

RESOLUTION OF THE CITY COUNCIL

No. 584

Approved September 15, 2000

RESOLVED, DECREED, AND ORDERED:

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064655 dated May 20, 2000."

VIZ: Cedar Street (portion of) as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. The Petitioner agrees to tender the amount of Six Thousand Nine Hundred Thirty-Two and 00/100 (\$6,932.00) Dollars in legal tender to the City of Providence.
2. The petitioner shall convey an easement acceptable to the Providence Water Supply Board which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.
3. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer easements on Cedar Street which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or

IN CITY COUNCIL
MAR 16 2000
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Cronin Clerk

THE COMMITTEE ON
Public Works
Recommends *Public Hearing*
Claire E. Bestuch
June 21, 2000 Clerk

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Claire E. Bestuch
Aug. 28, 2000 Clerk

From the Clerk's Desk

in the alternative should it be determined by the Petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation;

4. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated 20 July, 2000 which provides that said abandonment shall be landscaped with dense evergreen foliage.

5. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

IN CITY COUNCIL

SEP 7 2000
READ AND PASSED

[Signature]
PRES.

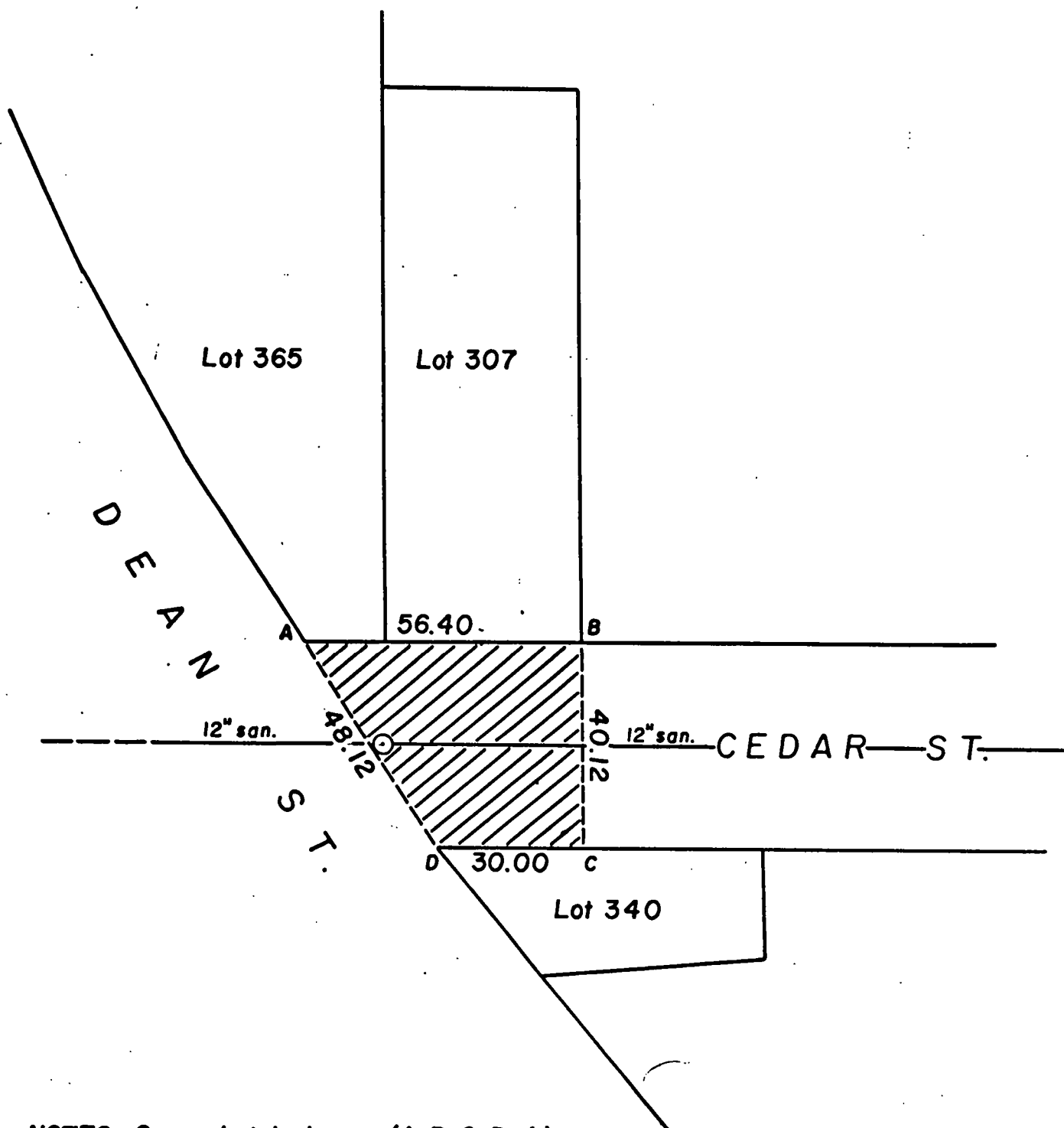
[Signature]
CLERK

APPROVED

SEP 15 2000

[Signature]
MAYOR

PROVIDENCE, R. I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064655
Date 5-24-2000



NOTES: Cross-hatched area (A-B-C-D-A)
Indicates proposed abandonment.
Full sewer easement will be required.
Total square footage = 1,733.00±

Lot numbers taken from A.P. 26.

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing Proposed abandonment of a portion
of Cedar St.
Drawn by A. Zisigides Checked by _____
Scale 1" = 30' Date 5-24-2000
Correct flc Associate Eng. _____
Approved _____ CHIEF ENGINEER

768
N82

Charles Bonte
Second Deputy Chief Engineer

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2. The petitioner shall convey an easement acceptable to the Providence Water Supply Board which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

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IN CITY COUNCIL
SEP 7 2000
READ AND PASSED

PRES.

