

RESOLUTION OF THE CITY COUNCIL

No. 403

Approved August 4, 1976

See
Res. No. 509
8/15/80
The Committee on
Public Works
has
passed
this
Resolution
on
August 4, 1976

RESOLVED, DECREED, AND ORDERED:

That the following portion of named street as shown as cross-hatched area on the accompanying Plan entitled, "Providence, R.I., P.W. Dept. - Engineering Office, Street Line Section, Plan No. 063967, dated May 11, 1976,"

viz:

That Ten Foot (10') portion of Boundary Avenue, parallel with the southerly street line, from the westerly street line of Killingly Street to the extension of the northerly street line of Myra Street, depicted on the above noted and accompanying plan as cross-hatched area, having ceased to be useful to the public and the same is proposed to be abandoned as a public highway and the damage to the abutters is appraised at nothing and so awarded, and it is further

ORDERED, that the Director of Public Works, 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 this State.

IN CITY COUNCIL

JUL 29 1976
READ AND PASSED

Ralph Legros ACTING PRES.
Vincent Caspice CLERK

APPROVED
Vincent Caspice
MAYOR

AUG 4 1976

107 5 0 1010

107 5 0 1010

APPROVED

**THE COMMITTEE ON
PUBLIC WORKS**

Approves Passage of
The Within Resolution

Ernest Cooper
July 15, 1976 Clerk

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

to abandon as a Public Highway a portion of Boundary Avenue; a ten foot strip parallel with the southerly street line of said Boundray^{ARY} Avenue, from the westerly street line of Killingly Street to the extension of the northerly street line of Myra Street.

FILED
MAR 24 12 28 PM '76
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

Urban Squamish
22 Boundary Ave
272-8321

IN CIVIL COURT

REFERRED TO CO
MAR 24 R. I. 1976

RECEIVED

DEPARTMENT OF CITY CLERK
RECEIVED

MAR 24 1976

Vincent Vignola

CITY CLERK OF PROVIDENCE, R. I.

*Pd by ck # 1254
amt \$35.00*

5
1910

Councilman Almagro

Councilman Almagro

by Request

IN CITY COUNCIL

APR 1 1976
FIRST READING
REFERRED TO COMMITTEE ON

PUBLIC WORKS

Vernon W. W. W.
CLERK

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: **PROPOSED ABANDONMENT, BOUNDARY AVENUE; MYRA STREET TO KILLINGLY STREET.**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
115	12	Urbano Prignano, Jr., & wf. Rosalie Ann 814 Plainfield Street, Providence, RI
"	14	Vincent J. Salzillo 35 Myra Street, Providence, RI
"	7	Anthony E. DiFraia & wf. Gilda 246 Killingly Street, Providence, RI
"	8	" " "
"	9	Ronald A. Colafrancesco & wf. Shirley 242 Killingly Street, Providence, RI

Date May 3, 1976

Councilman Philip A. Almagno

Councilman Louis R. Stravato

Lawrence Marton

This is to certify that I have caused a true copy of the attached Resolution to be served upon the above named persons, firms and/or corporations, as the case may be, by handing to each said persons, firms and/or corporations, as the case may be, or by leaving at their last usual place of abode in this state a true copy.

Date August 9 1976

Lawrence Marton

City Sergeant

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 2, 1976

TO: *

SUBJECT: PETITION OF URSANO PRIGNANO, 22 BOUNDARY AVENUE, PROVIDENCE.

CONSIDERED BY: City Clerk, Vincent Vespa

DISPOSITION: Attached is copy of Petition as above noted,
transmitted to you for study and report.

- * Acting Commissioner of Public Safety, Cianci
- ✓ Director of Public Works, Hooley
- Director of Department of PUD, Bernstein
- ✓ Chief Engineer, Water Supply Board, Rogers
- Traffic Engineer, Fibaldi

City Clerk

JOHN A. DOHERTY, *Chairman*
EARL H. ASHLEY
ALFRED T. CICCONE
ROBERT F. HOWARD
RAYMOND COLA
VINCENT J. CIRELLI
VINCENT T. IZZO, *Ex-Officio*

WATER SUPPLY BOARD
CITY OF PROVIDENCE, R. I. 02908
552 ACADEMY AVENUE

JOHN E. ROGERS P.E.
Chief Engineer
JOHN H. SEITES P.E.
Deputy Chief Engineer
WILLIAM I. MATZNER
Legal Advisor
JAMES A. LOMBARDI
Secretary

April 16, 1976

Councilman Lawrence K. Flynn, Chairman
Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island

Dear Councilman Flynn:

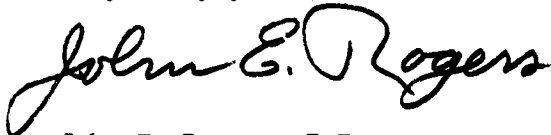
This department has reviewed a memorandum from the City Clerk pertaining to a petition to abandon as a public highway a portion of Boundary Avenue, Providence, Rhode Island.

