

TCP:SH 11/28/01 90-604

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

GRANITE REALTY COMPANY,
LEONARD PEZZA AND CONSTANCE
PEZZA

C. A. NO. 99 1811

VS

THE TOWN OF NORTH SMITHFIELD,
By and through its Treasurer, Richard
F. Erickson; The Town Council of the
Town of North Smithfield, by and through
its duly elected members

MATERIAL SAND & STONE CORP. AND
C. PEZZA & SONS, INC.

C. A. NO. 91 5374

VS

THE TOWN OF NORTH SMITHFIELD

ORDER

This matter came on to be heard on November 21, 2001, before Mr. Justice Fortunato, on the motion of the plaintiffs for a restraining order and after hearing thereon, it is hereby ORDERED:

1. The plaintiffs' motion is granted. The plaintiffs are hereby permitted to use Pound Hill Road and Pine Hill Terrace as a means of entrance and exit from the property in question in North Smithfield, Rhode Island, for the transport of sand, gravel, rock and any other earth materials.
2. The plaintiffs shall post a bond with the Town of North Smithfield in the amount set in 1991 at the time of the earlier court proceedings in this matter.
3. The plaintiffs may use the roadways Monday through Friday from 7:00 a.m. to 5:00 p.m.
4. The trucks used by the plaintiffs shall not travel on the roadways for a period of five minutes before and five minutes after the scheduled pick-up or drop off times of the school buses on Pound Hill Road and Pine Hill Terrace from the boundary of the plaintiffs' property out to Route 7. If a school bus is encountered on the roadway in those areas by a truck, then the truck shall pull to the side of the road and stop until the school bus has passed.
5. During times of inclement weather, the plaintiffs shall adjust the truck traffic for delays that may be encountered by the school buses.

HENRY S. ...

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Attest
Clerk of the Court