjustment of River Drive

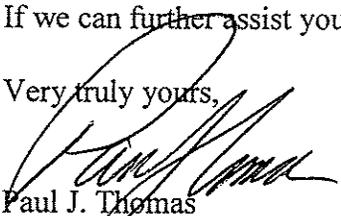
Dear Councilman Hassett:

This department has no objection to the proposed easement adjustment on River Drive in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064827. Area of easement is designated as (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-U-V-W-X-Y-Z-AA-AB-AC-AD-AE-AF-AG-A) on the accompanying plan.

No sewer easement required.
Total square footage equals 6,259 square feet. (±)
See accompanying plan for plat and lot numbers.

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

Very truly yours,



Paul J. Thomas
Director

cc: Ann Stetson-City Clerk
BB, AZ-DPW
A. Southgate, Esq.- Law Dept.
T. Deller- Planning
M. Ferri- Tax Assessors

PROVIDENCE THE CREATIVE CAPITAL

700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX
www.providenceri.com

PROVIDENCE, RI
P.W.DEPT. -- ENGINEERING OFFICE
STREET LINE SECTION

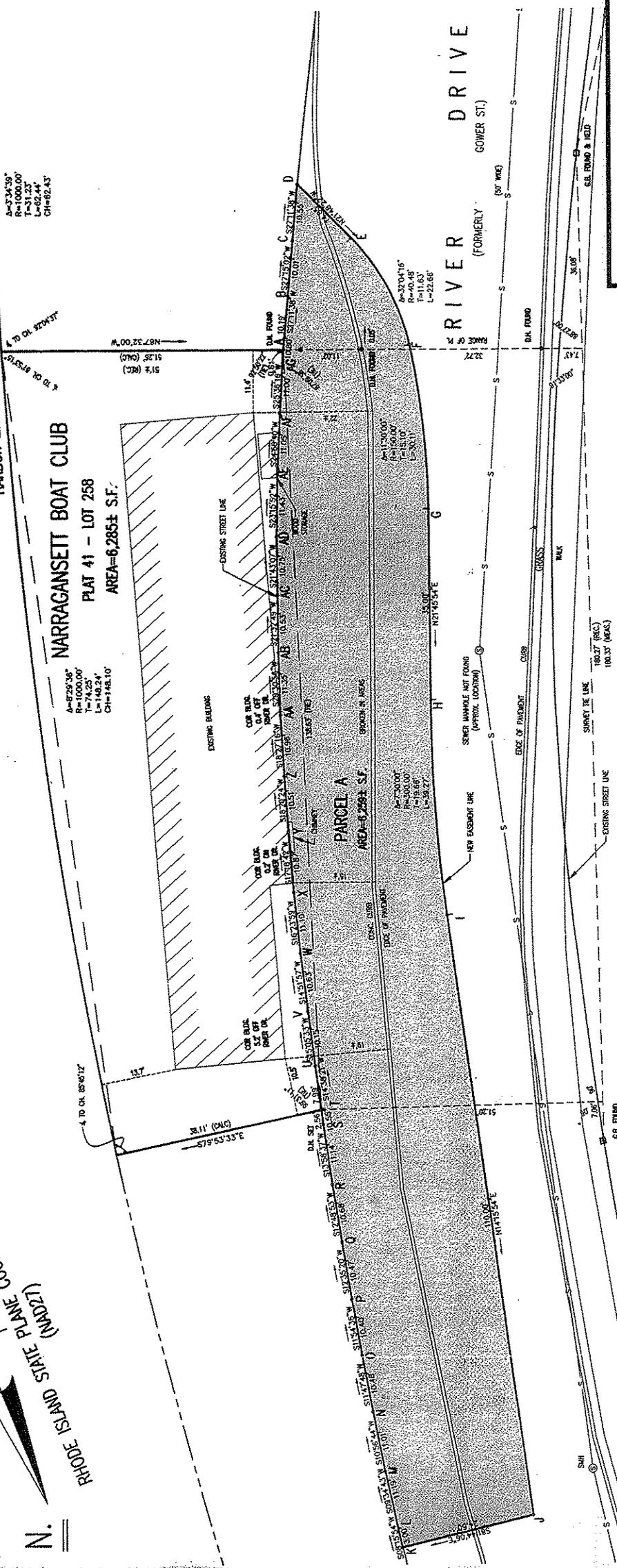
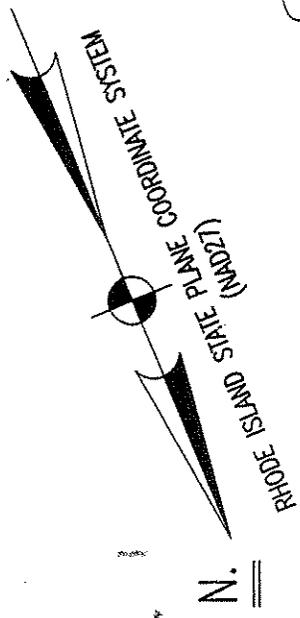
Plan No. 064827
Date DECEMBER 29, 2010