It will be necessary to relocate two (2) curb stops so that they do not remain in the abandoned section. The total cost is as follows:

246 Killingly Street (Service from Boundary)	\$106.36
22 Boundary Avenue	<u>102.57</u>
Total cost	\$209.00

We respectfully request that your committee take no action on the petition of Urbano Prignano, 22 Boundary Avenue, Providence, R. I., until the above total amount is paid. We are filing a bill in the City Clerk's office in the above amount and will notify the Public Works Department when payment is made.

Very truly yours,



John E. Rogers, P.E.
Chief Engineer

ms

cc: Mr. James A. Lombardi
Administrative Assistant

JOHN A. DOHERTY, *Chairman*
EARL H. ASHLEY
ALFRED T. CICCONE
ROBERT F. HOWARD
RAYMOND COLA
VINCENT J. CIRELLI
VINCENT T. IZZO, *Ex-Officio*

WATER SUPPLY BOARD
CITY OF PROVIDENCE, R. I. 02908
552 ACADEMY AVENUE

JOHN E. ROGERS P.E.
Chief Engineer
JOHN H. SEITES P.E.
Deputy Chief Engineer
WILLIAM I. MATZNER
Legal Advisor
JAMES A. LOMBARDI
Secretary

April 28, 1976

Councilman Lawrence K. Flynn, Chairman
Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island

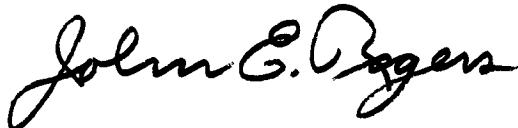
Dear Councilman Flynn:

On April 16, 1976 we forwarded a letter requesting that no action be taken on the petition of Mr. Urbano Prignano, 22 Boundary Avenue, Providence, to abandon a portion of said street until we received payment of \$209.00 for necessary changes to be made.

Further investigation has indicated that our original installations were inadvertently set so that they will conform to the new street line.

We have no objections to granting the original petition and will initiate steps to withdraw the bill for the above amount.

Very truly yours,



John E. Rogers, P.E.
Chief Engineer

ms

cc: Mr. James A. Lombardi
Administrative Assistant



CITY OF PROVIDENCE, RHODE ISLAND
MAYOR VINCENT A. CIANCI, JR.

DEPARTMENT OF PUBLIC WORKS . 700 ALLENS AVENUE . 02905

Daniel E. Healy, Director

Joseph J. Campo, Deputy Director

April 15, 1976

Chairman of the Public Works Committee
Providence City Council
City Hall - Providence, R.I. 02903

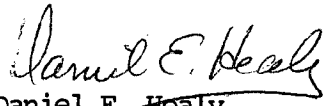
RE: Petition of Urbano Prignano - 22 Boundary Avenue - Providence, R.I.

Dear Sir:

The Department of Public Works has no objection to the abandonment of a portion of Boundary Avenue, namely, a ten foot strip parallel with the southerly street line of said Boundary Avenue, from the westerly street line of Killingly Street to the extension of the northerly street line of Myra Street.

This is in keeping with the fact that most of the rights-of-way in the City of Providence are forty feet in width.

Sincerely,


Daniel E. Healy
Director of Public Works

DEH:JJC:jlc

FRANK A. TIBALDI
TRAFFIC ENGINEER
JAMES J. D'AGOSTINO
ASSISTANT TRAFFIC ENGINEER



VINCENT A. CIANCI, JR.
MAYOR

TRAFFIC ENGINEERING DEPARTMENT
60 ERNEST ST. PROVIDENCE, R. I. 02905 781 - 4044

June 23, 1976

The Honorable City Council
Committee on Public Works
City Hall
Providence, Rhode Island

Gentlemen:

The Traffic Engineering Department has received your petition concerning the abandonment of a portion of Boundary Avenue.

This department is not in favor of said abandonment. By making Boundary Avenue narrower by ten feet it would restrict the flow of traffic.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Frank A. Tibaldi".
Frank A. Tibaldi
Traffic Engineer

FAT/it

STANLEY BERNSTEIN
DIRECTOR



VINCENT A. CIANCI, JR.
MAYOR

DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT
40 FOUNTAIN ST., - PROVIDENCE, R. I. 02903 - TEL. 401-831-6550

June 2, 1976

Vincent Vespia, City Clerk
City Hall
Providence, R. I. 02903

SUBJECT: REFERRAL NO. 1944 - ABANDONMENT PORTION OF BOUNDARY AVENUE

Dear Mr. Vespia,

This referral from the office of the City Clerk is a petition by an adjacent land owner for the abandonment of a ten foot longitudinal strip of a platted city street. The abandonment would specifically include a strip ten feet in width parallel with and abutting the southerly line of Boundary Avenue from the westerly street line of Killingly Street to the extension of the northerly street line of Myra Street.