CLERK

APPROVED

SEP 15 2000

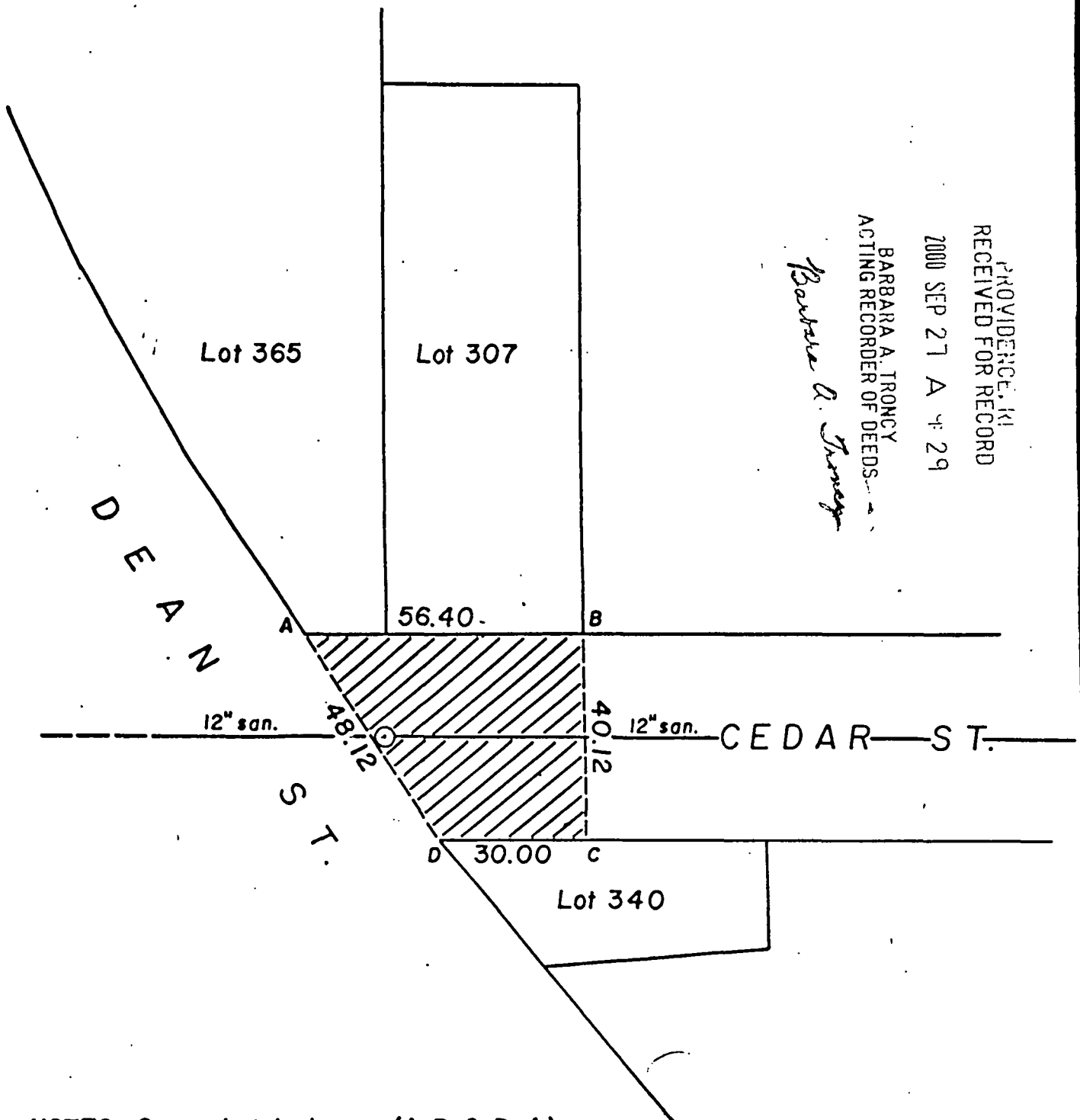
MAYOR

A true copy,
Attest:

Michael R. Clement
City Clerk

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064655
 Date 5-24-2000

PROVIDENCE, RI
 RECEIVED FOR RECORD
 2000 SEP 27 A 4:29
 BARBARA A. TRONCY
 ACTING RECORDER OF DEEDS
Barbara A. Troncy



NOTES: Cross-hatched area (A-B-C-D-A)
 Indicates proposed abandonment.
 Full sewer easement will be required.
 Total square footage = 1,733.00*

Lot numbers taken from A.P. 26.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed abandonment of a portion
of Cedar St.
 Drawn by A. Zislades Checked by _____
 Scale 1" = 30' Date 5-24-2000
 Correct gfc Associate Eng. _____
 Approved _____ CHIEF ENGINEER

4470/155

PROVIDENCE, RI
RECEIVED FOR RECORD

2000 SEP 27 AM 29

BARBARA A. TRONCY
ACTING RECORDER OF DEEDS

78851

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

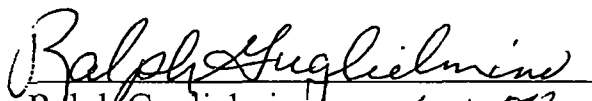
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF CEDAR STREET.

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
26	307	Malcolm A. Badway Cedar's Group, Inc. 65 Sharon Street Providence, RI 02908
26	340	Malcolm A. Badway Cedar's Group, Inc. 65 Sharon Street Providence, RI 02908
