

RESOLUTION OF THE CITY COUNCIL

No. 674

Approved December 20, 2002

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. 064703 dated December 21, 2002."

VIZ: Fones Alley (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 seventy-two thousand (\$72,000.00) dollars in legal tender U.S. currency 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.

4. No permanent obstructions of any kind shall be erected on the abandoned premises, nor shall parking for motor vehicles be allowed; and, further, appropriate markings shall be made to preserve a fire lane available twenty-four (24) hours per day and seven (7) days per week. Said conditions shall be in accordance with the communication of Marshal David A. Costa, attached hereto as Attachment "B."

Petitioner shall at its own expense convey any easements necessary so as to retain undisturbed existing public utility services.

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

IN CITY COUNCIL
DEC 6 2001
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Clagout
CLERK
ams

THE COMMITTEE ON
P. Works
Recomm. settled - P. Hearing
Feb 6, 2002
CLERK

THE COMMITTEE ON
Public Works
Recomm. P. Hearing held
Barbara D. Poemei
3/7/02
CLERK

THE COMMITTEE ON
Public Works
Recomm. P. Hearing held
Ann M. Stetson
10-3-02
CLERK

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Ann M. Stetson
11-7-02
Clerk

From the Clerk's Desk

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
DEC 19 2002
READ AND PASSED
Robert A. Gonyea
PRES.
Richard A. Clement
CLERK

John J. Lombardi
APPROVED
John J. Lombardi
DEC 20 2002
MAYOR

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

December 20 , 2001

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

Dear Councilman Clarkin:

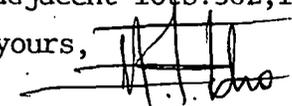
Re: Petition of R.I. School of Design to Abandon
a Portion of Fones Alley

This Department has no objection to the above-referenced abandonment of Fones Alley (por), in conjunction with the accompanying plan entitled " Providence, R.I., P.W. Dept., Engineering Office, Street Line Section, Plan No. 064703 , Date: Dec: 21 , 2001.

Area of FONES ALLEY to be abandoned is noted as A - B - C - D - A , on the accompanying plan, as cross-hatched area. There is NO SEWER EASEMENT to be required in conjunction with this proposed abandonment. Total Square Footage is 2,400.00 Sq.Ft. Note that Lot Numbers for this plan were taken from City of Providence Assessor's Plat: 12.

A copy of abutting property owners affected by this abandonment is attached hereto for your perusal. If we can further assist in this regard, please advise. (See "Exhibit which denoted R.I. School of Design as the owner/abutter of adjacent lots: 302, 153, 152 & 144)

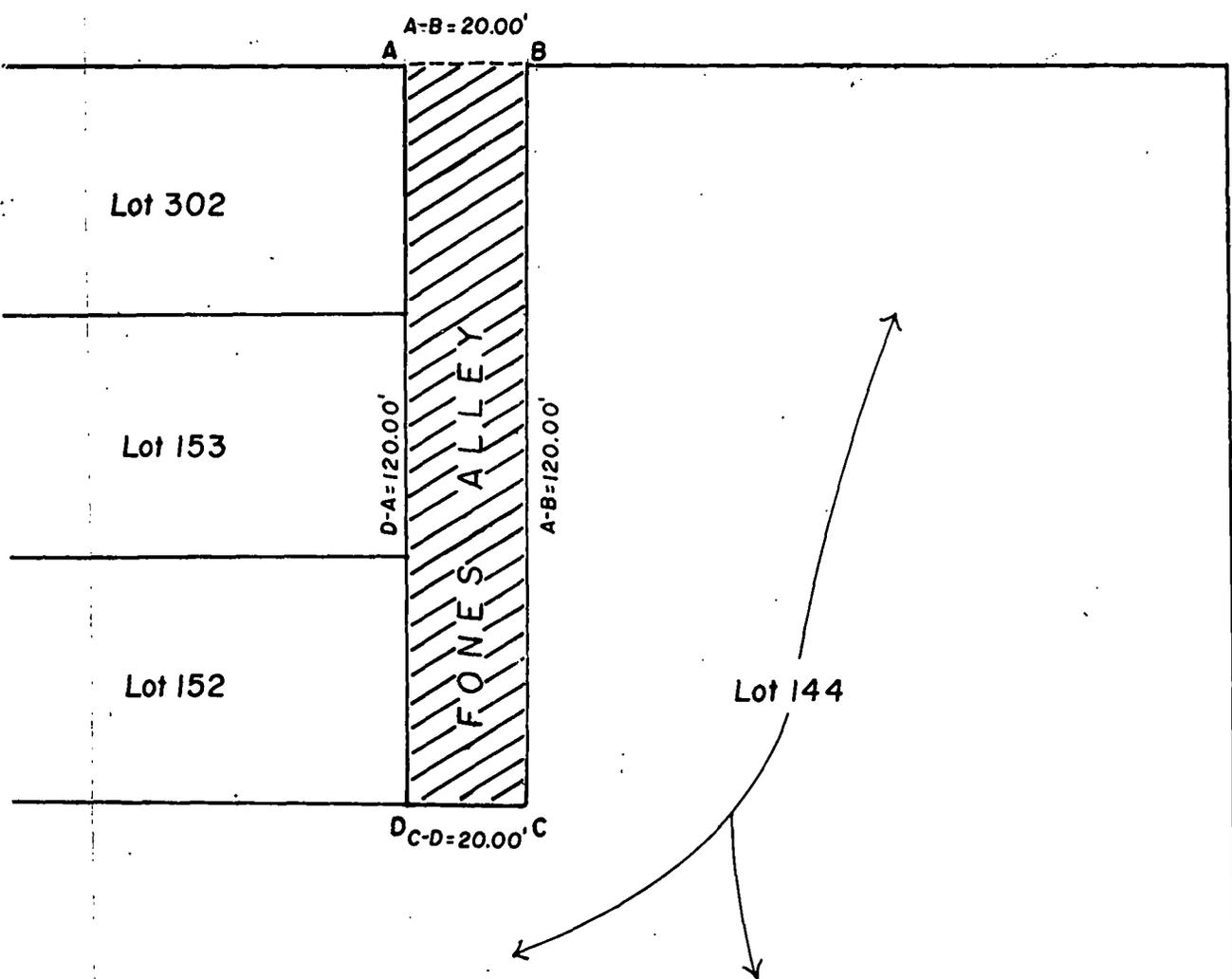
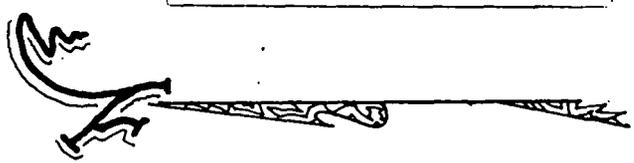
Very truly yours,


