

# RESOLUTION OF THE CITY COUNCIL

No. 497

Approved August 11, 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. 064650 dated March 28, 2000."

VIZ: Pennington Avenue (portion of) extending from the corner of Olney Street to the corner of Lloyd Avenue as shown as a cross-hatched area on the accompanying plan and designated by the letters C-D-E-F-G-H-I-J-K-L-C, 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:

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  
AUG 13 2000  
READ AND PASSED  
PRES.  
Clerk R. Clement  
CLERK

APPROVED  
AUG 11 2000  
Mayor G. Binip.  
MAYOR

IN CITY COUNCIL  
MAR 2 2000  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS

*Michael A. Clement*  
Clerk  
CS

THE COMMITTEE ON

*Public Works*

~~Recommends~~

*Public Hearing*

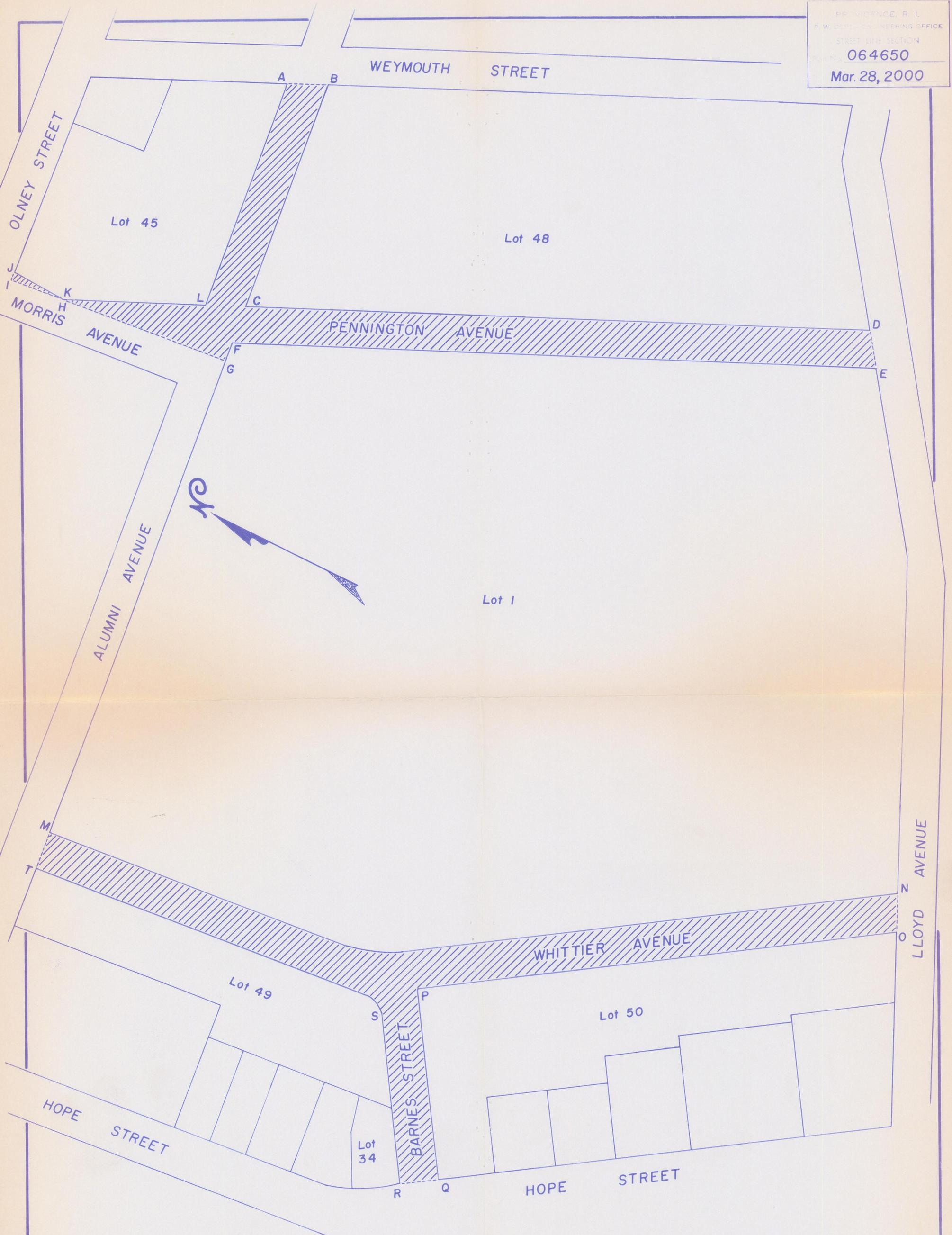
*Christine Bestwick*  
Clerk  
*April 5 2000*