26	365	Malcolm A. Badway Cedar's Group, Inc. 65 Sharon Street Providence, RI 02908

PETITIONER

Malcolm A. Badway
Cedar's Group, Inc.
65 Sharon Street
Providence, RI 02908


Ralph Guglielmino
City Sergeant

Council President John J. Lombardi
Ward 13

FERDINAND C. IHENACHO, P.E., PTOE.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

May 26, 2000

Hon. Robert M. Clarkin
Chairman of the Public Works Comm.
Providence City Council/City Hall
Providence, RI 02903

Re: Proposed Abandonment (Portion)
Cedar St. @ Dean St.

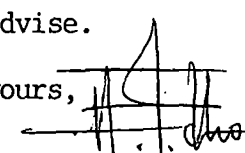
Dear Councilman Clarkin:

This department has no objection to the above-noted Portion Abandonment of Cedar St., as noted on the plan entitled, "Providence, RI, P.W. Dept. - Engineering Office, Street Line Section, Plan No. 064655, Date: 5/24/00".

Said portion abandonment is shown on the accompanying plan as Cross-hatched area, noted as A-B-C-D-A, on said plan. A full sewer easement will be required for the 12 in. Sanitary sewer in said Cedar St. The total square footage related to this portion abandonment of Cedar St. is 1,733.00 + Sq.Ft. Lot numbers for this portion abandonment were taken from City of Providence, Assessor's Plat 26. A list of abutting property owners is also attached herewith.

