

# RESOLUTION OF THE TOWN COUNCIL

**“The acquisition, by eminent domain and condemnation, of the pond, dam and dam structures of Flat River Reservoir (“Johnson’s Pond”), as well as certain land necessary to effectuate the protection of the environment, to ensure public safety, and to provide recreational access to the public”**

## Resolution No. 2024-42

Passed: 3-0

  
\_\_\_\_\_  
Hillary V. Lima, Council President

WHEREAS, in the Town of Coventry,

- On May 2, 2024, the Town Council passed Resolution No. 2024-37 (attached hereto as Exhibit 4) making plain the Town Council’s intentions and commitment to acquire, maintain, and redevelop Flat River Reservoir (“Johnson’s Pond”), its dam, dam structures, and land to protect the environment, to ensure public safety, and to provide public recreational use of access to Johnson’s Pond;
- The Town Council resolved by Resolution No. 2024-37 that “[t]he Town Council shall consider the approval and adoption of an Ordinance to acquire, for public use, by purchase or condemnation the Dam, Pond, and associated property at Johnson’s Pond, including any and all property, rights, and interests acquired by [Soscia Holdings, LLC] from the Quidnick Reservoir Company;”
- On May 14, 2024 and in furtherance of Resolution No. 2024-37, the Town Council passed Ordinance No. 2024-03 (attached hereto as Exhibit 5), which, among other things, ordained that the “Town shall acquire by purchase or condemnation the dam, dam structures, pond, and associated property at Johnson’s Pond, including and all property, rights, and interests acquired by Soscia Holdings, LLC from the Quidnick Reservoir Company;”
- Ordinance No 2024-03 provides that “[i]f the Town’s efforts to purchase the Pond are of no avail, then the Solicitor is directed to take all necessary action to take the acquisition by a condemnation;”
- The Town, by and through its Solicitor, made an effort to purchase the dam, pond, and associated property at Johnson’s Pond from Soscia Holdings, LLC for \$1,527,000.00, which

- 44 amount the Town, in good faith, believed was the fair market value of the property and just  
45 compensation for it to Soscia Holdings, LLC;  
46
- 47 • Soscia Holdings, LLC, rejected the Town’s effort to purchase the dam, pond, and associated  
48 property at Johnson’s Pond for \$1,527,000.00;  
49
  - 50 • The dam, pond, and associated property, interests, and rights at Johnson’s Pond acquired by  
51 Soscia Holdings, LLC from Quidnick Reservoir Company are described in the Quitclaim Deed  
52 from Quidnick Reservoir Company to Soscia Holdings, LLC recorded on or about March 3,  
53 2020 in the Town of Coventry Recorded Land Records, Deed Book 2155, Pages 847 to 855  
54 (attached hereto as Exhibit 6);  
55
  - 56 • The dam, pond, and associated property, interests, and rights at Johnson’s Pond acquired by  
57 Soscia Holdings, LLC from Quidnick Reservoir Company as referenced and described in the  
58 Quitclaim Deed from Quidnick Reservoir Company to Soscia Holdings, LLC recorded in the  
59 Town of Coventry Recorded Land Records, Deed Book 2155, Pages 847 to 855 consist of:  
60  
61 “Parcel I,” referenced as Assessor’s Plat 59, Lot 5, and described in the deed as  
62 containing 100 acres more or less, which acreage principally consists of undeveloped  
63 property downstream Dam and Pond; and, “Parcel II,” referenced as Land and Water  
64 rights Commonly known as Johnson’s Pond, Assessor’s Plat 999, Lot 999, and  
65 further described in the deed as the submerged land and water rights commonly  
66 known as Johnson’s Pond, including all flowage rights, dams, flumes, raceways and  
67 other apparatus or equipment used in connection therewith;  
68
  - 69 • In furtherance of the findings, purpose, and intent of Ordinance No. 2024-03 and Resolution No.  
70 2024-37, the Town Council considers and concludes that, while, in order to protect and conserve  
71 the environment, to ensure public safety, and to provide recreational access to the public, it is  
72 necessary or advantageous for the Town to acquire by exercise of eminent domain and  
73 condemnation all Parcel II property, rights, and interests deeded by Quidnick Reservoir  
74 Company to Soscia Holdings, LLC, but that it is not necessary or advantageous for the Town to  
75 acquire by exercise of eminent domain and condemnation the entirety of the Parcel I property,  
76 rights, and interests deeded by Quidnick Reservoir Company to Soscia Holdings, LLC;  
77
  - 78 • The Town Council considers and concludes that a certain portion of Parcel I identified and  
79 depicted on the attached Plan by DiPrete Engineering (attached hereto as Exhibit 1) as “Parcel  
80 A” (consisting of 47.75 acres) *is necessary and advantageous* to acquire by exercise of eminent  
81 domain and condemnation consistent with Resolution No. 2024-37 and Ordinance No. 2024-03;  
82
  - 83 • The Town Council considers and concludes that a certain portion of Parcel I identified and  
84 depicted on the attached Plan by DiPrete Engineering (attached hereto as Exhibit 1) as “Parcel  
85 B” (consisting of 68.98 acres) *is not necessary or advantageous* to acquire by condemnation  
86 consistent with Resolution No. 2024-37 and Ordinance No. 2024-03;  
87

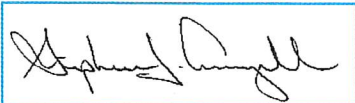
- 88 • The Town Council, in good faith, based on appraisal by Thomas S. Andolfo, MAI, SRA, AI-  
89 GRS, RI-Licensed, Certified General Real Estate Appraiser, considers and believes that just  
90 compensation for taking by eminent domain and condemnation of Parcel II and that part of  
91 Parcel I identified and depicted on the attached Plan by DiPrete Engineering (attached hereto as  
92 Exhibit 1) as "Parcel A" is \$157,000.00 (One Hundred-Fifty Seven Thousand Dollars);  
93