Ferdinand C. Ihenacho, P.E.
Director

CC: M. Clement - City Clerk
J.D'Amico, Esq. - City Atty.
G. Florio
JLC
SZ

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No 064703
 Date Dec. 21, 2001

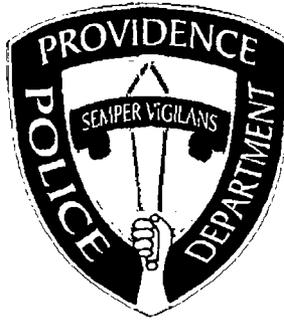
P R O S P E C T S T.



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
 Total square footage = 2,400.00'
 No sewer easement required.

Lot numbers taken from A.P. 12.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of
Fones Alley (portion of)
 Drawn by A. Zisiades Checked by JEC
 Scale 1" = 30' Date 12-21-2001
 Correct James R. Mousa Associate Engr.
 Approved [Signature] CHIEF ENGINEER



PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU

Lieutenant Timothy Lee, Commanding

December 20, 2001

TO: Colonel Richard Sullivan, Chief of Police

FROM: Lieutenant Timothy Lee, Commanding Traffic Bureau

SUBJECT: Street Abandonment

Dear Sir,

I would not recommend the abandonment of Fones Alley. The portion to be considered is an access route and other properties may have a vested interest in using that route. The Fire Department may also have an interest in the access of that area.

Respectfully Submitted,

Lt. Timothy M. Lee
Lt. Timothy Lee

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 10, 2001

TO: Colonel Richard T. Sullivan, Chief of Police

SUBJECT: **PETITION TO ABANDON A PORTION OF
FONES ALLEY**

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.

Claire E. Bestard
Second Deputy City Clerk

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

PETITION FOR ABANDONMENT
OF A PORTION OF FONES ALLEY

RHODE ISLAND SCHOOL OF DESIGN, having a principal place of business in the City of Providence, State of Rhode Island brings this petition and respectfully represents as follows:

FIRST: Your petitioner is the record owner of land abutting upon the: **northerly, southerly, and westerly** side of that portion of Fones Alley in the City of Providence which is outlined in bold on the plan hereto attached, said portion of Fones Alley to be abandoned being hereinafter referred to as the "Fones Alley Premises." The Fones Alley Premises are bounded and described as follows:

KNOW ALL MEN BY THESE PRESENTS,

THAT the CITY OF PROVIDENCE, a municipal corporation existing under the laws of the State of Rhode Island, in consideration of the sum of SEVENTY-FIVE DOLLARS (\$75.00) to it paid by the RHODE ISLAND SCHOOL OF DESIGN, an educational corporation existing under the laws of said State, hereinafter called the grantee, the receipt of whereof is hereby acknowledged, does hereby remise, release and forever quitclaim unto said grantee, its successors and assigns forever, but without covenants, express or implied,

That parcel of land situated in said Providence and being that portion of Fones Alley lately abandoned by said City for highway purposes bounded and described as follows:

Beginning at a point in the westerly line of Prospect Street, said point being a distance of one hundred sixteen and twenty nine hundredths (116.29') feet southerly along the said westerly line of Prospect Street from the intersection of the southerly line of Angell Street with the said westerly line of Prospect Street;

Thence westerly along the northerly line of said Fones Alley, as formerly existing, a distance of one hundred twenty and zero hundredths (120.00') feet to a point for a corner;

