

STATE OF RHODE ISLAND
COUNTY OF WASHINGTON

SUPERIOR COURT

In re the Estate of Violette M. Connolly

M.P. No. WM 2011-724

CONSENT ORDER

By consent order as entered on December 5, 2011 by Mr. Justice Carnes ("2011 Order"), certain terms and conditions were placed on the use of the of property referenced as Plat 8, Lot 218 in the Town of New Shoreham ("Town"), also known as the "Thomas Property" (the "Property") which comport with the intent and wishes of the testatrix, Violette M. Connolly and the plans of the Town.

Through this Consent Order, the Town, the representative of the Estate of Violette M. Connolly, and the Rhode Island Attorney General ("Attorney General") have consented to the additional terms and conditions of this Consent Order, subject to the approval of the Superior Court.

Through this Consent Order, the following additions/modifications are made to 2011 Order:

1. The Town, at its sole cost and expense, is permitted to renovate the building containing the two existing rental units on the Property to create four units with new water, new electric and new sewer connections, thereby creating a total of four rental units ("the Four Units") in substantial compliance with the attached site plan.

2. The Town agrees to rent the Four Units to New Shoreham police officers. In the event that there is no New Shoreham police officer willing or able to rent any or all of the Four Units, the Town may offer the units for rental to Town employees including employees of the school department. In the event that there is no Town or school department

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WASHINGTON COUNTY SUPERIOR COURT

employee willing or able to rent any or all of the Four Units, the Town may offer the units for rental to Town residents. In the event that there is no Town resident willing or able to rent any or all of the Four Units, the Town may offer the units for rental to the general public.

3. In the event that the Town determines that it is in the best interests of the Town to sell the Property, a portion of the net proceeds of any such sale (hereinafter referred as the "Police Officer Set Aside" as calculated in the manner set forth below) shall be set aside by the Town and applied by the Town for the benefit of New Shoreham police officers in such manner as the Town council shall deem appropriate. The Police Officer Set Aside is calculated by multiplying the net proceeds from the sale of the Property (hereinafter referred to as the "Net Proceeds") by a fraction whose Numerator is the total dollar amount of the Estate contribution to the purchase of the Property (hereinafter referred to as the "Estate Contribution"), and whose Denominator is the total amount of the Town's investment in the Property including amounts expended to purchase the property (including, without limitation, attorney's fees and closing costs) and all capital improvements made by the Town in connection with the Property minus the cost of the single family dwelling referenced below (hereinafter collectively referred to as the "Town Contribution") plus the Estate Contribution.

$$\text{Police Officer Set Aside} = \frac{\text{Estate Contribution}}{\text{Town Contribution} + \text{Estate Contribution}} \times \text{Net Proceeds}$$

The balance of the Net Proceeds shall be returned to the Town's general fund.

4. The Town agrees that no rental agreement for any one or more of the Four Units with a person other than a New Shoreham police officer shall be for a period longer than one (1) year.

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5. The Town agrees that at such times as one or more of the units is rented other than to a New Shoreham police officer, the Town shall bi-annually confer with the police department and the police officers to determine whether any New Shoreham police officer(s) desires to rent a unit. At such time as a New Shoreham police officer is willing and able to rent a unit occupied by a person other than a New Shoreham police officer, the Town shall not renew any lease with such other person and, at the termination of any existing lease, shall rent the unit to a Block Island police officer.

6. The Town will notify the Charitable Trust Administrator of the Attorney General's office on an annual basis of the identity of the current tenants occupying the Four Units and provide copies of the corresponding leases. The Town will certify to the Charitable Trust Administrator on an annual basis that it conferred with the Town Police Department and police officers to determine whether any Town police officer(s) desires to rent a unit.

7. If the Town violates the reporting requirements of this order or violates the requirement to offer the Four Units to police officers, and such violation is not cured within ten(10) business days of written notice by the Attorney General to the Town, the Attorney General may make application to the Superior Court to seek enforcement, remedies and/or penalties including, but not limited to, the forced sale of the Property and distribution of the proceeds pursuant to the terms of this order.