94 **NOW THEREFORE, BE IT RESOLVED THAT** the Honorable Town Council:

- 95
- 96 1. Public interest and convenience make necessary or advantageous for environmental  
97 protection and conservation, public safety, and public access to and recreational use of  
98 Johnson's Pond, for the Town to acquire in fee simple absolute by exercise of eminent  
99 domain and condemnation of all right, title, and interest in: "Parcel II" of the property  
100 conveyed by Quitclaim Deed by Quidnick Reservoir Company to Soscia Holdings, LLC  
101 (Book 2155; Pages 847-855); *and*, in that part of "Parcel I" of the property conveyed by  
102 Quitclaim Deed by Quidnick Reservoir Company to Soscia Holdings, LLC (Book 2155;  
103 Pages 847-855) that is identified and depicted on the attached Plan by DiPrete Engineering  
104 (Exhibit 1) as "Parcel A" ("Acquired Property").  
105
  - 106 2. The Acquired Property, as described above, is further identified in the Descriptions attached  
107 hereto as Exhibit 3.  
108
  - 109 3. The Acquired Property, as described above, is depicted on the Plan attached hereto as  
110 Exhibit 2.  
111
  - 112 4. The Acquired Property is subject to all rights, easements, restrictions, and reservation of  
113 record, in so far as such rights, easements, restrictions, and reservation of record may be in  
114 force and applicable.  
115
  - 116 5. Just compensation for taking of the Acquired Property is estimated in good faith to be  
117 \$157,000.00 (One Hundred-Fifty Seven Thousand Dollars).  
118
  - 119 6. The Town Solicitor, shall forthwith take all necessary or reasonable action, including  
120 certifications, recordings, court filings and proceedings, estimates and deposits of just  
121 compensation, service and publication of notices, and any and all other necessary or  
122 reasonable action to complete the taking and condemnation of the Acquired Property and to  
123 vest title to the Acquired Property in the Town of Coventry.  
124

125 Sponsored by: Council President Hillary V. Lima and Council Vice-President James LeBlanc

126  
127 Resolution approved to as to form and substance:



128 Stephen J. Angell, Esq. – Town Solicitor  
129 June 20, 2024

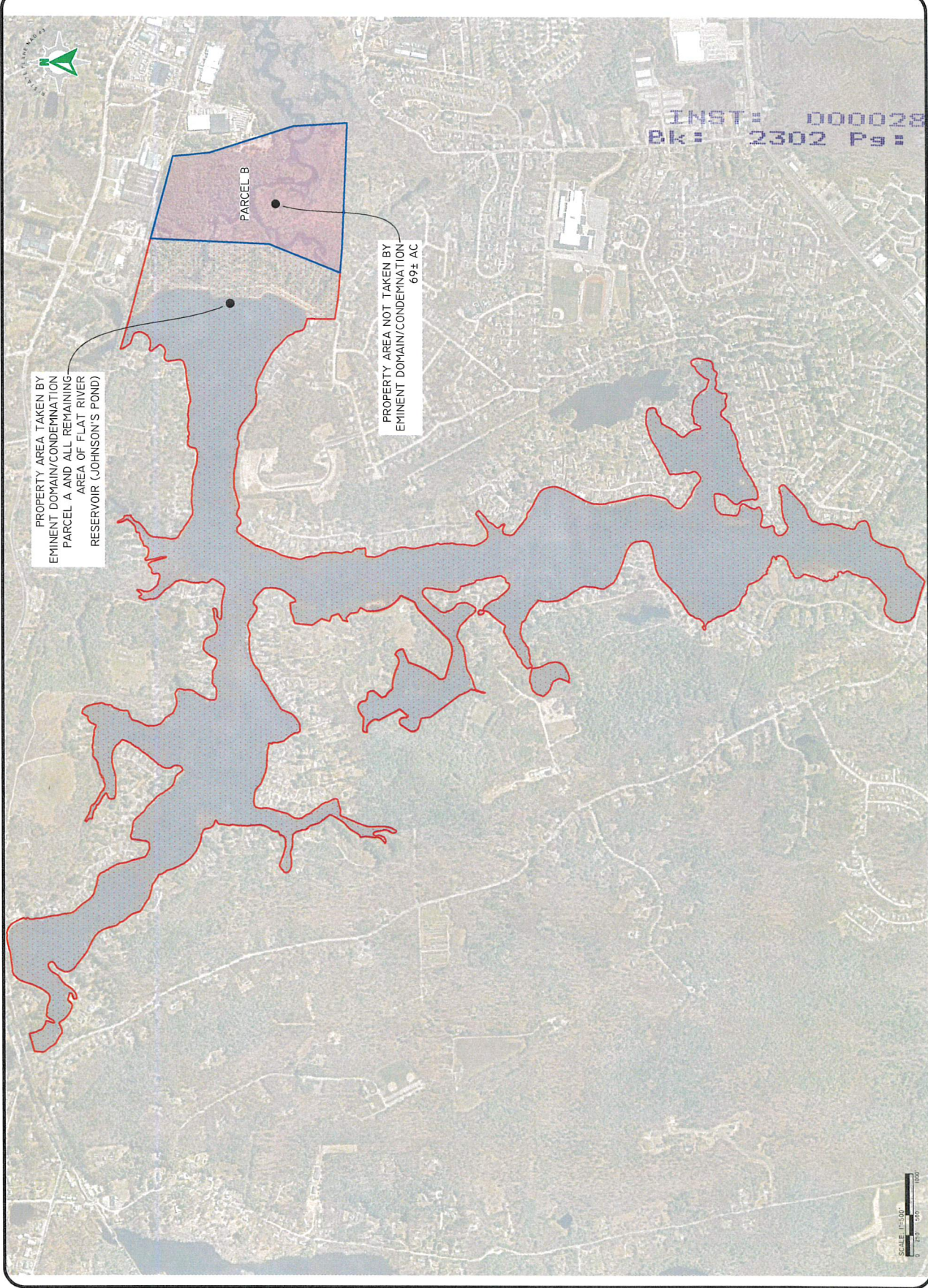
# Exhibit 1



INST: 00002810  
Bk: 2302 Pg: 876

# Exhibit 2

DATE	DESCRIPTION



INST: 00002810  
 Bk: 2302 Pg: 877

SCALE: 1"=100'  
 0 100 200

# Exhibit 3

**Metes and Bounds Description**INST: 00002810  
Bk: 2302 Pg: 879**PARCEL A****Coventry, Rhode Island**

That certain parcel of land, situated southerly of Flat River Road in the Town of Coventry, Washington County, the State of Rhode Island and shown as **Parcel A** on that plan entitled *Minor Subdivision Plan, 1600 Flat River Road, Coventry, Rhode Island, Scale 1"=150'*, Plan by DiPrete Engineering and being more particularly described as follows:

Beginning at a point on the southerly right of way of the Washington Secondary Bike Path as shown on the above referenced plan, said point also being the northeasterly corner of herein described parcel;

thence the following 2 courses bounded easterly by Parcel B on above referenced plan;

1. North  $21^{\circ}45'$  East, a distance of 939 feet  $\pm$ ;
2. North  $02^{\circ}38' 29''$  East, a distance of 1,455 feet  $\pm$ ;

thence North  $85^{\circ}30'$  West, bounded southerly by land now or formerly Charles Agwunobi (AP 51 Lot 3, a distance of 325 feet  $\pm$  to the northerly right of way of Reservoir Road;

thence North  $81^{\circ}00'$  West along said northerly right of way of Reservoir Road, a distance of 247 feet  $\pm$ ;

thence North  $00^{\circ}45'$  East, bounded westerly in part by land now or formerly M & I Homes, LLC. (AP 50 Lot 35) and Stephen C. & Susan H. Markham (AP 50 Lot 36), a distance of 343 feet  $\pm$  to the southerly mean high-water line of the Flat River Reservoir (Johnson's Pond);

thence North  $01^{\circ}15'$  East, bounded westerly by Parcel C on above referenced plan, a distance of 2170 feet  $\pm$  to the southerly right of way of the Washington Secondary Bike Path;

thence South  $74^{\circ}45'$  East, along said southerly right of way of the Washington Secondary Bike Path, a distance of 964 feet  $\pm$  to the to the point of beginning.

The above-described parcel contains 48 $\pm$  acres, more or less.

The above-described parcel being the same premises conveyed to Socia Holdings, LLC. by deed of Quidnick Reservoir Company dated March 2<sup>nd</sup>, 2020, recorded in Book 2155, page 847.

**Metes and Bounds Description** INST: 00002810  
Bk: 2302 Pg: 880

**PARCEL B**

**Coventry, Rhode Island**

That certain parcel of land, situated southerly of Flat River Road in the Town of Coventry, Washington County, the State of Rhode Island and shown as **Parcel B** on that plan entitled *Minor Subdivision Plan, 1600 Flat River Road, Coventry, Rhode Island, Scale 1"=150'*, Plan by DiPrete Engineering and being more particularly described as follows:

Beginning at a point on the southerly right of way of the Washington Secondary Bike Path as shown on the above referenced plan, said point also being the northwesterly corner of herein described parcel;

thence the following 3 courses along said southerly right of way of the Washington Secondary Bike Path

1. South 74°45' East, a distance of 396 feet ±;
2. South 74°45' East, a distance of 215 feet ±;
3. South 75°15' East, a distance of 436 feet ±;

Thence the following 2 courses bounded easterly by land now or formerly Seaside Casual Holdings, LLC. (AP 51 Lot 8);

1. South 05°15' East, a distance of 142 feet ±;
2. South 05°45' East, a distance of 313 feet ±;

thence South 17°30' East, bounded in part by land now or formerly Seaside Casual Holdings, LLC. (AP 51 Lot 8), the westerly terminus of Industrial Drive, and by land now or formerly Audubon Society of RI (AP 51 Lot 7), a distance of 1,080 feet ±;

thence South 03°45' East, bounded easterly by land now or formerly Airport Holdings, LLC., a distance of 658 feet ±;

thence North 87°45' West, bounded southerly in part by land now or formerly Charles D. Anthony (AP 43 Lot 34), and Barry R. Holt (AP 43 Lot 25), a distance of 1,361 feet ±;

thence North 87°45' West, bounded southerly by land now or formerly John H Potvin & Keri A Reilly-Potvin (AP 43 Lot 24), a distance of 209 feet ±;



6/13/2024

thence North  $85^{\circ}30'$  West, bounded southerly in part by land now or formerly Corey & Amy Suffoletto (AP 43 Lot 23) and Dennis J. & Brittany Lafleur (AP 43 Lot 22), a distance of 272 feet  $\pm$ ;

thence the following 2 courses bounded westerly by Parcel A on above referenced plan;

1. North  $21^{\circ}45'$  East, a distance of 939 feet  $\pm$ ;
2. North  $02^{\circ}38' 29''$  East, a distance of 1,455 feet  $\pm$  to the point of beginning.

The above-described parcel contains  $69\pm$  acres, more or less.

The above-described parcel being the same premises conveyed to Socia Holdings, LLC. by deed of Quidnick Reservoir Company dated March 2<sup>nd</sup>, 2020, recorded in Book 2155, page 847.



6/13/2024

## Metes and Bounds Description

### PARCEL C

### Coventry, Rhode Island

That certain parcel of land, situated southerly of Flat River Road in the Town of Coventry, Washington County, the State of Rhode Island and shown as **Parcel C** on that plan entitled *Minor Subdivision Plan, 1600 Flat River Road, Coventry, Rhode Island, Scale 1"=150', Plan by DiPrete Engineering* and being more particularly described as follows:

#### PARCEL C:

All right, title, and interest of Soscia Holdings, LLC in the property conveyed to Soscia Holdings, LLC identified and described as "PARCEL II" in "EXHIBIT A" in the QUITCLAIM DEED from Quidnick Reservoir Company to Soscia Holdings, LLC dated March 2, 2020, recorded in the Town of Coventry Recorded Land Records in Book 2155, pages 847-855.