Thence southerly along the westerly terminus of Fones Alley, as formerly existing, a distance of twenty and zero hundredths (20.00') feet to a point for a corner;

Thence easterly along the southerly line of said Fones Alley, as formerly existing, a distance of one hundred twenty and zero hundredths (120.00') feet to the said westerly line of Prospect Street for a point for a corner;

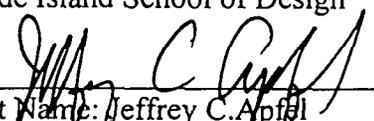
Thence northerly along the said westerly line of Prospect Street and also being the terminus of said Fones Alley, as formerly existing, a distance of twenty and five hundredths (20.05') feet to the point and place of beginning.

Meaning and intending to abandon a portion of Fones Alley from Prospect Street 120' to land of Rhode Island School of Design containing 2400 square feet.

SECOND: The Fones Alley Premises are of no use to the public as a highway or driftway.

WHEREFORE your petitioner files this petition and prays that this Honorable Council, pursuant to the authority vested in it by Chapter 24-6 of the General Laws of Rhode Island of 1956, as amended, declare the Fones Alley Premises to have ceased to be useful to the public and enter and order abandoning the same as a public highway or driftway.

Rhode Island School of Design

By: 

Print Name: Jeffrey C. Apfel

Print Title: Executive Vice President Finance and Administration



FONES ALLEY

PROSPECT STREET

ANGELL STREET

118.28'

20.05'

118.28'

LOT 302 A.P12
N/F
RHODE ISLAND SCHOOL OF DESIGN

LOT 153 A.P12
N/F
RHODE ISLAND SCHOOL OF DESIGN

LOT 152 A.P12
N/F
RHODE ISLAND SCHOOL OF DESIGN
118.28'

120.00'

120.00'

FONES ALLEY
(TO BE ABANDONED)

21.05'

WATERMAN STREET

UDM LandSciences
Survey Services

203 South Main Street
Courtyard
Providence, RI

LOT 144 A.P12
N/F
RHODE ISLAND SCHOOL OF DESIGN

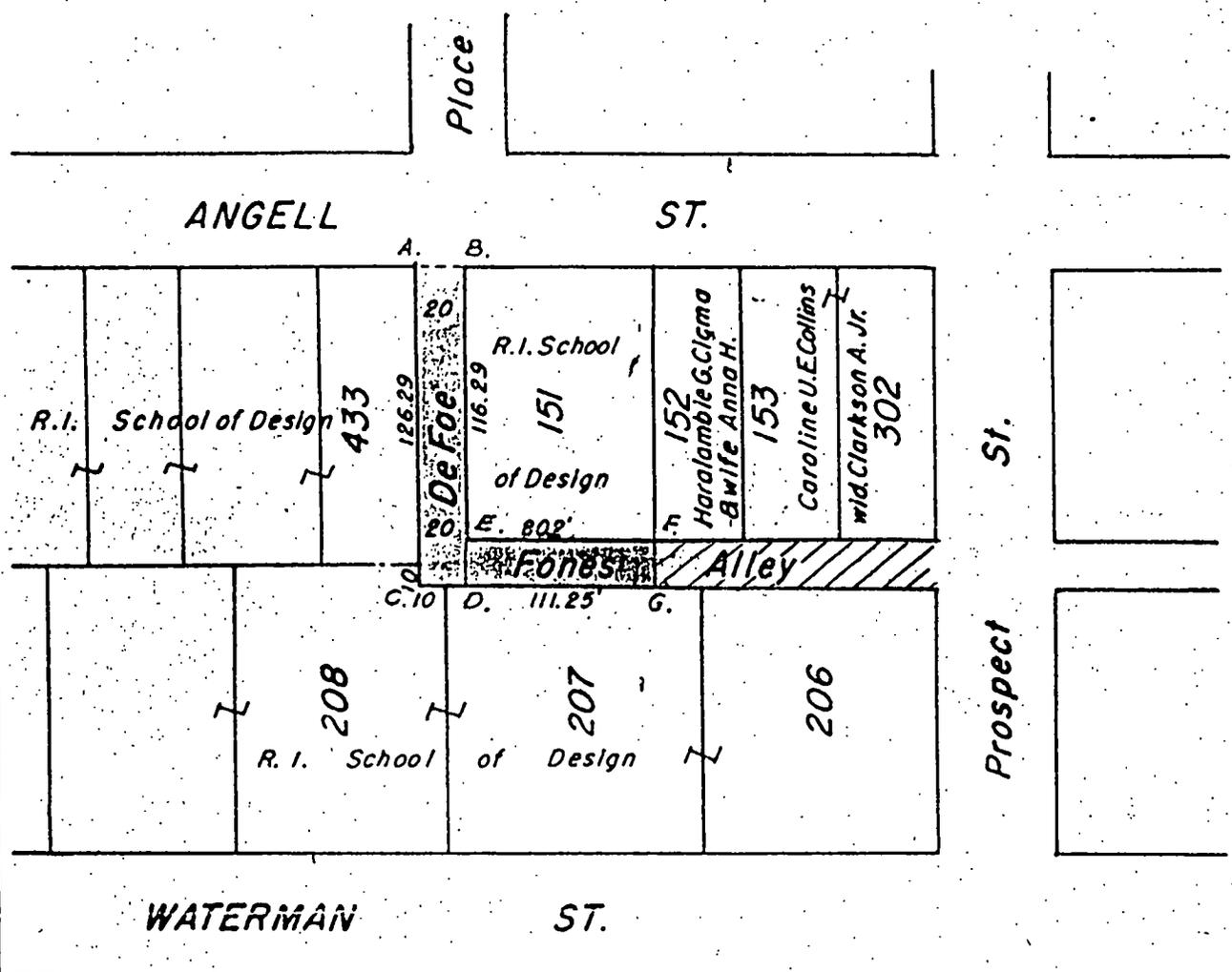
PROPOSED ABANDONMENT
OF
FONES ALLEY
FOR
RHODE ISLAND SCHOOL OF DESIGN
PROVIDENCE, RHODE ISLAND

