

RESOLUTION OF THE CITY COUNCIL

No. 275

Approved June 15, 2009

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. 064750 dated September 11, 2003."

VIZ: Swift Street, portion of, from Windmill Street as shown as the cross-hatched areas on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public, is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned upon the following:

1. The Petitioners agree to tender the amount of Six Thousand Two Hundred Thirty-two Dollars and Fifty Cents (\$6,232.50) in legal tender U.S. currency to the City of Providence.

2. The City Plan Commission of the City of Providence shall indicate its approval of the abandonment by letter to the Office of the City Clerk, City of Providence.

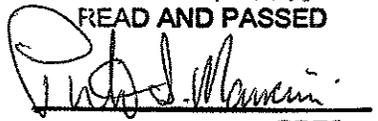
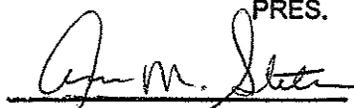
3. Petitioner shall have a Class I survey prepared by a Professional Land Surveyor, properly licensed by the Board of Registration for Professional Land Surveyors, inasmuch as road abandonments constitute a boundary change pursuant to Informational Bulletin 2003.01 issued by said Board.

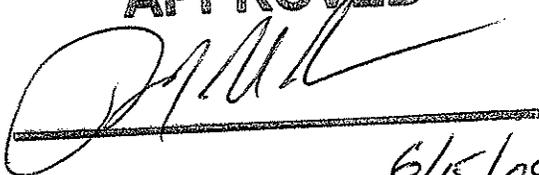
4. Petitioner shall comply with all conditions contained herein, including recording this Resolution in the Land Evidence Records of the City of Providence, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

5. Such other conditions as the Mayor or the Law Department shall see fit to impose prior to the recording of this resolution.

ORDERED, That the Traffic Engineer be, and he is hereby, directed to cause a sign to be placed 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
JUN 4 2009
READ AND PASSED

PRES.

CLERK

APPROVED

MAYOR 6/15/09



Anna M. Stetson
City Clerk

Clerk of Council

DEPARTMENT OF CITY CLERK
CITY HALL

Lori L. Hagen
Second Deputy

RECEIPT

Received of Thomas G. Trenn, 139 Windmill Street, Providence, RI
02904-1453, check number 856 in the amount of Six Thousand Two Hundred
thirty Two Dollars and Fifty (\$6232.50.00) Cents, for the abandonment of a
portion of Swift Street.



Anna M. Stetson
City Clerk

DATED: May 20, 2009

THOMAS G. TRENN
139 WINDMILL ST.
PROVIDENCE, RI 02904-1453

57-1/115
9395458921

856

DATE 5/20/09

PAY TO THE
ORDER OF

City of Providence
Six Thousand Two Hundred thirty Two

\$ 6232.50

50
100
DOLLARS

Security Features
Detailed on Back



11002
www.fleet.com
3455 Newport Ave. Office
Providence, Rhode Island 02861

MEMO

Swift St.

Thomas G. Trenn

⑆0⑆1⑆5000⑆10⑆ 93954 58921⑆ 0856

RESOLUTION OF THE CITY COUNCIL

No. 189

Approved May 4, 2005

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064750 dated September 11, 2003."

VIZ:

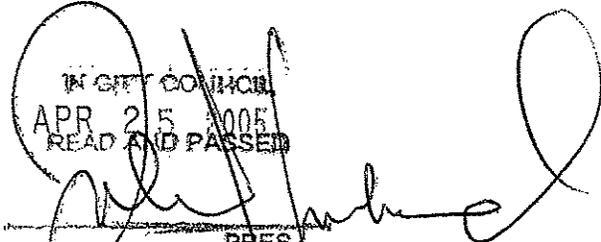
SWIFT STREET, portions of from Windmill Street, as shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

