

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 389

Approved July 20, 2012

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant permanent easements on Park Street in the City of Providence to the State of Rhode Island and Providence Plantations by and through its Department of Administration (the "State"). Said easements shall be granted specifically upon the following provisions:

1. Said easements shall be located on Park Street in accord with the attached legal descriptions, attached hereto as Exhibit A. Said easements shall not exceed the area of four thousand six hundred forty-six square feet, plus or minus, with overall dimensions of approximately nineteen feet by approximately two-hundred forty-four and one-half feet and indicated on the accompanying map, Street Line Section Plan No. 064829 (dated March 7, 2012), marked as Exhibit B, as Permanent Easements 1 and 2.

2. Said easements shall be utilized only for the construction, operation and maintaining of a loading dock, additional restrooms and circulation and lobby area on the Park Street side of the Veterans' Memorial Auditorium (Vets), on, under and over Park Street and the adjacent sidewalk for the expansion of the Vets, and for construction and maintaining of the addition's foundations under Park Street and the adjacent sidewalk at the locations within the legal description provided in Exhibit A.

3. The Rhode Island Convention Center Authority (the "Authority"), overseeing the construction shall realign the curb on the easterly side of Park Street, as indicated on the plans attached hereto as Exhibit C, to provide a suitable width of sidewalk to patrons utilizing the Vets facilities.

4. State 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. Authority shall tender the sum of \$325,000.00 to the Providence City Clerk.

6. 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

JUL 11 2012

READ AND PASSED

  
PRES.  
  
CLERK

I HEREBY APPROVE.

  
Mayor  
Date: 7/20/12

## GRANT OF EASEMENTS

The CITY OF PROVIDENCE, a Rhode Island municipal corporation, having a place of business located at 25 Dorrance Street, Providence, Rhode Island, for consideration paid of Three Hundred Thousand (\$325,000) Dollars, grants to the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS by and through its Department of Administration, with a business address of One Capitol Hill, Providence, Rhode Island 02908, with QUITCLAIM COVENANTS:

1. Permanent Easement 1. The perpetual, exclusive right and easement, subject to existing utility lines, to construct, reconstruct, replace, operate and maintain an addition for a loading dock, additional restrooms, and circulation and lobby area on, under and over the property designated as Permanent Easement 1 on Exhibit A attached hereto which easement area is further shown on Exhibit C hereto.

2. Permanent Easement 2. The perpetual right and easement, subject to existing utility lines, to construct, reconstruct, replace and maintain under the property designated as Permanent Easement 2 on Exhibit B attached hereto for the purpose of maintaining foundations for the addition described above, which easement area is further shown on Exhibit C hereto.

3. Indemnity. Subject to the limits of liability set forth in Rhode Island General Laws Section 9-31-1, *et. seq.*, by acceptance of this deed Grantee agrees to indemnify, defend and hold Grantor harmless from, against and in respect of any and all damage, loss, cost and expense (including reasonable attorneys' fees) which Grantor may sustain, or to which Grantor may be subjected, by reason of damage to property or bodily injury or death to persons resulting from any accident or other occurrence on or about the easement areas when such injury or damage is caused in whole or in part by any act, neglect, fault, or omission of any duty with respect to the same by Grantee, its agents or employees. The foregoing indemnity shall not include indirect, consequential, or punitive damages.

The Grantee shall give the Grantor prompt and timely notice of any claim made or suit instituted against the Grantee and/or the Grantor which in any way could result in indemnification hereunder. The Grantor and Grantee shall have the right to participate in any compromise, or any defense of same, to the extent of their own interest hereunder.

4. Binding. The benefits and obligations herein inure to and are binding upon the successors and assigns of Grantee.

5. Authorization. The grant of the within easements by Grantor is specifically authorized by and subject to the terms and condition of the Resolution of the City Council of the City of Providence, Number \_\_\_\_\_, effective on \_\_\_\_\_, 2012.

IN WITNESS WHEREOF, the City of Providence has hereto set its hand this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF PROVIDENCE

By \_\_\_\_\_  
Angel Taveras  
Mayor

Approved as to form and correctness:

\_\_\_\_\_  
Jeffrey M. Padwa, City Solicitor

STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

In the City of Providence in said county on this \_\_\_\_\_ day of \_\_\_\_\_, 2012, before me personally appeared Angel Taveras, whose name as Mayor of the City of Providence, Rhode Island is signed to the foregoing instrument and who is known by me to said Mayor, and he acknowledged before me on this day under oath, that, being informed of the contents of such instrument, that he in his capacity as such officer with full authority executed the same as his free act and deed and the free act and deed of the City of Providence, Rhode Island.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

APPROVED AS TO TERMS  
AND CONDITIONS

By \_\_\_\_\_  
Chairman

APPROVED AS TO SUBSTANCE

By \_\_\_\_\_  
Director of Administration

APPROVED AS TO FORM

By \_\_\_\_\_  
Attorney General

APPROVED:

By \_\_\_\_\_  
Public Member

EASEMENT PLAN OF LAND  
PARK STREET

PERMANENT EASEMENT 1

That certain parcel of land in the City of Providence, beginning at a point in the easterly line of Park Street. Said point being S04°40'23"W one hundred thirty two and five hundredths (132.05) feet from a rebar. Said point also being the northeasterly corner of the herein described parcel.

Thence: in the easterly line of Park Street, S04°40'23"W a distance of two hundred thirty nine and fifty-two hundredths (239.52) feet to a point.

Thence: northwesterly crossing Park Street N85°19'37"W as distance of sixteen and zero hundredths (16.00) feet to a point.

Thence: northeasterly crossing Park Street N04°40'23"E a distance of two hundred thirty nine and fifty-two hundredths (239.52) feet to a point.

Thence: southeasterly crossing Park Street S85°19'37"E sixteen and zero hundredths (16.00) feet to the point of beginning.