THE COMMITTEE ON  
PUBLIC WORKS

Approves Passage of  
The Within Resolution

*Christine Bestwick*  
Clerk  
*July 2 2000*

*From the Clerk's Desk*



NOTES: Cross-hatched areas (A-B-C-D-E-F-G-H-I-J-K-L-A) & (M-N-O-P-Q-R-S-T-M) indicate proposed abandonments. No sewer easement required.  
 Total square footage = 137,143.00 ft.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 showing proposed abandonments: Alumni,  
 Barnes, Pennington & Whittier  
 by A. Zisiades Checked by \_\_\_\_\_  
 1" = 80' Date 3-28-2000  
 \_\_\_\_\_ Associate Eng.  
 \_\_\_\_\_

OLNEY STREET

WEYMOUTH

Lot 48

Lot 45

PENNINGTON AVENUE

MORRIS AVENUE

Lot 1

A

B

C

F

G

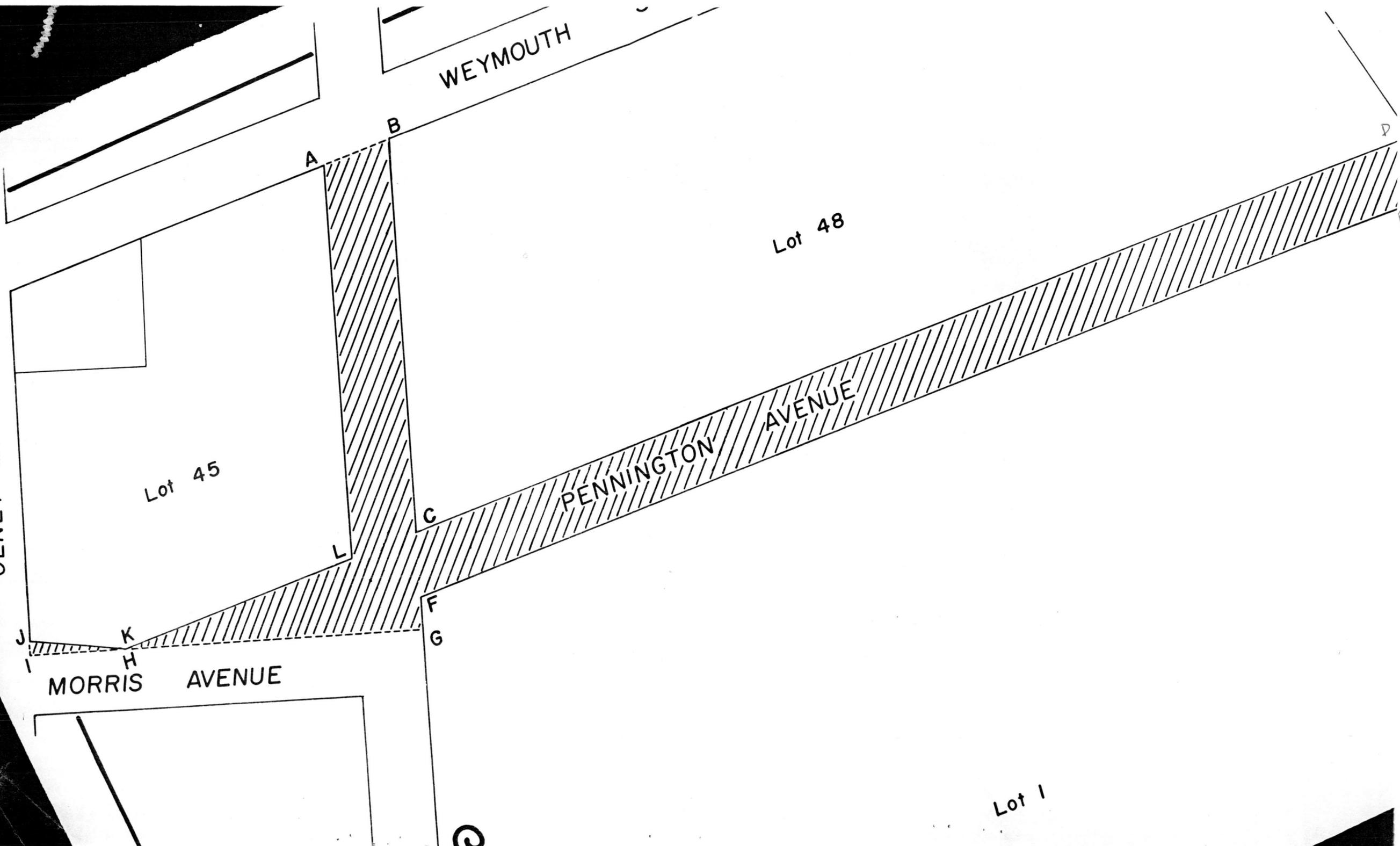
L

J

K

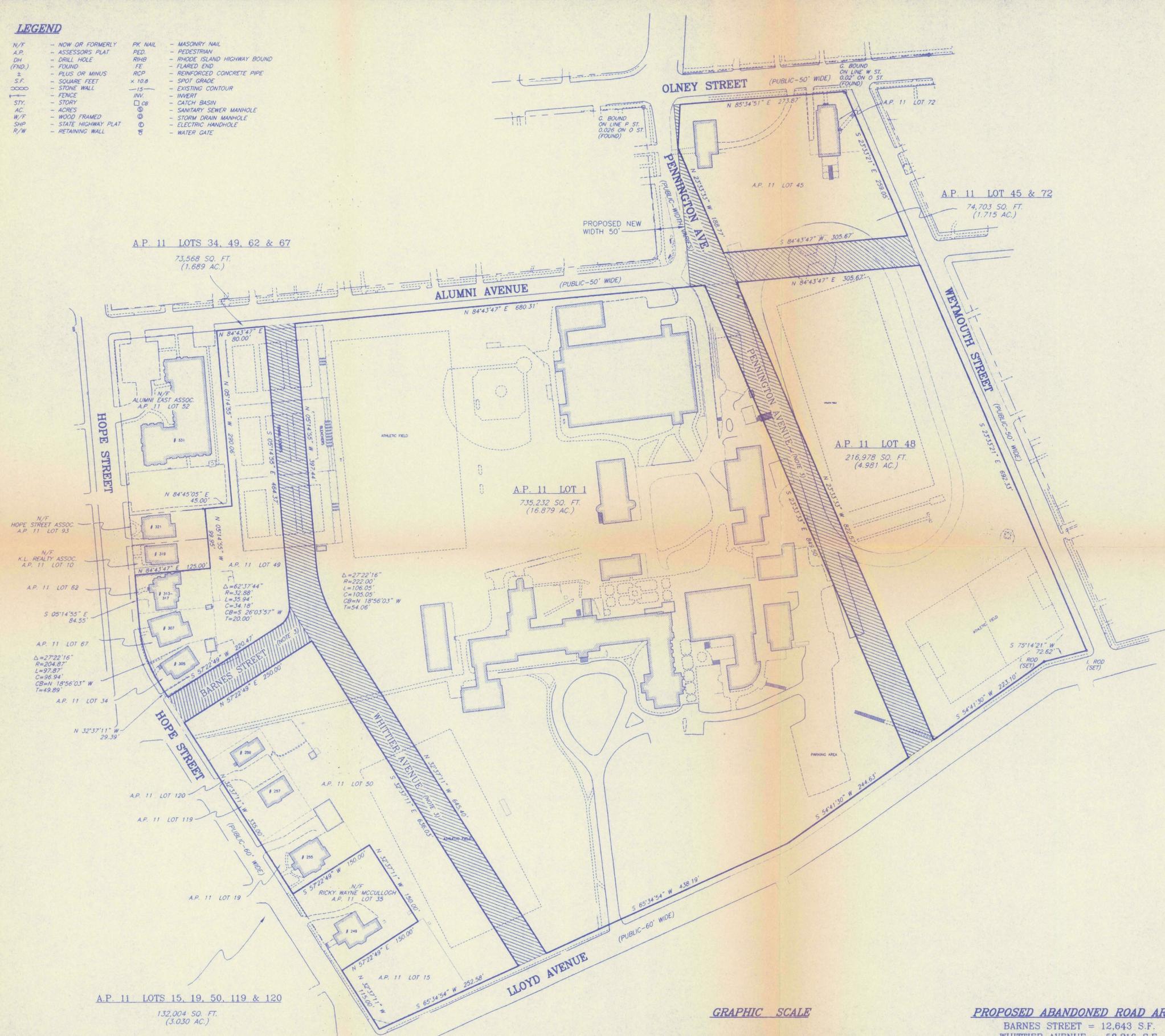
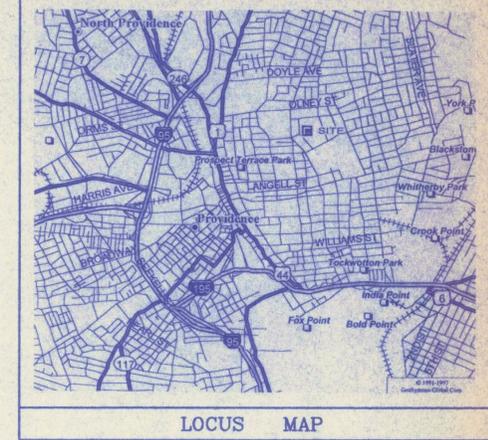
H