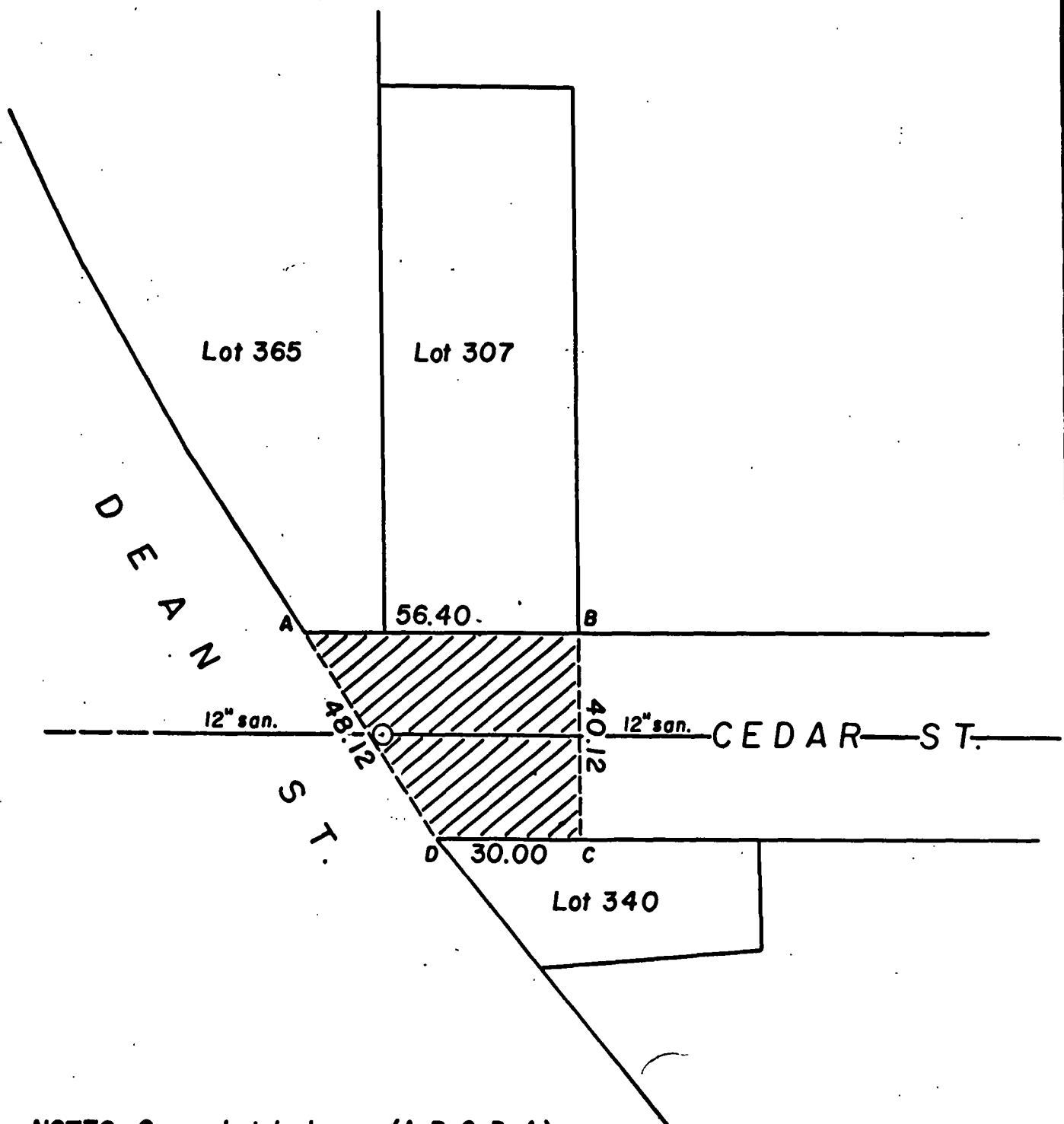
If we can further assist in this regard, please advise.