On a photographic tour of inspection it was determined that Boundary Avenue is uncurbed. No sidewalks are provided although the roadbed is oiled. The platted width of Boundary Avenue is 50 ft. The adjacent land is partially undeveloped but there has been recent construction of high quality one-family dwellings on both sides of the street. The area is zoned R-1.

The accepted formula for the provision of city sidewalks is 20% of platted width for each side, which would indicate 10 ft. sidewalks for a 50 foot street. This may be varied in accordance with conditions at the site. Even if sidewalk widths are reduced to 8 feet, the remaining roadbed of a 40 foot platted street would be only 24 feet which would restrict on-street parking. This is a condition which may sometimes be unavoidable. However, since Boundary Avenue is platted at 50' and, since the acceptance and development of the street is indicated by the new construction, it seems advisable to retain the platted 50 foot width.

Therefore, from a planning standpoint it is recommended by this Department that the petition be denied.

Upon motion of Mr. Flynn seconded by Mr. Souza the Commission
VOTED: to abide by the staff recommendation that this petition be denied.

Very truly yours,

Stanley Bernstein
Stanley Bernstein
Director

SB:tv

cc: Councilman Philip A. Almagno
Councilman Louis R. Stravato

April 20, 1976

Mr. Urbano Prignano
22 Boundary Avenue
Providence, RI

Dear Mr. Prignano:

I have been directed by Councilman Laurence K. Flynn, as Chairman of the Committee on Public Works to inform you of the report of the Water Supply Board, in relation to your Petition for the abandonment of a portion of Boundary Avenue, a copy of which is hereto attached.

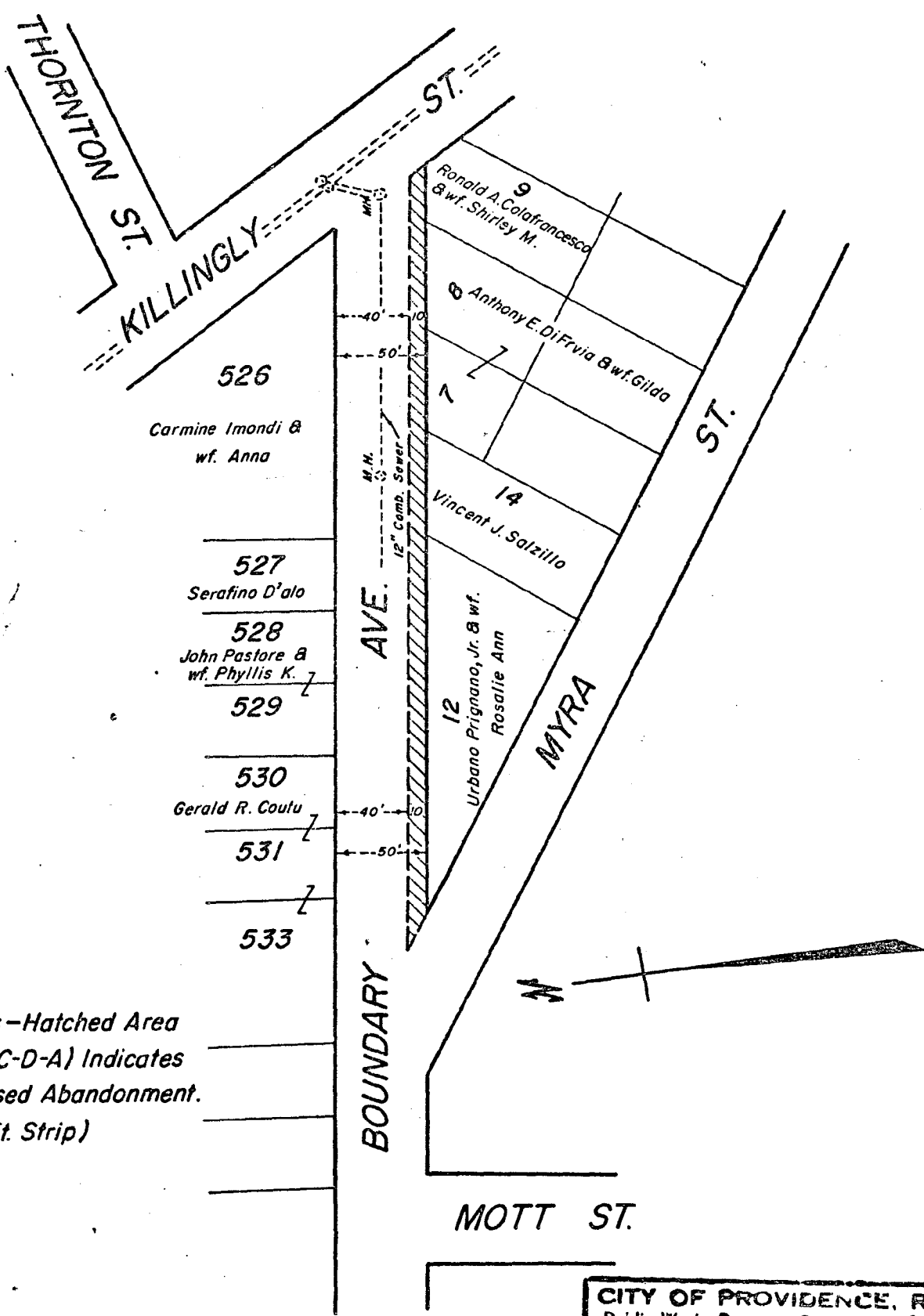
Will you kindly inform the Committee, in writing, as to your acceptance or non-acceptance as to the cost of Two Hundred Nine Dollars, (\$209.00) as payment to the Water Supply Board for its facilities.