A=374.59'
B=100.00'
T=31.23'
L=62.44'
CH=62.43'

S E E K O N K R I V E R
HARBOR LINE APPROVED MARCH 7, 1883

NARRAGANSETT BOAT CLUB
PLAT 41 - LOT 258
AREA=6,285± S.F.

A=679.36'
R=1000.00'
T=74.25'
L=148.24'
CH=148.10'



CITY OF PROVIDENCE, RI
Public Works Dept. - Engineering Office

Showing proposed easement adjustment
Drawn by _____ Checked by _____
Scale 1"=24' Date 12-29-2010

Corrected _____ Associate Engr.
Approved William C. Ryan Chief Engineer

NOTE:
SHADED AREA (A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-U-V-W-X-Y-Z-AA-AB-AC-AD-AE-AF-AG-A) "PARCEL A" INDICATES PROPOSED EASEMENT ADJUSTMENT.
TOTAL SQUARE FOOTAGE = 6,259.

City of Providence
to
Narragansett Boat Club

That certain tract or parcel of land situated with all buildings and improvements thereon situated on River Drive in the City of Providence, County of Providence, State of Rhode Island, being bounded and described as follows:

Beginning at a point on the southeasterly side of River Drive at the southwesterly corner of land belonging to these grantees. Said point also being the northwesterly corner of land belonging to Moses Brown School Foundation.

Thence running South $27^{\circ}11'38''$ West along the southeasterly line of said River Drive a distance of ten and $19/100$ (10.19) feet to an angle;

Thence running South $27^{\circ}15'02''$ West a distance of ten and $01/100$ (10.01) feet to an angle;

Thence running South $27^{\circ}11'38''$ West a distance of ten and $55/100$ (10.55) feet to a corner. The last two above-described courses being along said southeasterly line of River Drive;

Thence running North $21^{\circ}48'22''$ West a distance of fourteen and $05/100$ (14.05) feet to the beginning of a curve;

Thence running generally northeasterly bearing easterly along the arc of a curve having a radius of forty and $48/100$ (40.48) feet, subtended by a central angle of $32^{\circ}04'16''$, an arc distance of twenty two and $66/100$ (22.66) feet to the beginning of another curve;

Thence running generally northeasterly bearing easterly along the arc of a curve having a radius of one hundred fifty and $00/100$ (150.00) feet, subtended by a central angle of $11^{\circ}30'00''$, an arc distance of thirty and $11/100$ (30.11) feet to the end of said curve;

Thence running North $21^{\circ}45'54''$ East a distance of thirty five and $00/100$ (35.00) feet to the beginning of a curve;

Thence running generally northeasterly bearing northerly along the arc of a curve having a radius of three hundred and $00/100$ (300.00) feet, subtended by a central angle of $7^{\circ}30'00''$, an arc distance of thirty nine and $27/100$ (39.27) feet to the end of said curve;