The herein described tract contains three thousand eight hundred thirty two (3,832) square feet of land more or less.

The above described Permanent Easement 1 is subject to existing overhead and underground utility lines.

Exhibit A

**EASEMENT PLAN OF LAND**  
**PARK STREET**

**PERMANENT EASEMENT 2**

That certain parcel of land in the City of Providence, beginning at a point in the easterly line of Park Street. Said point being S04°40'23"W three hundred seventy one and fifty-seven hundredths (371.57) feet from a rebar.

Thence: in the easterly line of Park Street, S04°40'23"W a distance of five and zero hundredths (5.00) feet to a point.

Thence: northwesterly crossing Park Street N85°19'37"W a distance of nineteen and zero hundredths (19.00) feet to a point.

Thence: northeasterly crossing Park Street N04°40'23"E a distance of two hundred forty four and fifty-two hundredths (244.52) feet to a point.

Thence: southeasterly crossing Park Street S85°19'37"E a distance of three and zero hundredths (3.00) feet to a point.

Thence: southwesterly crossing Park Street S04°40'23"W a distance of two hundred thirty nine and fifty-two hundredths (239.52) feet to a point.

Thence: southeasterly crossing Park Street S85°19'37"E sixteen and zero hundredths (16.00) feet to the point of beginning.

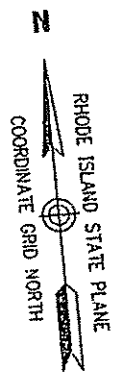
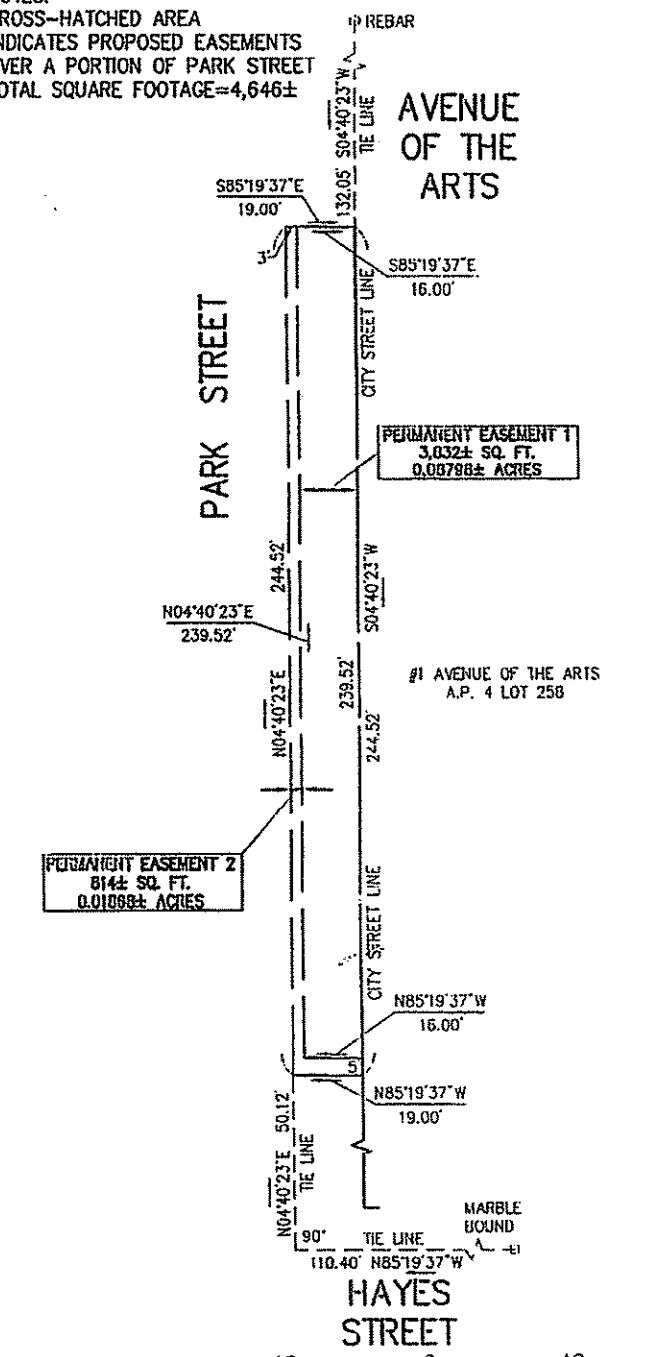
The herein described tract is delineated as Permanent Easement 2 contains eight hundred fourteen (814) square feet of land more or less.

The above described Permanent Easement 2 is subject to existing overhead and underground utility lines.

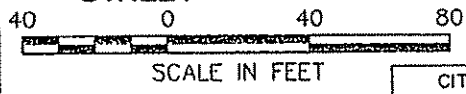
**Exhibit B**

NOTES:  
 CROSS-HATCHED AREA  
 INDICATES PROPOSED EASEMENTS  
 OVER A PORTION OF PARK STREET  
 TOTAL SQUARE FOOTAGE=4,646±

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064829  
 Date March 7, 2011