Q



**LEGEND**

- |        |                      |         |                              |
|--------|----------------------|---------|------------------------------|
| N/F    | - NOW OR FORMERLY    | PK NAIL | - MASONRY NAIL               |
| A.P.   | - ASSESSOR'S PLAT    | PED.    | - PEDESTRIAN                 |
| DH     | - DRILL HOLE         | RHIB    | - RHODE ISLAND HIGHWAY BOUND |
| (FND.) | - FOUND              | FE      | - FLARED END                 |
| ±      | - PLUS OR MINUS      | RCP     | - REINFORCED CONCRETE PIPE   |
| S.F.   | - SQUARE FEET        | x 10.8  | - SPOT GRADE                 |
| ○○○○   | - STONE WALL         | -15     | - EXISTING CONTOUR           |
| ---    | - FENCE              | INV.    | - INVERT                     |
| STY.   | - STORY              | CB      | - CATCH BASIN                |
| AC.    | - ACRES              | SM      | - SANITARY SEWER MANHOLE     |
| W/F    | - WOOD FRAMED        | SD      | - STORM DRAIN MANHOLE        |
| SHP    | - STATE HIGHWAY PLAT | EL      | - ELECTRIC HANDHOLE          |
| R/W    | - RETAINING WALL     | WG      | - WATER GATE                 |



**NOTES / REFERENCES**

- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
  - CITY OF PROVIDENCE STREET LINE PLANS FOR HOPE STREET, LLOYD AVENUE, WEYMOUTH STREET, ALUMNI AVENUE & OLNEY STREET.
  - "MAP OF LAND IN PROVIDENCE, R.I. BELONGING TO THE YEARLY MEETING OF FRIENDS FOR NEW ENGLAND BY J.A. LATHAM DEC. 15, 1884"
  - "MAP SHOWING LOT OF LAND CONVEYED TO JOSEPHINE RATHBONE BY THE YEARLY MEETING OF FRIENDS FOR NEW ENGLAND BY J.A. LATHAM JUNE 1889"
  - "PLAT OF FRIENDS SCHOOL ESTATE SURVEYED & DRAWN BY WM. S. HAINES 1877."
- REFERENCE IS MADE TO THE FOLLOWING CITY OF PROVIDENCE LAND EVIDENCE RECORDS REGARDING RECORD TITLE TO THE PREMISES SURVEYED.
  - A.P. 11 LOTS 1, 15, 45, 48, 49, 50, 62, 67, 72, 119 & 120 - VOLUME 617 PAGE 346
  - A.P. 11 LOT 19 - VOLUME 2489 PAGE 231
  - A.P. 11 LOT 34 - VOLUME 1725 PAGE 180
- NO RECORD OF EITHER THE ACCEPTANCE OR ABANDONMENT OF BARNES STREET, WHITTIER AVENUE OR PENNINGTON AVENUE WAS FOUND IN THE RECORDS OF THE CITY OF PROVIDENCE.



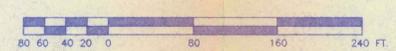
**CERTIFICATION**

THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING CLASS STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 1994.

BOUNDARY SURVEY - CLASS 1  
 TOPOGRAPHIC SURVEY - N/A

*[Signature]* 1837 4-27-99  
 RICHARD S. LIPSITZ REG. NO. DATE  
 WATERMAN ENGINEERING COMPANY

**GRAPHIC SCALE**



**PROPOSED ABANDONED ROAD AREAS**

- BARNES STREET = 12,643 S.F.
- WHITTIER AVENUE = 58,216 S.F.
- PENNINGTON AVENUE = 51,000 S.F.
- ALUMNI AVENUE = 15,284 S.F.

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 WATERMAN ENGINEERING COMPANY  
 ENGINEERS / SURVEYORS  
 402 HOPE STREET, BROWN  
 EAST PROVIDENCE, RHODE ISLAND 02914

|   |         |                            |               |
|---|---------|----------------------------|---------------|
| NO.   | DATE    | REVISION                   | BY            |
| 1   | 4/27/99 | PROPOSED ROAD ABANDONMENTS | RSL           |
| SHEET TITLE   |         |                            |               |
| <b>BOUNDARY SURVEY PLAN</b>   |         |                            |               |
| PROJECT   |         | PROJECT NO.                |               |
| MOSES BROWN SCHOOL  |         | P98.259                    |               |
| LLOYD AVE., HOPE ST., ALUMNI AVE., WEYMOUTH ST. & OLNEY ST. PROVIDENCE RHODE ISLAND |         | SCALE 1" = 80'             |               |
| DRAWN BY  |         | DATE                       |               |
| RSL   |         | FEB. 17, 1999              |               |
| CHECKED BY  |         | DRAWN BY                   |               |
| LRS   |         | RSL                        |               |
| <b>WATERMAN ENGINEERING CO.</b>   |         |                            |               |
| CIVIL ENGINEERS - SURVEYORS   |         |                            |               |
| EAST PROVIDENCE RHODE ISLAND  |         |                            |               |
|   |         |                            | 1 of 1 SHEETS |

