



State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

AGENDA

Semi-Monthly Meeting – Full Council

Tuesday, July 27, 2021; 6:00 p.m.

(This will be an in-person meeting*)

Department of Administration – Conference Room A
One Capitol Hill, Providence, RI

Approval of the minutes of the previous meeting – Tuesday, June 22, 2021
Subcommittee Reports
Staff Reports

Request before the Council for Fourth and Final Extension:

2013-08-093 EASTERN ESTATES, LLC & S F PACIFIC, LLC -- Extension of assent to reconstruct and rehabilitate existing buildings on-site and install additional landscape areas, including water features; construction of new conservatory building; additionally, stormwater conveyance and treatment structures will be installed. Located at plat 37, lots 013,102, 108; 570, 580, & 590 Bellevue Avenue, Newport, RI.

Review and Action of Request for Designation of Rights-of-Way

2020-07-103 PUBLIC STREET – CITY OF PROVIDENCE – East of Allen’s Avenue extending to its terminus at the waterfront. Said parcel is designated at Plat 46, lot 630; 200 Allen’s Avenue, Providence, RI.

**Please note: Executive Order 21-72, which provides exceptions to the Open Meetings Act (OMA) including relief from the prohibitions regarding use of telephonic or electronic communication to conduct meetings as set forth in R.I. Gen. Laws § 42- 46-5(b), is expiring July 23, 2021.*



STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL

ENFORCEMENT SIGN-OFF

TO: Jeffrey M. Willis
DEPT: Executive Director, CRMC
FROM:
DEPT: Enforcement Section, CRMC
SUBJECT: Extension of CRMC Assent A2013-08-093

PAGE: 1
DATE: July 22, 2021

Assent Number: A2013-08-093
Applicant Name: Eastern Estates, LLC & SF Pacific, LLC
Project Location: 570, 580, 590 Bellevue Avenue, Newport; Plat 37; Lot(s) 013,102,108
Water Type/Name: Type 1; Water body: Atlantic Ocean
Coastal Feature: Rip rap covered bluff

Project Description: reconstruct and rehabilitate existing buildings on-site and install additional landscaped areas, including water features; construction of a new conservatory building; additionally, stormwater conveyance and treatment structures to be installed

FINDINGS:

Staff performed a Compliance check on July 12, 2021 and found:

1. Regulations which approved the original Assent have not changed or IF so, do not affect the Assent conditions.
2. Conditions of the site have not changed.
3. Regulations and/or conditions on site have changed as follows:

STAFF RECOMMENDATIONS:

- Approve
 Deny
 Approve with modifications:

Signed

Enforcement

Via Electronic Mail and US Mail

April 13, 2021



Lisa A. Turner
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

Re: Request for Assent Extension – The Gardens at Beechwood Museum, Newport, RI
A2013-08-093

Dear Ms. Turner:

Woodard & Curran is requesting on behalf of Eastern Estates, LLC & SF Pacific, LLC, an extension to Assent Number A2013-08-093, which is due to expire on July 1, 2021. We understand this request for extension will require Council review. Please place this matter on the Council's agenda for an upcoming meeting and let us know when and where that meeting will take place.

The following documents are provided in support of this request:

- Request for Assent Extension
- Assent Number A2013-08-093 (2014)
- Assent Modification and Extensions A2013-08-093 (2017, 2019, and 2020)
- Filing Fee check in the amount of \$250

Please be aware that the site is secure such that you will need to advise the caretakers in advance if you plan to visit. Please contact Sharon Toppa at (401) 846-4815 or SToppa@jozu.org for access. If you have any questions or require further information, please contact me at (401) 427-1312 or at jgreenwood@woodardcurran.com.

Sincerely,

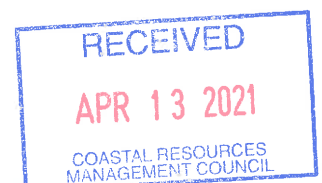
WOODARD & CURRAN INC.

A handwritten signature in black ink that reads "Janice M. Greenwood".

Janice M. Greenwood, P.E.
Principal

Attachments

cc: Barry Mori, Jozu LLC
Stephen Sampson, Jozu LLC
Sharon Toppa, Jozu LLC
Peter Regan, Sayer Regan & Thayer LLC





State of Rhode Island
 Coastal Resources Management Council
 Oliver H. Stedman Government Center
 4808 Tower Hill Road, Suite 3
 Wakefield, RI 02879-1900

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REQUEST FOR ASSENT EXTENSION

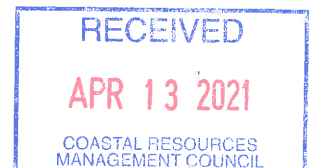
Assent/Permit Number: <u>A2013-08-093</u>	(including extensions) Expiration Date: <u>July 1, 2021</u>
Name of Assent Holder: <u>Eastern Estates, LLC & SF Pacific, LLC</u>	
Location of Project: <u>570, 580, & 590 Bellevue Avenue</u>	
City/Town: <u>Newport</u>	Plat: <u>37</u>
	Lot: <u>102, 108, & 013</u>

Name of Present Owner: <u>Eastern Estates, LLC & SF Pacific, LLC</u>	
Mailing Address: <u>101 Ygnacio Valley Road, Suite 320</u>	
City/Town: <u>Walnut Creek</u>	State: <u>CA</u>
	Zip: _____
Phone Number: <u>401-849-3040</u>	Contact Person: <u>Peter Regan (Sayer, Regan & Thayer, LLC)</u>

Indicate reason for extension request: <u>Construction of site improvements (earthwork, landscape, and hardscape) will extend beyond the current expiration date of July 1, 2021.</u>
Indicate what (if any) work has been done: <u>Building construction, utilities and sub-grade are complete.</u>

Owner's Signature: _____ Peter Brent Regan, Esq. Eastern Estates, LLC & SF Pacific, LLC by their Attorney

Note: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking State Assent. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall be access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to penalties of perjury. 5/00





State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
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ASSENT

CRMC File No.: 2013-08-093

CRMC Assent No.: A2013-08-093

Whereas,
of

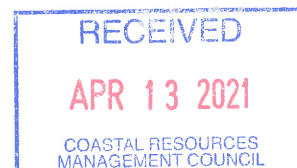
Eastern Estates, LLC & SF Pacific, LLC
101 Ygnacio Valley Road, Suite 320
Walnut Creek, CA 94596

has applied to the Coastal Resources Management Council for assent to: reconstruct and rehabilitate existing buildings on-site and install additional landscaped areas, including water features; construction of a new conservatory building; additionally, stormwater conveyance and treatment structures will be installed; and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **reconstruct and rehabilitate existing buildings on-site and install additional landscaped areas, including water features; construction of a new conservatory building; additionally, stormwater conveyance and treatment structures will be installed located at plat 37, lot 013,102,108; 570, 580 & 590 Bellevue Avenue, Newport, RI, in accordance with said plans submitted to this Council and approved by this Council. In accordance with revisions to RIGL 46-23-6.3 Expiration Tolling Periods (as amended effective June 26, 2013), all work being permitted must be completed on or before July 1, 2018 after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).**

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.



Eastern Estates, LLC & SF Pacific, LLC
CRMC Assent No. A2013-08-093
January 3, 2014
Page Two

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

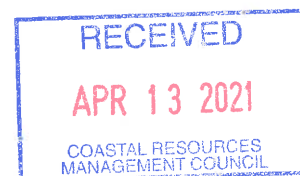
All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.

All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.



Eastern Estates, LLC & SF Pacific, LLC
CRMC Assent No. A2013-08-093
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Page Three

CAUTION:

The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from the approved plans will require a separate application and review. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity.

Permits, licenses or easements issued by the Council are valid only with the conditions and stipulation under which they are granted and imply no guarantee of renewal. The initial application or an application for renewal may be subject to denial or modification. If an application is granted, said permit, license and easement may be subject to revocation and/or modification for failure to comply with the conditions and stipulations under which the same was issued or for other good cause.

ATTENTION: ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ARE SUBJECT TO:

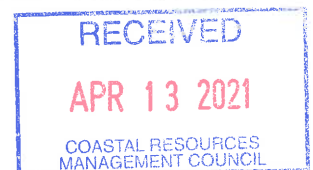
1. The Superior Property Rights of the State of Rhode Island and Providence Plantations in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

A. The applicant shall record this assent in its entirety in the land evidence records of the City of Newport within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council in the form of a *copy* of the recorded assent by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

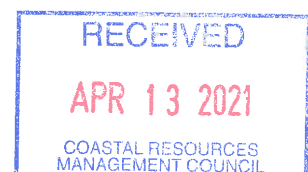


Eastern Estates, LLC & SF Pacific, LLC
CRMC Assent No. A2013-08-093
January 3, 2014
Page Four

- B. For the purpose of this permit, the coastal feature shall be the riprap covered bluff; and the inland edge of the coastal feature shall be the inland edge of the riprap covered bluff.
- C. The approved plans shall be those entitled "Beechwood Museum, 580 and 590 Bellevue Avenue, Newport, RI..." sheets C-001, C-100, C-200, C-201.0, C-201.1, C-202.0, C-202.1, C-300, C-301, C-302, C-303, C-304 dated 11/26/13 and C-305 dated 12/17/13 by Woodard and Curran, stamped by Janice M. Greenwood, PE. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.
- D. The applicant shall obtain all necessary and required RIHPHC approvals prior to construction.
- E. The Cliff Walk shall be closed for a maximum of one week for installation of the 24" RCP outfall. The applicant shall contact RICRMC if the installation is requiring a longer period of shutdown of the Cliff Walk, as restoring public access should be a priority.

Earthwork Stipulations

- A. The approved soil erosion and sediment controls shall be shown on the CRMC approved plans.
- B. The standards and specifications set forth in the most recent RI Soil Erosion and Sediment Control Handbook (RISESCH) shall be strictly adhered to.
- C. All catch basins and drains in the area into which sediment laden waters may flow shall be ringed with haybales staked and toed in 4 inches or protected per Standard "SD" of the RISESCH. These controls shall be properly maintained by timely removal of accumulated sediment and replacement of bales as needed.
- D. All discharges which result from dewatering operations, must flow into sediment traps consisting of staked haybale rings enclosing crushed stone to disperse inflow velocity in accordance with RISESCH Standard "FB". Haybales shall be "toed in" 4 to 6 inches into the ground to prevent underwash of sediments. These devices shall be maintained by removal and proper disposal of accumulated sediments and by replacement of bales and stone as needed. The devices shall not be located on any coastal feature nor in any designated coastal buffer zone. If necessary, a matting device shall be used below the traps. These devices must be completely removed upon completion of dewatering operations.
- E. All excess excavated materials, excess soils, excess construction materials, and debris shall be removed from the site and disposed of at an inland landfill or a suitable and legal upland location outside of CRMC jurisdiction.
- F. All fill materials shall be clean, free of debris and rubble, and free of materials which may cause pollution of surface waters or groundwater.



Eastern Estates, LLC & SF Pacific, LLC
CRMC Assent No. A2013-08-093
January 3, 2014
Page Five

G. All areas of exposed soil which are disturbed by construction and related activities shall be revegetated as immediately as is physically possible so as to minimize erosion and sedimentation. If the season is not conducive to immediate revegetation, all exposed soils shall be temporarily stabilized with hay mulch, jute mat netting or similar erosion control materials. Soil stabilization methods shall be employed during, as well as after, the construction phase to the maximum extent possible.

H. Excavation and grading shall be limited to the area approved. Excess earthwork beyond that authorized by this assent is not permitted.

I. There shall be no discharge or disposal of hazardous wastes or hazardous materials which may be associated with construction machinery, etc. on the site or in the waterway. All used oil, lubricants, construction chemicals, etc. shall be disposed of in full compliance with applicable State and Federal regulations.

Sewage Disposal Stipulations

A. This structure shall be connected to and serviced by municipal sewers.

B. The addition of any chemicals to pool water shall cease a minimum of five (5) days prior to the discharge of the pool water. Pool water shall not be discharged directly into coastal waters.

Building Stipulations

A. All pertinent requirements of the RI State Building Code as administered by the local building official shall be strictly adhered to.

RipRap Stipulations

A. All backfill shall be coarse, clean, and free-draining. A filter layer shall be used to minimize the washout of the backfill and to provide a stable base. This filter layer shall consist of

B. Riprap stone used shall be stone which is durable, compact, angular, and of minimum unit weight of 165 lbs. per cubic foot.

Stormwater Stipulations

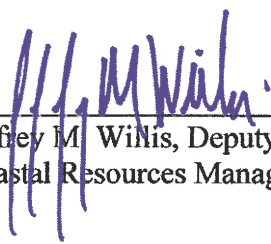
A. The Permittee shall construct and maintain the stormwater management practices in accordance with the submitted Stormwater Management Report revised 11/2013 and bearing CRMC received stamp dated December 4, 2013 (Appendix I).



Eastern Estates, LLC & SF Pacific, LLC
CRMC Assent No. A2013-08-093
January 3, 2014
Page Six

B. All stormwater management practices shall be operated and maintained in accordance with the Operation and Maintenance (O&M) Plan revised 11/2013 and bearing CRMC received stamp dated December 4, 2013.

In Witness Whereof, said Coastal Resources Management Council have hereto set their hands and seal this 3rd day of January in the year two-thousand-fourteen.



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

/kc

KATHLEEN M. SILVIA
CITY OF NEWPORT
CITY CLERK
Jan 17, 2014 12:20P
BOOK: 2413 PAGE: 126

RECEIVED
APR 13 2021
COASTAL RESOURCES
MANAGEMENT COUNCIL



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
 Oliver H. Stedman Government Center
 4808 Tower Hill Road, Suite 3
 Wakefield, RI 02879-1900

(401) 783-3370
 Fax (401) 783-2069

INST: 00116109
 BK: 2732 PG: 89

December 18, 2017

Eastern Estates, LLC & SPF Pacific, LLC
 c/o: Mr. Peter Brent Regan, Esq.
 101 Ygnacio Valley Road; Suite 320
 Walnut Creek, California 94596

(Duplicate Original)
 LAURA C SWIS FAK
 CITY OF NEWPORT
 CITY CLERK
 Mar 09, 2018 10:42A
 BOOK: 2732 PAGE: 89

CRMC ASSENT MODIFICATION AND EXTENSION

RE: CRMC File Number: A2013-08-093 - Modification of Assent, to include the following changes: Eliminate water features and Atlantic view terrace, add outdoor sculptures.

Dear Mr. Brent:

The Coastal Resources Management Council has reviewed your request for modification of CRMC Assent No. A2013-08-093 and approves the modification with the following additional stipulations:

STIPULATIONS OF APPROVAL:

- 1. The applicant shall record this assent in its entirety in the land evidence records of the City of Newport within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.**
- 2. The approved site plans shall be those titled: "The Gardens at Beechwood Museum, 570, 580 & 590 Bellevue Avenue, Newport, Rhode Island 02840", Sheets C-200, Sheet C-201.0, by Woodward & Curran, dated 9/22/2017, and Sheet L1.0 entitled The Gardens at Beechwood Museum, by Katherine Field and Associates, dated 9-22-17. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.**

A one year extension has also been granted with this assent modification. Accordingly all work authorized by this CRMC Assent Modification Approval must be completed by July 1, 2019. In cases where the approved work will not be completed within this time frame, an Assent Extension Request Form must be submitted 60 days prior to the expiration of the established time frame for work completion. **All stipulations of the original CRMC assent remain in full force and effect except as modified by the stipulations contained herein and/or by the plans approved by this assent modification approval.**

Sincerely,

Jeffrey M. Willis, Deputy Director
 Coastal Resources Management Council

/ajt





State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-3767

April 25, 2019

Eastern Estates, LLC & SF Pacific, LLC
101 Ygnacio Valley Road, Suite 320
Walnut Creek, CA 94596

RE: Extension of CRMC Assent No. 2013-08-093
Site Location: 570, 580 & 590 Bellevue Avenue, Newport
Plat(s): 37 Lot(s): 013,102,108

Dear Sir/Madam:

Coastal Resources Management Council Assent File Number A2013-08-093 is granted a one year extension from July 1, 2019 and will expire on July 1, 2020.