**Index By:**  
**Park Street**



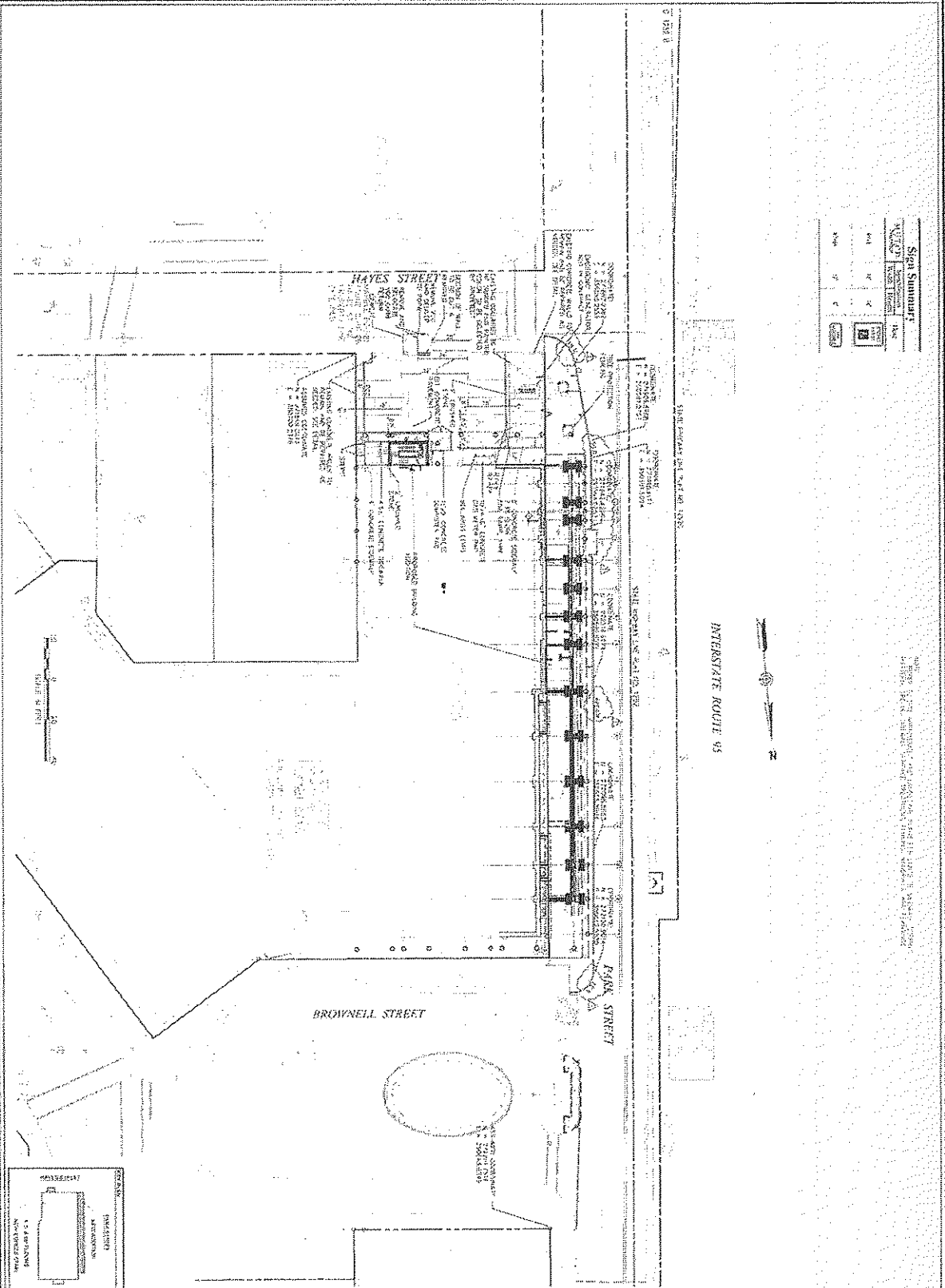
PATRICK W. McCOURT  
 No. 1964  
 PROFESSIONAL LAND SURVEYOR

THIS BOUNDARY SURVEY CONFORMS TO A CLASS I STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS  
 PATRICK W. McCOURT, P.L.S. #1964 DATE 3/7/11

CITY OF PROVIDENCE, R. I.  
 Public Works Dept - Engineering Office  
 Showing proposed easements over a portion of Park Street  
 Drawn by VJB Checked By \_\_\_\_\_  
 Scale 1"=40' Date March 7, 2011  
 Correct Associate Engr.  
 Approved William C. Bombardier CHIEF ENGINEER

Exhibit C

Soils Summary			
NO. OF	TESTS	TESTS	TESTS
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9
10	10	10	10



NOTES: 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS. 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

INTERSTATE ROUTE 95

BROWNELL STREET

PARK STREET

### VETERAN'S MEMORIAL AUDITORIUM ADDITION

83 PARK STREET  
PROVIDENCE, RHODE ISLAND

PERMIT SET  
NOT FOR  
CONSTRUCTION

LAYOUT &  
MATERIALS PLAN

PROJECT NO. **C0.05**

Exhibit C

**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

**FOR PERMANENT EASEMENTS  
ON PARK STREET**

WHEREAS, the Veterans' Memorial Auditorium (the "Vets") is an asset to the City of Providence and State of Rhode Island, providing a venue for their citizens to see and hear cultural and artistic events, including the Rhode Island Philharmonic Orchestra and the Rhode Island Festival Ballet; and

WHEREAS, the loading dock, dressing rooms, and restrooms at the Vets are inadequate, increasing the costs and effort of using the facility, limiting the type of events that may be held there, and diminishing the patron experience; and

WHEREAS, by statute the Department of Administration of the State of Rhode Island is responsible for maintenance and management of the Vets, and the Department has requested that the Rhode Island Convention Center Authority (the "Authority") assist it in a renovation of the building, including the addition of a covered loading dock and additional restroom facilities on the Park Street side of the building, a rendering of the proposed addition being attached hereto as Exhibit A; and

WHEREAS, the Capital Center Commission has approved the design for the addition; and

WHEREAS, in order to construct the loading dock and additional restrooms on the Park Street side of the Vets, the State, as owner of the Vets, will need a permanent easement from the City of Providence, on, under, and over Park Street and the adjacent sidewalk for the expansion of the Vets, and a permanent easement under Park Street and the adjacent sidewalk for portions of the addition's foundations. Additionally, the easterly curb of Park Street will need to be realigned as a result of such easements.