- (1) The City Plan Commission of the City of Providence shall indicate its approval of the within abandonment by letter to the Office of the City Clerk, City of Providence.
- (2) Petitioner shall pay the amount of Six Thousand, Two Hundred Thirty Dollars and Fifty Cents (\$6,232.50) in legal U.S. tender to the City of Providence.
- (3) Such other conditions as the Mayor or the Law Department shall see fit to impose.
- (4) Petitioner shall comply with all conditions contained herein, including recording this Resolution, 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. And it is further

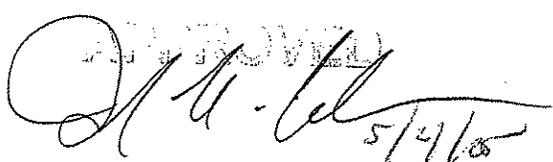
ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

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
APR 25 2005
READ AND PASSED


PRES.


CLERK


5/4/05

2005

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 SWIFT STREET

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
77	690	Thomas G. Trenn 139 Windmill Street Providence, RI 02904-1453
77	819	Jerimothill Nominee Trust 131 Windmill Street Providence, RI 02904-1453

PETITIONER

Thomas G. Trenn
139 Windmill Street
Providence, RI 02904-1453

Michael R. Clement
City Clerk

Councilwoman Carol A. Romano
Ward 4

© DELUDE WILLET OR DUPLICATE SAFETY PAPER

R.I. License # 7215437
THOMAS G. TRENN
139 WINDMILL ST.
PROVIDENCE, RI 02904-1453

DATE 3/16/05

665

PAY TO THE ORDER OF

City of Providence
Six thousand two hundred and thirty two

\$6,232.50

50 CENTS

POUNDARS



11002
1455 Newport Ave. Office
Providence, RI 02904-1453
www.fleet.com
AMERICA Swift Street Land

Thomas G. Trenn

⑆0115000101⑆ 93954 58921⑈ 0665

CITY OF PROVIDENCE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

RECEIVED TO COMMITTEE ON PUBLIC WORKS
CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body I am interested in the property that is abutting my property, located at 139 Windmill Street, Providence. After investigating the ownership of the property, I found that it is Swift Street, a paper street. It was never completed as originally planed because of the geography of the surrounding area. That is there is a steep granite cliff at the rear of property, falling off approximately fifty to sixty feet to the property below.

As the property exists at this time, it is an undeveloped lot. Unfortunately, the lot is overgrown with weeds and seedling trees. It also has become littered with trash. In the past, I have cleaned the lot and kept the grass trimmed. Breaking a lawn mower in the process. The sidewalk is now impassible, with weeds about four feet in height.

In its' present condition, the lot is unsightly, and in my opinion it is detracting from looks and value of my property and that of my neighbors.

I request is the following: The City of Providence investigates this matter and ultimately abandons the land. At which time I as the owner of the abutting property would acquire said property, care for it, and it would be added to the tax roles. I ask for no special consideration, except that the price of said property be fair and equitable.

I am enclosing a copy of a city plat map with the area in question highlighted.

I would like at this time to thank the Honorable Body for it time and consideration of the matter.

Respectfully,

Thomas G. Trenn

Thomas G. Trenn
139 Windmill Street
Providence, Rhode Island 02904
401-521-5994

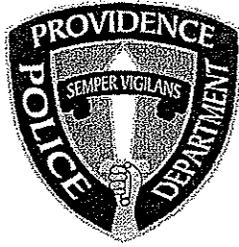
DEPARTMENT OF CITY CLERK
RECEIVED
JUL 29 2003
Michael R. Clement
CITY CLERK OF PROVIDENCE, RI

Citizen's Bank

Check #466 - \$75.00

Petion to abandon a portion of Swift Street

RECEIVED TO COMMITTEE ON PUBLIC WORKS
CITY COUNCIL
Clerk

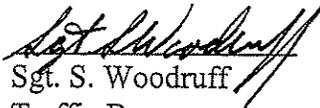


PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU
Sergeant Steven G. Woodruff, Officer-In-Charge

To: Clerk of the City Council via
Colonel Dean M. Esserman
From: Sgt. S. Woodruff, Traffic Bureau
Subject: Petition to the City Council, abandonment of a portion of Swift Street adjacent to
139 Windmill Street

This portion of Swift is a paper street and does not affect traffic control in the area. I believe the Providence Police Department would have no objection to its abandonment.

