

# RESOLUTION OF THE CITY COUNCIL

*No.* 294

*Approved* June 25, 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. 064765 dated June 11, 2004.

VIZ:

HASWELL STREET, intersecting with Eddy Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-E-F), 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 value of the abandoned street was determined to be Forty-eight Thousand and Six Hundred and Seventy-six Dollars (\$48,676.00), but given the public benefits to the Meeting Street School project being constructed on adjacent properties, which include (a) setting back the school by an additional ten feet off Eddy Street to allow for any future street expansion; (b) creation of a youth soccer/football field to be used by the City during non-school hours under the guidance of the Parks Department; and (c) Meeting Street's agreement to create and take responsibility for a green buffer zone to provide a nice entry point for those entering South Providence, the Public Works Committee voted to accept the in-kind contributions in lieu of the appraised value.

(2) Petitioner shall grant an easement in favor of Narragansett Electric Company, permitting the 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 to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

**IN CITY COUNCIL**  
**FIRST READING**  
**REFERRED TO COMMITTEE ON**  
**PUBLIC WORKS**

CLERK

**THE COMMITTEE ON**  
*Public Works*  
**Recommends**

*Ann M. Stebn*  
**CLERK**

*5-13-04* *Schedule P. Hwy*  
*6-23-04* *Pittsburgh*  
*10-4-04* *Con &*  
*7-7-05* *Con &*

**THE COMMITTEE ON**  
**PUBLIC WORKS**  
**Approves Passage of**  
**The Within Resolution**

*Ann M. Stebn*  
*6-2-05* **Clerk**

(3) Petitioner shall pay all costs associated with physically severing the Haswell Street water main from the surrounding Providence Water Supply Board's water distribution system, allowing the pipeline to be abandoned in place.

(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.

(5) Such other conditions as the Mayor or the Law Department shall see fit to impose.

And it is further

ORDERED, That the Traffic Engineer be and 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 16 2005  
READ AND PASSED ACTING

*Josephine DeFuzzo*  
PRES.

*Claire E. Burtner*  
CLERK  
*acting*

APPROVED

*J. M. C.* 6/25/05

MAYOR

MAKRAM H. MEGALLI, P. E.  
Director



DAVID N. CICILLINE  
Mayor

## Department of Public Works

*"Building Pride in Providence"*

June 15, 2004

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

**RE: Proposed Abandonment of Haswell Street**

Dear Councilman Hassett:

This department has no objection to the proposed abandonment of Haswell Street in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064765-Date: June 11, 2004.

Haswell Street is to be abandoned from Eddy Street to the end is shown as cross-hatched area on the accompanying plan. Area of Haswell Street is designated as A-B-C-D-E-F-A, on the accompanying plan.

Total square footage for this abandonment is 4,868± square feet. Lot number for aforementioned plan were taken from City of Providence Assessor's Plat#47. 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,

*for*   
Makram H. Megalli, P.E.  
Director

Cc: M. Clement – City Clerk  
BB, GF, JLC, SZ-DPW  
A. Southgate, Esq. – Law Dept.  
T. Deller - Planning  
J. Gelatin - Tax Assessor

**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

**ABANDONMENT OF HASWELL STREET**

**PETITION TO CITY COUNCIL**

As you may be aware, Meeting Street, in conjunction with Saccoccio & Associates, Inc., is constructing a 73,000 square foot school at Thurbers Avenue and Eddy Street (Plats 54 and 55, numerous lots owned by Meeting Street).

Meeting Street respectfully requests that Haswell Street be abandoned in its entirety as we own all of the surrounding parcels. Abandonment of Haswell Street will enable Meeting Street to construct its facility and campus in the best manner possible.

Petition to abandon Haswell Street in its entirety  
Saccoccio & Associates, Inc.  
MSC Realty Inc.  
Check #001683  
\$75.00