Attached hereto are series of plans indicating the location of the proposed easements and proposed realignment of Park Street:

(i) Exhibit B provides the location of the proposed easements in relationship to the Vets and Park Street, Easement Area 1 being the location of the proposed permanent building easement, and Easement Area 2 being the location of the proposed foundation easement.

(ii) Exhibit C is a legal description of the Easement Areas.

(iii) Exhibit D indicates the location of the proposed easements in relation to existing conditions.

(iv) Exhibit E indicates the relocation of the abutting Park Street curb and sidewalk.

NOW, THEREFORE, in order for the Authority to accomplish its task and obligation to renovate and improve the Vets, the Authority hereby petitions this Honorable City Council:

**A.** For the grant of exclusive permanent easements:

1. On, under and over Park Street and the adjacent sidewalk in the area depicted on Exhibit B as Easement Area 1, in order for the Authority to expand the Vets and maintain an addition.

2. Under Park Street and the adjacent sidewalk in the area depicted on Exhibit B as Easement Area 2 to maintain a portion of the foundations of the addition.

**B.** And to the extent approval is required by the Council, permission and authority to realign the curb on the easterly side of Park Street as indicated on the Plans.

WHEREFORE, the Authority requests that this Honorable City Council act favorably on the within petition.

DEPARTMENT OF ADMINISTRATION  
OF THE STATE OF RHODE ISLAND  
By the RHODE ISLAND CONVENTION  
CENTER AUTHORITY

By   
James P. McCarvill, Executive Director

Dated: March 9, 2011

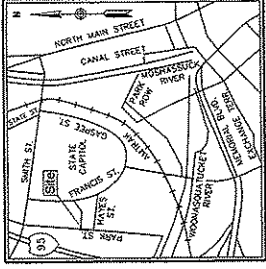
***Authority's address:***

Attn: James P. McCarvill, Executive Director  
Rhode Island Convention Center Authority  
Administrative Offices - DDC  
One LaSalle Square  
Providence, RI 02903  
401/351-4295

***The Authority's legal counsel:***

Bruce A. Leach, Esq.  
DeSimone & Leach  
One Turks Head Place Ste 1010  
Providence, RI 02903  
401/421-8200



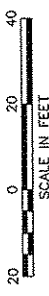
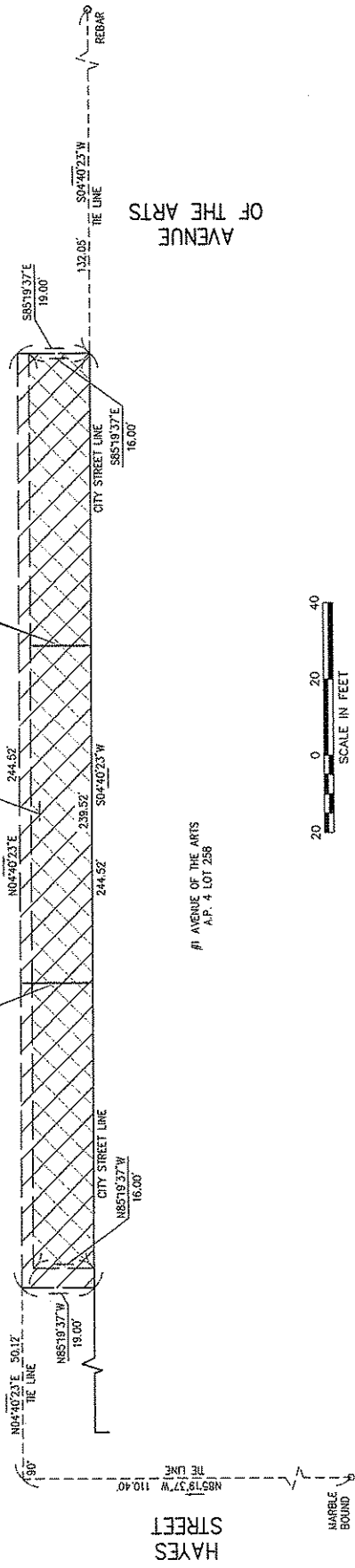


**Locus Map**  
(NOT TO SCALE)



**PERMANENT EASEMENT 1**  
3,832± SQ. FT.  
0.08798± ACRES

**PERMANENT EASEMENT 2**  
4,646± SQ. FT.  
0.10666± ACRES



**Index By:**  
Park Street

**EASEMENT PLAN OF LAND  
PARK STREET  
IN  
PROVIDENCE, RHODE ISLAND  
VETERAN'S MEMORIAL  
AUDITORIUM**

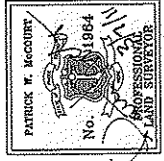
**Plan References  
Providence Land Evidence**

1. FINAL PLAN MINOR SUBDIVISION APPLICATION FOR MASONIC HOTEL DEVELOPER LLC, BROWNELL STREET PROVIDENCE, R.I. BY VANASSE HANGEN BRUSTLIN INC. SCALE 1"=30' DATED SEPTEMBER 10, 2003 RECORDED IN PLAN BOOK 62 PAGE 93.