Thence running North $14^{\circ}15'54''$ East a distance of one hundred ten and $00/100$ (110.00) feet to a corner;

Thence running South $81^{\circ}44'06''$ East a distance of twenty four and $50/100$ (24.50) feet to the easterly line of River Drive for a corner;

Thence running South $8^{\circ}15'54''$ West along the southeasterly line of said River Drive a distance of three and $00/100$ (3.00) feet to an angle;

Thence running South $9^{\circ}34'43''$ West a distance of eleven and $19/100$ (11.19) feet to an angle;

Thence running South $10^{\circ}56'44''$ West a distance of eleven and $01/100$ (11.01) feet to an angle;

Thence running South $11^{\circ}47'48''$ West a distance of ten and $48/100$ (10.48) feet to an angle;

Thence running South $11^{\circ}54'36''$ West a distance of ten and $40/100$ (10.40) feet to an angle;

Thence running South $12^{\circ}35'20''$ West a distance of ten and $47/100$ (10.47) feet to an angle;

Thence running South $12^{\circ}48'53''$ West a distance of ten and $68/100$ (10.68) feet to an angle;

Thence running South $13^{\circ}58'37''$ West a distance of eleven and $14/100$ (11.14) feet to an angle.

Thence running South $14^{\circ}38'21''$ West a distance of two and $56/100$ (2.56) feet to said grantees land. The last eight above-described courses being along said southeasterly line of River Drive;

Thence continuing South $14^{\circ}38'21''$ West bounded southeasterly by said grantees land a distance of seven and $99/100$ (7.99) feet to an angle;

Thence running South $15^{\circ}05'33''$ West a distance of ten and $15/100$ (10.15) feet to an angle;

Thence running South $14^{\circ}51'57''$ West a distance of ten and $63/100$ (10.63) feet to an angle;

Thence running South $16^{\circ}23'59''$ West a distance of eleven and $10/100$ (11.10) feet to an angle;

Thence running South $17^{\circ}18'42''$ West a distance of ten and $87/100$ (10.87) feet to an angle;

Thence running South $18^{\circ}20'24''$ West a distance of ten and $51/100$ (10.51) feet to an angle;

Thence running South $18^{\circ}27'16''$ West a distance of ten and $96/100$ (10.96) feet to an angle;

Thence running South $20^{\circ}30'56''$ West a distance of eleven and $35/100$ (11.35) feet to an angle;

Thence running South $21^{\circ}32'49''$ West a distance of ten and $53/100$ (10.53) feet to an angle;

Thence running South $21^{\circ}43'07''$ West a distance of ten and $75/100$ (10.75) feet to an angle;

Thence running South $23^{\circ}15'52''$ West a distance of eleven and $43/100$ (11.43) feet to an angle;

Thence running South $24^{\circ}58'40''$ West a distance of eleven and $43/100$ (11.05) feet to an angle;

Thence running South $25^{\circ}36'16''$ West a distance of eleven and $00/100$ (11.00) feet to an angle;

Thence running South $27^{\circ}11'38''$ West a distance of zero and $61/100$ (0.61) feet to the point of beginning. The last fourteen above-described courses being bounded by said grantees land.

Said parcel contains 6,259 square feet of land.

Said parcel is also delineated as Parcel A on that certain map of land entitled "Proposed Parcel of Land to be Acquired by Narragansett Boat Club from the City of Providence, River Drive, Providence, Rhode Island by Caputo and Wick, Ltd., 1150 Pawtucket Avenue, Rumford, RI 02916, December 10, 2010".



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

October 21, 2010

Mr. John Gelati
Tax Assessor
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Proposed Perpetual Easement River Road

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on River Road (Assessor's Plat 41), otherwise designated as property owned by the city of Providence as it intersects with Angell Street.

