

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESCINDED

NO. 753

APPROVED: DEC. 29, 1978

RESOLUTION OF THE CITY COUNCIL

No. 403

Approved August 4, 1976

THE COMMITTEE ON  
PUBLIC WORKS  
ADOPTS  
RESOLUTION  
NO. 403  
OF THE  
CITY COUNCIL

See  
Res. No. 509  
8/15/80

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 Lopez* CLERK

APPROVED  
*Vincent Lopez*  
MAYOR

AUG 4 1976

JUL 5 1976

JUL 5 1976

APPROVED

**THE COMMITTEE ON  
PUBLIC WORKS**

Approves Passage of  
The Within Resolution

*Ernest Cooper*  
*July 15, 1976* *Clark*

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<sup>ARY</sup> Avenue, from the westerly street line of Killingly Street to the extension of the northerly street line of Myra Street.

*Urban Pignatelli*  
22 Boundary Ave  
272-8321

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

REFERRED TO CO  
MAR 24 1 10 PM '76  
CITY CLERK  
RECEIVED

DEPARTMENT OF CITY CLERK  
RECEIVED

MAR 24 1976

*Vincent Vignola*

CITY CLERK OF PROVIDENCE, R. I.

*Pd by ch # 1254  
amt \$35.00*

5  
TRIP

*Commissioner Almagro*

~~*Commissioner Almagro*~~

*By Request*

**IN CITY COUNCIL**

**APR 1 1976**

**FIRST READING  
REFERRED TO COMMITTEE ON**

**PUBLIC WORKS**

*Urmont Vespa*  
CLERK

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

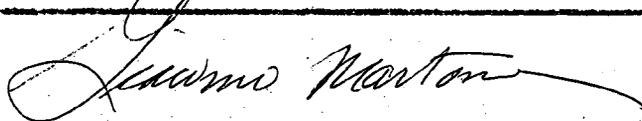
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit: **PROPOSED ABANDONMENT, 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<br>814 Plainfield Street, Providence, RI |
| "           | 14         | Vincent J. Salzillo<br>35 Myra Street, Providence, RI                            |
| "           | 7          | Anthony E. DiFraia & wf. Gilda<br>246 Killingly Street, Providence, RI           |
| "           | 8          | " " "  |
| "           | 9          | Ronald A. Colafrancesco & wf. Shirley<br>242 Killingly Street, Providence, RI    |

Date May 3, 1976

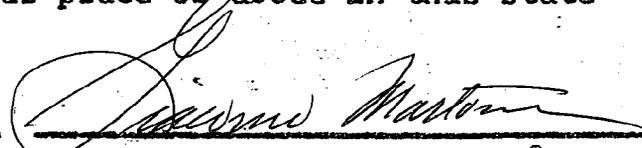
Councilman Philip A. Almagno

Councilman Louis R. Stravato



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



City Sergeant

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: April 2, 1976

TO: \*

SUBJECT: PETITION OF URSANO BRIGNANO, 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:

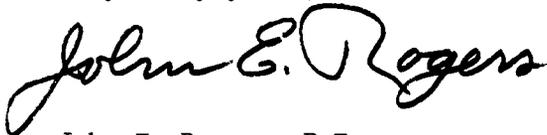
This department has reviewed a memorandum from the City Clerk pertaining to a petition to abandon as a public highway a portion of Boundary Avenue, Providence, Rhode Island.

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

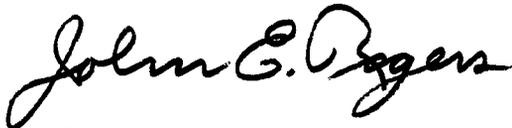
Dear Councilman Flynn:

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.

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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

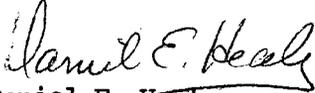
RE: Petition of Urbano Prignano - 22 Boundary Avenue - Providence, R.I.

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

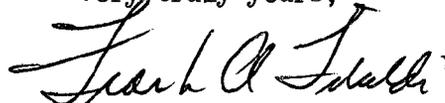
The Honorable City Council  
Committee on Public Works  
City Hall  
Providence, Rhode Island

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,

  
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.