All future Assent Extensions will be subject to the provisions of Rhode Island Coastal Resources Management Council Management Procedures Section 5.12.

Sincerely,

Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

/lat





State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-3767

June 3, 2020

Eastern Estates, LLC & SF Pacific, LLC
101 Ygnacio Valley Road, Suite 320
Walnut Creek, CA 94596

RE: Extension #3 of CRMC Assent No. 2013-08-093
Site Location: 570, 580 & 590 Bellevue Avenue, Newport
Plat(s): 37 Lot(s): 013,102,108

Dear Sir/Madam:

Coastal Resources Management Council Assent File Number A2013-08-093 is granted a one year extension from July 1, 2020 and will expire on **July 1, 2021**.

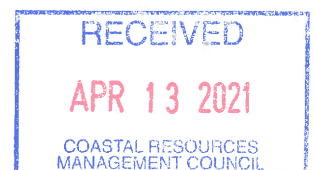
All future Assent Extensions will be subject to the provisions of Rhode Island Coastal Resources Management Council Management Procedures Section 5.12.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey M. Willis".

Jeffrey M. Willis, Acting Executive Director
Coastal Resources Management Council

/lat



**COASTAL RESOURCES MANAGEMENT COUNCIL
RIGHTS-OF-WAY SUBCOMMITTEE
REPORT AND RECOMMENDATION
TO THE FULL COUNCIL**

**Proposed Right-of-Way: Public Street, east of Allen’s Avenue to the Providence River
 In the City of Providence**

I. Introduction

Public Street is a public street of the City of Providence; that part of the street, from the intersection with Allen’s Avenue easterly to the shoreline of the Providence River, has been reviewed for designation as a public right-of-way to the tidal waters of the State of Rhode Island.

II. Facts

The Rights-of-Way Subcommittee directed CRMC legal counsel to review the title to that portion of Public Street easterly from the intersection with, and running perpendicular to, Allen’s Avenue. Legal counsel was greatly assisted on this matter by City of Providence officials David Everett, Leo Perrotta and Craig Hochman, as well as Special Assistant Attorney General Gregory Schultz, Esq. From the records of the City of Providence, on January 17, 1876, the Providence Board of Alderman adopted a resolution to lay out Public Street “from Eddy Street to the harbor line, and fifty feet wide.” It is clear from the resolution that the eastern terminus of Public Street is the shore of the Providence River.

A review of the relevant deeds to abutting property owners east of Allen’s Avenue reference Public Street as a boundary. The property to the immediate north of Public Street (and east of Allen’s Avenue), Assessor’s Plat 46, Lot 489, is owned by the Narragansett Electric Company, d/b/a National Grid. The deed into the Narragansett Electric Company dated

February 17, 2012, lists the southerly boundary of the property as five hundred thirty-five and 90/100 (535.90') feet along the northerly line of Public Street. A copy of this deed is attached as Exhibit A.

There are three properties that border the southerly line of Public Street. The first, bounding on Allen's Avenue and Public Street, is Assessor's Plat 46, Lot 630. The owner, SMM New England Corporation obtained title to the property on September 27, 2017, with the deed being recorded in Book 11837, Page 318. This parcel of land comprises the southerly boundary of Public Street from the intersection of Allen's Avenue easterly by one hundred ninety-one and 94/100 (191.94') feet. A copy of the deed is attached hereto as Exhibit B.

The next property to the east is Assessor's Plat 46, Lot 323, owned by Pete's Tire Barn of RI LLC. The deed into present owner of this property was a Receiver's Deed, dated March 20, 2002, and recorded in Book 5095, Page 309. This property continues the southerly boundary of Public Street, from the SMM New England Corporation parcel, easterly by one hundred seven and 16/100 (107.16') feet. A copy of this deed is attached hereto as Exhibit C.

The easternmost parcel that completes the southerly boundary of Public Street is Assessor's Plat 46, Lot 325. The owner, Airway Leasing LLC, obtained title to the parcel on November 7, 2019, in Book 12541, Page 20. Unlike the two other properties to the west, the description for the Airway Leasing lot begins at the center line of Public Street. That conforms to the current mapping for Public Street, but please note that there is a scrivener's error in the deed into Airway Leasing. The northern boundary for the lot is given as the "northerly line of the (sic) Public Street..." This is clearly an error and does not comport with the dimensions

given in the deed or the depiction of the lot on the City of Providence Tax Assessor's Plat Maps. A copy of this deed is attached hereto as Exhibit D.

A public hearing was held by the Rights-of-Way Subcommittee, utilizing the Zoom Webinar platform, on June 29, 2021, at which time the public was invited to give testimony. All who testified, except for an attorney for an abutter, spoke in favor of designating the subject portion of Public Street as a right-of-way to the shore. The attorney, Joshua Parks, Esq. did not oppose the designation on behalf of his client but did express a concern with the use of Public Street as a right-of-way for the public in light of the industrial uses in the immediate vicinity. He did not contest the right of the public to use Public Street to travel to the tidal waters of the State of Rhode Island.

It further appeared from the testimony of the public that Public Street has been used for this purpose for some time, including but not limited to fishing from the terminus of the right-of-way. The Honorable Pedro Espinal, the Providence City Council Member who represents that portion of Providence where Public Street is located, forwarded a letter with his strong support for the designation.

III. Conclusion

The 1876 dedication of Public Street by the Providence Board of Aldermen as a city street is corroborated by the fact that Public Street is used as a bound to describe the abutting lots. It is clear that Public Street, as a City of Providence right-of-way, is a public right-of-way to the tidal waters of the State of Rhode Island. The width is fifty (50') feet from Allen's Avenue, extending easterly to the western point of the Airway Leasing lot. From that point easterly to the shore of the Providence River the width is twenty-five (25') feet. The recommendation

from the rights-of-way subcommittee to the full Council is to designate Public Street as a CRMC right-of-way to the tidal waters of the State of Rhode Island, that being the shore of the Providence River.

/s/
Ronald Gagnon, Acting Chair

/s/
Patricia Reynolds

/s/
Donald Gomez

**COASTAL RESOURCES MANAGEMENT COUNCIL
REPORT AND RECOMMENDATION
TO THE RIGHTS-OF-WAY SUBCOMMITTEE**

**Proposed Right-of-Way: Public Street, east of Allen’s Avenue to the Providence River
 In the City of Providence**

I. Introduction

I have examined the title to Public Street in connection with a review as to the street’s suitability for designation as a public right-of-way to the tidal waters of the State of Rhode Island. A review of the relevant records, as well as consultation with City of Providence officials and the Department of the Attorney General support the designation of Public Street, from the intersection with Allen’s Avenue easterly to the shoreline of the Providence River, as a designated public right-of-way to the tidal waters of the State of Rhode Island.

II. Facts

On January 17, 1876, the Providence Board of Aldermen adopted a resolution to lay out Public Street “from Eddy Street to the harbor line, and fifty feet wide.” It is clear from the resolution, attached hereto as Exhibit A, that the eastern terminus of Public Street is the shore of the Providence River.

A review of the relevant deeds to abutting property owners east of Allen’s Avenue reference Public Street as a boundary. The property to the immediate north of Public Street (and east of Allen’s Avenue), Assessor’s Plat 46, Lot 489, is owned by the Narragansett Electric Company, d/b/a National Grid. The deed into the Narragansett Electric Company, dated February 17, 2012, lists the southerly boundary of the property as five hundred thirty-five and 90/100 (535.90’) feet along the northerly line of Public Street. A copy of this deed is attached as Exhibit B.

There are three properties that border the southerly line of Public Street. The first, bounding on Allen's Avenue and Public Street, is Assessor's Plat 46, Lot 630. The owner, SMM New England Corporation, obtained title to the property on September 27, 2017, with the deed being recorded in Book 11837, Page 318. This parcel of land comprises the southerly boundary of Public Street from the intersection of Allen's Avenue easterly by one hundred ninety-one and 94/100 (191.94') feet. A copy of the deed is attached hereto as Exhibit C.

The next property to the east is Assessor's Plat 46, Lot 323, owned by Pete's Tire Barn of RI LLC. The deed into present owner of this property was a Receiver's Deed, dated March 20, 2002, and recorded in Book 5095, Page 309. This property continues the southerly boundary of Public Street, from the SMM New England Corporation parcel, easterly by one hundred seven and 16/100 (107.16') feet. A copy of this deed is attached hereto as Exhibit D.

The easternmost parcel that completes the southerly boundary of Public Street is Assessor's Plat 46, Lot 325. The owner, Airway Leasing LLC, obtained title to the parcel on November 7, 2019, in Book 12541, Page 20. Unlike the two other properties to the west, the description for the Airway Leasing lot begins at the center line of Public Street. That conforms to the current mapping for Public Street, but please note that there is a scrivener's error in the deed into Airway Leasing. The northern boundary for the lot is given as the "northerly line of the (sic) Public Street..." This is clearly an error; the reference to the northerly line of Public Street does not comport with the dimensions given in the deed or the depiction of the lot on the City of Providence Tax Assessor's Plat Maps. A copy of this deed is attached hereto as Exhibit E.

III. Conclusion

Given the 1876 dedication of Public Street by the Providence Board of Aldermen, and the fact that Public Street is used as bound to describe the abutting lots, it is clear that Public Street, as a City of Providence right-of-way, is a public right-of-way to the title waters of the State of Rhode Island. The width is fifty (50') feet from Allen's Avenue, extending easterly to the western point of the Airway Leasing lot. From that point easterly to the shore of the Providence River the width is twenty-five (25') feet. The recommendation from legal counsel is to designate Public Street as a CRMC right-of-way to the tidal waters of the State of Rhode Island, that being the shore of the Providence River.

/s/ Anthony DeSisto
Anthony DeSisto #3146
CRMC Legal Counsel

EVIDENCE.

Following reports to be printed
to the city council, viz :
r.
Commissioners of the north burial
Superintendent of the north
Chief of engineers of the fire de-
partment
Commissioner of the poor.

Increasing the number of City
Council members printed.
January 3, 1876.]

of city documents to be
resolutions passed this day, shall
not exceed in each
category.

Regarding the Mayor's message
to the proper committees.

January 3, 1876.]

Joint standing committees of
the city to inquire into the sub-
departments which are under
the mayor, and in the regular
officer or department, and to
report when deemed expedient by

RESOLUTIONS.

No. 11. Resolution of thanks to David E. Howard,

[Approved January 3, 1876.]

RESOLVED, That the thanks of the city council are due to
David E. Howard, Esq., for the beautiful manner in which he
has decorated our council chamber, without any expense to
the city.

No. 23. Resolution requesting the Board of Alder-
men to lay out Public street.

[Approved January 17, 1876.]

RESOLVED, That the board of aldermen are hereby requested
to lay out Public street from Eddy street to the harbor line,
and fifty feet wide.

No. 24. Resolution to pay James Tiffany.

[Approved January 17, 1876.]

RESOLVED, That the city treasurer is hereby directed to
pay to James Tiffany, the sum of eleven dollars and twenty-
three cents, for overcharge for curbing : to be paid out of the
appropriation for curbing.

No. 25. Resolution appointing a Joint Special Com-
mittee on the Cove Basin.

[Approved January 17, 1876.]

RESOLVED, That aldermen Clark and Fisher, with Messrs.
Sampson, Peirce and Rice, of the common council, are hereby
appointed a joint special committee to recommend to the city

Exhibit B

RHODE ISLAND STATE PIER PROPERTIES, LLC, a Rhode Island Limited Liability Company (the "Grantor") with a mailing address of 200 Allens Avenue, Providence, Rhode Island 02903

for consideration paid in the sum of \$4,000,000.00 grants to THE NARRAGANSETT ELECTRIC COMPANY, d/b/a NATIONAL GRID (the "Grantee") with a mailing address of 40 Sylvan Road, Waltham, Massachusetts 02451

with QUITCLAIM COVENANTS

The following described property:

FOR LEGAL DESCRIPTION
SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE

Subject to any easements or restrictions of record, and together with any and all appurtenant rights to the extent the same are in full force and effect.

I, Patrick T. Conley, Authorized Member of Rhode Island State Pier Properties, LLC do hereby covenant that no RIGL 44-30-71.3 withholding is required as all members are Rhode Island residents and the LLC is organized and exists under the Laws of the State of Rhode Island, as evidenced by the Grantor's Residency Affidavit delivered by Grantor to Grantee as of the date hereof.

This transaction is hereby exempt from R.I.G.L. Sec. 23-28.35-1 et seq. Smoke Detector and Carbon Monoxide Law because the property contains no residential dwellings.

In Witness Whereof, Grantor has caused this Quitclaim Deed to be executed as of the 17th day of February, 2012, by its proper officer duly authorized.

Rhode Island State Pier Properties, LLC

BY: Patrick T. Conley
Patrick T. Conley, Authorized Member

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In East Providence on the 17th day of February, 2012, before me personally appeared Patrick T. Conley, Authorized Member of Rhode Island State Pier Properties, LLC, to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument by him executed to be his free act and deed individually and in his capacity aforesaid, and the free act and deed of the said Rhode Island State Pier Properties, LLC.

Anna Maria Loiselle
Notary Public, Anna Maria Loiselle
My commission expires: 11-24-14

GRANTEE'S ADDRESS:

40 Sylvan Road
Waltham, Massachusetts 02451
Attn: Patricia Wong, Esq.

THIS TRANSACTION IS EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO 11 U.S.C. SECTION 1146 (a)

EXHIBIT "A"

AP 46, Lot 481

Doc No: 00030308
Book # 10197 Page: 202

A certain piece of land together with all buildings and improvements located thereon being shown and designated as: "Parcel 1 Assessor's Plat 46, Lot 481 RHODE ISLAND STATE PIER PROPERTIES, LLC AREA: 305,345 SQ. FT. OR 7.010 ACRES LAND: 109,577 SQ. FT. (TO M.H.W. LINE) WATER: 195,768 SQ FT." and that certain wharf, dock and/or pier being shown as "WOOD PLANK PIER" and "BRICK PAVING" all as shown on a certain map or survey entitled: "SURVEY OF PROPERTY PARCELS 1 2 3 4 5 6 7 Allens Avenue & Public Street Providence, Rhode Island Prepared for: RHODE ISLAND STATE PIER PROPERTIES, LLC APRIL 3, 2006 Revised August 4, 2006: New "as built" surface elevations and contours on parcels North of Public Street Revised July 7, 2007:: Survey Certification added for Parcel 1 and Parcel 2, SCALE 1" - 40 FEET Gilbert & Maloney Engineers & Land Surveyors 170 Rhodes Street Providence, RI 02903 3907M3.dwg", which map or plan was recorded on August 7, 2007 at 1:20 p.m. in the Office of Recorder of Deeds in the City of Providence, Rhode Island, and to which reference may be had in Plan Book 76, Page 54.

