

2010 -- H 7740

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS

Introduced By: Representative Peter F. Kilmartin

Date Introduced: February 25, 2010

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 37-5 of the General Laws entitled "Department of Transportation"
2 is hereby amended by adding thereto the following section:

3 **37-5-8. Transfer of certain interstate route 195 property.** – (a) Findings. The State of
4 Rhode Islands, in accordance with that certain United States Federal Highway Administration
5 Record of Decision entitled “Record of Decision, Improvements to Interstate Route 195,
6 Providence, Rhode Island, FHWA-RI-EIS-93-01-F, January 14, 1997” is relocating and
7 improving certain portions of interstate route 195 traversing through portions of the city of
8 Providence. In connection with such highway relocation, certain parcels of land within the city of
9 Providence will become available for beneficial reuse. It is found and declared that:

10 (1) The relocation of interstate route 195 within the city of Providence will result in the
11 creation of surplus parcels of land available for sale and commercial and institutional
12 development and beneficial reuse, including without limitation to support or encourage workforce
13 development, education and training, and the growth of “knowledge-based” jobs and industries
14 such as research and development, life sciences, media technologies, entrepreneurship and
15 business management, design, hospitality, software design and application, and a variety of other
16 uses consistent with a knowledge based economy;

17 (2) The city of Providence’s comprehensive plan and various other studies, plans and
18 reports that are a matter of public record support the use of portions of the city of Providence’s
19 jewelry district and portions of the surplus land created by the relocation of interstate route 195

1 for development that is benefited by close proximity to universities, hospitals, and medical
2 schools for the development with and by such institutions of facilities (including without
3 limitation a hotel and/or conference center and academic, medical, research and development,
4 commercials residential, and parking facilities) to support the growth of a knowledge based
5 economy; and

6 (3) The sale or lease of such surplus parcels of land at fair market value, and the reuse
7 and development of such parcels will be beneficial to the city of Providence and the state and
8 advantageous to the public interest. The surplus parcels of land that will be created by the
9 relocation of interstate route 195 are sometimes collectively referred to herein as the “I-195
10 Surplus Land.”

11 (b) Authorization. The director of the Rhode Island department of transportation, with the
12 approval of the state properties committee, is hereby directed, authorized, and empowered to sell,
13 transfer and convey, in fee simple, by lease or otherwise, in the name of and for the State of
14 Rhode Island, any or all right title and interest of the state in the I-195 Surplus Land, in one or
15 more sale or lease transactions, and in such assemblages of parcels of such land, in such manner
16 and upon such terms and conditions as may be most advantageous to the public interest.

17 (c) Title and survey adjustments. The director of the Rhode Island department of
18 transportation is authorized, in the exercise of his discretion, to adjust boundary lines, survey
19 lines and property descriptions of the parcels of land comprising the I-195 Surplus Land, and as
20 may be necessary and appropriate to facilitate or enhance project design plans and for the location
21 and/or relocation of city streets, utility corridors, easements and rights-of-way.

22 (d) Payments in lieu of taxes. Without limiting the authorization set forth in subsection
23 (b) above, the director of the Rhode Island department of transportation is further authorized to
24 make as a condition to the sale or lease of any parcel of I-195 Surplus Land to any not-for-profit
25 or tax-exempt organization or institution, that the purchaser or lessee, as applicable, and the city
26 of Providence shall have entered into an agreement for payments in lieu of taxes to the city
27 relating to any parcel to be purchased or leased by such not-for-profit or tax-exempt organization
28 or institution.

29 (e) Development plan. Development of the parcels of I-195 Surplus Land shall be in
30 accordance with the findings set forth in subsection (a) above, the terms and conditions
31 contemplated by subsection (b) above and with the purchaser’s development or master plan, as
32 the same may be approved by the city of Providence, as amended from time to time.

33 (f) Use of proceeds. Upon the conveyance or lease of any parcel of I-195 Surplus Land as
34 set forth in this section, the proceeds of such sale shall be used by the State of Rhode Island

1 department of transportation, to the extent required by the United States department of
2 transportation federal highway administration, to satisfy the obligations of the state department of
3 transportation to the United States department of transportation federal highway administration or
4 as otherwise directed by the director of the state department of transportation.

5 (g) The provisions of sections 3, 4, 5, and 9 of chapter 7 of this title, and the provisions of
6 chapter 22 of this title, shall not be applicable to the transaction authorized by section 37-5-8
7 which have been or hereafter may be effected by the director of the Rhode Island department of
8 transportation in the name of and for the State of Rhode Island under the provisions of this
9 section. Notwithstanding the provisions of any general or special law to the contrary, other than
10 approval of the state properties committee as elsewhere required in this section, no restriction
11 shall apply to and no further approval, determination or action of any kind shall be required to
12 effect any conveyance of any real property identified in this section by the director of the Rhode
13 Island department of transportation in the name of and for the State of Rhode Island.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would authorize the director of the department of transportation to sell, transfer
2 and convey certain parcels of real property as may be most advantageous to the public interest.
3 This act would take effect upon passage.

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