PREPARED FOR: NORTHEAST COLLABORATIVE ARCHITECTS  
333 WESTMINSTER STREET  
PROVIDENCE, RHODE ISLAND 02903  
(401) 272-2144

PREPARED BY: Vanasse Hangen Brustlin, Inc.  
Transportation Land Development,  
Environmental Services  
10 Dorrance Street, Suite 400  
Providence, R.I. 02903 401/272-8100

SCALE: 1" INCH = 20 FT. DATE: MARCH 7, 2011  
SHEET 1 OF 1 DWG. NO. EASE-1  
J:\2011\CD\SRV\VA\10781\VA-EASE



THIS BOUNDARY SURVEY CONFORMS TO A CLASS I STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.  
Patrick W. McCourt, P.L.S. #1964  
3/7/11

**Exhibit "B"**

- LEGEND**
- CITY STREET LINE
  - EASEMENT LINE
  - MONUMENT TO EASEMENT THE LINE
  - ASSESSOR'S PLAT

**EASEMENT PLAN OF LAND**  
**PARK STREET**

**PERMANENT EASEMENT 1**

A perpetual right and easement to construct, reconstruct and maintain a loading dock together with the necessary equipment and appurtenances over and across and upon land described as follows:

Also, the right and easement to pass over and across land described as follows to and from said loading dock and appurtenances as reasonable as possible; and

Said loading dock and appurtenances shall remain the property of the Rhode Island Convention Center Authority. Said easement is more particularly bounded and described as follows:

In the City of Providence, beginning at a point in the easterly line of Park Street. Said point being S04°40'23"W one hundred thirty two and five hundredths (132.05) feet from a rebar. Said point also being the northeasterly corner of the herein described parcel.

Thence: in the easterly line of Park Street, S04°40'23"W a distance of two hundred thirty nine and fifty-two hundredths (239.52) feet to a point.

Thence: northwesterly crossing Park Street N85°19'37"W as distance of sixteen and zero hundredths (16.00) feet to a point.

Thence: northeasterly crossing Park Street N04°40'23"E a distance of two hundred thirty nine and fifty-two hundredths (239.52) feet to a point.

Thence: southeasterly crossing Park Street S85°19'37"E sixteen and zero hundredths (16.00) feet to the point of beginning.

The herein described tract is delineated as Permanent Easement 1 on that plan entitled "Easement Plan of Land Park Street in Providence, Rhode Island; Veteran's Memorial Auditorium; Scale 1"=20'; Date March 7, 2011; Sheet 1 of 1; Dwg. No. 70791VMA-EASE and contains three thousand eight hundred thirty two (3,832) square feet of land more or less.

The above described Permanent Easement is subject to the rights of any utilities located within the easement area.

**Exhibit "C"**

**EASEMENT PLAN OF LAND**  
**PARK STREET**

**PERMANENT EASEMENT 2**

A perpetual right and easement to construct, reconstruct and maintain the foundation for the loading dock together with the necessary equipment and appurtenances over and across and upon land described as follows: and

Said foundation shall remain the property of the Rhode Island Convention Center Authority. Said easement is more particularly bounded and described as follows:

In the City of Providence, beginning at a point in the easterly line of Park Street. Said point being  $S04^{\circ}40'23''W$  one hundred thirty two and five hundredths (132.05) feet from a rebar. Said point also being the northeasterly corner of the herein described parcel.

Thence: in the easterly line of Park Street,  $S04^{\circ}40'23''W$  a distance of two hundred forty four and fifty-two hundredths (244.52) feet to a point.

Thence: northwesterly crossing Park Street  $N85^{\circ}19'37''W$  as distance of nineteen and zero hundredths (19.00) feet to a point.

Thence: northeasterly crossing Park Street  $N04^{\circ}40'23''E$  a distance of two hundred forty four and fifty-two hundredths (244.52) feet to a point.

Thence: southeasterly crossing Park Street  $S85^{\circ}19'37''E$  nineteen and zero hundredths (19.00) feet to the point of beginning.

The herein described tract is delineated as Permanent Easement 2 on that plan entitled "Easement Plan of Land Park Street in Providence, Rhode Island; Veteran's Memorial Auditorium; Scale 1"=20'; Date March 7, 2011; Sheet 1 of 1; Dwg. No. 70791VMA-EASE and contains four thousand six hundred forty six (4,646) square feet of land more or less.

The above described Permanent Easement is subject to the rights of any utilities located within the easement area.





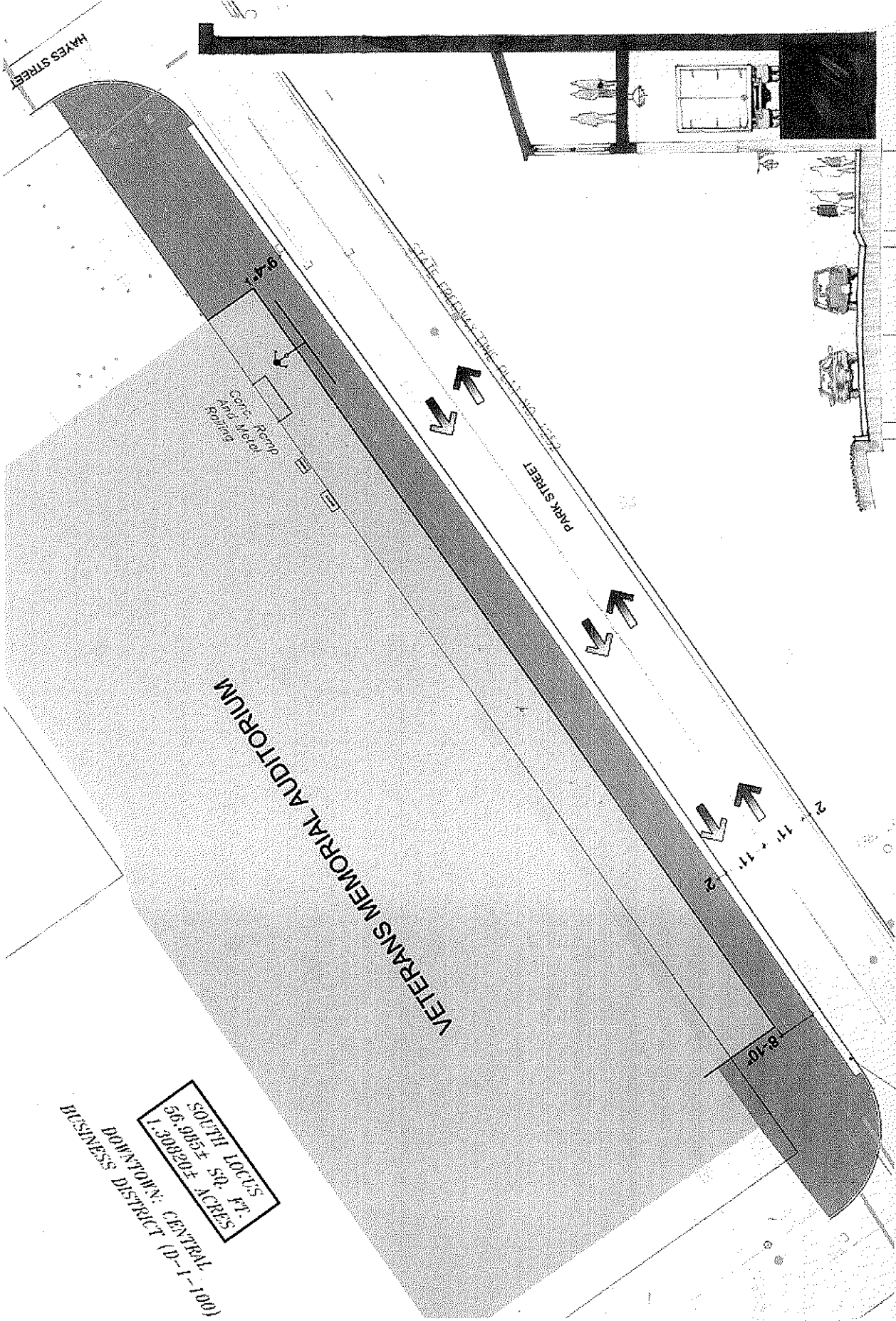
237 Main Street, 3rd Floor  
 Providence, RI 02903  
 Tel: 401.252.1234  
 Fax: 401.252.1235  
 www.foxcon.com