Said premises are more particularly bounded and described as follows:

Beginning at a point in the easterly line of Allens Avenue at the southwesterly corner of land now or formerly of C.H. Sprague & Son Company;

Thence running N. 66° 02' 21" E along land now or formerly of C.H. Sprague & Son Company one thousand one hundred nine and 78/100 (1,109.78) feet to a point;

Thence turning an interior angle of 90°00'00" and running S. 23° 57' 39" E. along the former Providence Harbor Line three hundred thirty-three and 82/100 (333.82) feet to a point in the northeasterly corner of land now or formerly of Pearl Trust, Patrick T. Conley Trustee;

Thence turning an interior angle of 85° 50' 34" and running S. 70° 11' 47" W along said land now or formerly of Pearl Trust, Patrick T. Conley, Trustee and in part on other land now or formerly of Rhode Island State Pier Properties, LLC one thousand one hundred thirty seven and 70/100 (1,137.70) feet to the easterly line of said Allens Avenue;

Thence turning an interior angle of 88° 29' 39" and running N. 18° 17' 52" W. along said Allens Avenue twenty-five and 01/100 (25.01) feet to the southwesterly corner of land now or formerly of Cargil Incorporated;

Thence turning an interior angle of 91° 30' 21" and running N. 70° 11' 47" E. along land now or formerly of Cargil Incorporated three hundred thirty-six and 01/100 (336.01) feet to the southeasterly corner of said land now or formerly of Cargil Incorporated;

Thence turning an exterior angle of 91° 30' 21" and running N. 18° 17' 52" W. a distance of sixty nine and 99/100 (69.99) feet to the northeasterly corner of said land now or formerly of Cargil Incorporated;

Thence turning an exterior angle of 88° 29' 39" and running S. 70° 11' 47" W a distance of three hundred and thirty-six and 01/100 (336.01) feet to a point;

Thence turning an interior angle of 88° 29' 39" and running N. 18° 17' 52" W a distance of one hundred fifty-seven and 57/100 (157.57) feet to the point and place of beginning, making an interior angle of 95° 39' 47" with the first described course.

Together with the right of access for all purposes in common with others over under and across the "wood Plan Pier" and "Brick Paving" (collectively the "Pier") as shown and referenced on the map set forth in this Exhibit A and the exclusive right to use, own, repair, maintain and operate the Pier for all purposes allowed by applicable law.

Property Address:

164 and 170 Allens Avenue and/or 180 Allens Avenue
Providence, RI
Plat 46, Lot 481

AP 46, Lot 489

A certain piece of land together with all buildings and improvements located thereon being shown and designated as: "Parcel 3 Assessor's Plat 46, Lot 489 RHODE ISLAND STATE PIER PROPERTIES, LLC LAND: 75,952 SQ. FT. (TO M.H.W. LINE) WATER: 11,775 SQ. FT." on a certain map or survey entitled: "SURVEY OF PROPERTY PARCELS 1 2 3 4 5 6 7 Allens Avenue & Public Street Providence, Rhode Island Prepared for: RHODE ISLAND STATE PIER PROPERTIES, LLC APRIL 3, 2006 Revised August 4, 2006: New "as built" surface elevations and contours on parcels North of Public Street Revised July 7, 2007: Survey Certification added for Parcel 1 and Parcel 2, SCALE 1" - 40 FEET Gilbert & Maloney Engineers & Land Surveyors 170 Rhodes Street Providence, RI 02903 3907M3.dwg", which map or plan was recorded on August 7, 2007 at 1:20 p.m. in the Office of Recorder of Deeds in the City of Providence, Rhode Island, and to which reference may be had in Plan Book 76, Page 54.

Said premises are more particularly bounded and described as follows:

Beginning at the intersection of the easterly line of Allens Avenue and the northerly line of Public Street;

Thence running N. $18^{\circ} 17' 52''$ W along on said Allens Avenue one hundred eighty-two and no/100 (182.00) feet to a point;

Thence turning an interior angle of $91^{\circ} 30' 21''$ and running N. $70^{\circ} 11' 47''$ E on other land now or formerly of the Rhode Island State Pier Properties, LLC three hundred thirty-six and 01/100 (336.01) feet to a point;

Thence turning an interior angle of $88^{\circ} 29' 39''$ and running S $18^{\circ} 17' 52''$ E on land now or formerly of Pearl Trust, Patrick T. Conley, Trustee sixty-five and no/100 (65.00) feet to a point;

Thence turning an exterior angle of $89^{\circ} 08' 33''$ and running N. $70^{\circ} 50' 41''$ E along said land now or formerly of Pearl Trust, Patrick T. Conley, Trustee two hundred and 02/100 (200.02) feet to a point;

Thence turning an interior angle of $89^{\circ} 08' 33''$ and running S $18^{\circ} 17' 52''$ E on said land now or formerly of Pearl Trust, Patrick T. Conley Trustee one hundred twenty seven and 50/100 (127.50) feet to a point in the northerly line of said Public Street;

Thence turning an interior angle of $90^{\circ} 08' 29''$ and running S. $71^{\circ} 33' 39''$ W along said Public Street five hundred thirty five and 90/100 (535.90) feet to the point and place of beginning making an interior angle of $89^{\circ} 51' 31''$ with the first described course.

Contains 87,727 square feet or 2.014 acres of land.

Property Address:

186 Allens Avenue
Providence, RI
Plat 46, Lot 489

Doc No: 00181298
Book: 11837-7 Pages

Exhibit C

QUITCLAIM DEED

THE PROVIDENCE PIERS, LLC, a Rhode Island limited liability company with mailing address of 1445 Wampanoag Trail, Suite 203, East Providence, RI 02915 ("Grantor"), for consideration paid of \$1,778,700.00, grants to SMM NEW ENGLAND CORPORATION, a Delaware corporation with an address of 242 Allens Avenue, Providence, Rhode Island 02905 ("Grantee")

WITH QUITCLAIM COVENANTS, the land, buildings and improvements in Providence, Rhode Island, situated and described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference.

This deed constitutes a transfer or sale of a major part of the value of the Grantor's assets in the State of Rhode Island, and a Letter of Good Standing of the Rhode Island Division of Taxation has been provided to Grantee.

Grantor is exempt from R.I.G.L. §44-30-71.3 withholding, as all of its members are Rhode Island residents, as evidenced by affidavits of the members.

Witness my hand and seal this 2nd day of August, 2017.

Grantor:
THE PROVIDENCE PIERS, LLC

By: Patrick T. Conley
Name: Patrick T. Conley
Its: Manager

RHODE ISLAND
REAL ESTATE CONVEYANCE TAX

TAX \$ 8,183.40
DATE 8-27-2017
RECORDED
CITY OF PROVIDENCE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In the City of Providence, in said County, on the 2nd day of August, 2017, before me personally appeared Patrick T. Conley as Manager of The Providence Piers, LLC, to me known, and known by me to be the person so executing the foregoing instrument on behalf of said limited liability company and he acknowledged said instrument, by him so executed, to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Anna Maria Soiselle
Notary Public:

Printed Name: Anna MARIA Soiselle
My Commission Expires: 11/24/18

Doc No: 00181998
Book: 11837 Page: 319

EXHIBIT A

LEGAL DESCRIPTION

Beginning at the intersection of the easterly line of Allens Avenue and the southerly line of Public Street;

thence running easterly bounding northerly on said Public Street one hundred ninety-one and 94/100 (191.94) feet to the northwesterly corner of land now or formerly of Pete's Tire Barn of Rhode Island, LLC.;

thence turning an interior angle of 89°- 39'- 39" and running southerly bounding easterly on said land now or formerly of Pete's Tire Barn of Rhode Island, LLC sixty-four and 15/100 (64.15) feet a point;

thence turning an interior angle of 270°- 00'- 00" and running easterly bounding northerly on said land now or formerly of Pete's Tire Barn of Rhode Island, LLC eight and no/100 (8.00) feet to a point;

thence turning an interior angle of 90°- 20'- 21" and running southerly bounding easterly on said land now or formerly of Pete's Tire Barn of Rhode Island, LLC sixty-eight and 77/100 (68.77) feet to land now or formerly of State of Rhode Island;

thence turning an interior angle of 90°- 00'- 00" and running westerly bounding southerly on said land now or formerly of State of Rhode Island one hundred ninety-nine and 89/100 (199.89) feet to the easterly line of said Allens Avenue;

thence turning an interior angle of 89°- 51'- 31" and running northerly bounding westerly on said Allens Avenue one hundred thirty-two and 97/100 (132.97) feet to the point and place of beginning making an interior angle of 90°- 08'- 29" with the first described course.

Contains 26,055 square feet of land.

Said parcel is further designated as Lot 630 on Assessor's Plat 46, having an address of 200 Allens Avenue, Providence, RI.

Said conveyance is subject to the following:

1. Settlement Agreement and Covenant Not to Sue recorded in Book 5095 at Page 276;
2. Environmental Land Usage Restriction recorded in Book 5095 at Page 286; and
3. Restriction that no business for the sale of tires shall be operated on the premises, said restriction set forth in the deed recorded in Book 5535 at Page 13.

Providence
Received for Record
Sep 27, 2017 at 12:55p
Document Num: 00181998
John A Murphy
Recorder of Deeds

Exhibit D

6K5095PG0309

RECEIVER'S DEED

I, Allan M. Shine, in my capacity as the duly appointed and qualified Permanent Receiver of City Tire Co., by the power conferred by Order of the Providence County Superior Court of the State of Rhode Island entered in the Receivership proceedings pending before that Court, docketed as P.M. No. 96-1542, on the 7th day of March, 2001, and by every other power thereunto me enabling, in consideration of \$150,000 paid by Pete's Tire Barn of Rhode Island, L.L.C., the receipt whereof is hereby acknowledged, do hereby grant unto Pete's Tire Barn of Rhode Island, L.L.C., free and clear of all liens and encumbrances, but subject to all municipal ordinances, federal and state laws and regulations and all restrictions of record, all of my right, title and interest as said Permanent Receiver in and to those certain parcels of real estate located at 80 Public Street and 230 Allens Avenue, Providence, Rhode Island, Tax Assessor's Plat 46, Lot 323 and Plat 46, Lot 319, as more particularly described in Exhibit A annexed hereto and hereby incorporated herein, with all buildings and improvements situated thereon, together with all fixtures affixed thereto, forming a part thereof or used in connection therewith, including but not limited to, all heating fixtures, lighting fixtures (including but not limited to all parking light fixtures), water and sewer pipes, plumbing fixtures, air conditioning fixtures, ventilation ducts, and all other fixtures affixed to the said real estate (the "Real Estate").

This conveyance is made "as is" and "where is" and without any representations or warranties of any kind whatsoever, including but not limited to, any representations or warranties concerning quantity, quality, durability, condition, merchantability, fitness for any purpose, or any other aspect of said Real Estate.

This conveyance is made by a Receiver appointed by the Providence County Superior Court of the State of Rhode Island, and no withholding tax is required under Rhode Island Gen. Laws 1956 [1988 Reenactment] §44-30-71.3.

BK5095PG0310

Notwithstanding anything herein to the contrary, the Receiver's execution of this instrument in his capacity as Receiver shall not render him personally liable.

This is a conveyance of commercial real estate which is exempt from the smoke detector requirements as provided in R.I.G.L. §23-28.35-14.

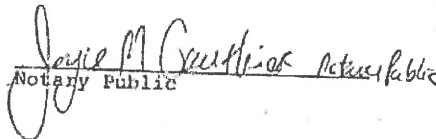
WITNESS my hand this 26th day of March, 2002.



Allan M. Shine, as and only
as Permanent Receiver of City
Tire Co., and not individually

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In Providence, in said County on the 26th day of March, 2002, before me personally appeared Allan M. Shine, Permanent Receiver of City Tire Co. to me known and known by me to be the party executing the foregoing instrument, and he acknowledged said instrument by him executed to be his free act and deed and his free act and deed as and only as Permanent Receiver of City Tire Co., and not individually.



Notary Public

REAL ESTATE CONVEYANCE TAX

RHODE ISLAND

012709

TAXS 425-
DATE 3.5.02
RECORDED 18
BY

BK5095PG0311

ACKNOWLEDGEMENT OF RECEIPT OF RECEIVER'S DEED

The undersigned hereby acknowledges receipt of the executed original foregoing Receiver's Deed and the real estate and all buildings and improvements thereon and all fixtures affixed thereto, and the undersigned acknowledges that the Receiver has fulfilled all his obligations under the Order referred to in the foregoing Receiver's Deed.

Pete's Tire Barn of
Rhode Island, L.L.C.

By Pete A. Gentry/Kerber

Dated: 4/3/2002

BK5095PG0312

EXHIBIT A.

Darlene A. Troney
Acting Recorder of Deeds
PROVIDENCE, RI
RECEIVED FOR RECORD

LEGAL DESCRIPTION

2002 APR -5 A 10:11

230 Allens Avenue, Providence, Rhode Island

That certain tract or parcel of land situate in the City of Providence, County of Providence, State of Rhode Island and described as follows:

Beginning at a point in the easterly side of Allens Avenue 61.18 feet southerly from the southeasterly corner of said Allens Avenue and Public Street, thence easterly bounded northerly by land belonging to the Gold-Smith Realty Co., a Rhode Island corporation, 144.40 feet; thence southerly bounded easterly by said company land 72.04 feet more or less; thence westerly bounded southerly by land belonging to the State of Rhode Island and known as the State Pier Property 145.70 feet to said Allens Avenue; and thence turning an interior angle of 89°51' and running northerly along said Allens Avenue 72.04 feet more or less to the point and place of beginning, forming with the first mentioned bound an interior angle of 90°08'.

80 Public Street, Providence, Rhode Island

That certain lot or parcel of land with all the buildings and other improvements thereon located on the southeasterly side of the portion of Public Street which is northeast of Allens Avenue in the City of Providence, County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point on the southeasterly side of said portion of Public Street, said point being fifteen feet (15') northeast from the northeasterly corner of a masonry building owned by Gold-Smith Realty Company (which said building fronts on Allens Avenue and the northwesterly side of which faces said portion of Public Street); thence running northeasterly along the southeasterly line of said Public Street a distance of one hundred seven and 16/100 (107.16) feet to land now or formerly of the State of Rhode Island; thence turning and running southeasterly bounding northeasterly on said State of Rhode Island land a distance of one hundred thirty-two and 96/100 (132.96) feet; thence turning and running southwesterly bounding southeasterly on other land now or formerly of the State of Rhode Island a distance of ninety-six and 16/100 (96.16) feet; thence turning an interior angle of ninety (90°) degrees and running northwesterly bounding southwesterly on other land of Gold-Smith Realty Company a distance of sixty-eight (68) feet to a corner; thence turning an interior angle of ninety (90°) degrees and running southwesterly bounding southeasterly on said land of Gold-Smith Realty Company a distance of eight (8) feet; thence turning an interior angle of ninety (90°) degrees and running northwesterly bounding southwesterly on a driveway (fifteen feet in width) a distance of sixty-four and 96/100 (64.96) feet to the point and place of beginning.

PL 46
Lots 319 & 223

WARRANTY DEED

GCC, LLC, a Rhode Island Limited Liability Company, having a principal mailing address of 1445 Wampanoag Trail, East Providence, RI 02914, for consideration in the amount of \$275,000.00 (Two Hundred Seventy-Five Thousand and 00/100 Dollars) paid grants to AIRWAY LEASING, LLC, a Rhode Island Limited Liability Company, having a principal mailing address of One Franklin Square, Providence, RI 02903

with WARRANTY COVENANTS

SEE EXHIBIT A ATTACHED HERETO AND
MADE A PART HEREOF

This transfer is such that no RIGL 44-30-71.3 withholding is required as Seller is a Rhode Island Limited Liability Company and its sole member is a resident of the State of Rhode Island, as evidenced by Affidavit.