Ass. Plat 12 - 9/7/56



PROVIDENCE, R. I.
 PUBLIC WORKS DEPT. ENGINEERING OFFICE
 CITY PROPERTY SECTION
 Plan No. 061477
 Date July 17, 1956.

Shaded area to be abandoned.



CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Abandonment
 Drawn by E.A.K. Checked by W.L.B.
 Scale 1" = 80' Date 7-17-56
 Corrected by William T. Fogarty Associate Engr.
 Approved by [Signature] CHIEF ENGINEER

Assessor's Plat 12.

James F. Rattigan
Chief of Department

David D. Costa
Fire Marshal

John J. Lombardi
Mayor

John J. Partington
Commissioner

PROVIDENCE FIRE PREVENTION BUREAU
"Smoke Detectors Save Lives"

October 3, 2002

Chairwoman Rita M. Williams
Committee on Public Works
City Hall
Providence, RI 02903

Re: Petition to Abandon a Portion of Fones Alley

Dear Councilwoman Williams,

After review of the proposal to abandon a portion of Fones Alley (see attached), the Fire Department has no objection provided no parking is allowed in the alley and signs are posted designating the alley as a fire lane. Additionally, no permanent barriers can be constructed along Fones Alley that would prevent access for fire department vehicles.

David D. Costa
Fire Marshal

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: September 4, 2002

TO: James Rattigan, Chief, Fire Department

SUBJECT: **PETITION TO ABANDON A PORTION OF
FONES ALLEY**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilwoman Rita M. Williams, Chairwoman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical in order that this matter can be placed on the next agenda.

SECOND NOTICE

Anna M. Stetson
Second Deputy City Clerk

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

**PETITION FOR ABANDONMENT
OF A PORTION OF FONES ALLEY**

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That parcel of land situated in said Providence and being that portion of Fones Alley lately abandoned by said City for highway purposes bounded and described as follows:

Beginning at a point in the westerly line of Prospect Street, said point being a distance of one hundred sixteen and twenty nine hundredths (116.29') feet southerly along the said westerly line of Prospect Street from the intersection of the southerly line of Angell Street with the said westerly line of Prospect Street;

Thence westerly along the northerly line of said Fones Alley, as formerly existing, a distance of one hundred twenty and zero hundredths (120.00') feet to a point for a corner;

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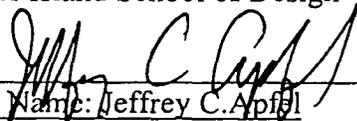
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Meaning and intending to abandon a portion of Fones Alley from Prospect Street 120' to land of Rhode Island School of Design containing 2400 square feet.

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WHEREFORE your petitioner files this petition and prays that this Honorable Council, pursuant to the authority vested in it by Chapter 24-6 of the General Laws of Rhode Island of 1956, as amended, declare the Fones Alley Premises to have ceased to be useful to the public and enter and order abandoning the same as a public highway or driftway.