DATE	DESCRIPTION

RENOVATION OF  
 VETERANS  
 MEMORIAL AUDITORIUM  
 83 PARK STREET, PROVIDENCE, RI

PHASE: 2008 REVISION  
 STATUS: NOT FOR CONSTRUCTION  
 PROJECT NO: 1045000  
 SHEET NO: 1045000-00

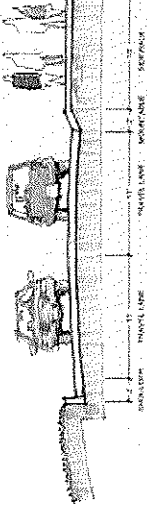
LL-1.XX

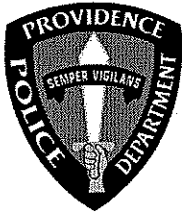


**SOUTH LOCUS**  
 50,005± SQ. FT.  
 1.20820± ACRES  
 DOWNTOWN, CENTRAL  
 BUSINESS DISTRICT (D-1-100)

2' WIDE MOUNTABLE CURB  
 SCALE IN FEET  
 0 5 10 20 30  
 EXHIBIT "E"

2 WAY TRAFFIC WITH MOUNTABLE CURB





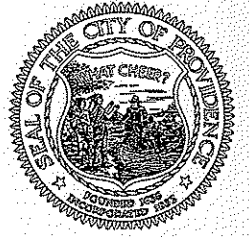
**PROVIDENCE POLICE DEPARTMENT**

**Colonel Dean M. Esserman**

**Chief of Police**

**TRAFFIC/PARKING ENFORCEMENT**

*Sergeant Paul F. Zienowicz, Commanding*



4-7-11

To: Anna Stetson, City Clerk  
From: Sgt. Paul Zienowicz, Traffic Services  
Subject: Park St. Easement

Dear Ms. Stetson,

I have responded to Park St. in reference to the Veterans Auditorium request for permanent easement. The area in question will not be adversely affected by this easement.

At this time, the Providence Police Department has no objections to the proposed easement as it is represented on the plans provided for review.

Respectfully,

Sgt. Paul Zienowicz

Angel Taveras  
Mayor

Steven M. Pare  
Commissioner of  
Public Safety



George S. Farrell  
Chief of Department

Anthony J. Di Giulio  
Fire Marshal

Providence Fire Prevention Division  
*"Smoke Detectors Save Lives"*

June 7, 2011

Ms. Anna Stetson, City Clerk  
Providence City Hall, Department of City Clerk  
25 Dorrance Street  
Providence, Rhode Island 02903

Re: Proposal from the Department of Administration of the State of Rhode Island for an easement on Park Street for Veterans' Memorial Auditorium

Dear Ms. Stetson,

The Providence Fire Department must object at this time to the proposed easement of Park Street. There is a fire hydrant located in the proposed easement area and there is insufficient information provided to determine what they propose to do to keep this hydrant in service.

Upon further information about the hydrant and its possible relocation, the Providence Fire Department will then be better able to assess this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Di Giulio".

Anthony J. Di Giulio  
Fire Marshal



CITY OF PROVIDENCE

Angel Taverás, Mayor

# Memo

To: Councilman Terrence M. Hassett, Chairman, Committee on Public Works  
From: William C. Bombard, PE, City Engineer  
CC: Paul J. Thomas, Director of Public Works  
Date: February 28, 2012  
Re: **Park St. Alterations**

---

Be advised that this office has reviewed the plans for the Veteran's Memorial Auditorium addition and met with the proponents for the project to discuss the impact to Park Street. The proposed work will require curb realignment and result in a reduction of the width of the roadway of Park Street.

A recent study of traffic impacts in the City prepared for the Department of Transportation indicated that the number of vehicles turning onto Hayes Street from this portion of Park Street is minor and travel through the intersection should not be significantly affected by the road width reduction and loss of the left-turn lane.