Very truly yours,


Ferdinand C. Ihenacho, P.E.
Director of Public Works

CC: M. Clement - City Clerk
J. D'Amico, Esq.
G. Florio, Assistant Dir./DPW
JLC
SZ

PROVIDENCE, R.I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064655
Date 5-24-2000



NOTES: Cross-hatched area (A-B-C-D-A)
indicates proposed abandonment.
Full sewer easement will be required.
Total square footage = 1,733.00±

CITY OF PROVIDENCE, R.I.
Public Works Dept. - Engineering Office
Showing Proposed abandonment of a portion
of Cedar St.
Drawn by A. Zisiades Checked by _____
Scale 1" = 30' Date 5-24-2000
Correct glc Associate Eng.
Approved _____ CHIEF ENGINEER

Lot numbers taken from A.P. 26.

PROPOSED ABANDONMENT OF A PORTION
OF CEDAR STREET

A.P. 26 LOT 307 - CEDAR'S GROUP INC. / MALCOLM A. BADWAY
65 SHARON ST. PROV. R.I. 02908

LOT 340 - SAME

LOT 365 - SAME

City of Providence



Rhode Island

DIRECTOR

Department of City Clerk

MEMORANDUM

DATE: April 20, 2000

TO: Ferdinand Ihenacho, Director of Public Works *FI*

SUBJECT: **PETITION TO ABANDON A PORTION OF CEDAR STREET**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

Cecilia Berto
Second Deputy

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

65 Sharon Street
Providence, Rhode Island 02908
March 6, 2000

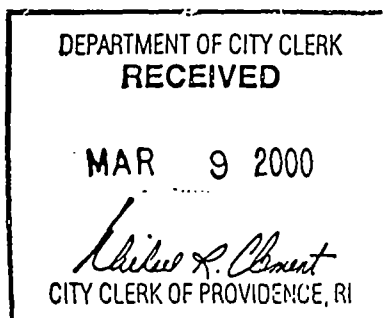
The Honorable Members of the Providence City Council
Providence City Hall
250 Dorrance Street
Providence, Rhode Island 02903

Dear Members of the Providence City Council:

I respectfully request that you grant my petition for partial abandonment of an area of land on Cedar Street in Providence. This street is currently a dead end and as the owner of the land abutting Cedar Street on both sides, I plan to develop a much-needed parking area for the Federal Hill neighborhood. This planned parking area can also alleviate the demand for parking at the Rhode Island Convention Center and the Providence Civic Center.

The enclosed survey illustrates that the area of the parcel for proposed abandonment includes approximately one thousand seven hundred thirty- three square feet. The parcel begins at a point, said point being located at the intersection of the northerly line of Cedar Street with the easterly line of Dean Street (Plat No. 1520A), said point also being the most northwesterly corner the parcel herein described; thence southeasterly along the northerly line of Cedar Street, a distance of fifty-six and .40/100 feet (56.40') to a point on the southerly line of Cedar Street, said point being the most northeasterly corner of the parcel herein described; thence northwesterly along the southerly line of Cedar Street a distance of thirty feet (30') to a point on the easterly line of Dean Street, said point being the most southwesterly corner of the parcel herein described; thence northwesterly along the easterly line of Dean Street a distance of forty-eight and 12/100 (48.12') to the point and place of beginning.

Please do not hesitate to contact me at (401) 861-3724 if you have any questions about this petition for partial abandonment. I look forward to working with you on this project.



Sincerely,

Malcolm A. Badway
Malcolm A. Badway
861-3724

Petition to abandon a portion of Cedar Street
Malcolm A. Badway
Check - 75.00

PROPOSED PARTIAL ABANDONMENT (CEDAR STREET)

Beginning at a point, said point being located at the intersection of the northerly line of Cedar Street with the easterly line of Dean Street (Plat No. 1520A), said point also being the most northwesterly corner of the parcel herein described;