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 PENNINGTON AVENUE.**

| <u>PLAT</u> | <u>LOT</u> | <u>NAME AND ADDRESS</u>   |
|-------------|------------|---|
| 11          | 65         | Mr. and Mrs. Jamie D'Oliveira<br>329 Olney Street<br>Providence, RI 02906                             |
| 11          | 55         | Mr. and Mrs. Charles Means<br>100 Morris Avenue.<br>Providence, RI 02906                              |
| 11          | 24         | Mr. Tim Daly and<br>Ms. Amy Van Nostrand<br>64 Alumni Avenue<br>Providence, RI 02906                  |
| 11          | 24         | Mr. Tim Daly and<br>Ms. Amy Van Nostrand<br>11 South Angell Street<br>Box 303<br>Providence, RI 02906 |

**PETITIONER**

Andrew M. Teitz, Esquire  
Ursillo, Teitz & Ritch, Ltd.  
2 Williams Street  
Providence, RI 02903-2918

Ralph Guglielmino  
Ralph Guglielmino  
City Sergeant 3/20/00

\_\_\_\_\_  
Councilwoman Rita M. Williams  
Ward 2

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 30, 2000

TO: Nancy Derrig, Superintendent of Parks

SUBJECT: **PETITION TO ABANDON A PORTION OF PENNINGTON AVENUE**

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.

*To: Mr. Clement*

*From: J. Luzzo*

**REVISED PETITION**

*No change in the proposed abandonment appraisal dated March 17, 2000 from the Parks Dept*

*Claire Reston*

Second Deputy City Clerk

**IRENE J. TESTA**  
Traffic Engineer

**JOSEPH W. CAPRIO**  
Deputy Director



**VINCENT A. CIANCI, JR.**  
Mayor

Department of Traffic Engineering  
"Building Pride In Providence"

## **MEMORANDUM**

**TO:** Councilman Robert Clarkin  
Chairman, Committee on Public Works

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

**DATE:** 7/10/2000

**RE:** **PROPOSED ABANDONMENTS**

---

**Request:** That a portion of the following streets be abandoned in accordance with said petition from Moses Brown School filed by Andrew M Teitz, Esq.

1. Alumni Avenue
2. Pennington Avenue
3. Whittier Avenue
4. Barnes Street

**Disposition:** No objection.



# PROVIDENCE POLICE DEPARTMENT

Traffic Service

209 Fountain Street, Providence, RI 02903

X 2352

March 22, 2000

To: Colonel Urbano Prignano Jr.

From: Major Richard T. Sullivan

A handwritten signature in black ink, appearing to read "Richard T. Sullivan", is written over the printed name of Major Richard T. Sullivan.

Subject: Abandonment of Streets

Sir:

Attached is a copy of a Memorandum dated March 21, 2000, requesting an abandonment of certain portions of; Alumni Avenue, Pennington Avenue, Whittier Avenue and Barnes Street.

These streets are 'paper streets' and as such are not used by the motoring public, in fact the streets in question can not be accessed by the general public. The streets are part of the Moses Brown Complex and have been for several years.

The Providence Police Department has no objection to the abandonment of these streets.

JAMES F. RATTIGAN  
CHIEF OF DEPARTMENT

DAVID N. BOCK  
ASS'T. CHIEF OF DEPARTMENT



VINCENT A. CIANCI, JR.  
MAYOR

JOHN J. PARTINGTON  
COMMISSIONER

Department of Public Safety, Fire Department  
*"Building Pride In Providence"*

April 4, 2000

The Honorable Robert M. Clarkin  
Chairman  
Committee on Public Works  
Office of the City Clerk  
City Hall  
Providence, Rhode Island 02903

Dear Councilman Clarkin:

With regard to the "Petition to Abandon a Portion of Pennington Avenue" which was received this date (copy attached), please be advised that the Providence Fire Department has no objection to the proposed abandonment.

Sincerely yours,

A handwritten signature in black ink, appearing to read "William T. Giannini". The signature is written in a cursive style with a long horizontal stroke at the end.

WILLIAM T. GIANNINI  
Acting Chief of Department

WTG/rh  
Attachment

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

*"Building Pride In Providence"*

Ferdinand C. Ihenacho, P.E., PTOE  
Director of Public Works  
700 Allens Ave.  
Providence R.I. 02905

April 5, 2000

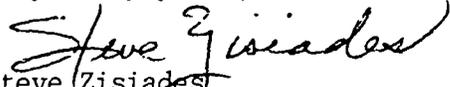
Re: Pennington Ave.-from the corner of Olney St. to Lloyd Ave.  
Whittier Ave.- from the corner of Alumni Ave. to the  
corner of Lloyd Ave.  
Barnes St.-from the corner of Hope St. to the corner of  
Whittier Ave.  
Alumni Ave.-From the corner of Pennington Ave. to the  
corner of Weymouth St.