Rhode Island School of Design

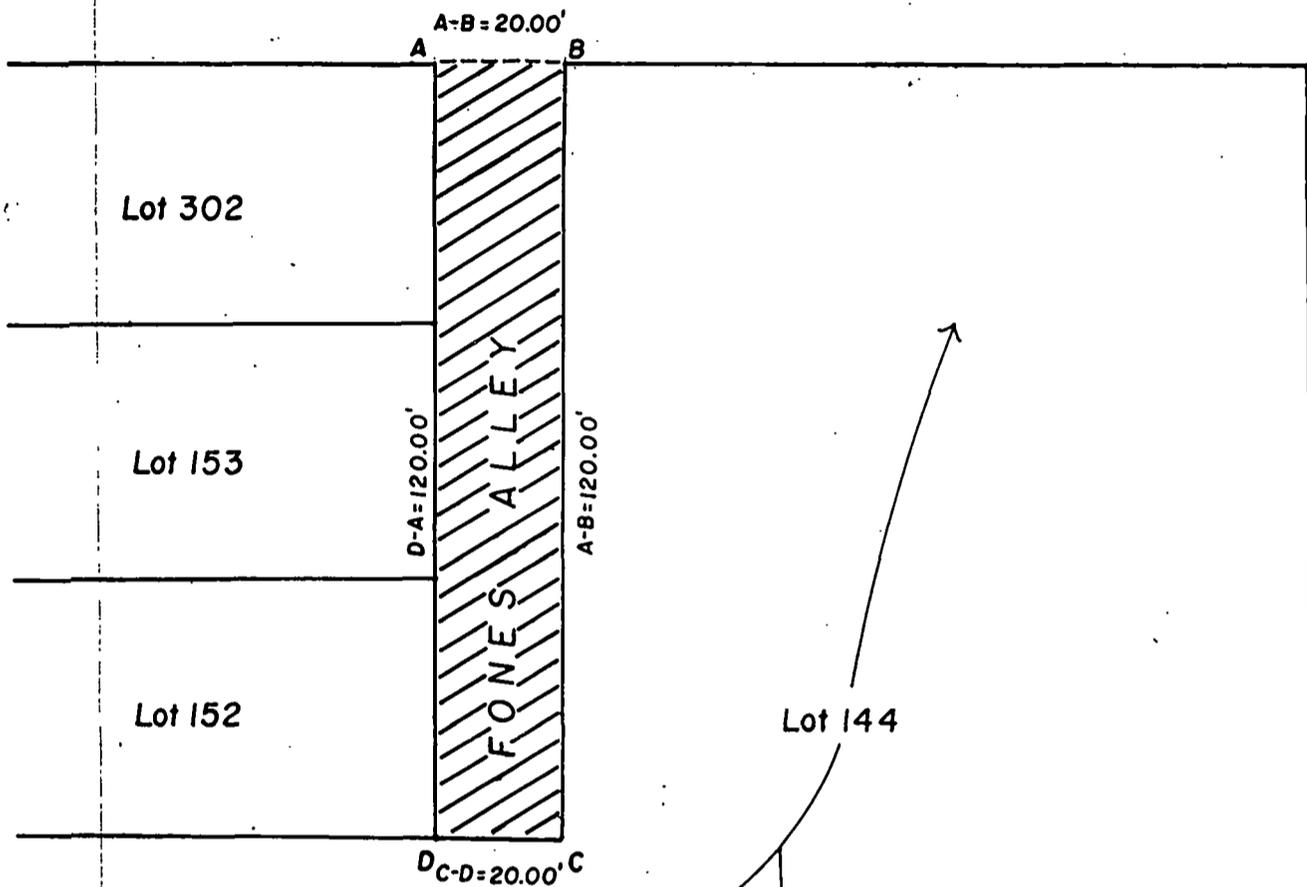
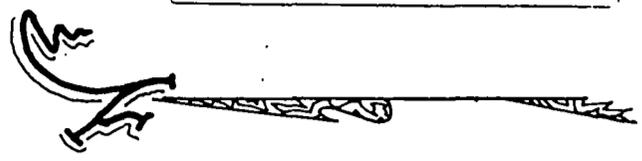
By: 

Print Name: Jeffrey C. Apple

Print Title: Executive Vice President Finance and Administration

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No 064703
 Date Dec. 21, 2001

P R O S P E C T S T.



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
 Total square footage = 2,400.00'
 No sewer easement required.

Lot numbers taken from A.P. 12.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of
Fones Alley (portion of)
 Drawn by A. Zisiades Checked by gpc
 Scale 1" = 30' Date 12-21-2001
 Correct James R. Mousa Associate Engr.
 Approved [Signature] CHIEF ENGINEER