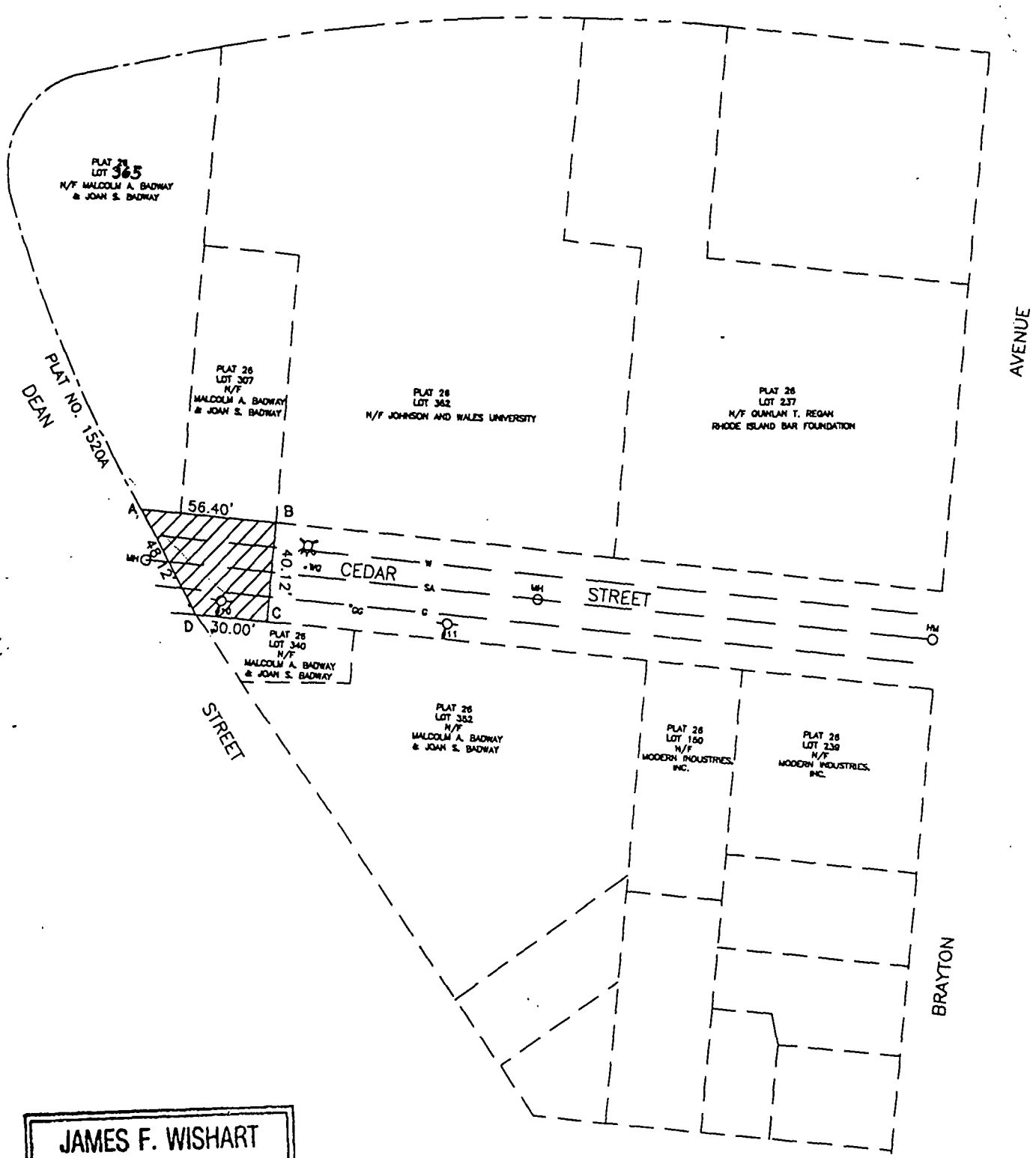
Thence southeasterly along the northerly line of Cedar Street, a distance of fifty-six and $\frac{40}{100}$ feet (56.40') to a point, said point being the most northeasterly corner of the parcel herein described;


Thence southerly along a line a distance of forty and $\frac{12}{100}$ feet (40.12') to a point on the southerly line of Cedar Street, said point being the most southeasterly point of the parcel herein described;

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The area of this parcel contains one thousand seven hundred thirty-three square feet more or less (1733±).



JAMES F. WISHART
No.  1667
**PROFESSIONAL
LAND SURVEYOR**
2/22/00

AREA OF PROPOSED ABANDONMENT = 1,733± S.F.