The proposed easement contains 6,200 square feet and measures 24.8 feet by 253.6 feet in length along the property line of River Road. The parcel is zoned OS (Open Space), but the use is for commercial and potential development to support the Narragansett Rowing Center, the abutting property. The subject is located in close proximity to the Seekonk River and the East Side commercial neighborhood. The City's Department of Public Works has no objection to this request; however, they are requiring a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value of the site. Notably, the petitioner will gain full use of the site for either commercial (rowing center), residential, or recreational use, as there will be no easements required by the City of Providence Department of Public Works.

Mr. John Gelati
Page 2
October 21, 2010

The highest and best use of the parcel would be for continued open space recreational use given its close proximity to Blackstone Park, which is under the supervision of the Providence Parks Department.

As proposed, the petitioner would have full use of the site. Further, as requested by the petitioner, a perpetual easement would be similar to an outright sale of the property, as the City would be essentially assigning over its ownership rights to the petitioner.

Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$45.00 per square foot is hereby estimated for this proposal.

Therefore, 6,200 square feet x \$45.00 per square foot = \$279,000 estimated "as is" fee simple market value. Also, should the city be inclined to lease this area to the petitioner, we would assign an annual rental of \$27,900 which represents a 10% return on the subject's "as is" market value.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani (had)

William G. Floriani
Certified Residential Appraiser

Thomas S. Andolfo

Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



FILED

2011 JAN 31 A 9 10

City of Providence

City Plan Commission

400 Westminster Street
Providence, Rhode Island 02903

401 351 4300 OFFICE
401 351 9533 FAX

Stephen Durkee MA
Chair

www.providenceri.com

Honorable Leon F. Tejada, Chair
Committee on Public Works
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Anna Stetson, City Clerk

September 28, 2010

Re: CPC Referral No. 3332: Petition for a 6,200 SF easement on a portion of River Drive

Dear Councilman Tejada:

The City Plan Commission (CPC), at its meeting on Tuesday September 21, 2010, reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the granting of an easement measuring 6,200 SF on River Drive adjacent to the petitioner's property.

The Commission made the following findings of fact:

- The proposed easement would extend approximately 27.2 feet from the property line into the public right of way. The existing curb would be extended and encroach approximately 12 feet into River Drive, thereby narrowing the width of the road. To offset this change, the adjacent curb at the westerly end of River Drive will be relocated 8 feet further to the west with the new sidewalk running into a portion of Blackstone Park.
- The narrowing of River Drive would have certain benefits like traffic calming, which is consistent with Objective M-3 Strategy A of *Providence Tomorrow: The Interim Comprehensive Plan*.
- The encroachment of the westerly sidewalk into Blackstone Park is agreeable to the Parks Department as it would facilitate a more sensitive and well defined curved public walkway with a consistent topography.
- Objectives M-4 and PS-3 of the Comprehensive plan recommend connecting neighborhoods through bicycle friendly streets and trails. The Rhode Island Department of Transportation does not object to the location of the relocated street as it could accommodate the proposed Blackstone bike path within the newly relocated street path.
- The proposal has been reviewed by the Department of Public Works, which has insufficient funds for the street reconfiguration, but does not object to the proposal if costs for necessary improvements like paving and curbing are borne by the applicant.

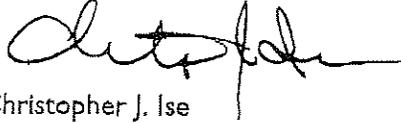
Letter re: CPC Referral No. 3332
10/12/2010

2

Based on the applicant's testimony at the hearing and examination of the application, the City Plan Commission voted to advise the Committee on Public Works that this petition be approved subject to the following conditions:

1. The petition should be approved only upon the applicant bearing the cost for, and satisfactorily completing all required improvements including installation of proposed new sidewalks and curbs in accordance with City and State standards and regulations.
2. The applicant shall install signs to caution motorists of the narrowed stretch of River Drive.

Sincerely,



Christopher J. Ise
Administrative Officer

cc: James Devol, Narragansett Boat Club
Robert McMahon, Superintendent of Parks
William Bombard, Department of Public Works