Respectfully,


Sgt. S. Woodruff
Traffic Bureau

11/24
OK

JME
1

JAMES F. RATTIGAN
CHIEF OF DEPARTMENT



DAVID N. CICILLINE
MAYOR

Department of Public Safety, Fire Department

"Building Pride in Providence"

MEMORANDUM

Via Facsimile

TO: *Office of the City Clerk*

FROM: *Gary E. Mulcahy*
Acting Chief of Department

DATE: *November 21, 2003*

SUBJECT: *PETITION TO CITY COUNCIL*

gem

This office is in receipt of the Memorandum to the City Clerk and recently forwarded to this office, with regard to the request of Mr. Thomas G. Trenn (139 Windmill Street, Providence, Rhode Island) seeking to acquire ownership of a portion of Swift Street, which abuts his property.

Please be advised this Department has no objection to this proposal.

gem/rh

JOHN NICKELSON, PE
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
"Building Pride in Providence"

February 14, 2005

Honorable Terrence N. Hassett
Chairman of the Public Works Committee
Providence City Council – City Hall
Providence, RI 02903

RE: PROPOSED ABANDONMENT SWIFT STREET

Dear Councilman Hassett:

This department has no objection to the proposed abandonment of a portion of Swift Street in conjunction with the attached plan, entitled "Prov., R.I. - P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064750-Date: 9-11-2003

That portion of Swift Street to be abandoned from Windmill Street is shown as cross-hatched area on the accompanying plan. The area of Swift Street to be abandoned is designated as A-B-C-D-A, on the accompanying plan.

It is noted that there is NO SEWER EASEMENT required for Swift Street. Total square footage for this portion of abandonment is 2,493'. Lot numbers for aforementioned plan were taken from City of Providence Assessor's Plat # 77. A list of abutting property owners is attached herewith for your approval.

According to Informational Bulletin 2003.01 issued by Rhode Island State Board of Registration for Professional Land Surveyor, a road abandonment constitute a boundary change, and, as such, requires a Class 1 survey prepared by a Professional Land Surveyor, properly licensed by said board.