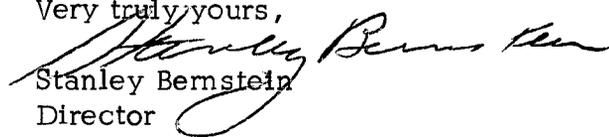
On a photographic tour of inspection it was determined that Boundary Avenue is uncurbed. No sidewalks are provided although the roadbed is oiled. The platted width of Boundary Avenue is 50 ft. The adjacent land is partially undeveloped but there has been recent construction of high quality one-family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

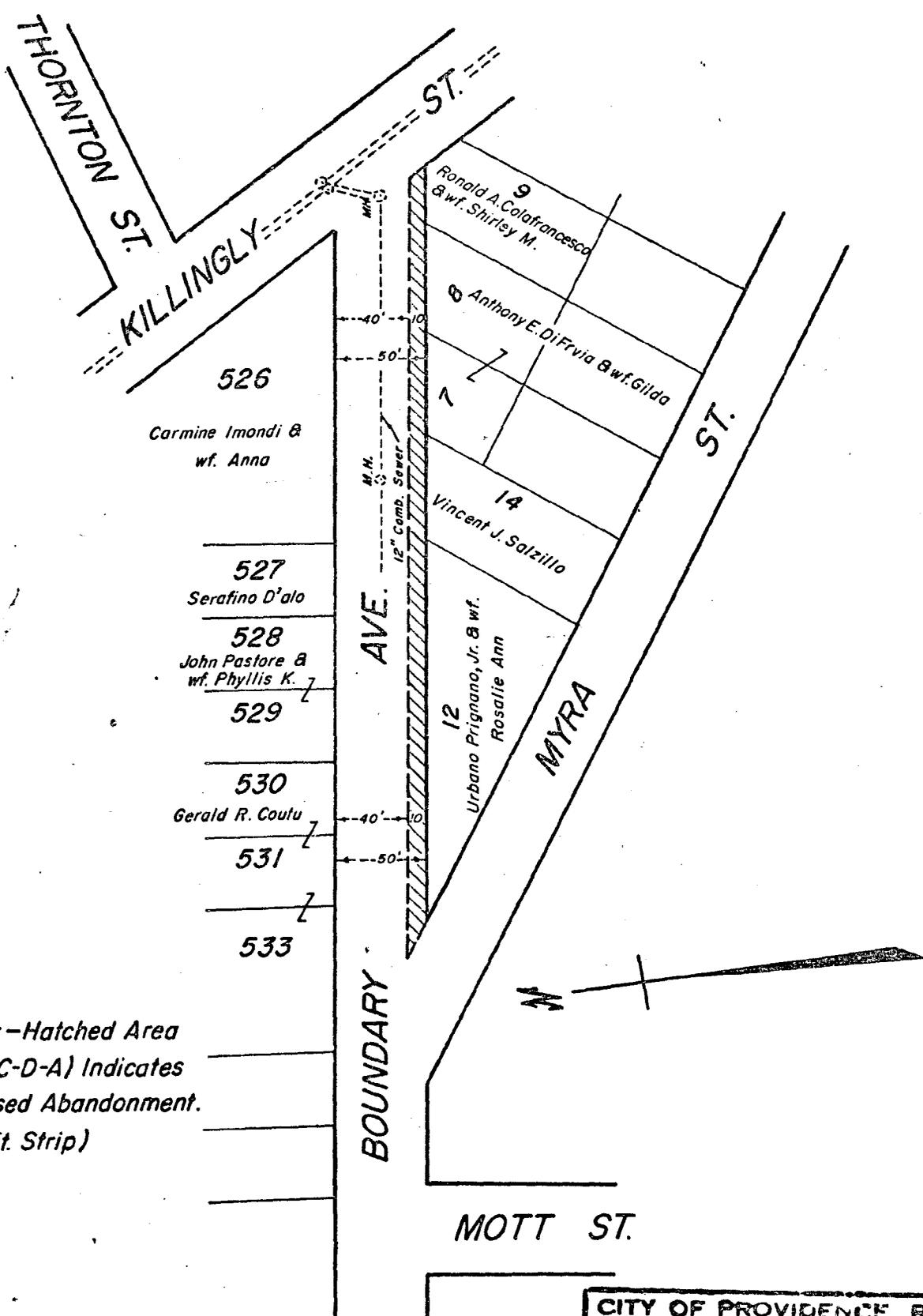
Will you kindly inform the Committee, in writing, as to your acceptance or non-acceptance as to the cost of Two Hundred Nine Dollars, (\$209.00) as payment to the Water Supply Board for its facilities.

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. Quigley Associate Engr.  
 Approved Joseph J. Camps  
 P. W. ENGINEER

# 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

On this 21<sup>st</sup> 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 1976

*Stanley E. Inness*  
Subscribed and sworn to before me this

21<sup>st</sup> day of September 1976

*Laura P. Wanner*

Notary Public.

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.

**CITY OF PROVIDENCE**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

---

**RESOLUTION OF THE CITY COUNCIL**

*No.* 753

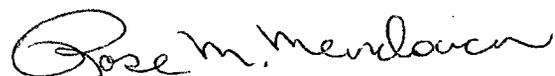
*Approved,* December 29, 1978

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.