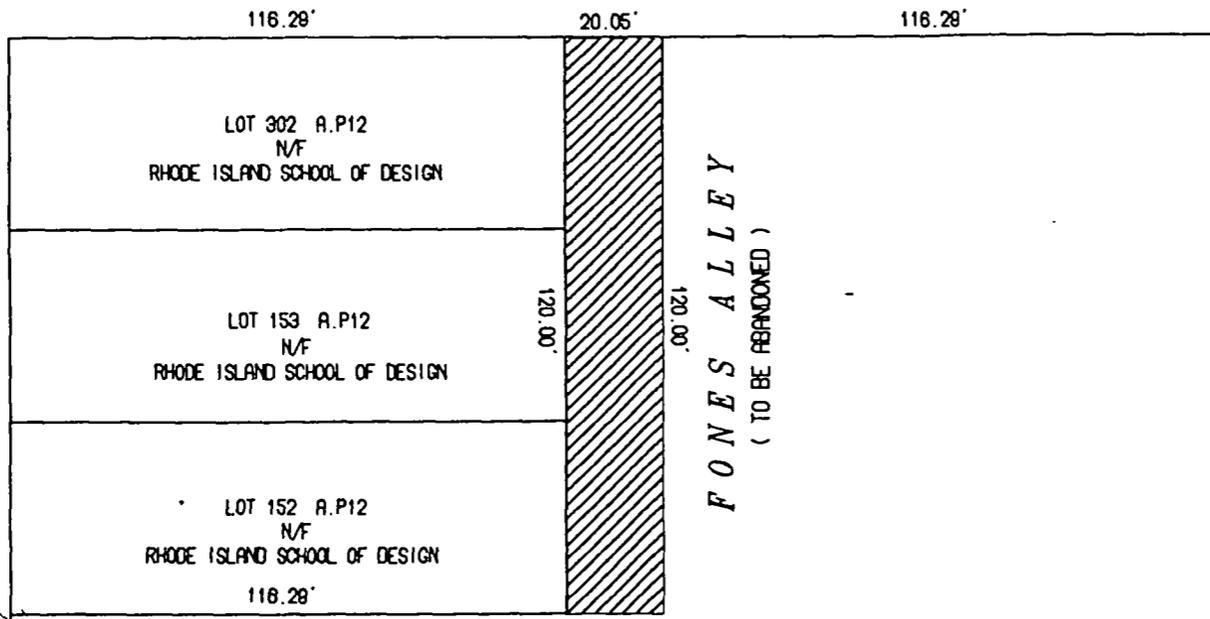


FONES ALLEY

PROSPECT STREET

ANGELL STREET

WATERMAN STREET



FONES ALLEY
(TO BE ABANDONED)

LOT 144 A.P12
N/F
RHODE ISLAND SCHOOL OF DESIGN

PROPOSED ABANDONMENT
OF
FONES ALLEY
FOR

RHODE ISLAND SCHOOL OF DESIGN
PROVIDENCE, RHODE ISLAND

UDM LandSciences
Survey Services

203 South Main Street
Courtyard
Providence, RI

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

CARISSA R. RICHARD
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

ALEXANDER D. PRIGNANO
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

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

JOSEPH DE LUCA
City Councilman

RITA M. WILLIAMS
City Councilwoman

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

March 6, 2002

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

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

Dear Councilman Clarkin:

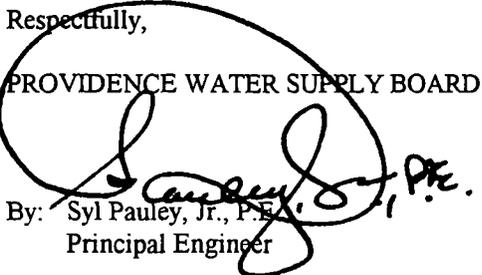
The referenced Petition to the City Council, which relates to the abandonment of a portion of the Fones Alley right-of-way, west of Prospect Street, has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records indicate that an 8-inch water main is located within the right-of-way of the portion of street proposed for abandonment. Also, there are water services present, therein, serving buildings owned and operated by Rhode Island School of Design.

Providence water does not oppose this street abandonment provided that the Petitioner prepares a utility easement acceptable to PW (and record the same, thereafter, in City of Providence Land Evidence Records) for the operation and maintenance of its infrastructure within the former street right-of-way—including unrestricted 24-hour access to the same.

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
F. Flori, Petitioner
File

ABNLTR57.WPD

www.provwater.com

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

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

December 12, 2001

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

RE: Abandonment of a Portion of Fones Alley:

The Department of Public Parks has reviewed the proposed abandonment of the above mentioned street, and has no objection to the proposed abandonment.

Sincerely yours,

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

John A. Izzo
Supervisor of Engineering & Planning

IRENE J. TESTA
Traffic Engineer

JOSEPH W. CAPRIO
Deputy Director



JOHN J. LOMBARDI
Mayor

Department of Traffic Engineering
"Building Pride In Providence"

MEMORANDUM

TO: Councilwoman Rita Williams
Chairwoman, Committee on Public Works

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

DATE: 10/22/02

RE: PENDING MATTER

Request: To abandon a portion OF Fones Alley.

Disposition: No objection.

HENRY E. KATES
Chairman

LESLIE A. GARDNER
Vice Chairwoman

ROBERT H. MONTECALVO
JOSE V. MONTEIRO
MICHAEL A. SOLOMON
Members

RONALD W. ALLEN
LUIS A. APONTE
Councilmen

JOHN F. PALMIERI
Executive Director

SAMUEL J. SHAMOON
Secretary



VINCENT A. CIANCI, JR.
Mayor

PROVIDENCE REDEVELOPMENT AGENCY

"Building Pride in Providence"

MEMORANDUM

DATE: February 12, 2002

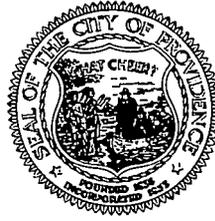
TO : Michael Clement, City Clerk

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

RE : FONES ALLEY STREET ABANDONMENT

Pursuant to your request I have visited the site referenced above to determine Fair Market Value of the parcels.. The parcel is located in the heart of the Thayer St. Business District and is presently zoned R-1. There are no sewer easements required and therefore would allow for full use. The parcel contains 2,400 sq. ft. The value is as follows:

2,400 sq. ft. @ \$30.00 per ft = \$72,000.00



PROVIDENCE CITY PLAN COMMISSION

"Planning The Future of Providence"

February 21, 2002

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

Attn: Claire E. Bestwick, Second Deputy City Clerk

Re: CPC REFERRAL NO. 3191: Proposed Abandonment of a portion of Fones Alley

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, February 19, 2002 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 Fones Alley.