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

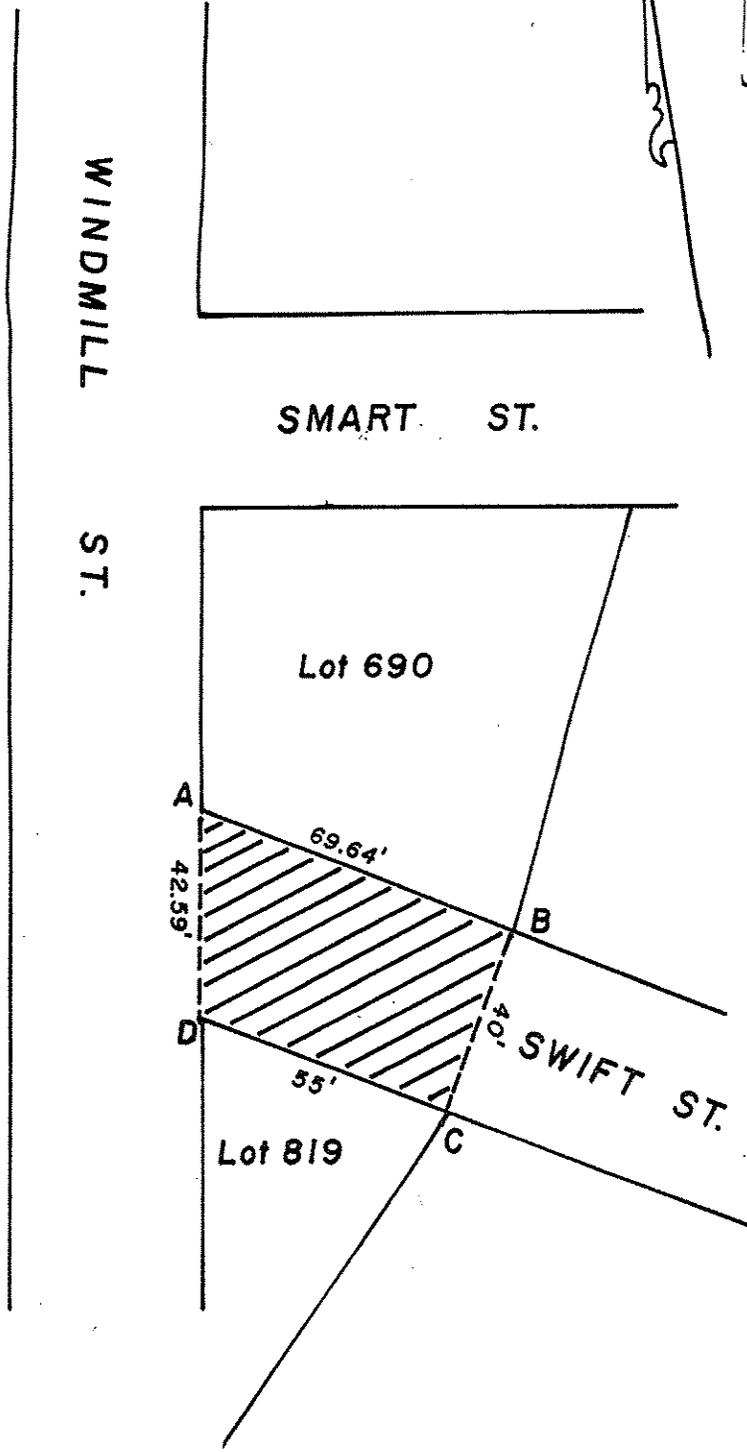
Very truly yours,

A handwritten signature in cursive script that reads "John Nickelson".

John Nickelson, PE
Director

cc: M. Clement – City Clerk
BB, GF, SZ -DPW
A. Southgate, Esq. – Law Dept.
T. Deller; W. Floriani - Planning

PROVIDENCE, R. I.
 DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No 064750
 Date 9-11-03



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
 No sewer easement required.
 Total square footage = 2,493'±

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of a
 portion of Swift St.
 Drawn by A. Zisiades Checked by _____
 Scale 1" = 40' Date 9-11-03
 Corrected James A. Morris Associate Engr.
 Approved William C. Bombard
 CHIEF ENGINEER

Lot numbers taken from A.P. 77.

Exact duplicate of missing plan (2-11-05)

ROBERT A. WALSH, JR.
Chairman

JOEL D. LANDRY, II
Vice Chairman

ALEXANDER D. PRIGNANO
Ex-Officio

CARISSA R. RICHARD
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor

ROBERT J. KILDUFF, P.E., ESQ.
Chief Engineer & General Manager

JOSEPH DE LUCA
City Councilman

PETER S. MANCINI
City Councilman

JOSEPH D. CATALDI
Member

ANNE T. QUINTERNO
Member

October 23, 2003

Councilman Terrence M. Hassett, Chairman
Committee on Public Works
City Hall
25 Dorrance Street
Providence, RI 02903

SUBJECT: Petition for Street Abandonment
Swift Street (Portion of)
Providence, Rhode Island

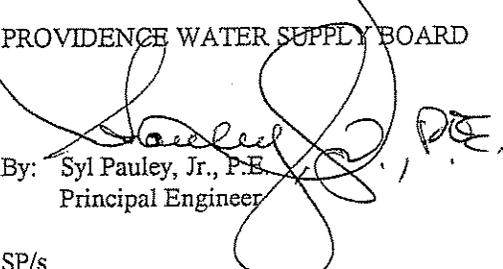
Dear Councilman Hassett:

The referenced Petition to the City Council, which relates to the abandonment of a portion of Swift Street where it abuts Lot No. 690 on Assessor's Plat77, also identified as 139 Windmill Street, has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records do not indicate any water system related infrastructure within these limits on the subject street. Accordingly, PW does not oppose this abandonment.