8. The Town, at its sole cost and expense, is permitted to erect a single-family dwelling on the Property in substantial compliance with the attached site plan.

9. A copy of this Consent Order shall be recorded with the Land Evidence Records of the Town of New Shoreham.

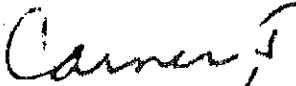
10. No change to this Consent Order may be made without application to the Superior Court and notification to the Attorney General.

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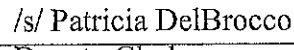
11. Except as herein modified the terms and conditions of the 2011 Order are ratified and confirmed.

Entered as an order of this Court this 26 day of July, 2019.

ENTER:


William E. Carnes, Jr.
Associate Justice

PER ORDER:

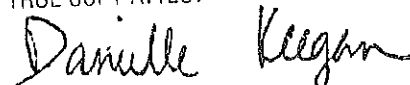

Deputy Clerk
July 26, 2019

Submitted by:

/s/ Katherine A. Merolla # 2344
Merolla and Accetturo
469 Centerville Road, Suite 206
Warwick, RI 02886
(401) 739-2900

/s/ David Marzilli #8798
Special Assistant Attorney General
150 South Main Street
Providence, RI 02903

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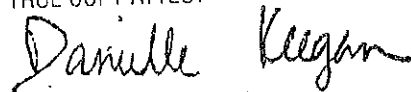
CERTIFICATION

I hereby certify that, on July 24, 2019;

I filed and served this document through the electronic filing system on counsel of record. The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

/s/ Katherine A. Merolla, Esq.

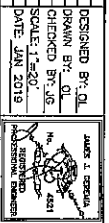
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DANIELLE KEEGAN, CLERK
WASHINGTON COUNTY SUPERIOR COURT

DATE PLOTTED: 3/17/18
 SCALE: 1"=20'
 DESIGNER: J. L. GERRARD
 CHECKED: B. J. JOHNSON
 DATE: JUN 2015

NO.	BY	DATE	REMARKS
1	J. L. GERRARD	3/17/18	DESIGNED BY: DL
2	B. J. JOHNSON	6/1/15	CHECKED BY: JG
3	J. L. GERRARD	6/1/15	SCALE: 1"=20'