NOTE:
SHADED AREA (A-B-C-D-A)
INDICATES PROPOSED PARTIAL ABANDONMENT
LOT NUMBERS FROM ASSESSORS PLAT 26

PROPOSED PARTIAL ABANDONMENT CEDAR STREET		PROJECT NO.:	
		DATE: FEBRUARY 18, 2000	
C CATALDO ASSOCIATES		SCALE: 1"=80'	
		DESIGNED BY:	
		DRAWN BY:	
		CHECKED BY:	
		NO.	DATE
		REVISIONS	

James F. Rattigan
Chief of Department

David D. Costa
Fire Marshal



Vincent A. Cianci Jr.
Mayor

John J. Partington
Commissioner

PROVIDENCE FIRE PREVENTION DIVISION

"Smoke Detectors Save Lives"

May 18, 2000

Chairman Robert M. Clarkin
Committee on Public Works
City Hall
Providence, RI 02903

Re: Petition to Abandon a Portion of Cedar Street

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of Cedar Street (see attached), the Fire Department has no objection.

Respectfully,

A handwritten signature in black ink, appearing to read "David D. Costa".

David D. Costa
Fire Marshal

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

65 Sharon Street
Providence, Rhode Island 02908
March 6, 2000

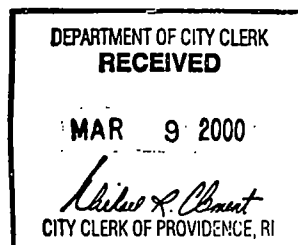
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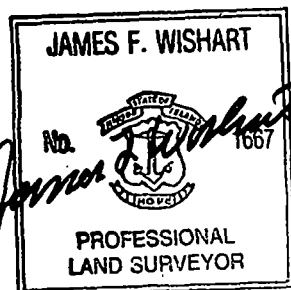
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Sincerely,

Malcolm A. Badway
Malcolm A. Badway
841-3724

Petition to abandon a portion of Cedar Street
Malcolm A. Badway
Check - 75.00



SH 1 OF 1

PROPOSED PARTIAL ABANDONMENT (CEDAR STREET)

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The area of this parcel contains one thousand seven hundred thirty-three square feet more or less (1733±).



PROVIDENCE POLICE DEPARTMENT
Traffic Services
209 Fountain St, Providence, RI 02903
X2352

5/17/00

To: Councilman Robert M. Clarkin
Chairman, Committee of Public Works

From: Major Richard T. Sullivan

Subject: Road Abandonment

Sir:

Attached is a copy of a memorandum petition for a portion of Cedar Street to be abandoned at the request of Malcolm A. Badway. Although parking is needed in the area, I would question why this street was made into a dead end in the first place. If the city has no plans EVER to reopen Cedar Street from Dean Street Route 95, then by all means abandon it. But, if there is a chance in the future for the motoring public to use it, then I would say do not abandon it.

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

ROBERT J. KILDUFF, ESQ., P.E.
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

ALEXANDER D. PRIGNANO
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

RICHARD O. RAFANOVIC, P.E., M.B.A.
General Manager & Chief Engineer

JOSEPH DE LUCA
City Councilman

RITA M. WILLIAMS
City Councilwoman

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

May 17, 2000

Councilman Robert M. Clarkin, Chairman
Committee on Public Works
25 Dorrance Street
Providence, Rhode Island 02903

**SUBJECT: Petition to Abandon a Portion of Cedar Street
Providence, Rhode Island**

Dear Councilman Clarkin:

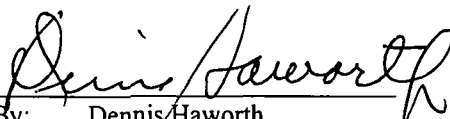
The referenced Petition received from the Department of City Clerk proposes to abandon a portion of Cedar Street. The proposed abandonment shall include the shaded area A-B-C-D-A of Cedar Street as shown on Sheet 1 of 1, titled "Proposed Partial Abandonment Cedar Street", as prepared by Cataldo Associates, Scale 1"=60', dated February 18, 2000. (Copy enclosed)

Accordingly, we have reviewed this Petition with respect to the impact it may have on the Providence Water Supply Board (PWSB) Distribution System. Our present records indicate that the portion of Cedar Street, as proposed herein for abandonment, contains a 6" cast iron water main and gate valve that connects to our 6" water main in Dean Street. This water main must remain in service and not cut and capped outside the proposed abandonment.