If you have any questions, please feel free to contact me at (401) 521-6300 EXT 7241.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

By:  P.E.
Principal Engineer

SP/s

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

ABNLTR75.WPD

WWW.PROWATER.COM

552 ACADEMY AVENUE ◦ PROVIDENCE, RHODE ISLAND ◦ 02908 ◦ (401) 521-6300 ◦ FAX (401) 331-5081 ◦ TDD (401) 751-0203



PARKS DEPARTMENT

MEMORANDUM

TO: COUNCILMAN HASSETT CHAIRMAN, COMMITTEE ON PUBLIC WORKS
FROM: CAROL GRANT ACTING SUPERINTENDENT OF PARKS
SUBJECT: PETITIONS FOR STREET ABANDONMENTS
DATE: AUGUST 27, 2003

I am responding on behalf of the Parks Department to the Committee's August 18 requests for input on the following petitions:

1. Petition to Abandon Perkins Street
2. Petition to Abandon a portion of Pearl Street
3. Petition to Abandon a portion of Rice Street
4. Petition to Abandon a portion of Swift Street
5. Petition to Abandon Corsica Street

The proposed abandonments will not adversely affect the public parks in their respective neighborhoods. The Parks Department has no objection to the proposed abandonments.

Thanks for the opportunity to comment.

A handwritten signature in black ink, appearing to read "Carol Grant", with a long horizontal line extending to the right.



Department of Traffic Engineering
"Building Pride in Providence"

MEMORANDUM

TO: Councilman Terrence M. Hassett
Chairman, Public Works Committee

FROM: Irene J. Testa *Irene J. Testa*

DATE: 11/18/03

RE: PENDING MATTER

REQUEST: Petition to abandon a portion of Swift Street.

DISPOSITIO: No objection.

AAA
CCC

ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

February 15, 2005

Mr. John Gelati
Acting City Assessor
City of Providence
City Hall
Providence, Rhode Island 02903

Re: Proposed Abandonment of Swift Street

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Swift Street, otherwise designated as a partial abandonment thereof. As noted on Assessors Plat 77, it intersects with Windmill Street in the Charles Street neighborhood of the city.

The proposed abandonment contains 2,493 square feet. The area in general measures 69 feet by 55 feet by 42 feet by 40 feet along the center line of the street. The City's Department of Public Works has no objection to this request, however, they are mandating that the petitioner have a Class 1 survey completed for recording.

We have taken into account a number of factors in arriving at the fair market value for this site. The topography of the site is severe and rocky, and it would not be developable. Its only use would be as side yard. The property is presently zoned R-1 Single Family. The highest and best use would be as vacant land or as a side yard.

Mr. John Gelati
Page 2
February 15, 2005

Based upon an analysis of comparable residential land sales as contained within the office files of Andolfo Appraisal Associates, Inc., as well as reviewing the most recent tax revaluation, a value of \$5.00 per square foot is hereby estimated for this site. This value, because of the topography and its limited use potential, reduce the value by 50%.

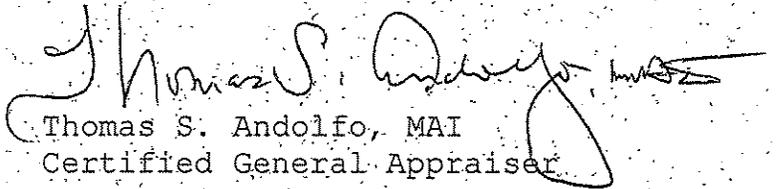
Therefore 2,493 square feet x \$5.00 per square foot =
\$12,465 x .50 = \$6,232.50.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

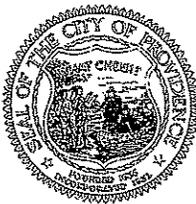


William G. Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

September 22, 2003

Honorable M. Terrence Hassett, Chair
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

Re: CPC REFERRAL NO. 3208: Proposed Abandonment of a Portion of Swift Street

Dear Councilman Hassett:

The City Plan Commission at its regular meeting on Tuesday, September 16, 2003 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of a portion of Swift Street, as petitioned by Thomas G. Trenn.