Director:

Upon extensive research on the status of said streets, the above mentioned locations were never received as City streets. This determination was based on research done at the Engineering Office at D.P.W., Archives, Recorder of Deeds, City Clerks Office and Tax Assessors Office.

More definitively, the Archives supplied me with the most concrete evidence because said locations were in fact listed in a Providence Directory from 1900. This does not merit being a legal document. From this point, we (Mr. John Myers and myself) checked the City Council Resolution books from 1898, 1899 and 1900 and said locations were never passed or received as official City streets. Also note, the Engineering Division also has a received street listing book and said locations were not listed. Based on this evidence there is no justification in proposing abandonments for these alleged streets.

Very truly yours;

  
Steve Zisiades  
Engineering Division

cc: Mr. Robert Clarkin  
Mr. John D'Amico, Esq.  
Mr. G. Florio  
JLC

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*

Match 21, 2000

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

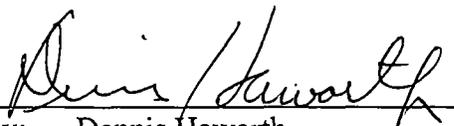
**SUBJECT: Petition to Abandon a Portion of Alumni Avenue**  
(Pennington Avenue to Weymouth Street)

Dear Councilman Clarkin:

The referenced Petition received from the Department of City Clerk proposes to abandon a portion of Alumni Avenue. The area proposed for abandonment, being a "paper" street, runs from the corner of Pennington Avenue to the corner of Weymouth Avenue and is shown "highlighted" on the enclosed Exhibit A.

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 Alumni Avenue, as proposed herein for abandonment, contains no PWSB water mains, services or appurtenances. Therefore, PWSB has no objection to the proposed abandonment and should you have any questions, please contact the undersigned at (401) 521-6300, extension 7228.