Because the impact will be minimal, this office has no objection to this project.

**DEPARTMENT OF PUBLIC WORKS**

700 Allens Avenue Providence, Rhode Island 02905

401 467 7950 ph | 401 941 2567 fax

[www.providenceri.com](http://www.providenceri.com)



Department of Public Works  
Engineering Division  
William C. Bombard PE, Chief Engineer

Apr. 20, 2012

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

**RE: Proposed Easement on Park St.**

Dear Councilman Hassett:

This department has no objection to the proposed easements on Park St. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064829. Area of easement is designated as shaded area on the accompanying plan.

No sewer easement required.  
Total square footage equals 4,646 square feet. (±)  
See accompanying plan for plat and lot numbers.

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

Very truly yours,

William C. Bombard  
Acting Director

cc: Ann Stetson-City Clerk  
BB, AZ-DPW  
A. Southgate, Esq.- Law Dept.  
D. Quinn- Tax Assessors  
J. Bennett-Planning

PROVIDENCE THE CREATIVE CAPITAL

700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX  
[www.providenceri.com](http://www.providenceri.com)

**NOTES:**

CROSS-HATCHED AREA  
INDICATES PROPOSED EASEMENTS  
OVER A PORTION OF PARK STREET  
TOTAL SQUARE FOOTAGE=4,646±

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064829  
Date March 7, 2011

PARK STREET

AVENUE  
OF THE  
ARTS

#1 AVENUE OF THE ARTS  
A.P. 4 LOT 258

HAYES  
STREET



**PERMANENT EASEMENT 2**  
814± SQ. FT.  
0.01868± ACRES

**PERMANENT EASEMENT 1**  
3,832± SQ. FT.  
0.08798± ACRES

**Index By:**  
**Park Street**



PATRICK W. McCOURT

No. 1964  
PROFESSIONAL  
LAND SURVEYOR

THIS BOUNDARY SURVEY CONFORMS TO A  
CLASS I STANDARD AS ADOPTED BY THE  
RHODE ISLAND BOARD OF REGISTRATION FOR  
PROFESSIONAL LAND SURVEYORS.

*Patrick W. McCourt* 3/7/11  
PATRICK W. McCOURT, P.L.S. #1964 DATE

CITY OF PROVIDENCE, R. I.  
Public Works Dept - Engineering Office

Showing proposed easements over a portion  
of Park Street

Drawn by VHB Checked By \_\_\_\_\_  
Scale 1"=40' Date March 7, 2011  
Correct \_\_\_\_\_ Associate Engr.  
Approved William C. Bombard  
CHIEF ENGINEER



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

May 23, 2012

Mr. David Quinn  
Tax Assessor  
City of Providence  
25 Dorrance Street  
Providence, Rhode Island 02903

Re: Revised - Proposed Building Easement - Park Street  
Permanent Easement 1

Dear Mr. Quinn:

Pursuant to your request, we have personally inspected the real estate located on Park Street adjacent to Lot 258 on Plat 4 of the Tax Assessor's Plat Maps for the City of Providence, State of Rhode Island. The subject area is located in the Capital Center District area of the city and is adjacent to the Veteran's Memorial Auditorium (VMA) as overlooking Interstate Route 95.

The purpose of our inspection and subsequent analysis was to estimate the market value of the sidewalk easement along Park Street for the building easement proposed to support the construction of a loading dock and additional restrooms at the VMA. The easement was requested by the Rhode Island Convention Center Authority and the Department of Transportation.

Specifically, the proposed easement runs along a portion of Park Street and the sidewalk locations. It encompasses the area as depicted on the map provided by the VHB Group for a total area of 3,832 square feet of the sidewalk. Zoning in the area is D1-100 - Downtown Commercial. The City's Department of Public Works has no objection to this request. However, the Department will require a Class 1 survey for recording should they approve this request.

We have taken into account a number of factors in arriving at the fair market value for the requested easement. Among those factors is that the petitioner will gain full use of the public right-of-way in the sidewalks along Park Street to further enhance the commercial viability of their property.

ANDOLFO APPRAISAL ASSOCIATES, INC.

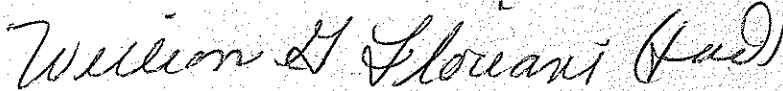
Mr. David Quinn  
Page 2  
May 23, 2012

Based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$90.00 per square foot is hereby estimated for this area given that the City would lose its fee simple title to the land.

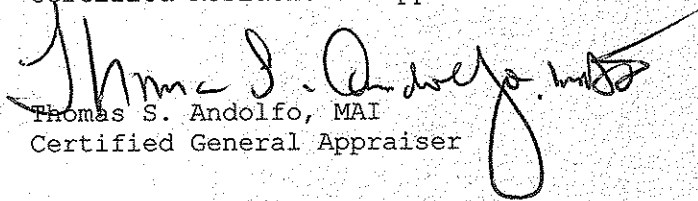
Therefore, 3,832 square feet x \$90.00 per square foot = \$344,880 indicated "as is" fee simple market value.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani  
Certified Residential Appraiser



Thomas S. Andolfo, MAI  
Certified General Appraiser

WGF:TSA/fad



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

May 23, 2012

Mr. David Quinn  
Tax Assessor  
City of Providence  
25 Dorrance Street  
Providence, Rhode Island 02903

Re: Revised - Proposed Foundation Easement - Park Street  
Permanent Easement 2

Dear Mr. Quinn:

Pursuant to your request, we have personally inspected the real estate located on Park Street adjacent to Lot 258 on Plat 4 of the Tax Assessor's Plat Maps for the City of Providence, State of Rhode Island. The subject area is located in the Capital Center District area of the city and is adjacent to the Veteran's Memorial Auditorium (VMA) as overlooking Interstate Route 95.