The above-described parcel being the same premises conveyed to Socia Holdings, LLC. by deed of Quidnick Reservoir Company dated March 2<sup>nd</sup>, 2020, recorded in Book 2155, page 847.

# Exhibit 4

THE TOWN OF COVENTRY

RESOLUTION OF THE TOWN COUNCIL

“Making plain the Town Council’s intentions and commitment to acquire, maintain and redevelop Flat River Reservoir (“Johnson’s Pond”), its dam, dam structures and land to protect the environment, to ensure public safety, and to provide recreational access to the public”

Resolution No. 2024-37

Passed: 5-0

  
Hillary V. Lima, Council President

WHEREAS, in the Town of Coventry,

- In the late 1800’s, the Quidnick Reservoir Company (“Quidnick”) constructed a dam on the south branch of the Pawtuxet River in Coventry;
- The original purpose of the dam – known as the Flat River Reservoir Dam (“Dam”) – was to create a reservoir of water for reliable power generation and downstream use by Quidnick’s industrial members;
- The water impounded by the Dam – which normally covers an area of about 950 acres – is commonly referred to as Johnson’s Pond (“Pond”);
- The mills of Quidnick’s members having been shuttered long ago, in recent times the Pond has been used for recreational purposes and the impoundment and the release of its waters support wetlands as well as wetland-dependent plant and animal species;
- Beginning in April 1974, Quidnick and the Town entered into a series of agreements concerning the repair and maintenance of the Dam and the maintenance of the water levels in the Pond to maximize the Pond’s recreational use during the months of May through September of each year;
- In January 2009, Quidnick and the Town entered into the last agreement between them;
- Pursuant to the January 2009 Agreement, the Town leased the Pond and a vacant 80-acre parcel of land for public recreational use through March 31, 2024 (“Lease”);

- 43 • Among its provisions, the Lease obligated Quidnick to maintain the water level in the Pond at  
44 specifically delineated elevations (“water level” requirements);  
45
- 46 • During the prime recreational season of May through September, the Lease required Quidnick  
47 to use its best efforts to regulate the Dam’s outlet gates to maintain the water level in the Pond at  
48 the Dam’s spillway level;  
49
- 50 • When the water in the Pond is maintained at the Dam’s spillway level the Pond is full, which is  
51 to say that it is at a “normal pool;”  
52
- 53 • The State of Rhode Island Department of Environmental Management (“RIDEM”) has  
54 determined that the streamflow and water level requirements specified in the Lease correspond  
55 to the Dam and Pond’s historic water releases and levels;  
56
- 57 • In March 2020, Soscia Holdings, LLC (“Soscia”) acquired Quidnick’s interests in the Dam and  
58 Pond and Quidnick assigned its rights and interests in the Lease with the Town to Soscia;  
59
- 60 • Since Soscia’s acquisition of the Dam and Pond in March 2020, the Town, RIDEM, and the  
61 public have been involved in numerous disputes with Soscia, some of which resulted in  
62 litigation in state and federal courts, over Soscia’s operation and management of the Dam and  
63 Pond as well as numerous legal disputes over the laws and regulations applicable to Dam safety  
64 and the maintenance of the Pond’s water levels and streamflows;  
65
- 66 • Soscia’s conduct, action, and positions on its interests and rights in connection with the  
67 ownership of the Dam and Pond (1) have departed from the historical operation and  
68 management of the Dam and Pond (2) have no relationship to conscientious environmental  
69 stewardship; (3) bear no relationship to best practices dam and dam structure management; and  
70 (4) have resulted in or threatened public interests protected by laws and regulations concerning  
71 dam safety, dam and pond regulation, wetlands and environmental protection, and local  
72 ordinances;  
73
- 74 • Soscia’s conduct, action, and positions on its interests and rights in connection with the  
75 ownership of the Dam and Pond have departed from the historical operation and management of  
76 the Dam and Pond and have caused or threatened to limit or deprive the public of access to and  
77 use of the Pond;  
78
- 79 • Soscia’s conduct and actions on or after April 1, 2024, has caused the dam to be deemed  
80 “unsafe” by RIDEM causing RIDEM to issue a Cease and Desist to Soscia as well as a  
81 subsequent Immediate Compliance Order dated April 3, 2024;  
82
- 83 • Pursuant to its Home Rule Charter, which charter was authorized and approved by the General  
84 Assembly by P.L. 1973, Ch. 4, Sec. 2 on November 7, 1972, the Town may acquire property  
85 within or without its corporate limits for town purposes, in fee or any lesser interest or estate, by

86 purchase, lease, gift, devise, and by condemnation within the town, for public use and may hold,  
87 manage and control, and may sell, lease, and convey such property as its interests may require;  
88

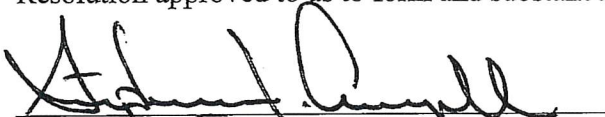
- 89 • Pursuant to the Town's Home Rule Charter, the Town Council is vested with the power to  
90 adopt, amend, and repeal ordinances for the preservation of the public peace, health, safety,  
91 welfare, and for the protection of persons and property;  
92
- 93 • Pursuant to the Town's Home Rule Charter, the Town Council is vested with the power to  
94 enact, reenact, amend or repeal ordinances and resolutions for the condemnation of land located  
95 within the town as permitted by the laws of this state;  
96
- 97 • For public use of the Pond (including, but not limited to public access, boat ramps, parking,  
98 facilities, and the like for public recreation and use), the Town Council intends and desires to  
99 acquire by purchase or condemnation the Dam, Pond, and associated property at Johnson's  
100 Pond, including any and all property, rights, and interests acquired by Soscia from the Quidnick  
101 Reservoir Company;  
102
- 103 • The Town Council intends and desires for public use of the Pond (including, but not limited to  
104 public access, boat ramps, parking, facilities, and the like for public recreation and use) to  
105 acquire by purchase or condemnation the Dam, Pond, and associated property at Johnson's  
106 Pond, in order to put the Pond in the public domain for public use, where it belongs;