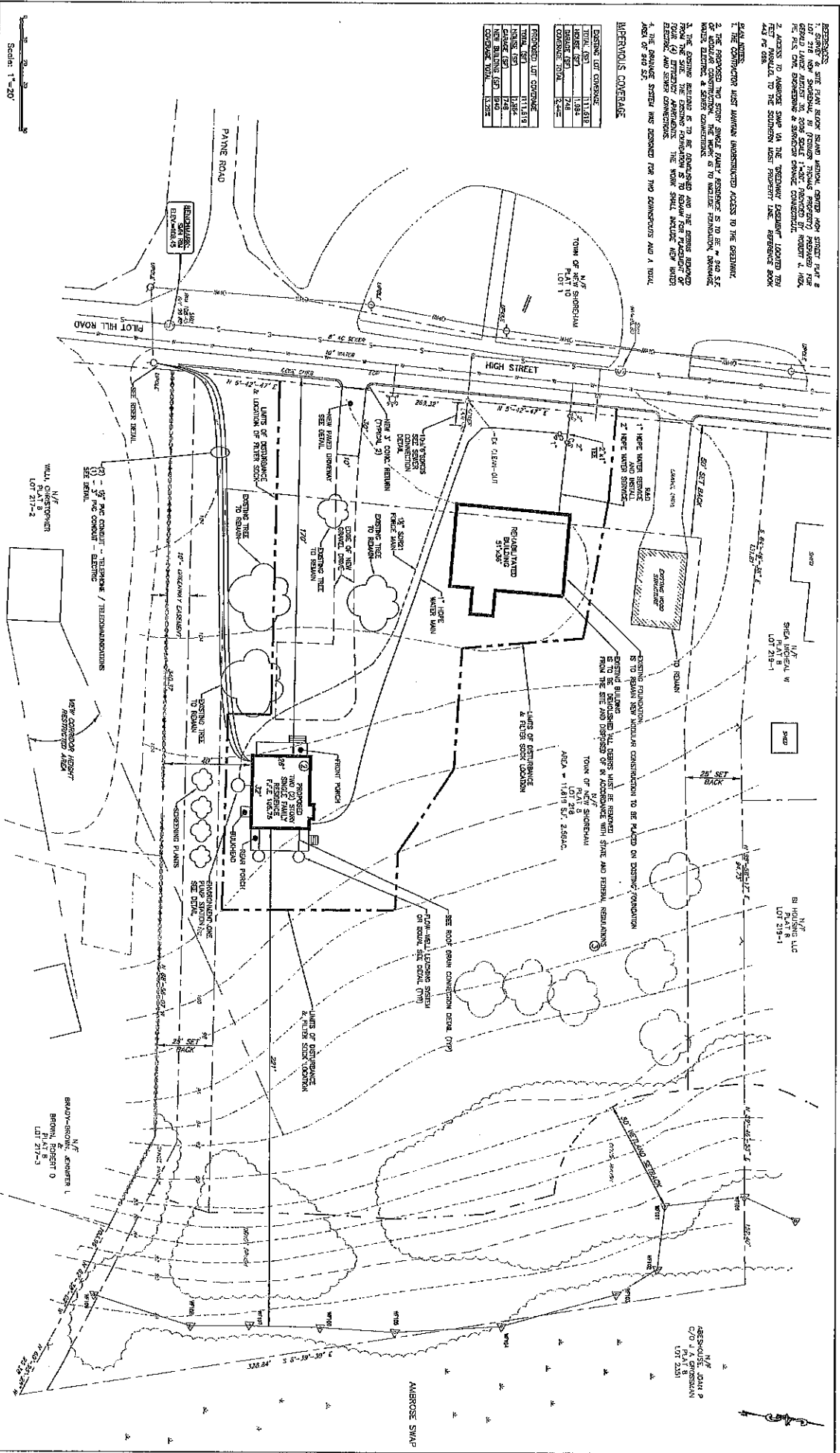
JAMES J. GERRARD & ASSOCIATES, INC.
 CONSULTING ARCHITECTS, ENGINEERS & SURVEYORS
 225 W. Broadway Street, Suite 201, Providence, RI 02903
 Phone: 401-464-7000 Fax: 401-464-7415



TOWN OF NEW SHOREHAM
 RHODE ISLAND
 TOWN HOUSING INITIATIVE PROJECT

PROPOSED SITE PLAN

2



EXISTING LOT COVERAGE	111.1%
PROPOSED LOT COVERAGE	111.1%
TOTAL LOT COVERAGE	222.2%

EXISTING LOT COVERAGE	111.1%
PROPOSED LOT COVERAGE	111.1%
TOTAL LOT COVERAGE	222.2%

1. THE CONTRACTOR MUST MAINTAIN UNOBSTRUCTED ACCESS TO THE GREENWAY.
2. THE PROPOSED THE DRIVE SHALL BE 10 FEET WIDE AND 10 FEET HIGH TO MAINTAIN UNOBSTRUCTED ACCESS TO THE GREENWAY.
3. THE DRIVE SHALL BE 10 FEET WIDE AND 10 FEET HIGH TO MAINTAIN UNOBSTRUCTED ACCESS TO THE GREENWAY.
4. THE DRIVE SHALL BE 10 FEET WIDE AND 10 FEET HIGH TO MAINTAIN UNOBSTRUCTED ACCESS TO THE GREENWAY.

RECEIVED FOR RECORD IN
 NEW SHOREHAM, R.I.
 DATE: 8-2-19 TIME: 2:30
 BY: FIONA FITZPATRICK TOWN CLERK