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.*

This street abandonment is not inconsistent with the public interest. It will provide convenient access to properties, and, as this street is a dead-end, there will be no adverse impact on traffic patterns.

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 from this abandonment are anticipated.

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

The petitioner abuts both sides of this right-of-way.

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.*

It is not known whether public services or facilities need to be protected, provided, or maintained within the right-of-way. The petitioner would need to grant easements if necessary.

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 and plan have been provided. This proposal is consistent with the Zoning Ordinance and Comprehensive Plan.

The Commission voted to recommend to the Committee on Public Works that it approve the subject abandonment with the condition that any necessary easements be granted.

Sincerely,



Samuel J. Shamoon
Associate Director of Planning

cc: Fran Gast for the Petitioner

Narragansett Electric

A National Grid Company



August 30, 2001

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

Re: Petition to Abandon a Portion of Fones Alley

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has underground facilities situated in the area of Stetson Street proposed for abandonment.

NECO has no objection to the abandonment provided that, in the event, the street is abandoned, an easement, approved by NECO, for our facilities is granted to NECO.

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

January 2, 2002

Claire Bestwick
2nd Deputy/City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Ms. Claire Bestwick

RE: PETITION TO ABANDON A PORTION OF FONES ALLEY.

Upon investigation it has been determined that Verizon ~~has facilities in the portion of Fones Alley to be~~ abandoned.

These facilities include poles, an anchor and cables that provide service to residents and businesses in the area.

~~Verizon will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.~~

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

Very truly yours,

A handwritten signature in cursive script that reads "Pam Jarvela".

Pam Jarvela
Right of Way

ProvGas

A ProvEnergy Company



12/12/01

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

Re: **Easement required for the Abandonment of Fones Alley, Providence**

Ms. Bestwick:

We own and maintain gas facilities on Fones Alley in the area that is
proposed to be abandoned. We will require an easement to allow us to own, operate,
maintain and replace our facilities.

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

Sincerely,

Michael McGuire
Manager of Engineering Design & Facility Locating

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

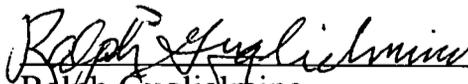
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF FONES ALLEY

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
12	302	Rhode Island School of Design Two College Street Providence, RI 02903
12	153	Rhode Island School of Design Two College Street Providence, RI 02903
12	152	Rhode Island School of Design Two College Street Providence, RI 02903
12	144	Rhode Island School of Design Two College Street Providence, RI 02903

PETITIONER

Frances M. Gast
Associate Vice-President
Campus Services
Rhode Island School of Design
Two College Street
Providence, RI 02903



Ralph Guglielmino
City Sergeant 10/16/02

Ward 1

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**RESOLUTION OF THE CITY COUNCIL***No.* 674*Approved* December 20, 2002

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. 064703 dated December 21, 2002."

VIZ: Fones Alley (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 seventy-two thousand (\$72,000.00) dollars in legal tender U.S. currency 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.

4. No permanent obstructions of any kind shall be erected on the abandoned premises, nor shall parking for motor vehicles be allowed; and, further, appropriate markings shall be made to preserve a fire lane available twenty-four (24) hours per day and seven (7) days per week. Said conditions shall be in accordance with the communication of Marshal David A. Costa, attached hereto as Attachment "B."

Petitioner shall at its own expense convey any easements necessary so as to retain undisturbed existing public utility services.

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
DEC 19 2002
READ AND PASSED

Robert A. Gonyea
PRES.
Michael R. Clement
CLERK

APPROVED

John Lombardi
John Lombardi
DEC 20 2002
MAYOR

A true copy
Attest:
Michael R. Clement
Michael R. Clement
City Clerk

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

December 20 , 2001

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

Dear Councilman Clarkin:

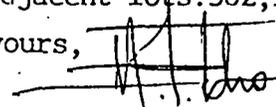
Re: Petition of R.I. School of Design to Abandon
 a Portion of Fones Alley

This Department has no objection to the above-referenced abandonment of Fones Alley (por), in conjunction with the accompanying plan entitled " Providence, R.I., P.W. Dept., Engineering Office, Street Line Section, Plan No.064703 , Date:Dec. 21 , 2001.

Area of FONES ALLEY to be abandoned is noted as A - B - C - D - A , on the accompanying plan, as cross-hatched area. There is NO SEWER EASEMENT to be required in conjunction with this proposed abandonment. Total Square Footage is 2,400.00 Sq.Ft. Note that Lot Numbers for this plan were taken from City of Providence Assessor's Plat: 12.