107  
108 **NOW THEREFORE, BE IT RESOLVED THAT** the Honorable Town Council:  
109

- 110 1. The Town Council shall consider the approval and adoption of an Ordinance to acquire, for  
111 public use, by purchase or condemnation the Dam, Pond, and associated property at  
112 Johnson's Pond, including any and all property, rights, and interests acquired by Soscia from  
113 the Quidnick Reservoir Company.  
114

115 Sponsored by: Council Vice-President James LeBlanc  
116

117 Resolution approved to as to form and substance:  
118

119   
120 \_\_\_\_\_  
121 Stephen J. Angell, Esq. – Town Solicitor  
122

123  
124  
125 PASSED AND ADOPTED THIS 2<sup>nd</sup> day of May 2024  
126  
127  
128

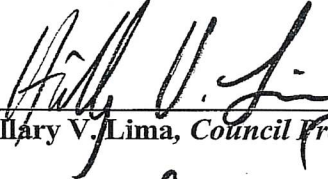
# Exhibit 5

**ORDINANCE OF THE TOWN COUNCIL**

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES,  
PART II – GENERAL LEGISLATION, 2005

**Ordinance No. 2024-03**

Passed: 4-0

  
Hillary V. Lima, Council President

Approved:

  
Daniel O. Parrillo, Town Manager

*It is ordained by the Town of Coventry, Town Council as follows:*

**Section 1.** The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by adding the following Chapter and Sections:

**Chapter 187 – PONDS, DAMS, DAM STRUCTURES, AND RECREATIONAL USE**

**Article I – Flat River Reservoir a/k/a Johnson’s Pond**

**Sec. 187-1 Findings, Purpose and Intent**

The Town Council finds that private ownership of the dam and pond at Flat River Reservoir (collectively, “Johnson’s Pond” or “Pond”) is untenable. Recent events have demonstrated that such ownership is inconsistent with and does not promote the preservation of public use, peace, health, safety and welfare. The Town Council finds further that such private ownership has been detrimental to the best interests of the environment, public safety, and public use of and benefit from recreational access to the Pond and the quality of life in the Town of Coventry. Accordingly, the purpose of this Ordinance is to acquire, maintain and redevelop Johnson’s Pond, its dam, dam structures and associated property to protect the environment, ensure public safety, and provide recreational facilities for and access to and public use of the Pond.

**Sec. 187-2 Acquisition**

The Town shall acquire by purchase or condemnation the dam, dam structures, Pond, and associated property at Johnson’s Pond, including any and all property, rights, and interests acquired by Soscia Holdings, LLC from the Quidnick Reservoir Company. Condemnation, if necessary, is authorized by the Town’s Home Rule Charter, which was authorized and approved by the Rhode Island General Assembly on November 7, 1972 (P.L. 1973, Ch. 4, Sec. 2).

49 If the Town's efforts to purchase the Pond are of no avail, then the Solicitor is directed to take  
50 all necessary action to make the acquisition by a condemnation of the Pond, dam, dam  
51 structures and associated property at Johnson's Pond, in order to put the Pond and its  
52 associated property in the public domain for public use and redevelopment.  
53

54 **Sec. 187-3 Ownership, Operation and Maintenance**

55 Upon acquisition, the Town shall take immediate action to:

- 56 • Register with the Rhode Island Department of Environmental Management ("RIDEM")
- 57 as the owner of the dam;
- 58 • Extend its insurance coverage with respect to the dam, dam structures, Pond;
- 59 • Maintain the Pond's water level, dam and dam structures in accordance with Rhode
- 60 Island General Laws as well as all regulations promulgated by RIDEM;
- 61 • Bring the dam and its structures into compliance as set forth in *OCI-DAMS-23-28*
- 62 issued by RIDEM on April 3, 2024;
- 63 • Perform any other necessary and appropriate acts in connection with the ownership,
- 64 operation, and maintenance of the Pond, dam, dam structures and associated property at
- 65 Johnson's Pond.

66 **Sec. 187-4 Redevelopment**

67 The Town shall create a public benefit for Town residents by redeveloping the Pond for public  
68 use that shall include, but not be limited to expanded public access, boat ramps, parking,  
69 facilities, and the like for public recreation and use.


70 **Sec. 187-5 Transfer**

71 The Town may transfer any or all of its rights to own, operate, maintain and redevelop the  
72 Pond, property, dam and dam structures to any agency of the Town whose membership is  
73 appointed by the Town Council.

74 **Section 2.** This ordinance shall take effect upon its passage and final adoption.

75 Positive Endorsement:

76 Negative Endorsement: (Attach reasons)

77  
78  
79   
80  
81 \_\_\_\_\_  
82 Town Solicitor Date 5/9/24

83  
84  
85 \_\_\_\_\_  
86 Town Solicitor Date

87 Introduced by/Pursuant to: Council Vice-President James LeBlanc

88 Referred to/for: Public Hearing on May 14, 2024

INST: 00002810  
Bk: 2302 Ps: 890

# Exhibit 6

INST: 00002810  
Bk: 2302 Pg: 891

INST: 00001308  
Bk: 2155 Pg: 847

### QUITCLAIM DEED

QUIDNICK RESERVOIR COMPANY, a Rhode Island corporation ("Grantor"), having a principal mailing address of 55 Arrowhead Trail, East Greenwich, RI 02818, for consideration paid, and in full consideration of One Million Seven Hundred Thousand and 00/100 Dollars (\$1,700,000.00), grants to SOSCIA HOLDINGS LLC, a Rhode Island limited liability company with an address at 6 Silver Maple Drive, Coventry, Rhode Island 02816, WITH QUITCLAIM COVENANTS.