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

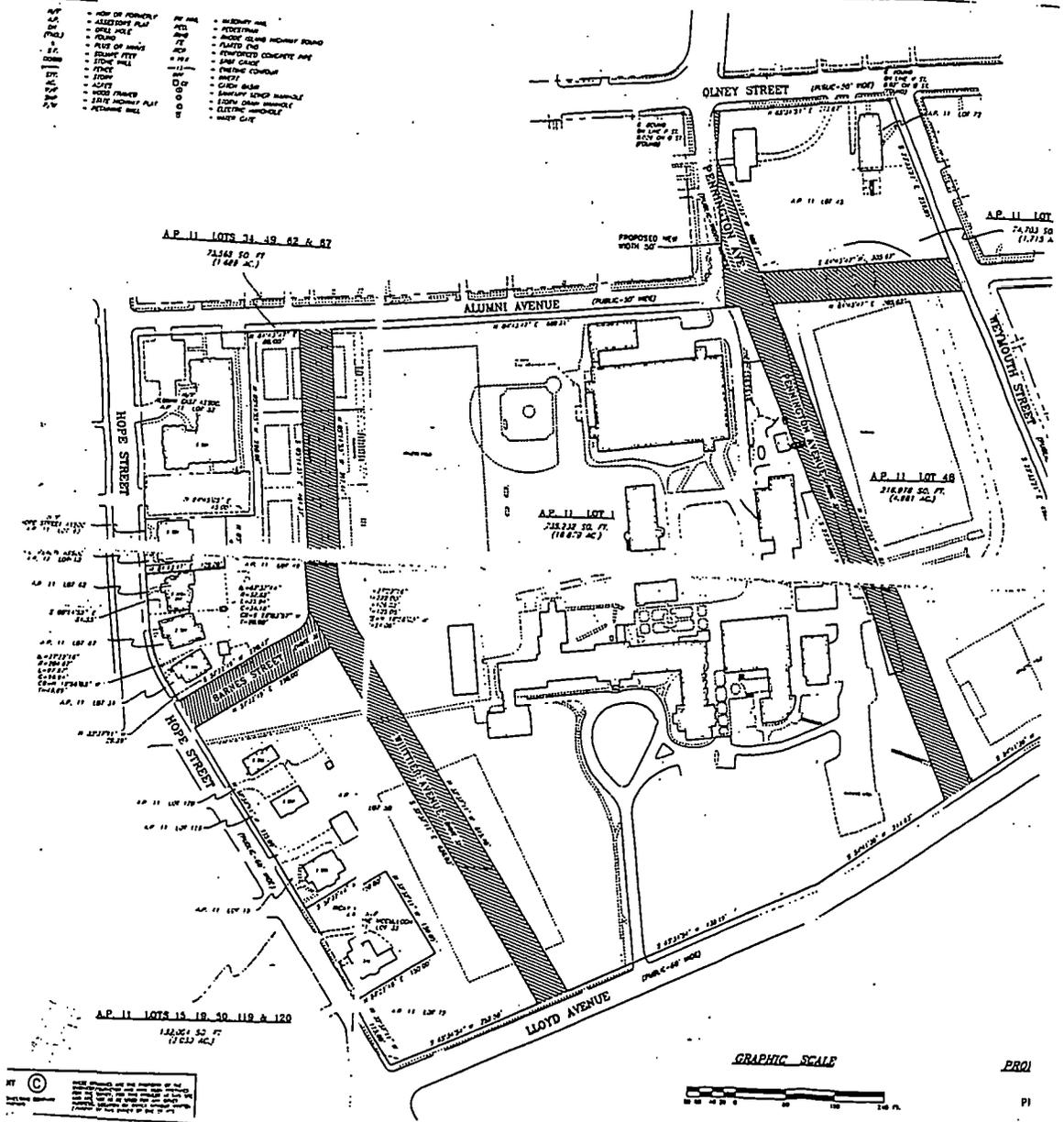
  
By: Dennis Haworth  
Engineering Records Manager

enclosure

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

**LEGEND**

- |     |                       |         |                             |
|-----|-----------------------|---------|-----------------------------|
| APP | = AREA OF PROPOSED    | AP. 111 | = HIGHWAY 111               |
| AS  | = ASBESTOS PILE       | AP. 112 | = POTTERY                   |
| BS  | = BRICK PILE          | AP. 113 | = RICE (OR RICE HONEY COMB) |
| CS  | = CEMENT PILE         | AP. 114 | = PLASTER                   |
| DS  | = DIRT PILE           | AP. 115 | = FERTILIZED CONCRETE PAV   |
| ES  | = EXPOSED REINFORCING | AP. 116 | = SAND                      |
| FS  | = FERTILIZER          | AP. 117 | = FRESH CONCRETE            |
| GS  | = GRAVEL              | AP. 118 | = BRICK                     |
| HS  | = HOUSE               | AP. 119 | = GRASS                     |
| IS  | = IRON                | AP. 120 | = BRICKYARD                 |
| JS  | = JUNK                | AP. 121 | = ELECTRIC WIRE             |
| KS  | = KILN                | AP. 122 | = WATER                     |
| LS  | = LIME                | AP. 123 | =                           |
| MS  | = MUD                 | AP. 124 | =                           |
| NS  | = NAIL                | AP. 125 | =                           |
| OS  | = OIL                 | AP. 126 | =                           |
| PS  | = PAPER               | AP. 127 | =                           |
| QS  | = QUARTZ              | AP. 128 | =                           |
| RS  | = RICE                | AP. 129 | =                           |
| SS  | = SAND                | AP. 130 | =                           |
| TS  | = TILES               | AP. 131 | =                           |
| US  | = URINE               | AP. 132 | =                           |
| VS  | = VARNISH             | AP. 133 | =                           |
| WS  | = WOOD                | AP. 134 | =                           |
| XS  | = X-RAY               | AP. 135 | =                           |
| YS  | = YARN                | AP. 136 | =                           |
| ZS  | = ZINC                | AP. 137 | =                           |



**EXHIBIT A**

NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

March 17, 2000

Mr. Michael Clement  
City Clerk  
City Hall  
Providence, RI 02903

RE: Proposed Abandonment of Alumni Ave., Pennington Ave., Barnes St., & Whittier Ave. All of which are paper streets.

Dear Mr. Clement:

The Department of Public Parks has reviewed the proposed abandonment's of the above mentioned paper streets and have no objection to the abandonment's.

Sincerely yours,

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

John A. Izzo  
Supervisor of Engineering & Planning

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

Right of Way Department



April 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 PENNINGTON AVENUE

Dear Sir:

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

Very truly yours,

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



03/28/00

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 Alumni Ave, Pennington Ave., Whittier Ave and Barnes St. in the Moses Brown School Area, Providence

Dear Ms. Bestwick:

Providence Gas does not own nor maintain any gas mains within the proposed abandonment. There may be service lines servicing the Moses Brown School. These service lines do not require an easement as they are only servicing the school. Therefore, we have no objections to the above-mentioned petition.

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 flourish at the end.

Michael McGuire  
Manager of Engineering Design & Facility Locating



# RESOLUTION OF THE CITY COUNCIL

No. 497

Approved August 11, 2000

RESOLVED, DECREED, AND ORDERED:

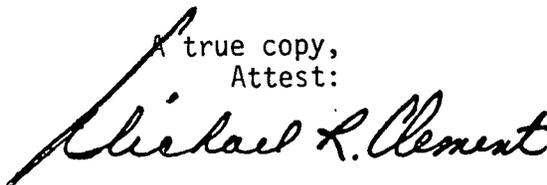
That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064650 dated March 28, 2000."