Very truly yours,

Vincent Vespia
City Clerk of Providence

VV:hgg
Enc.

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 063967
 Date May 11, 1976



Note:

Cross-Hatched Area
 (A-B-C-D-A) Indicates
 Proposed Abandonment.
 (10 Ft. Strip)

Lot Numbers From Assessor's Plat 115

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Abandonment - Boundary
 Ave. 10' Strip S'ly Side
 Drawn by Petruska Checked by J.A.M.
 Scale 1" = 80' Date May 11, 1976
 Corrected by J. J. Camps Associate Engr.
 Approved Joseph J. Camps
 J. J. CAMP

AFFIDAVIT OF PUBLICATION

THE PROVIDENCE DAILY JOURNAL

THE EVENING BULLETIN

THE PROVIDENCE SUNDAY JOURNAL

Published by THE PROVIDENCE JOURNAL COMPANY

Providence, Rhode Island

State of Rhode Island

City and County of Providence

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS
RESOLUTION OF THE CITY COUNCIL
No. 403

Approved August 4, 1976
RESOLVED, DECREED, AND ORDERED:
That the following portion of
named street as shown as cross-
hatched area on the accompanying
Plan entitled, "Providence, R.I., P.W.
Dept. — Engineering Office, Street
Line Section, Plan No. 063967, dated
May 11, 1976," viz:

That Ten Foot (10') portion of
Boundary Avenue, parallel with the
southerly street line, from the wes-
terly street line of Killingly Street to
the extension of the northerly street
line of Myra Street, depicted on the
above noted and accompanying plan
as cross-hatched area, having ceased
to be useful to the public and the
same is proposed to be abandoned as
a public highway and the damage to
the abutters is appraised at nothing
and so awarded, and it is further

ORDERED, that the Director of
Public Works, be and he is hereby
directed to cause a sign to be placed
on the above-named highway aban-
doned 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 this State.

Attested

A true copy,

VINCENT VESPIA,
City Clerk.

On this 21st day of September 1976,

before me, a Notary Public, duly qualified for said

County and State, personally appeared

Director of Classified Advertising

Stanley E. Inness

Manager in the office of The Providence

Journal Company, publishers of The Providence

Journal and Evening Bulletin

a newspaper published in the City of Providence by
The Providence Journal Company, who, on being
duly sworn, states on oath that the advertisement of

City of Providence-Resolution of the

City Council No. 403

a true copy of which is hereunto annexed, was duly

inserted in The Evening Bulletin

in its issues of

August 31, September 7, 14, and 19th 1976

Stanley E. Inness

Subscribed and sworn to before me this

21st day of September

19 76

Laura P. Vanner

Notary Public.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 753

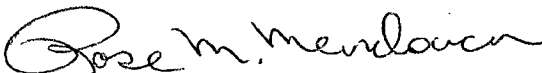
Approved, December 29, 1978

WHEREAS, On July 29, A.D. 1976 a resolution was adopted by this City Council reducing the width of Boundary Avenue by a portion of ten (10) feet parallel to the southerly street line from Killingly Street line to Myra Street, Providence, Rhode Island and

WHEREAS, A serious doubt exists as to the legality of said Resolution because of the fact that not all abutting owners upon said portion of the street were notified of the hearing by the City Council prior to the adoption of said resolution,

NOW, THEREFORE, BE IT RESOLVED, That said Resolution which was adopted on July 29, 1976, be and the same is hereby rescinded.

A true copy,
Attest:



Rose M. Mendonca,
City Clerk.