The two parcels of land, with all improvements thereon described in Exhibit A attached hereto and incorporated herein.

Subject to and with the benefit of all rights, easements, restrictions and reservations of record, in so far as in force and applicable.

This conveyance is made subject to real estate taxes assessed as of December 31, 2019.

The undersigned Grantor hereby covenants that this transfer is such that no R.I.G.L. § 44-30-71.3 withholding is required, as the Grantor is a Rhode Island corporation as evidenced by certificate of legal existence.

[SIGNATURE APPEARS ON FOLLOWING PAGE]

TAX \$ 7,820.00  
DATE 7/3/2020  
RECORDED IN 15/11/19 COVENTRY

022241

RHODE ISLAND  
REAL ESTATE CONVEYANCE TAX

Witness my hand and seal this 2<sup>nd</sup> day of March, 2020.

**Quidnick Reservoir Company**  
a Rhode Island corporation

By: *Joel Westerman*  
Name: Joel Westerman  
Title: President

State of Rhode Island

Kent County

On this 2<sup>nd</sup> day of March, 2020, before me, the undersigned notary public, personally appeared Joel Westerman, proved to me through satisfactory evidence of identification, which consisted of Rhode Island driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he has signed it as President of Quidnick Reservoir Company, and he acknowledged said instrument by him executed to be his free act and deed and the free act and deed of Quidnick Reservoir Company.

*Steven Rosenbaum*  
Notary Public:  
Name: Steven Rosenbaum  
My commission expires: 7/22/21

For reference purposes only:  
Property Address:

Parcel 1  
1660 Flat River Road  
Coventry, Rhode Island  
AP 59 Lot 5

Parcel 2  
Land and Water rights  
Commonly known as Johnson's Pond  
Coventry, Rhode Island  
AP 999 Lot 999



INST: 00002810  
Bk: 2302 Pg: 893

INST: 00001308  
Bk: 2155 Pg: 849

## EXHIBIT A

### PARCEL I:

That certain parcel of land with all improvements thereon located on the northerly side of Reservoir Road in the Town of Coventry, County of Kent, State of Rhode Island, bounded and described as follows:

Beginning at a point in the northerly line of Reservoir Road, so-called, said point being the southeasterly corner of land n/f belonging to Gilbert Dion and the southwesterly corner of the herein described parcel:

Thence running in a general northerly direction bounded westerly in part by said Dion land and in part by land n/f belonging to Stephen C. Markham Life Estate a distance of three hundred-fifty-nine feet, more or less (359' +/-) to the edge of Flat River Reservoir;

Thence turning and running in an irregular line along the bank of said Flat River Reservoir in a general easterly, northeasterly, northerly, northwesterly, northerly, northeasterly, northerly, easterly, northerly, westerly, and northwesterly direction a distance of two thousand forty-five feet, more or less (2045' +/-) to a point in the southerly line of land n/f owned by the Town of Coventry;

Thence turning and running in a general easterly direction a distance of one thousand two hundred ninety feet, more or less (1290' +/-) to a point;

Thence turning an interior angle of  $177^{\circ} 38' 16''$  and continuing in a general easterly direction a distance of two hundred and  $17/100$  (200.17) feet to a point;

Thence turning an interior angle of  $182^{\circ} 21' 44''$  and continuing in a general easterly direction a distance of four hundred eighty-five and  $33/100$  (485.33) feet to a granite bound, said granite bound being the northwesterly corner of land n/f belonging to Seaside Casual Holdings LP and the northeasterly corner of the herein described parcel, said last three courses being bounded northerly, respectively, by said Town of Coventry land;

Thence turning an interior angle of  $110^{\circ} 29' 00''$  and running in a general southerly direction bounded easterly by said Seaside Casual Holdings LP a distance of four hundred forty-four and  $40/100$  (444.40) feet to a point;

Thence turning an interior angle of  $193^{\circ} 37' 00''$  and continuing in a general southerly direction bounded easterly in part by said Seaside Casual Holdings LP land, in part by said Town of Coventry land and in part by land n/f belonging to The Audubon Society of Rhode Island a distance of seven hundred twenty-four and  $70/100$  (724.70) feet to a point;

INST: 00002810  
Bk: 2302 Pg: 894

INST: 00001308  
Bk: 2155 Pg: 850

Thence turning an interior angle of  $176^{\circ} 22' 00''$  and continuing in a general southerly direction bounded easterly by said Audubon Society of Rhode Island land a distance of six hundred twenty feet, more or less ( $620' +/-$ ) to a point on the northerly bank of the South Branch of the Pawtuxet River;

Thence turning and running in an irregular line along the northerly bank of the South Branch of the Pawtuxet River in a general westerly, southerly, westerly, northerly, westerly, southwesterly, southeasterly, easterly, southerly, southwesterly, southerly and westerly direction a distance of four thousand seven hundred ninety feet, more or less ( $4790' +/-$ ) to the easterly bank of the Flat River Dam, so-called;

Thence turning and running in a general southerly direction along the bank of said dam a distance of seventy-five feet, more or less ( $75' +/-$ ) to a point;

Thence turning and running in an irregular line along the southerly bank of the South Branch of the Pawtuxet River in a general southeasterly, northeasterly, southeasterly, southwesterly, northeasterly, northerly, northeasterly, southerly, southwesterly, easterly, southerly, easterly, northeasterly, northerly, easterly, northeasterly, southerly, southeasterly and easterly direction a distance of four thousand three hundred and fifteen feet, more or less ( $4315' +/-$ ) to a point;

Thence turning and running in a general southerly direction bounded easterly by land n/f belonging to Airsand Realty, LLC, a distance of four hundred two feet, more or less ( $402' +/-$ ) feet to a point;

Thence turning an interior angle of  $82^{\circ} 30' 00''$  and running in a general westerly direction bounded southerly in part by land n/f belonging to Charles D. Anthony, in part by land n/f belonging to Barry R. & Michele M. Holt, in part by land n/f belonging to John H. Potvin & Keri A. Reilly-Potvin a distance of one thousand six hundred seventy and  $78/100$  ( $1670.78$ ) feet to a field stone bound;