VIZ: Pennington Avenue (portion of) extending from the corner of Olney Street to the corner of Lloyd Avenue as shown as a cross-hatched area on the accompanying plan and designated by the letters C-D-E-F-G-H-I-J-K-L-C, 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:

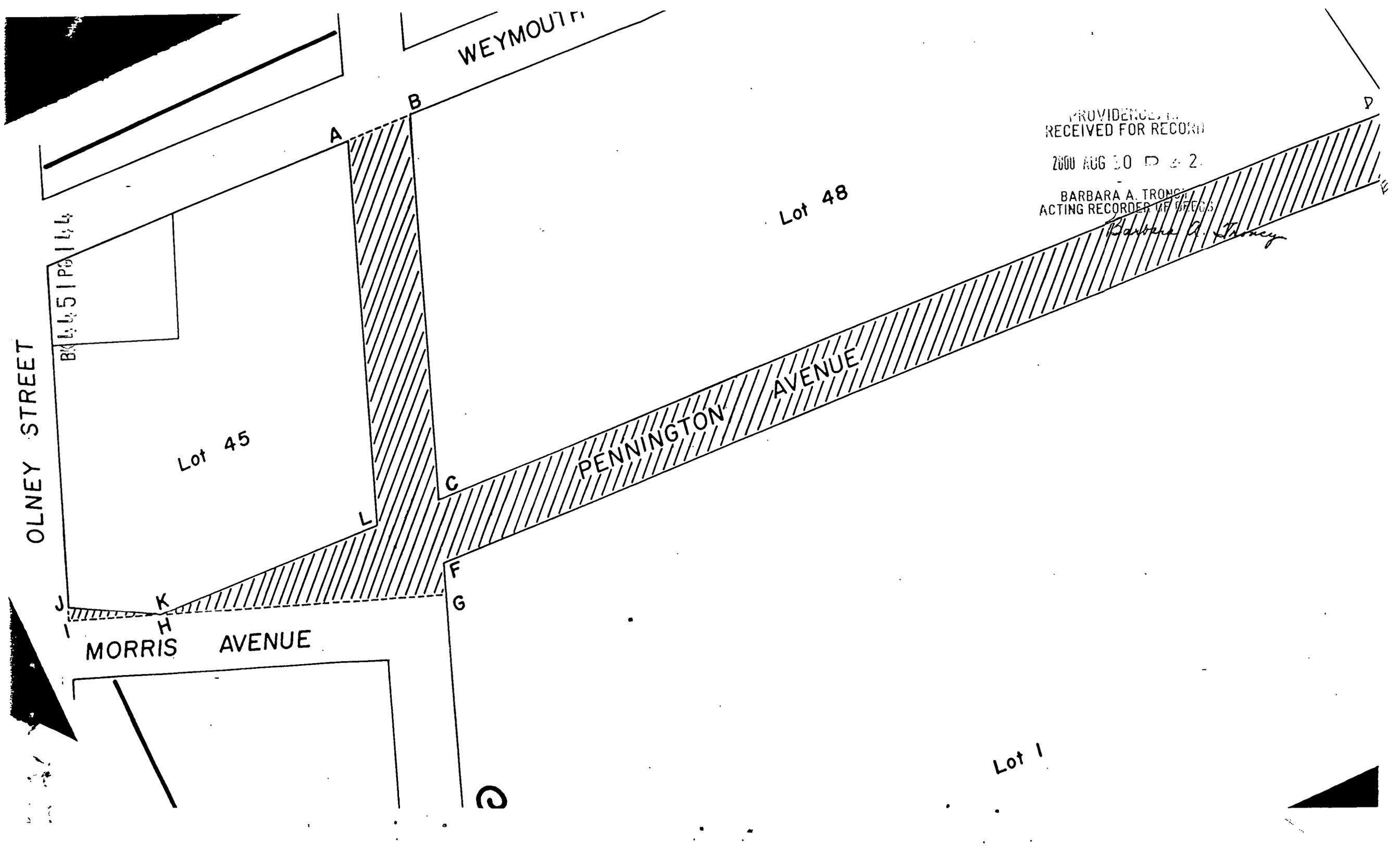
ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

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.

A true copy,  
Attest:



Michael R. Clement  
City Clerk



WEYMOUTH

PROVIDENCE, R.I.  
RECEIVED FOR RECORD

2000 AUG 30 P 2

BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

*Barbara A. Troncy*

Lot 48

Lot 45

PENNINGTON AVENUE

OLNEY STREET

MORRIS AVENUE

Lot 1

BK 4, 5 | P 144

A

B

C

D

L

F

G

Q

J

K

H

4451-143-144

PROVIDENCE, R.I.  
RECEIVED FOR RECORD  
2000 AUG 30 10 20  
BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

76024