This transfer does not represent a major portion of the LLC's assets and is conducted in the ordinary course of business.

Witness my hand this 4th day of November, 2019.

GCC, LLC *Patrick T. Conley*

By: _____
PATRICK T. CONLEY Authorized
Manager

STATE OF RHODE ISLAND
COUNTY OF Bristol

In Bristol, on this 4th day of November, 2019, before me personally appeared Patrick T. Conley, Authorized Manager, to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument by him executed to be his free act and deed in his said capacity and the free act and deed of GCC, LLC.

John Shekarchi
Notary Public *John Shekarchi*
My Commission exps: 7-30-2021

JOHN E. SHEKARCHI
Notary Public-State of Rhode Island
My Commission Expires
July 30, 2021

Property Address:
70 Public Street
Providence, RI 02905
AP 46 Lot 325

grantee address
1 FRANKLIN SW.
Providence RI 02903

TAX # 1265
DATE 11-7-19
RECEIVED
666593
RHODE ISLAND
REAL ESTATE COMPTROLLER TAX

LEGAL DESCRIPTION

Exhibit Doc No: 00241473
Book: 12541 Page: 21

That certain parcel of land situated on the southerly side of Public Street in the City of Providence, County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point on or about the center line of Public Street at the corner of State property approximately two hundred ninety-eight and 89/100 (298.89) feet from the easterly line of Allens Avenue; thence running easterly on the northerly line of the Public Street a distance of two hundred ten and 00/100 (210.00) feet, thence turning southerly at an interior angle of ninety (90) degrees to the last described line, a distance of one hundred fifty-eight and 4/100 (158.04) feet; thence westerly at an interior angle of ninety (90) degrees, a distance of two hundred ten and 00/100 (210.00) feet, thence northerly at an interior angle of ninety (90) degrees, a distance of one hundred fifty-eight and 4/100 (158.04) feet to the point and place of beginning.

Said parcel is further designated as Lot 325 on Assessor's Plat 46, containing 33,188.4+/- square feet of land, having an address of 70 Public Street, Providence, RI.

Subject to Vestment of Record

RECEIVED:

Property Address:
70 Public Street
Providence, RI 02905
AP 46 Lot 325

Providence
Received for Record
Nov 07, 2019 at 12:10P
Document Num: 00241473
John A Murphy
Recorder of Deeds



State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

NOTICE OF PUBLIC HEARING

CRMC File No.: 2020-07-103

Date: June 7, 2021

In accordance with and pursuant to the provisions of the "Administrative Procedures Act", (Chapter 42-35 et. seq. of the General Laws of Rhode Island), and the Rules and Regulations of the Coastal Resources Management Council, a hearing will be held to receive comments and evidence from interested parties concerning possible designation of public rights of ways to the tidal waters of the State relative to Title 46, Chapter 23, of Section 6E, of the Rhode Island General Laws of 1956, as amended.

Said Right-of-Way is described as follows:

- **Public Street east of Allens Avenue extending to its terminus at the waterfront.**

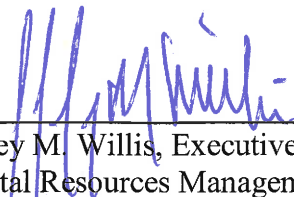
The hearing will be held at **5:30 p.m. on Tuesday, June 29, 2021** utilizing Zoom Webinar platform (see below).

Parties interested in/or concerned with the above mentioned matter are invited to be present and/or represented by counsel at the above mentioned time and place. This meeting place is accessible to individuals with disabilities. The meeting location is accessible to handicapped persons. Any individual requiring a reasonable accommodation in order to participate in this meeting should contact CRMC offices at 401-783-3370 at least 72 hours prior to the meeting.

Documentation on the subject activity received to date may be requested through the Coastal Resources Management Council, Oliver H. Stedman Gov't Center, 4808 Tower Hill Road, Wakefield, Rhode Island, Monday through Friday – 401-783-3370 or cstaff1@crmc.ri.gov or at CRMC.ri.gov.

Oral statements will be heard and recorded and statements may be submitted to the hearing officers at the time of hearing.

Signed this 7th day of June, 2021.



Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85429393513?pwd=U3dlNlNlNEOGdDc0l2TjQ0QTJZYTFldz09>

Webinar ID: **854 2939 3513**

Passcode: **237074**

Or Telephone: Dial (for higher quality, dial a number based on your current location):

888-788 0099 (Toll Free) or 833-548 0276 (Toll Free) or 833-548 0282 (Toll Free) or 877-853 5247 (Toll Free)

Webinar ID: **854 2939 3513**

Passcode: **237074**

Lisa Turner

From: Gregory Schultz <gSchultz@riag.ri.gov>
Sent: Tuesday, October 20, 2020 4:06 PM
To: Kevin Cute; krcute56@gmail.com
Cc: tony@adlawllc.net; Tricia Jedele; Alison Hoffman
Subject: Public Street Public ROW - Port of Providence
Attachments: Tax Plat 46.pdf; PublicStreet_Waterfront_AerialMap_v1 (005).pdf; PublicStreet_Waterfront_Map_v1 (006).pdf; PUBLIC STREET.pdf

Kevin:

Pursuant to our recent conversation, below is a brief summary of the title research that I have done regarding the properties abutting Public Street, from Allens Avenue to the shore of Narragansett Bay. Although I have not conducted a full title review, the review that I have done clearly supports the initiation of CRMC review.

A review of the City Tax Assessor maps shows Public Street east of Allens Avenue as a City street and not a private lot. The street is not taxed as a private lot. Title documents to properties abutting Public Street east of Allens Avenue, with one exception discussed below, identify the lots as being bounded by Public Street (see attached deeds to Assessor's Plat 46, Lots 630, 325, 323, and 489). Additionally, a 2007 recorded plan by National Grid for Lot 489 shows Public Street as a City street. Historical aerial photographs and public use of this area (especially for fishing) all also support a determination that this area of Public Street is a public ROW (see maps and photos attached).

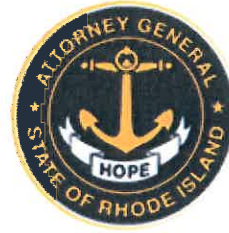
The only title document that gave question as to whether a portion of Public Street east of Allens Avenue is private is the legal description to Tax Assessor's Plat 46, Lot 325, which is located south of Public Street. Lot 325 was sold in 2007 by DEM to Gail Conley with what appears to be an incorrect metes-and-bounds boundary description that stated that the northern boundary of Lot 325 was the north side of Public Street. However, the metes-and-bounds description as written in the deeds must be incorrect, as the description does not enclose the parcel with the north reference (i.e., you don't end up where you started). Additionally, the size of the lot as stated in the deed (33,188.4 sq. ft.) is only achieved if the northern lot boundary was the south side of Public Street. Finally, the legal description also states that said lot is f/k/a Tax Assessor's "Plat 46, Lot 325." We have asked DEM to review its records on the 2007 sale to confirm the incorrect legal description.

The weight of evidence clearly supports a finding that Public Street is a public ROW and definitely supports a request to CRMC to begin the administrative review process.

Happy to discuss.

Greg

Gregory S. Schultz | Environmental Unit, Civil Division
Special Assistant Attorney General
The State of Rhode Island | Office of the Attorney General
150 South Main Street | Providence, RI - 02903
Office: (401) 274 4400 | Ext: 2400
Cell: (401) 480-0812
gschultz@riag.ri.gov | www.riag.ri.gov |



City of Providence

Tax Map # 046-0630-0000

Parcel Id 65871

200 Allens Ave, Providence

SMM NEW ENGLAND CORPORATION Since Sep 2017

242 ALLENS AVE

PROVIDENCE RI 02905

Class	07 Industrial	Roll Section	1 Taxable
Property Type	4 Industrial	Nbhd	2254 2254
Zoning	W3 W-3	Zoning2	W3 W-3
Zoning3	W3 W-3	District No.	5
Living Units	0	Tax Code	R01 R01
FY	2020		

Parcel Info.

Subdivision	Effective Year	Inactive Year	Legal
/	2006	9999	

Owner (Current)

SMM NEW ENGLAND CORPORATION
242 ALLENS AVE
PROVIDENCE RI 02905

Owner (Previous)

City Tire Company
123 Dyer St
Providence, RI 02903-3907

Petes Tire Barn of RI LLC
80 PUBLIC ST
PROVIDENCE, RI 02903-4917

Sedona Associates LLC
1445 WAMPANOAG TRL
RIVERSIDE, RI 02915-1000

Rhode Island State Pier Properties LLC
1445 WAMPANOAG TRL
RIVERSIDE, RI 02915-1208

Rhode Island State Pier Properties
180 Allens Ave
Providence, RI 02903

Sedona Associates
1445 WAMPANOAG TRL
RIVERSIDE, RI 02915-1000

Sedona Associates
1445 WAMPANOAG TRL
RIVERSIDE, RI 02915-1000

Rhode Island State Pier Properties
180 Allens Ave
Providence, RI 02903

200 Allens Ave LLC
c/o Mr Joseph Ruggiero
One Nyatt Point Ct
Barrington RI 02806

Rhode Island State Pier Properties
180 Allens Ave
Providence, RI 02903

City of Providence
Tax Map # 046-0630-0000
Parcel Id 65871
200 Allens Ave, Providence
SMM NEW ENGLAND CORPORATION Since Sep 2017
242 ALLENS AVE
PROVIDENCE RI 02905

Class	07 Industrial	Roll Section	1 Taxable
Property Type	4 Industrial	Nbhd	2254 2254
Zoning	W3 W-3	Zoning2	W3 W-3
Zoning3	W3 W-3	District No.	5
Living Units	0	Tax Code	R01 R01
FY	2020		

RE Assessment

CURRENT YEAR INFO 2020

Land Value	Improvements	Total Value	Tax Rate	True Taxes	Total Taxes
\$390,800	\$1,408,700	\$1,799,500		\$66,041.68	\$66,041.68

PRIOR YEAR INFO 2019

Land Value	Improvements	Total Value		Total Taxes
\$390,800	\$1,408,700	\$1,799,500		\$66,041.68

Sales Information

Date	Book/Page	Instrument	Doc.No.	Adj. Reason	Sale Price	Subj. Price
9/27/2017	11837/318	QUIT CLAIM DEED		U V	\$1,779,000	\$1,779,000
Q deed from Providence Piers LLC left						
10/16/2006	8339/232	REDEMPTION DEED	Sole Owner	U V	\$0	\$0
See Memo of Lease left						
9/18/2006	8288/107	MEMO LEASE	Sole Owner	U V	\$0	\$0
Memo of Lease from Providence Piers LLC to 200 Allens Ave LLC 9/15/06 to 12/31/2025 left						
9/18/2006	8289/347	TAX SALE	Sole Owner	U V	\$0	\$0
Plat 46 Lot 317 sold to Galway Realty RIGP left						
3/10/2005	7143/240	WARRANTY DEED	Sole Owner	U V	\$0	\$0
12/21/2005	7772/254	LEASE	Sole Owner	U I	\$0	\$0
5 yr lease to Partnership for Creative Industrial Space Inc left						

Doc No: 00181998
Book: 11837 Pages: 318

QUITCLAIM DEED

THE PROVIDENCE PIERS, LLC, a Rhode Island limited liability company with a mailing address of 1445 Wampanoag Trail, Suite 203, East Providence, RI 02915 ("Grantor"), for consideration paid of \$1,778,700.00, grants to SMM NEW ENGLAND CORPORATION, a Delaware corporation with an address of 242 Allens Avenue, Providence, Rhode Island 02905 ("Grantee")

WITH QUITCLAIM COVENANTS, the land, buildings and improvements in Providence, Rhode Island, situated and described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference.

This deed constitutes a transfer or sale of a major part of the value of the Grantor's assets in the State of Rhode Island, and a Letter of Good Standing of the Rhode Island Division of Taxation has been provided to Grantee.

Grantor is exempt from R.I.G.L. §44-30-71.3 withholding, as all of its members are Rhode Island residents, as evidenced by affidavits of the members.

Witness my hand and seal this 2nd day of August, 2017.

Grantor:
THE PROVIDENCE PIERS, LLC

By: Patrick T. Conley
Name: Patrick T. Conley
Its: Manager

RECORDED
DATE 9-27-2017
AX 8183.40
060454

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In the City of Providence, in said County, on the 2nd day of August, 2017, before me personally appeared Patrick T. Conley as Manager of The Providence Piers, LLC, to me known, and known by me to be the person so executing the foregoing instrument on behalf of said limited liability company and he acknowledged said instrument, by him so executed, to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Anna Maria Loisel
Notary Public:

Printed Name: Anna MARIA Loisel
My Commission Expires: 11/24/18

Doc No: 00181998
Book: 11837 Page: 319

EXHIBIT A

LEGAL DESCRIPTION

Beginning at the intersection of the easterly line of Allens Avenue and the southerly line of Public Street;

thence running easterly bounding northerly on said Public Street one hundred ninety-one and 94/100 (191.94) feet to the northwesterly corner of land now or formerly of Pete's Tire Barn of Rhode Island, LLC.;

thence turning an interior angle of 89°- 39'- 39" and running southerly bounding easterly on said land now or formerly of Pete's Tire Barn of Rhode Island, LLC sixty-four and 15/100 (64.15) feet a point;

thence turning an interior angle of 270°- 00'- 00" and running easterly bounding northerly on said land now or formerly of Pete's Tire Barn of Rhode Island, LLC eight and no/100 (8.00) feet to a point;

thence turning an interior angle of 90°- 20'- 21" and running southerly bounding easterly on said land now or formerly of Pete's Tire Barn of Rhode Island, LLC sixty-eight and 77/100 (68.77) feet to land now or formerly of State of Rhode Island;

thence turning an interior angle of 90°- 00'- 00" and running westerly bounding southerly on said land now or formerly of State of Rhode Island one hundred ninety-nine and 89/100 (199.89) feet to the easterly line of said Allens Avenue;

thence turning an interior angle of 89°- 51'- 31" and running northerly bounding westerly on said Allens Avenue one hundred thirty-two and 97/100 (132.97) feet to the point and place of beginning making an interior angle of 90°- 08'- 29" with the first described course.

Contains 26,055 square feet of land.

Said parcel is further designated as Lot 630 on Assessor's Plat 46, having an address of 200 Allens Avenue, Providence, RI.

Said conveyance is subject to the following:

1. Settlement Agreement and Covenant Not to Sue recorded in Book 5095 at Page 276;
2. Environmental Land Usage Restriction recorded in Book 5095 at Page 286; and
3. Restriction that no business for the sale of tires shall be operated on the premises, said restriction set forth in the deed recorded in Book 5535 at Page 13.

Providence
Received for Record
Sep 27, 2017 at 12:55p
Document Num: 00181998
John A Murphy
Recorder of Deeds

City of Providence
Tax Map # 046-0325-0000
 Parcel Id 16563
70 Public St, Providence
Airway Leasing LLC Since Nov 2019
1 Franklin Sq
Providence RI 02903

Class	14 CI Vacant Land	Roll Section	1 Taxable
Property Type	3 Commercial	Nbhd	2254 2254
Zoning	W3 W-3	Zoning2	W3 W-3
Zoning3	W3 W-3	District No.	5
Living Units	0	Tax Code	RX RX
Size Total	0.76 Acres		
FY	2020		

Parcel Info.