Thence turning an interior angle of  $176^{\circ} 15' 41''$  and continuing in a general westerly direction bounded southerly in part by land n/f belonging to Amy I. & Corey H. Suffoletto, in part by land n/f belonging to Dennis Lafleur & Brittany A. Newton and in part by land n/f belonging to Charles Agwynobi a distance of six hundred two and  $66/100$  ( $602.66$ ) feet to a point in the northerly line of said Reservoir Road, so-called;

Thence turning an interior angle of  $178^{\circ} 36' 23''$  and continuing in a general westerly direction along the northerly line of said Reservoir Road, so-called, a distance of two hundred ninety-two and  $78/100$  ( $292.78$ ) feet to the point and place of beginning.

Said last described line forms an interior angle of  $92^{\circ} 13' 10''$  with said first described line.

Said parcel contains 100 acres, more or less.

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Bk: 2302 Pg: 895

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Bk: 2155 Pg: 851

For a more particular description see that plan entitled "Comprehensive Boundary Survey A. P. 59, Lot 5 prepared for Soscia Holdings LLC location: Quidnick Reservoir Property Coventry, Rhode Island scale: 1"=150' date: Feb. 25. 2020 by Boyer Associates".

PARCEL II:

All right, title and interest of Quidnick Reservoir Company in the properties conveyed to Quidnick Reservoir Company by the deeds listed on Exhibit B attached hereto, excepting any interest in any of said properties that has prior hereto been conveyed out to another party by Quidnick Reservoir Company.

Also specifically including in this conveyance any and all right held by Quidnick Reservoir Company to cover and flow with water all or so much of any such lands as shall be consequent upon and caused by the erection and maintenance of any dam on the Flat River within the Town of Coventry, and including and hereby conveying any and all rights that Quidnick Reservoir Company has or has any claim to in any waters within the Town of Coventry, including but not limited to Flat River Reservoir or Johnson's Pond so-called

It is the purpose and intent of this Deed to convey, and Quidnick Reservoir Company hereby does convey, to Soscia Holdings LLC all the right, title, claim and interest that Quidnick Reservoir Company has in and to any and all land in the Town of Coventry, and any and all rights, title, claims and interest that Quidnick Reservoir Company has in the waters or submerged lands within the Town of Coventry, including but not limited to the Flat River Reservoir and Johnson's Pond, and all flowage rights, dams, flumes, raceways and other apparatus or equipment used in connection therewith.

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TOWN OF COVENTRY, R. I.  
 FROM 1743 TO DECEMBER 31, 1925

INST: 00001308  
**EXHIBIT B** 852

GRANTEE	GRANTOR	KIND	VOL.	PAGE	YEAR
Quidnick Greenhouses Inc	Joseph H Cushing		39	59	1916
Quidnick Greenhouses Inc	Francis J Flanagan	al	41	132	1920
Quidnick Greenhouses Inc	Mary E Cushing		41	138	1920
Quidnick Greenhouses Inc (Bankrupt)	(William E Reddy)	Appt	39	390	1925
Quidnick Greenhouses	(Helen A Lamont)	Cert	39	402	1925
Quidnick Mfg Co	Union Company		30	570	1884
Quidnick Mfg Co	Convention Tr Rhode Island Baptist State		30	680	1886
Quidnick Reservoir Co	Job Harkness	Lse	21	660	1847
Quidnick Reservoir Co	John W Johnson	Lee	21	660	1847
Quidnick Reservoir Co	James G Anthony Tre...		21	663	1847
Quidnick Reservoir Co	Alfred O Matteson	ux Lse	23	43	1842
Quidnick Reservoir Co	Job Harkness		24	322	1857
Quidnick Reservoir Co	Henry B Colvin		25	140	1857
Quidnick Reservoir Co	John J Kilton		25	150	1857
Quidnick Reservoir Co	Asa Sisson	al	25	169	1857
Quidnick Reservoir Co	Abby Watson		25	226	1858
Quidnick Reservoir Co	Azalia Manchester		25	233	1858
Quidnick Reservoir Co	Caleb Carr		25	234	1858
Quidnick Reservoir Co	Daniel Nason	al	25	239	1858
Quidnick Reservoir Co	Freeman Baker		25	240	1858
Quidnick Reservoir Co	Henry W Tiffany	al	25	242	1858
Quidnick Reservoir Co	Burrill Shippee	al	25	244	1858
Quidnick Reservoir Co	Thomas Tiffany	al	25	274	1859
Quidnick Reservoir Co	Samuel Farbox		25	281	1859
Quidnick Reservoir Co	William Rice		25	283	1859
Quidnick Reservoir Co	Emanuel Rice		24	566	1860
Quidnick Reservoir Co	Benjamin A Wightman		25	315	1860
Quidnick Reservoir Co	Ann Arnold	al	26	14	1860
Quidnick Reservoir Co	Christopher W Arnold		25	320	1861
Quidnick Reservoir Co	Amelia Manchester		25	326	1861
Quidnick Reservoir Co	John J Kilton		26	164	1862
Quidnick Reservoir Co	Ebben W Sweet admr		26	327	1863

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TOWN OF COVENTRY, R. I.  
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GRANTEE