The purpose of our inspection and subsequent analysis was to estimate the market value of the sidewalk easement along Park Street for a foundation easement proposed to support the construction of a loading dock and additional restrooms at the VMA. The easement was requested by the Rhode Island Convention Center Authority and the Department of Transportation.

Specifically, the proposed easement runs along a portion of Park Street and the sidewalk locations. It encompasses the area as depicted on the map provided by the VHB Group and the City of Providence Department of Public Works for a total area of 814 square feet under the sidewalk. Zoning in the area is D1-100 - Downtown Commercial. The City's Department of Public Works has no objection to this request. However, the Department will require a Class 1 survey for recording should it be approved.

We have taken into account a number of factors in arriving at the fair market value for the requested easement. Among those factors is that the petitioner will gain full use of the public right-of-way in the sidewalk along Park Street to further enhance the commercial viability of their property. The petitioner will be building this foundation under the sidewalk, which will be extended and have to be rebuilt. These new developments will necessitate a reduction in fee value by 30%.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. David Quinn  
Page 2  
May 23, 2012

As such and based on an analysis of comparable sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$90.00 per square foot less is hereby estimated for this area. However, given that the City would lose its fee simple title to the land, a reduction of 30% equates to a value of \$63.00 per square foot.

Therefore, 814 square feet x \$63.00 per square foot = \$51,282 indicated "as is" fee simple market value.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

*William G. Floriani (fad)*

William G. Floriani  
Certified Residential Appraiser

*Thomas S. Andolfo, MAI*

Thomas S. Andolfo, MAI  
Certified General Appraiser

WGF:TSA/fad



**City Plan Commission**  
Angel Taveras, Mayor

Councilman Michael A. Solomon  
Chair, Ordinance Committee  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Anna Stetson, City Clerk

June 27, 2011

**Re: Petition to create easements on Park Street to accommodate the proposed addition to the Veterans Memorial Auditorium**

Dear Councilman Solomon:

At a regular meeting of the City Plan Commission (CPC) on June 21, 2011, the Commission reviewed a proposal to grant the said easement. The Commission voted unanimously as described below to make certain findings of fact and to recommend conditions under which the petition be approved.

**OVERVIEW**

The petitioner has requested two permanent easements, one for the proposed addition and one for the building foundation, on Park Street directly adjacent to the Veterans Memorial Auditorium. The addition will provide a new loading dock, walkways and additional restrooms for the Auditorium. The easements, listed as Easement #1 and Easement #2 on the plan and containing 3,832-sf and 4,646-sf of area respectively, are located on the east side of Park Street.

The Commission made the following findings. Currently Park Street has three travel lanes. Adjacent to the Auditorium, most of Park Street has one northbound lane and two southbound lanes. Just before its intersection with the Avenue of the Arts, the northbound lane of Park Street switches to two lanes and the southbound becomes one lane. If the easements are approved, this portion of Park Street would be reduced to two travel lanes, one northbound and one southbound. The proposed addition, measuring 12' in width, is to be constructed on an existing 16' sidewalk adjacent to the building. During the review process with the Design Review Committee of the Capital Center Commission (CCDRC), the Committee and Planning Staff had some concern with the remaining 4' wide sidewalk after construction. The consensus was that the remaining 4' wide sidewalk was too narrow for pedestrians.

The applicant returned to the CCDRC with a revised plan showing the proposed sidewalk with at a width ranging from 8'-10" to 9'-4". The CCDRC made a recommendation that the applicant seek any

**DEPARTMENT OF PLANNING + DEVELOPMENT**  
400 Westminster Street Providence, Rhode Island 02903  
401 351 4300 ph | 401 454 0731 fax  
[www.providenceri.com](http://www.providenceri.com)

necessary easements with the City Council to create a wider sidewalk on Park Street. The project was approved by the Capital Center Commission (CCC) with that recommendation as a condition of approval. The Rhode Island Department of Transportation (RIDOT) has just commenced a traffic study by Vanasse Hangen and Brustlin of the surrounding streets, including a study of the impact of the narrowing of Park Street to two lanes. The study should be completed November 2011.

#### Findings of Fact

Based on plans provided, the Commission found that easements on Park Street would have certain benefits such as encouraging pedestrian travel in Downtown by providing safe walkways, which is consistent with Objective M-3 Strategy A of *Providence Tomorrow: The Interim Comprehensive Plan*. The goal is also consistent with the Objectives AC2 and AC 3 which encourages the development and maintenance of facilities to support diverse cultural and artistic activities, and to continue to integrate the arts and entertainment into the City's economic development activities.

The proposal is currently under review by the Department of Public Works.

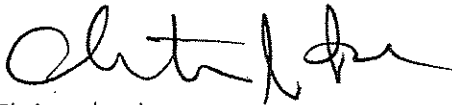
The Commission did not object to the easements on Park Street, but expressed concern that reducing Park Street to two lanes of traffic might have a major impact on the flow of traffic in the immediate area.

#### Recommendation

Based on the foregoing discussion, per its findings of fact, the CPC made a positive recommendation to the City Council to approve the request subject to the following condition:

The easements should not be finalized until the findings of the traffic study are taken into consideration.

Sincerely,



Christopher Ise  
Administrative Officer

cc: James McCarvill, Executive Director, Rhode Island Convention Center Authority  
Bruce Leach, DeSimone and Leach  
Anna Stetson, City Clerk

2011 JUL - 9 - 10: 26  
CITY CLERK  
PROVIDENCE, RI

DEPARTMENT OF PLANNING + DEVELOPMENT  
400 Westminster Street Providence, Rhode Island 02903  
401 351 4300 ph | 401 454 0731 fax  
www.providenceri.com