

# RESOLUTION OF THE CITY COUNCIL

No. 539

Approved September 22, 1982

APPROVAL OF AN EASEMENT TO CONTAINER ASSOCIATES OF PROVIDENCE  
ON BERTH 6 AND A PORTION OF BERTH 5  
AT THE PORT OF PROVIDENCE

WHEREAS, the City of Providence and Container Associates of Providence will jointly participate in the acquisition, transporting, and site development for two gantry cranes from Honolulu, Hawaii; and

WHEREAS, the City of Providence and Container Associates of Providence will jointly participate in a container operation at the Port of Providence; and

WHEREAS, the City of Providence will embark upon an economic development program to increase revenues and employment at the Port of Providence through the use of the gantry cranes for containers and other commodities; and

WHEREAS, the acquisition of the gantry cranes will put the Port of Providence in a highly competitive position for increased cargo traffic and therefore increase revenues to the City; and

WHEREAS, Container Associates of Providence will purchase the cranes through Fleet National Bank and lease them to the City of Providence for a period not to exceed fifteen (15) years; and

WHEREAS, Fleet National Bank requires that an easement be established at the Port of Providence to accommodate the gantry cranes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PROVIDENCE as follows:

1. That an easement running approximately 700 feet by 100 feet be established on all of Berth 6 and a portion of Berth 5 at the Port of Providence.

2. Subject easement shall be granted to Container Associates of Providence solely for container use.

3. In case of default on the part of Container Associates of Providence, Fleet National Bank will have the right to keep the gantry cranes on Berth 6 and a portion of Berth 5 until such reasonable time as the determination is made on the disposition of subject cranes.

4. The easement will terminate when the City of Providence assumes ownership of the cranes.

5. That His Honor, the Mayor, be and he hereby is authorized to execute for and on behalf of the City of Providence, an easement to Container Associates of Providence over and under the premises of the City of Providence known as Berths 5 and 6 at the Port of Providence to contain such terms and conditions as may be approved by His Honor, the Mayor, and the City Solicitor.

IN CITY COUNCIL

SEP 16 1982

READ AND PASSED

*Robert L. Lopez*  
PRES.

*Rose M. Mendonca*  
CLERK

APPROVED

SEP 22 1982

*Vincent A. Cianci*  
MAYOR

Councilman Marshall  
(By Request)

READ AND INDEXED

28 SEP 1967

FOVAM



10/5/82

**PROVIDENCE OFFICE OF ECONOMIC DEVELOPMENT**

VINCENT A. CIANCI, JR.  
MAYOR

RICHARD R. TORCHIA  
DIRECTOR

September 9, 1982

Councilman Harry Johnson  
Chairman, Properties Committee  
c/o City Clerk's Office  
City Hall  
Providence, R.I. 02903

Dear Councilman Johnson:

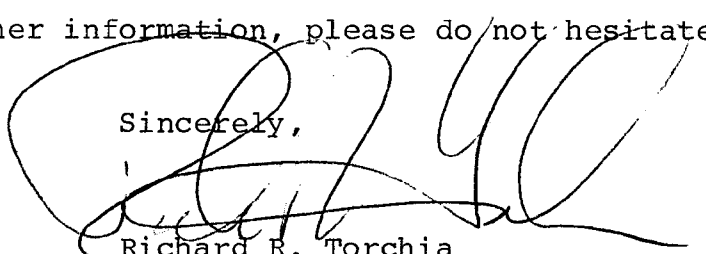
The City Council will be requested to consider approval of an easement running approximately 700 feet by 100 feet, located on Berth 6 and a portion of Berth 5 at the Port of Providence. The easement will be granted to Container Associates of Providence. Its purpose will be to accommodate two gantry cranes.

The purpose of the easement is to give assurances to Fleet National Bank that in case of default on the part of Container Associates of Providence, the bank would have the right to keep the cranes on the berths until such time as they can dispose of them. It has been also a requirement in the issuance of funds to Container Associates of Providence on the purchase of the cranes.

It should be emphasized, however, that the City of Providence will be leasing and operating subject cranes and will be charging Container Associates of Providence for this service. The City would have complete control of the use of the cranes even though Container Associates of Providence and Fleet National Bank would be the owners of subject cranes. This is important in that the City must not relinquish control of Berth 6 and Berth 5 to a private entity. A resolution will be prepared outlining the above.

If you need any further information, please do not hesitate to contact me.

Sincerely,

  
Richard R. Torchia  
Director

RRT/rvf

SEP 10 3 40 PM '82  
DEPT. OF CORR.  
CLERK  
PROVIDENCE, R.I.