Subdivision	Effective Year	Inactive Year	Legal
/	1967	9999	

Owner (Current)

Airway Leasing LLC
 1 Franklin Sq
 Providence RI 02903

Owner (Previous)

State of Rhode Island
 2 EXCHANGE Ter
 PROVIDENCE RI 02908-5899

Patrick Conley
 1445 Wampanoag Trl Ste
 Riverside, RI 02915-1000

Providence Piers LLC
 200 Allens Ave
 Providence, RI 02903

Patrick T Conley
 1445 Wampanoag Trl Unit 203
 Riverside, RI 02915-1019

Gail C Conley
 One Bristol Point Rd
 Bristol, RI 02809

Gail C Conley
 One Bristol Point Rd
 Bristol, RI 02809

Gail C Conley
 One Bristol Point Rd
 Bristol, RI 02809

Gail C Conley
 1445 Wampanoag Trl Ste 203
 Riverside RI 02915

Gail C Conley
 1445 Wampanoag Trl Ste 203
 Riverside RI 02915

GCC LLC
 1445 Wampanoag Trl Ste 203
 Providence RI 02915

City of Providence
 Tax Map # 046-0325-0000
 Parcel Id 16563
 70 Public St, Providence
 Airway Leasing LLC Since Nov 2019
 1 Franklin Sq
 Providence RI 02903

Class	14 CI Vacant Land	Roll Section	1 Taxable
Property Type	3 Commercial	Nbhd	2254 2254
Zoning	W3 W-3	Zoning2	W3 W-3
Zoning3	W3 W-3	District No.	5
Living Units	0	Tax Code	RX RX
Size Total	0.76 Acres		
FY	2020		

RE Assessment

CURRENT YEAR INFO 2020

Land Value	Improvements	Total Value	Tax Rate	True Taxes	Total Taxes
\$365,100	\$0	\$365,100		\$13,399.20	\$13,399.20

PRIOR YEAR INFO 2019

Land Value	Improvements	Total Value	Total Taxes
\$365,100	\$0	\$365,100	\$13,399.20

Sales Information

Date	Book/Page	Instrument	Doc.No.	Adj. Reason	Sale Price	Subj. Price
11/4/2019	12541/20	WARRANTY DEED		U V	\$275,000	\$275,000
6/13/2019	12385/144	QUIT CLAIM DEED		U V	\$0	\$0
3/5/2019	12296/121	REDEMPTION DEED		U V	\$0	\$0
Red Book 11770 Page 34 left						
2/11/2019	12280/23	REDEMPTION DEED		U V	\$0	\$0
Red deed tax sale bk 11445/113 left						
7/13/2017	11770/34	TAX SALE		U V	\$0	\$0
Tax sale to City of Providence left						
7/8/2016	11445/113	TAX SALE		U V	\$0	\$0
Tax sale to Providence Piers LLC left						
8/31/2010	9805/043	QUIT CLAIM DEED		U V	\$0	\$0
9/29/2009	9536/345	QUIT CLAIM DEED	Sole Owner	U V	\$0	\$0
7/2/2009	9465/342	QUIT CLAIM DEED	Sole Owner	U V	\$0	\$0
6/24/2009	9453/131	QUIT CLAIM DEED	Sole Owner	U V	\$0	\$0

WARRANTY DEED

GCC, LLC, a Rhode Island Limited Liability Company, having a principal mailing address of 1445 Wampanoag Trail , East Providence, RI 02914, for consideration in the amount of \$275,000.00 (Two Hundred Seventy-Five Thousand and 00/100 Dollars) paid grants to AIRWAY LEASING, LLC, a Rhode Island Limited Liability Company, having a principal mailing address of One Franklin Square, Providence, RI 02903

with **WARRANTY COVENANTS**

**SEE EXHIBIT A ATTACHED HERETO AND
MADE A PART HEREOF**

This transfer is such that no RIGL 44-30-71.3 withholding is required as Seller is a Rhode Island Limited Liability Company and its sole member is a resident of the State of Rhode Island, as evidenced by Affidavit.

This transfer does not represent a major portion of the LLC's assets and is conducted in the ordinary course of business.

Witness my hand this 4th day of November, 2019.

GCC, LLC

By: _____
PATRICK T. CONLEY Authorized
Manager

TAX # 1265
DATE 11-7-19
RECORD #
666593
RHODE ISLAND
REAL ESTATE CONVEYANCE TAX

STATE OF RHODE ISLAND
COUNTY OF Bristol

In Bristol, on this 4th day of November, 2019, before me personally appeared **Patrick T. Conley, Authorized Manager**, to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument by him executed to be his free act and deed in his said capacity and the free act and deed of GCC, LLC.

Notary Public John Shekarchi
My Commission exps: 7-30-2021

JOHN E. SHEKARCHI
Notary Public-State of Rhode Island
My Commission Expires
July 30, 2021

Property Address:
70 Public Street
Providence, RI 02905
AP 46 Lot 325

grantee Address
1 FRANKLIN SQ.
Providence RI 02903

LEGAL DESCRIPTION

Exhibit Doc No: 00241473
Book: 12541 Page: 21

That certain parcel of land situated on the southerly side of Public Street in the City of Providence, County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point on or about the center line of Public Street at the corner of State property approximately two hundred ninety-eight and 89/100 (298.89) feet from the easterly line of Allens Avenue; thence running easterly on the northerly line of the Public Street a distance of two hundred ten and 00/100 (210.00) feet, thence turning southerly at an interior angle of ninety (90) degrees to the last described line, a distance of one hundred fifty-eight and 4/100 (158.04) feet; thence westerly at an interior angle of ninety (90) degrees, a distance of two hundred ten and 00/100 (210.00) feet, thence northerly at an interior angle of ninety (90) degrees, a distance of one hundred fifty-eight and 4/100 (158.04) feet to the point and place of beginning.

Said parcel is further designated as Lot 325 on Assessor's Plat 46, containing 33,188.4+/- square feet of land, having an address of 70 Public Street, Providence, RI.

~~Subject to restriction of Record~~

RECEIVED:

Providence
Received for Record
Nov 07, 2019 at 12:10P
Document Num: 00241473
John A Murphy
Recorder of Deeds

Property Address:
70 Public Street
Providence, RI 02905
AP 46 Lot 325

City of Providence
Tax Map # 046-0489-0000
 Parcel Id 67016
186 Allens Ave, Providence
 Narragansett Electric Co Since Feb 2012
 40 Sylvan Rd
 Waltham, MA 02451-2286

Class	14 CI Vacant Land	Roll Section	1 Taxable
Book No	0/0 0/0	Property Type	3 Commercial
Nbhd	2254 2254	Zoning	W3 W-3
Zoning2	W3 W-3	Zoning3	W3 W-3
District No.	5	Living Units	0
Tax Code	R01 R01	Size Total	2.02 Acres
FY	2020		

Parcel Info.

Subdivision	Effective Year	Inactive Year	Legal
/	2006	9999	

Owner (Current)

Narragansett Electric Co
 40 Sylvan Rd
 Waltham, MA 02451-2286

Owner (Previous)

Greene Company
 Po Box 5044
 PO Box 5044
 Greene, RI 02827-0044

Rhode Island State Pier Properties LLC
 1445 WAMPANOAG TRL
 RIVERSIDE, RI 02915-1208

Sedona Associates
 1445 WAMPANOAG TRL
 RIVERSIDE, RI 02915-1000

Galway Realty RIGP
 1445 Wampanoag Trl
 East Providence, RI 02915

Rhode Island State Pier Properties
 180 Allens Ave
 Providence, RI 02903

Rhode Island State Pier Properties LLC
 1445 WAMPANOAG TRL
 RIVERSIDE, RI 02915-1208

RE Assessment

<u>CURRENT YEAR INFO 2020</u>						
Land Value	Improvements	Total Value	Tax Rate	True Taxes	Total Taxes	
\$700,400	\$21,000	\$721,400		\$26,475.40	\$26,475.40	
<u>PRIOR YEAR INFO 2019</u>						
Land Value	Improvements	Total Value			Total Taxes	
\$700,400	\$21,000	\$721,400			\$26,475.40	

City of Providence
Tax Map # 046-0489-0000
 Parcel Id 67016
 186 Allens Ave, Providence
 Narragansett Electric Co Since Feb 2012
 40 Sylvan Rd
 Waltham, MA 02451-2286

Class	14 CI Vacant Land	Roll Section	1 Taxable
Book No	0/0 0/0	Property Type	3 Commercial
Nbhd	2254 2254	Zoning	W3 W-3
Zoning2	W3 W-3	Zoning3	W3 W-3
District No.	5	Living Units	0
Tax Code	R01 R01	Size Total	2.02 Acres
FY	2020		

Sales Information

Date	Book/Page	Instrument	Doc.No.	Adj. Reason	Sale Price	Subj. Price
2/17/2012	10197/201	QUIT CLAIM DEED		U V	\$0	\$0
2/17/2012	10197/188	REDEMPTION DEED		U V	\$0	\$0
REDS tax sale db 7671/114						
left						
6/29/2007	8747/233	QUIT CLAIM DEED	Sole Owner	U V	\$0	\$0
7/26/2007	8289/339	REDEMPTION DEED	Sole Owner	U V	\$0	\$0
8/9/2007	8784/298	QUIT CLAIM DEED	Sole Owner	U V	\$0	\$0
REDS tax sale 8289/341, 343						
left						
7/26/2007	8784/300	REDEMPTION DEED	Sole Owner	U V	\$0	\$0
9/18/2006	8289/339	TAX SALE	Sole Owner	U V	\$0	\$0

RHODE ISLAND STATE PIER PROPERTIES, LLC, a Rhode Island Limited Liability Company (the "Grantor") with a mailing address of 200 Allens Avenue, Providence, Rhode Island 02903

for consideration paid in the sum of \$4,000,000.00 grants to **THE NARRAGANSETT ELECTRIC COMPANY, d/b/a NATIONAL GRID** (the "Grantee") with a mailing address of 40 Sylvan Road, Waltham, Massachusetts 02451

with QUITCLAIM COVENANTS

The following described property:

**FOR LEGAL DESCRIPTION
SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE**

Subject to any easements or restrictions of record, and together with any and all appurtenant rights to the extent the same are in full force and effect.

I, Patrick T. Conley, Authorized Member of Rhode Island State Pier Properties, LLC do hereby covenant that no RIGL 44-30-71.3 withholding is required as all members are Rhode Island residents and the LLC is organized and exists under the Laws of the State of Rhode Island, as evidenced by the Grantor's Residency Affidavit delivered by Grantor to Grantee as of the date hereof.

This transaction is hereby exempt from R.I.G.L. Sec. 23-28.35-1 et seq. Smoke Detector and Carbon Monoxide Law because the property contains no residential dwellings.

In Witness Whereof, Grantor has caused this Quitclaim Deed to be executed as of the 17th day of February, 2012, by its proper officer duly authorized.

Rhode Island State Pier Properties, LLC

BY: *Patrick T. Conley*
Patrick T. Conley, Authorized Member

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In East Providence on the 17th day of February, 2012, before me personally appeared Patrick T. Conley, Authorized Member of Rhode Island State Pier Properties, LLC, to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument by him executed to be his free act and deed individually and in his capacity aforesaid, and the free act and deed of the said Rhode Island State Pier Properties, LLC.

Anna Maria Loiseille
Notary Public, Anna Maria Loiseille
My commission expires: 11-24-17

GRANTEE'S ADDRESS:

40 Sylvan Road
Waltham, Massachusetts 02451
Attn: Patricia Wong, Esq.

THIS TRANSACTION IS EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO 11 U.S.C. SECTION 1146(a)

EXHIBIT "A"

Doc No: 00030308
Book: 10197 Page: 202

AP 46, Lot 481

A certain piece of land together with all buildings and improvements located thereon being shown and designated as: "Parcel 1 Assessor's Plat 46, Lot 481 RHODE ISLAND STATE PIER PROPERTIES, LLC AREA: 305,345 SQ. FT. OR 7.010 ACRES LAND: 109,577 SQ. FT. (TO M.H.W. LINE) WATER: 195,768 SQ FT." and that certain wharf, dock and/or pier being shown as "WOOD PLANK PIER" and "BRICK PAVING" all as shown on a certain map or survey entitled: "SURVEY OF PROPERTY PARCELS 1 2 3 4 5 6 7 Allens Avenue & Public Street Providence, Rhode Island Prepared for: RHODE ISLAND STATE PIER PROPERTIES, LLC APRIL 3, 2006 Revised August 4, 2006: New "as built" surface elevations and contours on parcels North of Public Street Revised July 7, 2007:: Survey Certification added for Parcel 1 and Parcel 2, SCALE 1" - 40 FEET Gilbert & Maloney Engineers & Land Surveyors 170 Rhodes Street Providence, RI 02903 3907M3.dwg", which map or plan was recorded on August 7, 2007 at 1:20 p.m. in the Office of Recorder of Deeds in the City of Providence, Rhode Island, and to which reference may be had in Plan Book 76, Page 54.

Said premises are more particularly bounded and described as follows:

Beginning at a point in the easterly line of Allens Avenue at the southwesterly corner of land now or formerly of C.H. Sprague & Son Company;

Thence running N. 66° 02' 21" E along land now or formerly of C.H. Sprague & Son Company one thousand one hundred nine and 78/100 (1,109.78) feet to a point;

Thence turning an interior angle of 90°00'00" and running S. 23° 57' 39" E. along the former Providence Harbor Line three hundred thirty-three and 82/100 (333.82) feet to a point in the northeasterly corner of land now or formerly of Pearl Trust, Patrick T. Conley Trustee;

Thence turning an interior angle of 85° 50' 34" and running S. 70° 11' 47" W along said land now or formerly of Pearl Trust, Patrick T. Conley, Trustee and in part on other land now or formerly of Rhode Island State Pier Properties, LLC one thousand one hundred thirty seven and 70/100 (1,137.70) feet to the easterly line of said Allens Avenue;

Thence turning an interior angle of 88° 29' 39" and running N. 18° 17' 52" W. along said Allens Avenue twenty-five and 01/100 (25.01) feet to the southwesterly corner of land now or formerly of Cargil Incorporated;

Thence turning an interior angle of 91° 30' 21" and running N. 70° 11' 47" E. along land now or formerly of Cargil Incorporated three hundred thirty-six and 01/100 (336.01) feet to the southeasterly corner of said land now or formerly of Cargil Incorporated;

Thence turning an exterior angle of 91° 30' 21" and running N. 18° 17' 52" W. a distance of sixty nine and 99/100 (69.99) feet to the northeasterly corner of said land now or formerly of Cargil Incorporated;

Thence turning an exterior angle of 88° 29' 39" and running S. 70° 11' 47" W a distance of three hundred and thirty-six and 01/100 (336.01) feet to a point;

Thence turning an interior angle of 88° 29' 39" and running N. 18° 17' 52" W a distance of one hundred fifty-seven and 57/100 (157.57) feet to the point and place of beginning, making an interior angle of 95° 39' 47" with the first described course.

Together with the right of access for all purposes in common with others over under and across the "wood Plan Pier" and "Brick Paving" (collectively the "Pier") as shown and referenced on the map set forth in this Exhibit A and the exclusive right to use, own, repair, maintain and operate the Pier for all purposes allowed by applicable law.