The Commission made the following findings of fact as required by the *City Plan Commission Handbook* Policy No. 1: "Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment":

1. *A public interest has to be clearly demonstrated. A public interest is defined as one or more of the following: public health and safety, adequate provision of transportation, general improvement of traffic patterns and/or circulation, convenient access to properties, avoidance of a nuisance, significant economic development, preservation of a historical or cultural feature, and improvement of the general welfare of the community.*

The petitioner asserts that this property is a paper street, which overgrows with weeds and littered with trash. In its' present condition the property is unsightly and is a detraction to the petitioner's property.

2. *No negative impact is evident on existing land uses, future plans, zoning, safety, health or welfare of the community by the proposed abandonment.*

No negative impacts are evident on existing land uses or zoning. Abandonment of this portion of the paper street will have no negative on the surrounding properties.

3. *All abutting landowners agree to the proposed abandonment.*

Robert F. Plante of 5 Gough Ave. West Warwick is the other abutter to this portion of the right-of-way. He would have to agree to the abandonment.

4. *No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.*

No access will be denied to surrounding areas.

5. *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*

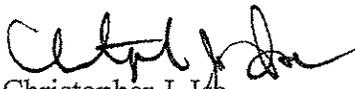
No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way.

6. *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.*

A petition has been provided. The Comprehensive Plan, in the Transportation, Parking and Circulation Plan, has a policy of discouraging street and alley abandonment citywide.

The Commission voted to recommend to the Committee on Public Works that it approve the subject abandonment.

Sincerely,



Christopher J. Ipe
Administrative Officer

cc: Thomas G. Trenn, Petitioner



September 9, 2003

Anna M. Stetson
City Clerk's Office
Providence City Hall
Providence, RI

Re: Petition to Abandon a Portion of Swift Street

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has no equipment in the area of Swift Street proposed for abandonment.

Therefore, NECO has no objection to the abandonment.

Please call me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mindy C. Montecalvo".

Mindy C. Montecalvo
Real Estate Consultant
(401) 784-7512
(401) 784-7316 (fax)

280 Melrose Street
PO Box 1438
Providence, RI 02901-1438
401.784.7000

Right Of Way



85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

August 28, 2003

Anna Stetson
2nd Deputy/City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Ms. Anna Stetson

RE: PETITION TO ABANDON A PORTION OF SWIFT STREET

Dear Ms. Stetson:

Upon investigation by our in house Engineer, Craig Richards, it has been determined that Verizon 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
Manager - Right of Way
401-727-9555

New England Gas Company

August 29, 2003

Councilman Terrence M. Hassett
Chairman
Committee on Public Works
City of Providence
Providence, RI 02903

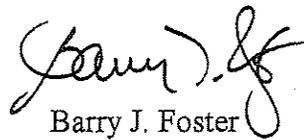
Re: Petition from Thomas Trenn,
Requesting to Abandon a Portion of Swift Street,
Providence, RI

Dear Councilman Hassett:

New England Gas Company does not own nor maintain gas facilities within above-mentioned area therefore, we have no objections to this petition.

If you have any further questions please feel free to call me at (401) 272-5040 ext. 5669.

Sincerely,



Barry J. Foster
Engineering Design Supervisor

PC Ms. Anna M. Stetson
Second Deputy City Clerk
Department of City Clerk

BJF/

100 Weybosset Street
Providence, RI 02903

1595 Mendon Road
PO Box 7900
Cumberland, RI 02864

155 North Main Street
PO Box 911
Fall River, MA 02722