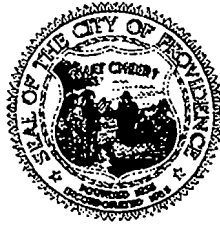
Therefore, the Providence Water Supply Board (PWSB) has no objection to the proposed abandonment, provided that the Petitioner grants a full utility easement to PWSB to maintain, construct, repair, etc., the existing water main and appurtenance, and that no permanent construction, whatsoever be allowed within the easement. Wording of the easement shall be subject to review by PWSB as to form and content.

Should you have any questions, or require additional information with respect to our facilities in Cedar Street, please contact the undersigned at 521-6300, extension 7228.

Respectfully,
PROVIDENCE WATER SUPPLY BOARD
Richard O. Rafanovic, P.E., M.B.A.
General Manager and Chief Engineer

By: 
Dennis Haworth
Engineering Records Manager

cc: P. Gadoury, P.E.
S. Pauley, P.E.
M. Clement, City Clerk
File



DEPARTMENT OF PLANNING AND DEVELOPMENT

"Building Pride in Providence"

MEMORANDUM

DATE: August 28, 2000

TO : Michael Clement, City Clerk

FROM: William G. Floriani, Assistant Director
Project Management and Construction

RE : CEDAR STREET ABANDONMENT

Pursuant to your request I have visited the site to be abandoned. This is a parcel that is in a commercial zone which is D-2, and is to be used for commercial purposes. The petitioner will have to grant a full sewer easement. The easement will not impact the intended use which is parking. The parcel contains 1,733 sq. ft.

Given the above information the value of the parcel is as follows:

1,733 sq. ft. @ \$4.00 per ft. = \$7,000.00 (rounded)

GEORGE CALCAGNI
Chair



VINCENT A. CIANCI, JR.
Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning The Future of Providence"

July 20, 2000

Councilman Robert M. Clarkin, Chairman
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Michael R. Clement, City Clerk

**Re: CPC Referral No. 3165, Petition for the Abandonment of the west end of
Cedar Street**

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, June 20, 2000 reviewed and evaluated the request of the Committee on Public Works dated May 23, 2000 for the Commission's recommendation on the proposed abandonment of the west end of Cedar Street.

The petitioner is Mr. Malcolm A. Badway, owner of adjacent Lots 307, 340 and lot 368 in Assessor's Plat 26.

The Commission found the proposed abandonment is consistent with the Comprehensive Plan and voted to recommend that the Committee on Public Works approve this proposed abandonment, with the condition that the portion of the street being abandoned be landscaped with a dense evergreen barrier along its boundary with Dean Street.

Sincerely,

A handwritten signature in cursive script, reading "Samuel J. Shamoon".

Samuel J. Shamoon
Associate Director of Planning

cc: Mr. Malcolm Badway
George Calcagni, Chair

Bell Atlantic - Rhode Island
85 High Street
Pawtucket, RI 02860
401 727-9555

Right of Way Department



May 5, 2000

Providence City Council
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF CEDAR STREET

Dear Sir:

Upon investigation by our in house engineer Lou Goodrich, it has been determined that Bell Atlantic currently has no facilities on the proposed site to be abandoned.

Very truly yours,

A handwritten signature in cursive script that reads "Mary C. Hanley".

Mary C. Hanley
E/P Manager - Right of Way

ProvEnergy



04/25/00

Ms. Claire E. Bestwick
Second Deputy City Clerk
Department of City Clerk
City of Providence
Providence, RI 02903

Re: Petition to Abandon a Portion of Cedar Street, Providence

Dear Ms. Bestwick:

Providence Gas owns and maintains a gas main within the proposed abandonment. We also intend on upgrading our gas lines in this neighborhood including Cedar Street. The upgrade should take place during this summer. We have no objections to this petition as long as we receive an easement allowing us to own, maintain, and operate our gas facilities with the proposed abandonment area.


If you have any further questions please feel free to call me at 401 272-5040 ext. 573.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael McGuire', with a large, stylized loop at the end.

Michael McGuire
Manager of Engineering Design & Facility Locating

Paul Pinault, P.E.
Executive Director


John Zuba
Project Coordinator