Property Address:

164 and 170 Allens Avenue and/or 180 Allens Avenue
Providence, RI
Plat 46, Lot 481

AP 46, Lot 489

A certain piece of land together with all buildings and improvements located thereon being shown and designated as: "Parcel 3 Assessor's Plat 46, Lot 489 RHODE ISLAND STATE PIER PROPERTIES, LLC LAND: 75,952 SQ. FT. (TO M.H.W. LINE) WATER: 11,775 SQ. FT." on a certain map or survey entitled: "SURVEY OF PROPERTY PARCELS 1 2 3 4 5 6 7 Allens Avenue & Public Street Providence, Rhode Island Prepared for: RHODE ISLAND STATE PIER PROPERTIES, LLC APRIL 3, 2006 Revised August 4, 2006: New "as built" surface elevations and contours on parcels North of Public Street Revised July 7, 2007:: Survey Certification added for Parcel 1 and Parcel 2, SCALE 1" - 40 FEET Gilbert & Maloney Engineers & Land Surveyors 170 Rhodes Street Providence, RI 02903 3907M3.dwg", which map or plan was recorded on August 7, 2007 at 1:20 p.m. in the Office of Recorder of Deeds in the City of Providence, Rhode Island, and to which reference may be had in Plan Book 76, Page 54.

Said premises are more particularly bounded and described as follows:

Beginning at the intersection of the easterly line of Allens Avenue and the northerly line of Public Street;

Thence running N. 18° 17' 52" W along on said Allens Avenue one hundred eighty-two and no/100 (182.00) feet to a point;

Thence turning an interior angle of 91° 30' 21" and running N. 70° 11' 47" E on other land now or formerly of the Rhode Island State Pier Properties, LLC three hundred thirty-six and 01/100 (336.01) feet to a point;

Thence turning an interior angle of 88° 29' 39" and running S 18° 17' 52" E on land now or formerly of Pearl Trust, Patrick T. Conley, Trustee sixty-five and no/100 (65.00) feet to a point;

Thence turning an exterior angle of 89° 08' 33" and running N. 70° 50' 41" E along said land now or formerly of Pearl Trust, Patrick T. Conley, Trustee two hundred and 02/100 (200.02) feet to a point;

Thence turning an interior angle of 89° 08' 33" and running S 18° 17' 52" E on said land now or formerly of Pearl Trust, Patrick T. Conley Trustee one hundred twenty seven and 50/100 (127.50) feet to a point in the northerly line of said Public Street;

Thence turning an interior angle of 90° 08' 29" and running S. 71° 33' 39" W along said Public Street five hundred thirty five and 90/100 (535.90) feet to the point and place of beginning making an interior angle of 89° 51' 31" with the first described course.

Contains 87,727 square feet or 2.014 acres of land.

Property Address:

186 Allens Avenue
Providence, RI
Plat 46, Lot 489



State of Rhode Island and Providence Plantations

A. Ralph Mollis
Secretary of State

Doc No: 00030308
Book: 10197 Page: 204

Certification Number: 12012380490

The office of the Secretary of State of the State of Rhode Island and Providence Plantations,
HEREBY CERTIFIES, that

Rhode Island State Pier Properties, LLC

a Rhode Island limited liability company, filed original articles of organization in this office on

April 05, 2004

Effective

April 05, 2004

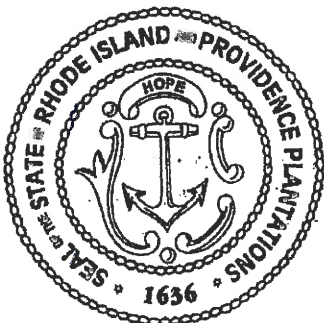
IT IS FURTHER CERTIFIED that as of this date said limited liability company is duly organized and existing under and by virtue of the laws of the State of Rhode Island and is in good standing according to the records of this office.

SIGNED AND SEALED ON

Friday, January 20, 2012

Secretary of State

Authorized Agent



RECEIVED :

Providence
Received for Record
Feb 17, 2012 at 01:05:00P
Document Num: 00030308
John A Murphy
Recorder of Deeds

City of Providence
Tax Map # 046-0323-0000
 Parcel Id 16562
80 Public St, Providence
 Petes Tire Barn of RI LLC Since Apr 2002
 80 PUBLIC ST
 PROVIDENCE, RI 02903-4917

Class	05 Commercial I	Roll Section	1 Taxable
Property Type	3 Commercial	Nbhd	2254 2254
Zoning	W3 W-3	Zoning2	W3 W-3
Zoning3	W3 W-3	District No.	5
Living Units	0	Tax Code	R01 R01
Size Total	0.31 Acres		
FY	2020		

Parcel Info.

Subdivision	Effective Year	Inactive Year	Legal
/	1967	9999	

Owner (Current)

Petes Tire Barn of RI LLC
 80 PUBLIC ST
 PROVIDENCE, RI 02903-4917

Owner (Previous)

City Tire Company
 123 Dyer St
 Providence, RI 02903-3907

RE Assessment

CURRENT YEAR INFO 2020

Land Value	Improvements	Total Value	Tax Rate	True Taxes	Total Taxes
\$150,700	\$498,900	\$649,600		\$23,840.32	\$23,840.32

PRIOR YEAR INFO 2019

Land Value	Improvements	Total Value		Total Taxes
\$150,700	\$498,900	\$649,600		\$23,840.32

Sales Information

Date	Book/Page	Instrument	Doc.No.	Adj. Reason	Sale Price	Subj. Price
4/5/2002	5095/309	REDEMPTION DEED	Sole Owner	U I	\$150,000	\$150,000

BK5095PG0309

RECEIVER'S DEED

I, Allan M. Shine, in my capacity as the duly appointed and qualified Permanent Receiver of City Tire Co., by the power conferred by Order of the Providence County Superior Court of the State of Rhode Island entered in the Receivership proceedings pending before that Court, docketed as P.M. No. 96-1542, on the 7th day of March, 2001, and by every other power thereunto me enabling, in consideration of \$150,000 paid by Pete's Tire Barn of Rhode Island, L.L.C., the receipt whereof is hereby acknowledged, do hereby grant unto Pete's Tire Barn of Rhode Island, L.L.C., free and clear of all liens and encumbrances, but subject to all municipal ordinances, federal and state laws and regulations and all restrictions of record, all of my right, title and interest as said Permanent Receiver in and to those certain parcels of real estate located at 80 Public Street and 230 Allens Avenue, Providence, Rhode Island, Tax Assessor's Plat 46, Lot 323 and Plat 46, Lot 319, as more particularly described in Exhibit A annexed hereto and hereby incorporated herein, with all buildings and improvements situated thereon, together with all fixtures affixed thereto, forming a part thereof or used in connection therewith, including but not limited to, all heating fixtures, lighting fixtures (including but not limited to all parking light fixtures), water and sewer pipes, plumbing fixtures, air conditioning fixtures, ventilation ducts, and all other fixtures affixed to the said real estate (the "Real Estate").

This conveyance is made "as is" and "where is" and without any representations or warranties of any kind whatsoever, including but not limited to, any representations or warranties concerning quantity, quality, durability, condition, merchantability, fitness for any purpose, or any other aspect of said Real Estate.

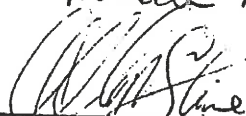
This conveyance is made by a Receiver appointed by the Providence County Superior Court of the State of Rhode Island, and no withholding tax is required under Rhode Island Gen. Laws 1956 [1988 Reenactment] §44-30-71.3.

BK5095PG0310

Notwithstanding anything herein to the contrary, the Receiver's execution of this instrument in his capacity as Receiver shall not render him personally liable.

This is a conveyance of commercial real estate which is exempt from the smoke detector requirements as provided in R.I.G.L. §23-28.35-14.

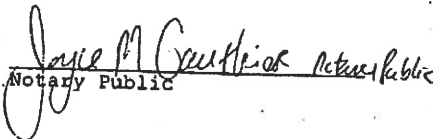
WITNESS my hand this 20th day of March, 2002.



Allan M. Shine, as and only
as Permanent Receiver of City
Tire Co., and not individually

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In Providence, in said County on the 20th day of March, 2002, before me personally appeared Allan M. Shine, Permanent Receiver of City Tire Co. to me known and known by me to be the party executing the foregoing instrument, and he acknowledged said instrument by him executed to be his free act and deed and his free act and deed as and only as Permanent, Receiver of City Tire Co., and not individually.



Notary Public

TAXS 426 - M
DATE 3.5.02
RECORDED 48
012109
RHODE ISLAND
REAL ESTATE CONVEYANCE TAX

BK5095PG0311

ACKNOWLEDGEMENT OF RECEIPT OF RECEIVER'S DEED

The undersigned hereby acknowledges receipt of the executed original foregoing Receiver's Deed and the real estate and all buildings and improvements thereon and all fixtures affixed thereto, and the undersigned acknowledges that the Receiver has fulfilled all his obligations under the Order referred to in the foregoing Receiver's Deed.

Pete's Tire Barn of
Rhode Island, L.L.C.

By

PA A. Steyer

Dated:

4/3/2002

BK5095PG0312

EXHIBIT A

Barbara A. Troney
Acting Recorder of Deeds

LEGAL DESCRIPTION

PROVIDENCE, RI
RECEIVED FOR RECORD

230 Allens Avenue, Providence, Rhode Island

2002 APR -5 A 10:11

That certain tract or parcel of land situate in the City of Providence, County of Providence, State of Rhode Island and described as follows:

Beginning at a point in the easterly side of Allens Avenue 61.18 feet southerly from the southeasterly corner of said Allens Avenue and Public Street, thence easterly bounded northerly by land belonging to the Gold-Smith Realty Co., a Rhode Island corporation, 144.40 feet; thence southerly bounded easterly by said company land 72.04 feet more or less; thence westerly bounded southerly by land belonging to the State of Rhode Island and known as the State Pier Property 145.70 feet to said Allens Avenue; and thence turning an interior angle of 89°51' and running northerly along said Allens Avenue 72.04 feet more or less to the point and place of beginning, forming with the first mentioned bound an interior angle of 90°08'.

80 Public Street, Providence, Rhode Island

That certain lot or parcel of land with all the buildings and other improvements thereon located on the southeasterly side of the portion of Public Street which is northeast of Allens Avenue in the City of Providence, County of Providence, State of Rhode Island, bounded and described as follows:

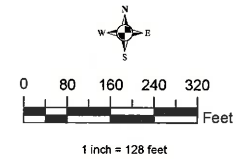
Beginning at a point on the southeasterly side of said portion of Public Street, said point being fifteen feet (15') northeast from the northeasterly corner of a masonry building owned by Gold-Smith Realty Company (which said building fronts on Allens Avenue and the northwesterly side of which faces said portion of Public Street); thence running northeasterly along the southeasterly line of said Public Street a distance of one hundred seven and 16/100 (107.16) feet to land now or formerly of the State of Rhode Island; thence turning and running southeasterly bounding northeasterly on said State of Rhode Island land a distance of one hundred thirty-two and 96/100 (132.96) feet; thence turning and running southwesterly bounding southeasterly on other land now or formerly of the State of Rhode Island a distance of ninety-six and 16/100 (96.16) feet; thence turning an interior angle of ninety (90°) degrees and running northwesterly bounding southwesterly on other land of Gold-Smith Realty Company a distance of sixty-eight (68) feet to a corner; thence turning an interior angle of ninety (90°) degrees and running southwesterly bounding southeasterly on said land of Gold-Smith Realty Company a distance of eight (8) feet; thence turning an interior angle of ninety (90°) degrees and running northwesterly bounding southwesterly on a driveway (fifteen feet in width) a distance of sixty-four and 96/100 (64.96) feet to the point and place of beginning.

PL 46
Lots 319 & 323



This map was prepared for assessment purposes only. It is not for appraisal, description of, or conveyance of land. The City of Providence and its mapping contractors assume no legal responsibility for the information contained herein.

Legend	
Parcel Lines	Essements
Parcel	Edge of Pavement
Road	Hook
Paper Street	Leader
Water	Misc
Rail Road	Building Footprint
City Boundary	Parking Lots
InActive Parcel Line	Water Bodies

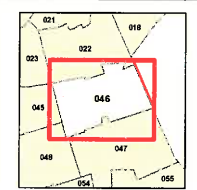
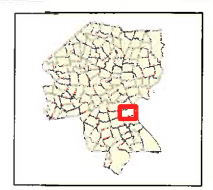


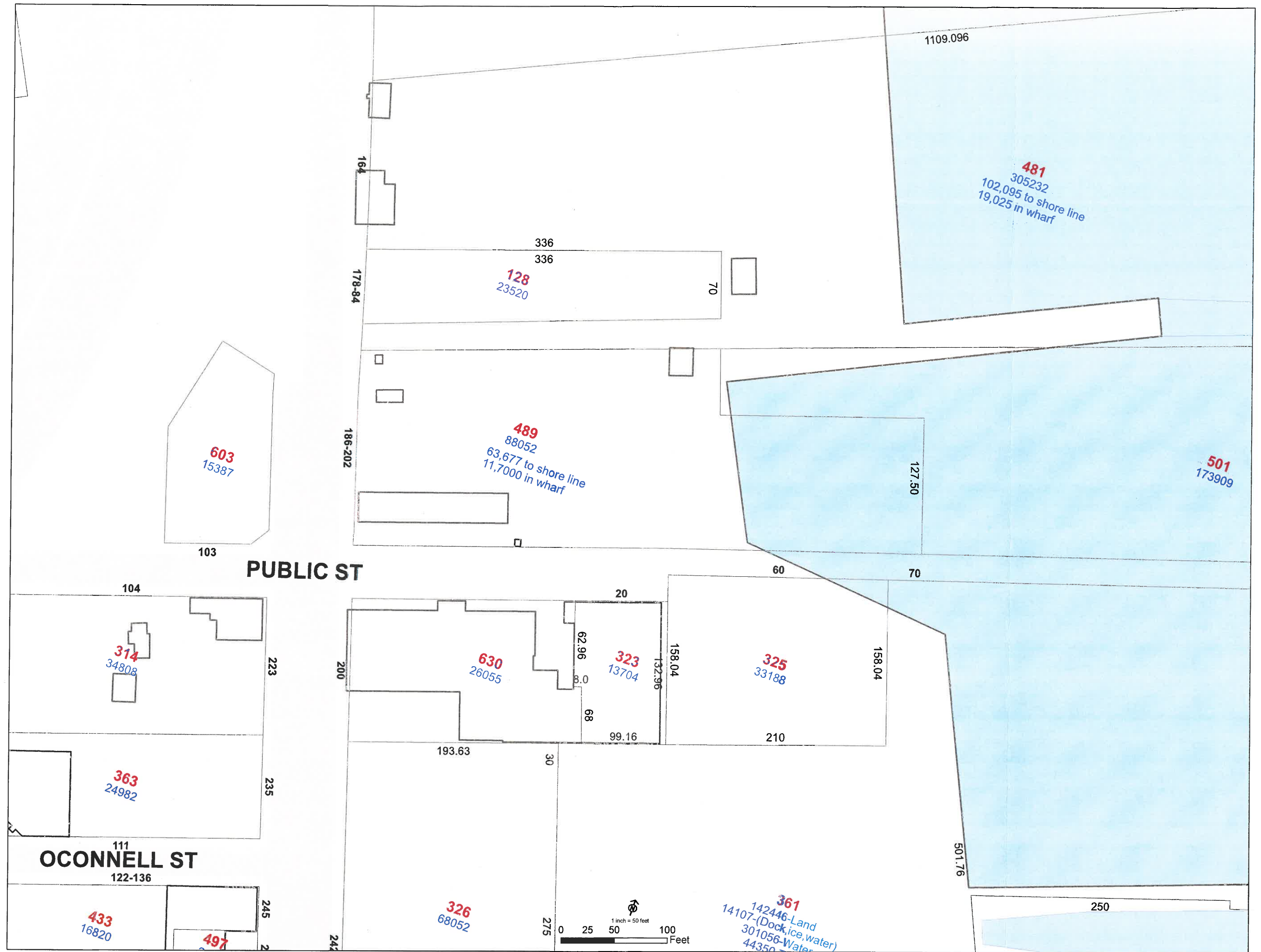
The City of Providence
RHODE ISLAND



Plat No. 046

Showing parcels of real estate as assessed Dec. 31, 2018





1109.096

481
305232
102,095 to shore line
19,025 in wharf

164

178-84

336

128
23520

70

603
15387

103

186-202

489
88052
63,677 to shore line
11,700 in wharf

127.50

501
173909

PUBLIC ST

60

70

104

20

314
34808

223

200

630
26055

62.96

323
13704

132.96

158.04

325
33188

158.04

68

99.16

210

363
24982

235

193.63

30

O'CONNELL ST
122-136

111

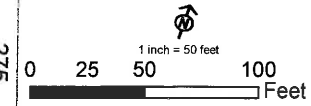
433
16820

245

497

326
68052

275



361
142446-Land
14107-(Dock,ice,water)
301056-Water
44350

501.76

250



481
305232
102,095 to shore line
19,025 in wharf

128
23520

489
88052
63,677 to shore line
11,700 in wharf

501
173909

603
15387

325
33188

323
13764

330
126133

363
24982

O'CONNELL ST
122-136

433
16820

497

367
342446
1400' block ice, water
331056-Wharf
44350

1 inch = 50 feet
25 50 100 Feet

PUBLIC ST

O'CONNELL ST



STATE OF RHODE ISLAND
OFFICE OF THE ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903
(401) 274-4400 • www.riag.ri.gov