A copy of abutting property owners affected by this abandonment is attached hereto for your perusal. If we can further assist in this regard, please advise. (See "Exhibit which denoted R.I. School of Design as the owner/abutter of adjacent lots:302,153,152 & 144)

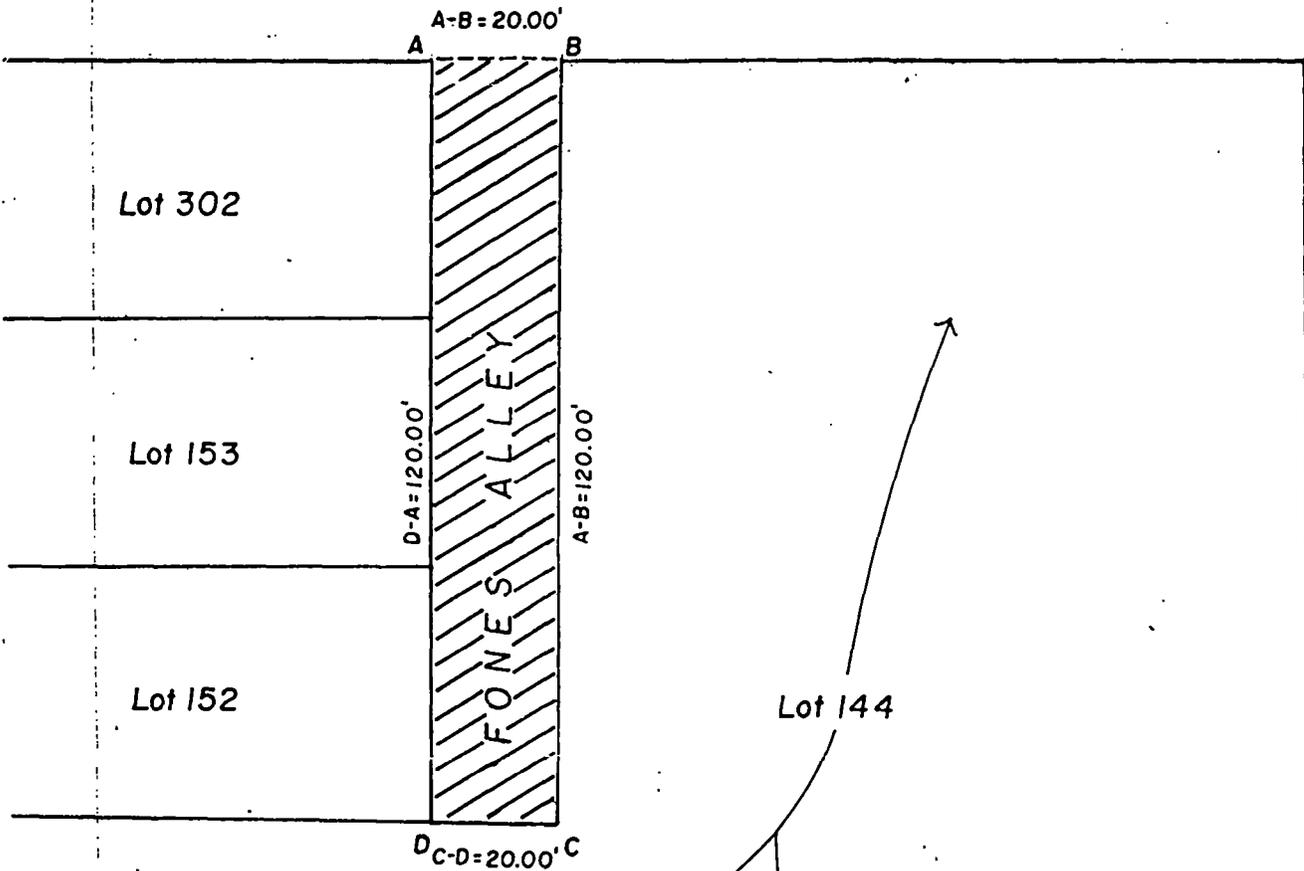
Very truly yours,


 Ferdinand C. Ihenacho, P.E.
 Director

CC: M. Clement - City Clerk
 J.D'Amico, Esq.-City Atty.
 G. Florio
 JLC
 SZ

PROVIDENCE, R. I.
P. W. DEPT. • ENGINEERING OFFICE
STREET LINE SECTION
Plan No 064703
Date Dec. 21, 2001

P R O S P E C T S T.



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
Total square footage = 2,400.00'
No sewer easement required.

Lot numbers taken from A.P. 12.

PROVIDENCE, RI
RECEIVED FOR RECORD
2003 JAN 10 P 3:06
BARBARA A. TRONCY
ACTING RECORDER OF DEEDS

Barbara A. Troncy
Acting Recorder of Deeds

CITY OF PROVIDENCE, R. I.
Public Works Dept. • Engineering Office
Showing proposed abandonment of
Fones Alley (portion of)
Drawn by A. Zisiades Checked by JLC
Scale 1" = 30' Date 12-21-2001
Correct James A. M... Associate Engr.
Approved [Signature] CHIEF ENGINEER

5530/101 101

PROVIDENCE, RI
RECEIVED FOR RECORD

2003 JAN 10 P 3:06

BARBARA A. TRONCY
ACTING RECORDER OF DEEDS

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2909