GRANTOR

GRANTEE	GRANTOR	IND	VOL	PAGE	YEAR
Quidnick Reservoir Company	Lowry A Stone				
Quidnick Reservoir Co	Frederick Burgess Adair	ux	26	573	1867
Quidnick Reservoir Co	Pardon S Peckham		26	586	1867
Quidnick Reservoir Co	Patrick Fitzpatrick		26	591	1867
Quidnick Reservoir Co	Stephen Andrew Jr	ux	26	592	1867
Quidnick Reservoir Company	Philip Johnson Gdn		26	614	1867
Quidnick Reservoir Co	Cornel O Havens	al	26	635	1867
Quidnick Reservoir Co	Pardon S Peckham		27	61	1867
Quidnick Reservoir Co	Sheldon Read		27	62	1867
Quidnick Reservoir Co	Gilbert P Salisbury		27	63	1867
Quidnick Reservoir Co	Jenkins J Johnson		27	73	1867
Quidnick Reservoir Co	Philip Johnson		27	148	1867
Quidnick Reservoir Co	Welch R Arnold		27	157	1867
Quidnick Reservoir Co	Benjamin B Congdon	ux	26	665	1868
Quidnick Reservoir Co	Benjamin B Congdon	ux	27	206	1868
Quidnick Reservoir Co	Jesse Matteson	al	27	207	1868
Quidnick Reservoir Co	Richard T Mitchell		27	263	1868
Quidnick Reservoir Co	Lillis Goodspeed		27	267	1868
Quidnick Reservoir Company	Town of Coventry		27	280	1868
Quidnick Reservoir Co	Hannah Ralph		28	36	1869
Quidnick Reservoir Co	Philip Sweet		28	128	1870
Quidnick Reservoir Co	Philip A Sweet		28	159	1870
Quidnick Reservoir Co	Perry Andrew	al	28	160	1870
Quidnick Reservoir Co	Joseph Read		27	743	1872
Quidnick Reservoir Co	Willard Hizes		27	749	1873
Quidnick Reservoir Co	Benedict Lapham		27	750	1872
Quidnick Reservoir Co	Benedict Lapham		28	306	1872
Quidnick Reservoir Co	Cyrus Harris	al	28	307	1872
Quidnick Reservoir Co	Coventry Co		28	308	1872
Quidnick Reservoir Co	Cyrus Harris	al	28	309	1873
Quidnick Reservoir Co	Coventry Co		28	390	1873
Quidnick Reservoir Co	James Hill		28	391	1873
Quidnick Reservoir Co	Benjamin Mitchell		28	404	1873
Quidnick Reservoir Co	Benjamin S Briggs		28	416	1873
Quidnick Reservoir Co	Benjamin S Briggs		29	36	1873

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GRANTEE	GRANTOR	KIND	VOL.	PAGE	YEAR
Quidnick Reservoir Co	Cornel O Havens	al	29	192	1874
Quidnick Reservoir Co	Wanton J Matteson		29	193	1874
Quidnick Reservoir Co	Raymond P Goff		29	202	1874
Quidnick Reservoir Co	William H Slocum		29	336	1875
Quidnick Reservoir Co	Bartholomew Johnson	al	29	337	1875
Quidnick Reservoir Co	Horatio N Cooke	al	29	252	1875
Quidnick Reservoir Co	Daniel H Freeman	al	29	483	1877
Quidnick Reservoir Co	Oliver O Colvin		29	487	1877
Quidnick Reservoir Co	Thomas G Arnold Widow of	al	30	45	1877
Quidnick Reservoir Co	William A Stone	Rel	30	48	1877
Quidnick Reservoir Co	Joseph Vaughn	al	29	611	1880
Quidnick Reservoir Co	Allason Franklin		29	614	1880
Quidnick Reservoir Co	Allason Franklin	al	29	615	1880
Quidnick Reservoir Co	Amos F Franklin		29	616	1880
Quidnick Reservoir Co	Allason Franklin		29	617	1880
Quidnick Reservoir Co	Mary A Bowen	al	29	618	1880
Quidnick Reservoir Co	Richard Spencer		29	624	1880
Quidnick Reservoir Co	James Abbott		29	625	1880
Quidnick Reservoir Co	James M Wood		29	635	1880
Quidnick Reservoir Co	Henry C Whipple		29	636	1880
Quidnick Reservoir Co	William R Colvin	al	30	176	1880
Quidnick Reservoir Co	Jeremiah Potter	al	30	180	1880
Quidnick Reservoir Co	Mary Whitford		30	193	1880
Quidnick Reservoir Co	Charles N Matteson Gdn		30	217	1880
Quidnick Reservoir Co	John A Chace	al	29	670	1881
Quidnick Reservoir Co	Oliver S Matteson	ux	29	672	1881
Quidnick Reservoir Co	Henry Burlingame	al	30	298	1881
Quidnick Reservoir Co	Jabez Rolph	al	30	342	1882
Quidnick Reservoir Co	Charles H Whitman	al	30	346	1882
Quidnick Reservoir Co	James F Gavitt		30	358	1882
Quidnick Reservoir Co	William A N Matteson		30	413	1882
Quidnick Reservoir Co	Sheffield Wait		32	217	1891
Quidnick Reservoir Co	Stephen W Griffin		34	561	1896
Quidnick Reservoir Co	Henry C Whipple		36	474	1908

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TOWN OF COVENTRY, R. I.  
FROM 1743 TO DECEMBER 31, 1925

GRANTEE	GRANTOR	KIND	VOL.	PAGE	YEAR
Quidnick Reservoir Co	John Hanson	ux	36	475	1908
Quidnick Reservoir Co	George H Wilcox	al Agt	39	56	1916
Quidnick Reservoir Co	George H Wilcox	al Agt	39	57	1916
Quidnic Baptist Society	Whipple A Arnold	al	23	617	1853
Quidnick Baptist Society Tr of	William R Warner	ux	30	679	1886
Quidnick Baptist Society	Eliza Essex		31	259	1886
Quidnick Baptist Society	Oliver R Matteson	al	31	260	1886
Quidnick Baptist Society	Amy A Howard	al	31	566	1889

TOWN OF COVENTRY, R.I.  
Mar 03, 2020 08:35A  
JOANNE P AMITRANO, TOWN CLERK

TOWN OF COVENTRY, R.I.  
Jun 21, 2024 10:03A  
JOANNE P AMITRANO, TOWN CLERK

TOWN OF COVENTRY, R.I.  
Jun 21, 2024 10:03A  
JOANNE P AMITRANO, TOWN CLERK