Peter F. Neronha
Attorney General

November 9, 2020

Via Regular Mail
Airway, Leasing, LLC
c/o Richard W. Nicholson, Esq.
Registered Agent
9 Thurber Blvd., Suite D
Smithfield, RI 02917

Re: Notice of Encroachment - Public Street Right-of-Way, Providence, Rhode Island

Dear Attorney Nicholson:

This letter is to provide notice to Airway Leasing, LLC, the owner of Lots 325 and 323 on Tax Assessor's Plat 46, that certain structures associated with these lots, including a fence, are unlawfully encroaching on the Public Street public right-of-way and are interfering with the public's rights to use of the right-of-way.. Attached is a copy of the Tax Assessor's Plat map showing the relevant portion of the Public Street right-of-way and photos showing the subject fence.

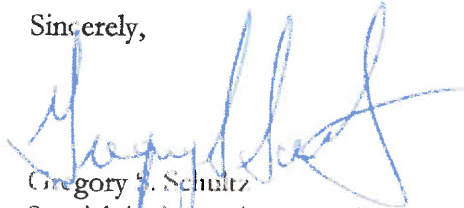
The subject fence and other structures located within the Public Street right-of-way must be removed within forty-five (45) days, or no later than Monday, December 21, 2020. If the fence and other structures are not removed by that date the Attorney General may take any or all actions necessary to remove these obstructions, including but not limited to filing an action in Superior Court.

We are hopeful that this matter can be resolved amicably, but removal of these structures unlawfully placed in the right-of-way must be completed as soon as possible so that public access through this area is no longer impeded.

If you wish to discuss this matter, please feel free to contact me at (401) 274-4400, Ext. 2400.

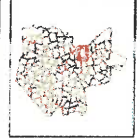
Letter to Airway, Leasing, LLC from G. Schultz
Page 2 of 2
November 9, 2020

Sincerely,



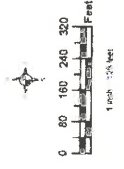
Gregory S. Schultz
Special Assistant Attorney General

eu/CC: Jennifer Cervenka, Esq., CRMC Council Chairwoman
Anthony DeSisto, Esq. CRMC Legal Counsel
Kevin R. Cute, CRMC Marine Resources Specialist
David Everett, Principal Planner, City of Providence



Plat No. 046

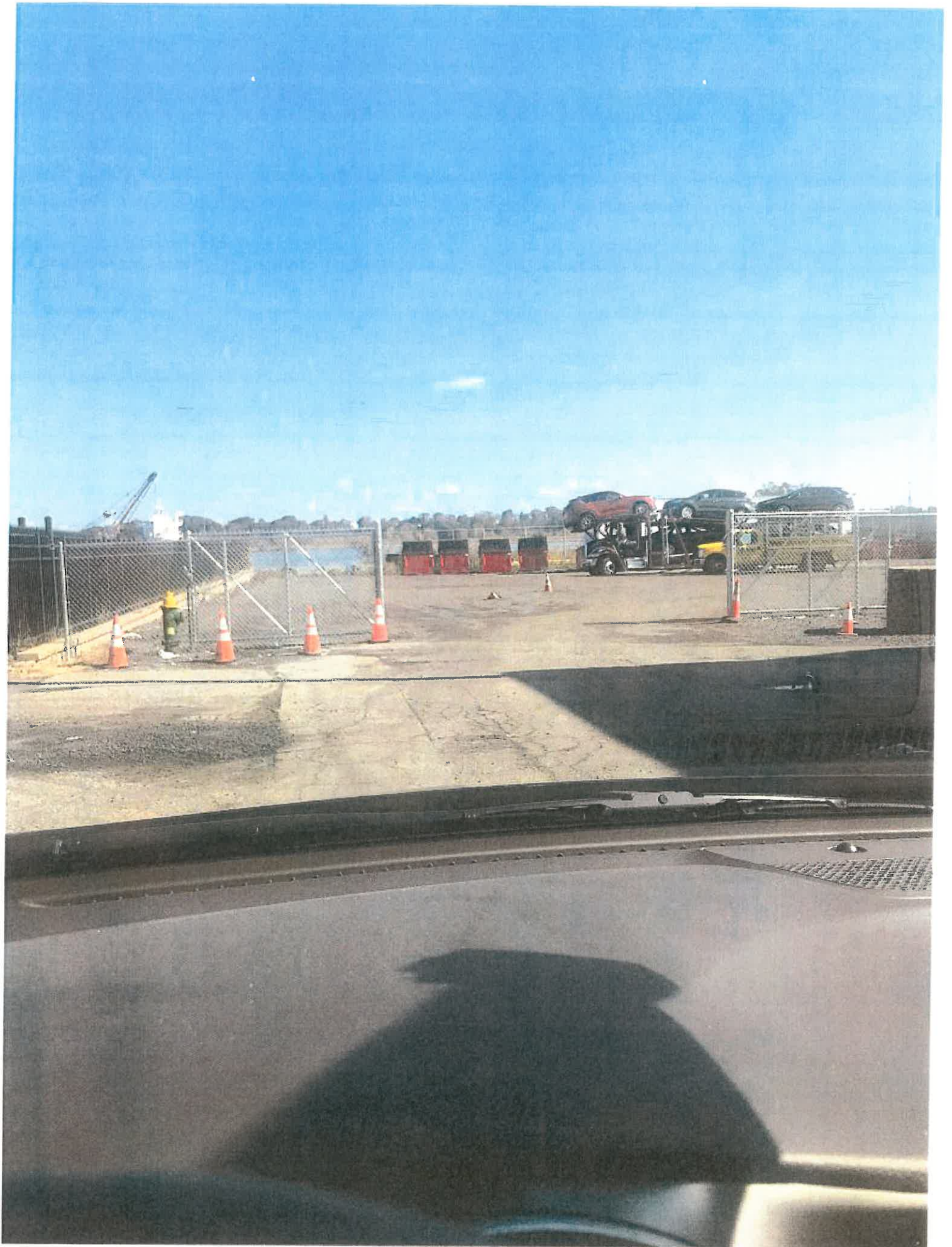
The City of Providence
RHODE ISLAND



Legend

	General's
	Edge of movement
	Street
	Block
	Public Street
	Water
	Rail Road
	City Boundary
	Mobile Telephone
	Walking Lane
	Bus Stop
	Water

This map was prepared for advertising purposes only. It is not for approval or recording. The City of Providence and its recording office are not responsible for the accuracy of any information contained herein.





State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

19 August 2020

The Honorable Pedro Espinal,
Member, Providence City Council
Councilman, Ward 10
Providence City Hall, Room 310
Providence, RI 02903

Dear Councilman Espinal:

I write in response to your July 29, 2020 letter supporting the Coastal Resources Management Council (CRMC) designating the segment of Public Street in Providence east of Allens Avenue and terminating at the waterfront, as a public right-of-way to the shore (ROW). The CRMC has received similar supportive correspondence from Mayor Elorza, The South Providence Neighborhood Association, The Washington Park Association, and Save The Bay.

Legal documentation has also been provided by David Everett, Principal Planner, Department of Planning and Development, in which the segment of Public Street described therein appears to be property of the City of Providence. Having completed a preliminary review of the evidence, I am recommending that Public Street be further investigated by CRMC legal counsel. Legal counsel will then determine whether to recommend that the CRMC ROW Subcommittee hold a public hearing to receive testimony and other evidence regarding the potential designation of Public Street as a ROW.

Finally, in response to your mentioning Oxford Street as a potential ROW, I am very interested in working with you to determine whether it's a good candidate for designation. Though a preliminary examination of current plat maps didn't clearly show Oxford Street to be city property, providing legal public access to a rare stretch of urban salt marsh habitat at this location is in my opinion, a goal well worth pursuing. Please don't hesitate to contact me should you wish to further discuss this possibility.

I'll keep you informed on CRMC's next steps regarding the potential designation of Public Street as a legal public right of way to the shore, and I invite your input as we proceed.

Sincerely,

A handwritten signature in blue ink that reads "Kevin R. Cute".

Kevin R. Cute
CRMC Marine Resources Specialist

cc: Jeffrey M. Willis, CRMC Acting Executive Director
Anthony DeSisto, Esq., CRMC Legal Counsel
Laura Dwyer, CRMC Public Educator and Information Coordinator

CRMC Application Review Sheet

File Number: 2020-07-103
Owner Name: City of Providence
Site Address: Public Street ROW, Providence

Administrative Review

Reviewer: LAT Completed on _____ <input type="checkbox"/> Application Complete <input type="checkbox"/> Application Deficient <input type="checkbox"/> FONSI <input type="checkbox"/> Enforcement compliance _____	<table style="width: 100%;"> <tr> <td style="width: 33%;">Missing</td> <td style="width: 33%;">As Applicable:</td> </tr> <tr> <td>_____ Application</td> <td>_____ CHA Worksheet</td> </tr> <tr> <td>_____ Fee</td> <td>_____ Stormwater Calcs</td> </tr> <tr> <td>_____ ISDS</td> <td>_____ Structural Lot Calcs</td> </tr> <tr> <td>_____ Proof of Ownership</td> <td></td> </tr> <tr> <td>_____ Building Permit</td> <td></td> </tr> <tr> <td>_____ Site Plans</td> <td></td> </tr> </table> Notes: _____ _____ _____	Missing	As Applicable:	_____ Application	_____ CHA Worksheet	_____ Fee	_____ Stormwater Calcs	_____ ISDS	_____ Structural Lot Calcs	_____ Proof of Ownership		_____ Building Permit		_____ Site Plans	
Missing	As Applicable:														
_____ Application	_____ CHA Worksheet														
_____ Fee	_____ Stormwater Calcs														
_____ ISDS	_____ Structural Lot Calcs														
_____ Proof of Ownership															
_____ Building Permit															
_____ Site Plans															
<input type="checkbox"/> EXTENSION (Enforcement review)															

Team Review for Acceptance

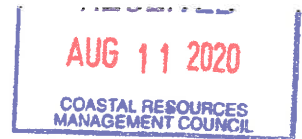
Application Deficient
 Deficiency Letter Required
 Notified Via Phone Call – waiting for _____

(X) Application Accepted Date: <u>07-29-2020</u>	Assigned To		Date Completed	Denial Recommendation	Management Sign-off
	Project Manager	KRC			
	Engineer				
	Biologist				
	Geologist				
	Aqua				
	Dredge				
	Other	KRC			

Category: A
Project Type: 76
Water Type: _____
Water Area: _____

PGP Category: SV PCN IP Public Access 355 Public Access Easement

Project Description: Public Street east of Allens Ave to its terminus at the waterfront



July 29, 2020

Kevin R. Cute, Marine Resources Specialist
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Rd.
Wakefield, RI 02879

Dear Mr. Cute,

I am writing to express support for Coastal Resources Management Council designation of the segment of Public Street in Providence east of Allens Avenue extending to its terminus at the waterfront as a State recognized public right-of-way. The adjacent South Providence and Washington Park neighborhoods currently have extremely limited access to the waterfront. This official designation would enable residents of this frontline community to enjoy open space, waterfront land, and a water view that is otherwise cut off by the industrial waterfront. The site has long been neglected and the right-of-way has been effectively privatized over time, most recently with the erection of a fence obstructing access to the eastern end of the right-of-way.

As the Councilman for Ward 10 I work daily to improve the lives of those in my community. This past year, I worked with community partners to stop an industrial waste collector from opening in the Port of Providence. Further, I introduced a resolution, which passed allowing for no new waste or incinerator facilities to open in our City. Like other community organizations I believe that my neighbors value inclusiveness, sustainability, awareness, investment, and active involvement in South Providence and where carefully planned social, economic, and physical development promotes a safe, multi-cultural, diverse, vibrant, and prosperous neighborhood.

I strongly encourage you to designate Public Street between Allens Avenue and the waterfront as a CRMC right-of-way to the waterfront. We also encourage CRMC to work with the City to establish a similar public access point to the waterfront near Oxford Street, east of Allens Avenue. I am adding my voice to the Washington Park Association (WPA), the South Providence Neighborhood Association (SPNA), and Save the Bay who have been advocating for this public waterfront access.

Sincerely,

Pedro Espinal
Providence City Council
Councilman - Ward 10

CC: Jeffrey M. Willis, Acting Executive Director, Coastal Resources Management Council
David Everett, Principal Planner, City of Providence



July 29, 2020

Kevin R. Cute, Marine Resources Specialist
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Rd.
Wakefield, RI 02879

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Sincerely,

Pedro Espinal
Providence City Council
Councilman - Ward 10

CC: Jeffrey M. Willis, Acting Executive Director, Coastal Resources Management Council
David Everett, Principal Planner, City of Providence

PROVIDENCE CITY COUNCIL - COUNCIL.PROV

Kevin - pls respond
+ thank Carmel
Espinal.
cc: Tony + James
The Left

Lisa Turner

From: Michelle Vitale <tyrtle.shell@gmail.com>
Sent: Wednesday, June 30, 2021 3:31 PM
To: Office Manager Lisa Turner
Subject: I support the Public Street right-of-way in Providence

Dear Office Manager Turner,

The Public St. location in Providence is an ideal candidate for CRMC designation. The street is currently a public right-of-way between Allen's Avenue and the Providence River.

Despite being one of the most densely populated areas in the state near the shore, relatively few locations exist where the public can access the water.

Currently, only 3 of CRMC's 226 designated rights-of-way to the shore are in Providence; (and those 3 are on the East Side along the Seekonk River.) There are no CRMC-designated rights-of-way in South Providence/Washington Park.

CRMC designation of the Public Street right-of-way will help CRMC achieve their goal of one right-of-way for each mile of Rhode Island coastline.

Thank you for considering my comments and for your work to protect and expand public access to the shoreline.

Sincerely,

Michelle Vitale
62 Davis Ave
Cranston, RI 02910
tyrtle.shell@gmail.com

Lisa Turner

From: Angelin Koziara <user@votervoice.net>
Sent: Tuesday, June 29, 2021 2:18 PM
To: Office Manager Lisa Turner
Subject: I support the Public Street right-of-way in Providence

Dear Office Manager Turner,

This is ideally situated for neighborhoods to access the waterfront which is so near but so far away. (there is room for further input in the adjacent building)

The Public St. location in Providence is an ideal candidate for CRMC designation. The street is currently a public right-of-way between Allen's Avenue and the Providence River.

Despite being one of the most densely populated areas in the state near the shore, relatively few locations exist where the public can access the water.

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Thank you for considering my comments and for your work to protect and expand public access to the shoreline.

Sincerely,

Angelin Koziara
11 Hall Pl
Cranston, RI 02905
kozilouie@yahoo.com



RHODE ISLAND
SALTWATER
ANGLERS
Association



P.O. Box 1465, Coventry, Rhode Island 02816

401-826-2121 FAX: 401-826-3546

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June 28, 2021

Jeffrey M. Willis, Executive Director
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Rd, Suite 3
Wakefield, RI 02879



RE: 2020-07-103 Public Street, Providence Access

Director Willis:

The Rhode Island Saltwater Anglers Association (RISAA) represents over 7,500 recreational anglers and 28 affiliate clubs in Connecticut, Massachusetts and Rhode Island, and we are pleased to take this opportunity to provide our comments in support of designation of the eastern end of Public Street in the City of Providence between Allens Avenue and the waterfront as a CRMC-designated Right of Way.

Access to the waterfront all around the State of RI has been threatened for many years by parking restrictions, private home owners blocking access and even by natural processes caused by rising sea level and eroding coastlines. Because of this it is important to preserve access in every location possible. Access to our coastline is a right described in the Constitution of this great State and preservation of this right is important today and tomorrow.

This particular location, in the inner city is even more important to protect because access to the waterfront is greatly limited in the urban areas of Providence and Pawtucket. Development all along the Providence River currently makes it difficult for people who desire to get to the water. Access such as this is important to residents of the City who would otherwise need to travel much further to access the waterfront.

The surrounding uses might currently be very industrial and the water of degraded quality, but water quality is improving and access just for relaxing and viewing the Providence River is still access worth protecting.

Thank you for this opportunity to provide comments on this important issue.

Stephen J. Medeiros
President

Richard C. Hittinger
1st Vice President

Cc: Peter Neronha, Attorney General

Lisa Turner

From: Jori Ketten <jori@thedesignoffice.org>
Sent: Thursday, June 24, 2021 10:02 PM
To: Office Manager Lisa Turner
Subject: I support the Public Street right-of-way in Providence

Dear Office Manager Turner,

Public access to the shoreline should be a priority! I support the designation of this right-of-way.

The Public St. location in Providence is an ideal candidate for CRMC designation. The street is currently a public right-of-way between Allen's Avenue and the Providence River.

Despite being one of the most densely populated areas in the state near the shore, relatively few locations exist where the public can access the water.

Currently, only 3 of CRMC's 226 designated rights-of-way to the shore are in Providence; (and those 3 are on the East Side along the Seekonk River.) There are no CRMC-designated rights-of-way in South Providence/Washington Park.

CRMC designation of the Public Street right-of-way will help CRMC achieve their goal of one right-of-way for each mile of Rhode Island coastline.

Thank you for considering my comments and for your work to protect and expand public access to the shoreline.

Sincerely,

Jori Ketten
159 Sutton St
Providence, RI 02903
jori@thedesignoffice.org

Lisa Turner

From: Emelda Benitez <user@votervoice.net>
Sent: Wednesday, June 23, 2021 7:47 AM
To: Office Manager Lisa Turner
Subject: I support the Public Street right-of-way in Providence

Dear Office Manager Turner,

The Public St. location in Providence is an ideal candidate for CRMC designation. The street is currently a public right-of-way between Allen's Avenue and the Providence River.

Despite being one of the most densely populated areas in the state near the shore, relatively few locations exist where the public can access the water.

Currently, only 3 of CRMC's 226 designated rights-of-way to the shore are in Providence; (and those 3 are on the East Side along the Seekonk River.) There are no CRMC-designated rights-of-way in South Providence/Washington Park.

CRMC designation of the Public Street right-of-way will help CRMC achieve their goal of one right-of-way for each mile of Rhode Island coastline.

Thank you for considering my comments and for your work to protect and expand public access to the shoreline.

Sincerely,

Emelda Benitez
61 Georgia Ave
Providence, RI 02905
emsoph1@yahoo.com

Lisa Turner

From: Jack McGillivray <jackmcgillivray2@gmail.com>
Sent: Wednesday, June 23, 2021 11:16 AM
To: Office Manager Lisa Turner
Subject: I support the Public Street right-of-way in Providence

Dear Office Manager Turner,

I recently helped clean up this site and it provides a much needed access to the bay in an environmentally deprived area not far from my house.

The Public St. location in Providence is an ideal candidate for CRMC designation. The street is currently a public right-of-way between Allen's Avenue and the Providence River.

Despite being one of the most densely populated areas in the state near the shore, relatively few locations exist where the public can access the water.

Currently, only 3 of CRMC's 226 designated rights-of-way to the shore are in Providence; (and those 3 are on the East Side along the Seekonk River.) There are no CRMC-designated rights-of-way in South Providence/Washington Park.

CRMC designation of the Public Street right-of-way will help CRMC achieve their goal of one right-of-way for each mile of Rhode Island coastline.

Thank you for considering my comments and for your work to protect and expand public access to the shoreline.

Sincerely,

Jack McGillivray
139 Arnold Ave
Cranston, RI 02905
jackmcgillivray2@gmail.com



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF THE DIRECTOR
235 Promenade Street, Room 425
Providence, Rhode Island 02908

February 23, 2021

Mr. Jeff Willis
Executive Director
RI Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

Re: Letter in Support of Public Street Right-of-Way (Providence)

Dear Mr. Willis:

This letter is in support of the City of Providence's request to formally designate the eastern end of Public Street in Providence, between Allens Avenue and the waterfront, as a CRMC recognized public right-of-way to the Providence waterfront. State designation of the site would formally recognize the location as a public waterfront access point.

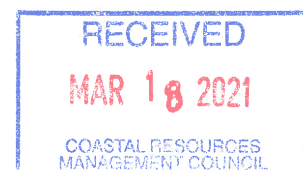
The Public Street location has long been a public access point to Upper Narragansett Bay. Recent actions by private property owners have obstructed access to the site and limited the public's right to permanently enjoy the waterfront. Formalizing the designation of this site would allow the City of Providence and other partners to begin to explore next steps to further enhance this area for public access to the waterfront.

RIDEM encourages support of this the request because of its ability to provide much needed access to Narragansett Bay for Providence residents. Rhode Islanders in urban communities unfortunately have limited access to the benefits afforded by Narragansett Bay, like recreation and fishing, despite living in such close proximity to this treasured jewel. Until our lower income communities and communities of color have equitable access to spaces like those that exist at Public Street, Rhode Island is failing in its responsibilities to its residents.

We encourage CRMC to consider this request with the understanding that access to recreational opportunities and open space, especially at the waterfront, does wonders for the health and well-being of all Rhode Islanders, especially those long denied such resources. Thank you.

Sincerely,

Janet Coit
Director



Kevin R. Cute
Marine Resources Specialist
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

Dear Mr. Cute,

I am writing to express support for Coastal Resources Management Council designation of the segment of Public Street in Providence east of Allens Avenue extending to its terminus at the waterfront as a State-recognized public right-of-way. The adjacent South Providence and Washington Park neighborhoods currently have extremely limited access to the waterfront.

This official designation would enable residents of this frontline community to enjoy open space, waterfront land, and a water view that is otherwise cut off by the industrial waterfront. The site has long been neglected and the right-of-way has been effectively privatized over time, most recently with the erection of a fence obstructing access to the eastern end of the right-of-way.

The Washington Park Association, founded in 2015, is dedicated to the improvement of quality of life in the Washington Park Community. We have been active in advocating for this public waterfront access and took part in a cleanup of the site in 2019 with more than 30 people participating on a cold blustery day, testament to community recognition of the importance of public access and stewardship of the environment.

We strongly encourage you to designate Public Street between Allens Avenue and the waterfront as a CRMC right-of-way to the waterfront. We also encourage CRMC to work with the City to establish a similar public access point to the waterfront near Oxford Street, east of Allens Avenue.

Sincerely,



Cc: Jeffrey M. Willis, Acting Executive Director, Coastal Resources Management Council
David Everett, Principal Planner, City of Providence



STATE OF RHODE ISLAND
OFFICE OF THE ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903
(401) 274-4400 • www.riag.ri.gov

Peter F. Neronha
Attorney General

October 14, 2020

Mr. Jeffrey Willis, Acting Executive Director
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

Re: Public Street Right-of-Way, Providence, Rhode Island

Dear Mr. Willis:

I am writing to express my strong support for the City of Providence's July 28, 2020, request to formally designate the eastern end of Public Street in Providence, between Allens Avenue and the waterfront, as an official CRMC recognized public right-of-way to the Providence waterfront.

The Public Street location historically has been a public access point to the Providence River and Upper Narragansett Bay. The City's tax maps depict the street, so-called "Public", as an unobstructed open roadway running to the water's edge. The Attorney General's review of title documents in the City's Land Evidence Records reveals that adjacent properties acknowledge and reference the "public" street. Members of the public already have accepted the dedication of this street as public through their long and continuous use as a point of access for fishing, boating and recreation along the Providence waterfront.

Unfortunately, the eastern end of Public Street adjacent to the Providence River has been neglected, and neighboring private properties have recently encroached and are now unlawfully obstructing this public right-of-way. An official CRMC designation would reinforce the acceptance of this street as public through official action and further protect the public's right to access and enjoy this waterfront access point permanently.

Public access to Rhode Island's coastal and waterfront resources is a priority mission of this Office, which like the CRMC is empowered to protect the public's rights and interests in accessing our State's coastal resources. But, it is not lost on me and should not be lost on CRMC that all too often when there is talk about the right to access our coastal amenities, usually it is in the context of walking along the shoreline or oceanfront access and not in urban settings. When balancing competing private interests and public access, more often than not, the scales do not tip in the favor of the



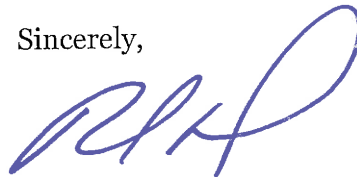
Mr. Jeffrey Willis, Acting Executive Director
October 14, 2020
Page Two

ordinary urban citizen. Until our lower income communities and our communities of color have equal access to open spaces, and have safe, clean and vibrant waterfront accessibility, we are failing in our duties to protect this most fundamental Rhode Island interest.

Thousands of Rhode Islanders who live in the South Providence and Washington Park neighborhoods have lost almost all public access to the shore and Narragansett Bay along Allens Avenue. The residents of these already over-burdened communities live only a short walk or bike ride from this area of the Providence waterfront, but they cannot access it or enjoy it.

There is sufficient evidence available for the CRMC right-of-way subcommittee to place the City's designation request on the subcommittee agenda and begin a hearing process as soon as possible. I strongly encourage the CRMC right-of-way subcommittee to prioritize this public access designation as an environmental justice matter entitled to expeditious review. Public Street should remain permanently and forever public.

Sincerely,



Peter F. Neronha
Attorney General

cc: Jennifer Cervenka, Esq., CRMC Council Chairwoman
Anthony DeSisto, Esq. CRMC Legal Counsel
Kevin R. Cute, CRMC Marine Resources Specialist
Jeffrey Dana, Solicitor, City of Providence
David Everett, Principal Planner, City of Providence





July 29, 2020

Mr. Jeffrey Willis, Acting Executive Director
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

Dear Mr. Willis,

We are writing in support of the City of Providence's request to designate the eastern end of Public St. in Providence as an official CRMC-recognized public right-of-way. As you know, public access is core to Save The Bay's (STB's) mission and one of its major priorities. Since its inception, STB has been dedicated to preserving and creating lateral access along the shoreline while instilling a sense of ownership and stewardship for all who use the Bay.

The Public Street location is an ideal candidate for designation. The street ends at the water's edge and currently provides relatively unobstructed access to the Providence River. Fishermen are frequently seen using the area in the summer.

Unfortunately, Public Street has historically been littered with trash and debris. This past November, Save The Bay and the Washington Park Association hosted a cleanup at Public Street. On a cold, blustery Saturday morning, more than 30 people spent several hours cleaning up along the water, sending a strong message that the community recognizes the importance of public access and the stewardship of our natural resources.

The adjacent South Providence and Washington Park neighborhoods currently have extremely limited access to the waterfront. This official designation would enable residents of this frontline community to enjoy open space, waterfront land, and a water view that is otherwise cut off by the industrial waterfront. The site has long been neglected and the right-of-way has been effectively privatized over time, most recently with the erection of a fence obstructing access to the eastern end of the right-of-way.

We strongly encourage you to designate Public Street between Allens Avenue and the waterfront as a CRMC right-of-way to the waterfront. Thank you for your consideration.

A handwritten signature in black ink that reads "Tophers Hamblett". The signature is written in a cursive, flowing style.

Tophers Hamblett, Director of Advocacy

Cc: Kevin Cute, Coastal Resources Management Council
David Everett, Principal Planner, City of Providence



July 29th, 2020

Kevin R. Cute, Marine Resources Specialist
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Rd.
Wakefield, RI 02879

Dear Mr. Cute:

I am writing to express support for Coastal Resources Management Council designation of the segment of Public Street in Providence east of Allens Avenue extending to its terminus at the waterfront as a State-recognized public right-of-way. The adjacent South Providence and Washington Park neighborhoods currently have extremely limited access to the waterfront. This official designation would enable residents of this frontline community to enjoy open space, waterfront land, and a water view that is otherwise cut off by the industrial waterfront. The site has long been neglected and the right-of-way has been effectively privatized over time, most recently with the erection of a fence obstructing access to the eastern end of the right-of-way.

The South Providence Neighborhood Association (SPNA), formed in December of 2015, is a non-partisan community organization that brings members of the South Providence community together to organize, inform and empower our local residents by facilitating meaningful dialogue as a way of fostering long-term partnerships. SPNA envisions a community that values inclusiveness, sustainability, awareness, investment, and active involvement in South Providence and where carefully planned social, economic, and physical development promotes a safe, multi-cultural, diverse, vibrant, and prosperous neighborhood. We joined the Washington Park Association (WPA) and Save the Bay in January of this year in advocating for this public waterfront access.

We strongly encourage you to designate Public Street between Allens Avenue and the waterfront as a CRMC right-of-way to the waterfront. We also encourage CRMC to work with the City to establish a similar public access point to the waterfront near Oxford Street, east of Allens Avenue.

Best regards,

Dwayne Keys, *Chairperson*
South Providence Neighborhood Association (SPNA)

Cc: Jeffrey M. Willis, Acting Executive Director, Coastal Resources Management Council
David Everett, Principal Planner, City of Providence

c/o Dwayne Keys. P.O. Box 5653. Providence, RI 02903. (401) 369-1334. southprovneighbors@gmail.com