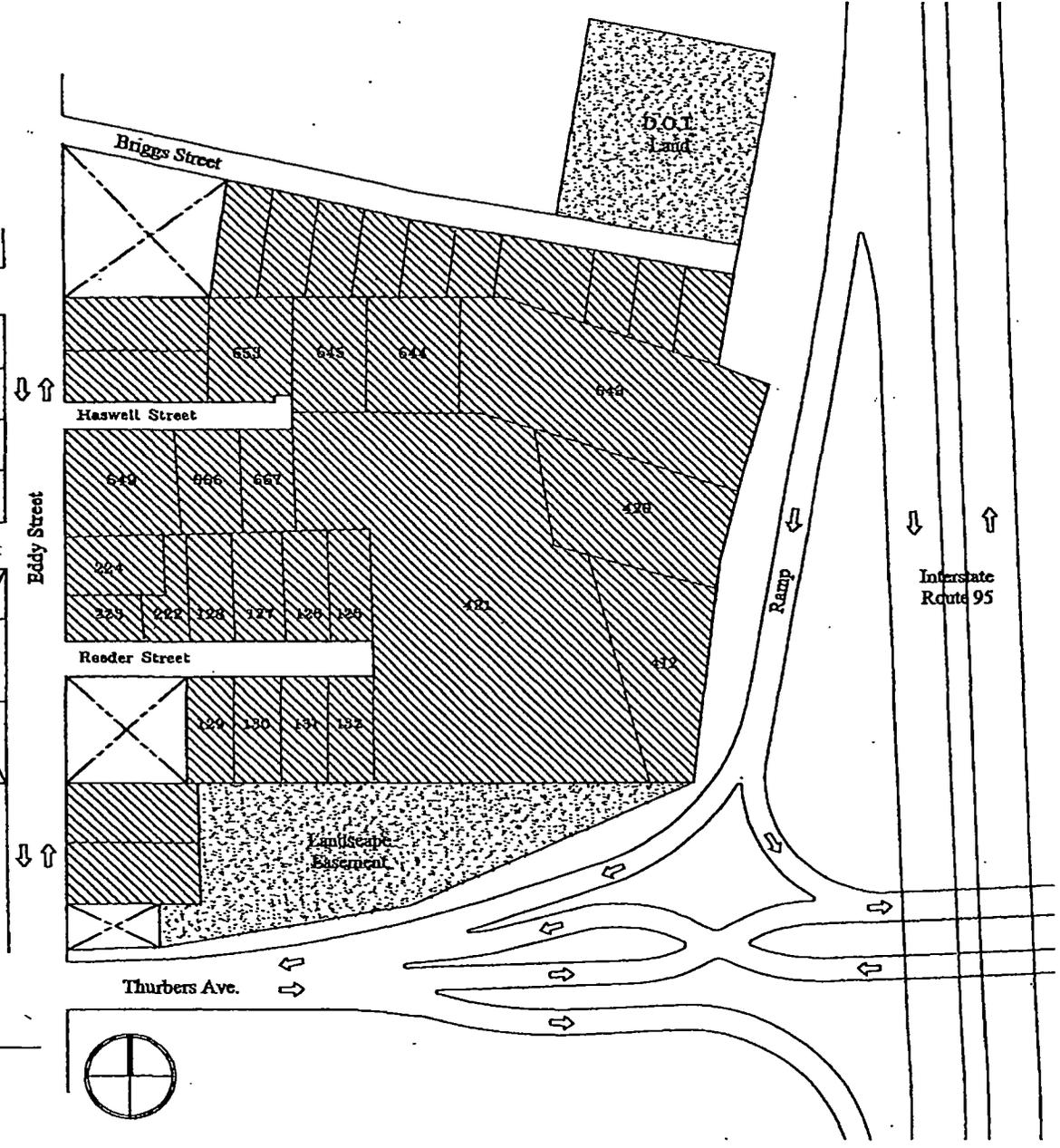
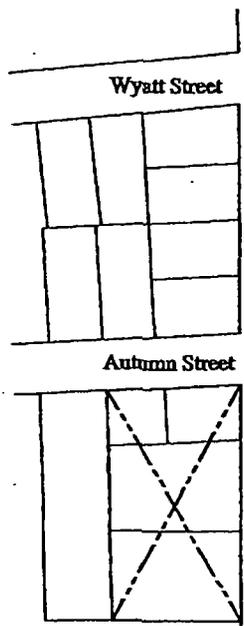
RECEIVED  
CITY CLERK  
OFFICE  
CITY OF PROVIDENCE  
STATE OF RHODE ISLAND  
PLANTATIONS

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

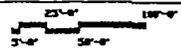
MARY C. LAKE, CPA, CFO  
*Mary C. Lake, CPA*  
CHIEF FINANCIAL OFFICER  
MEETING STREET  
667 WATERMAN STREET  
EAST PROVIDENCE, RI  
02914

IN CITY COUNCIL  
JAN 8 2004  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
Craig Burt CLERK

THE COMMITTEE ON  
Public Works  
Recommends  
Arthur M. Abela  
CLERK  
5-18-04. Schedule P. Hwy  
6-23-04. P. Hwy held  
10-4-04. Con 4  
315/05



PROPOSED SITE PLAN



LEGEND	
	PURCHASED PROPERTIES
	PROPERTIES TO BE PURCHASED
	EASEMENTS
	SURROUNDING AREA

25 Charlton Avenue  
 Cranston, RI 02920  
 Tel: 401.842.7970  
 Fax: 401.842.7975

SACCOCCIO  
 & ASSOCIATES, INC.  
 architects



FUTURE SITE  
 FOR  
 MEETING STREET  
 PROVIDENCE  
 RHODE ISLAND

SHEET TITLE  
 PROPOSED  
 SITE PLAN

DRAWN: LG

DATE: 03-03-05

JOB NO: 0110-C

C1

SHEET 1 OF 1

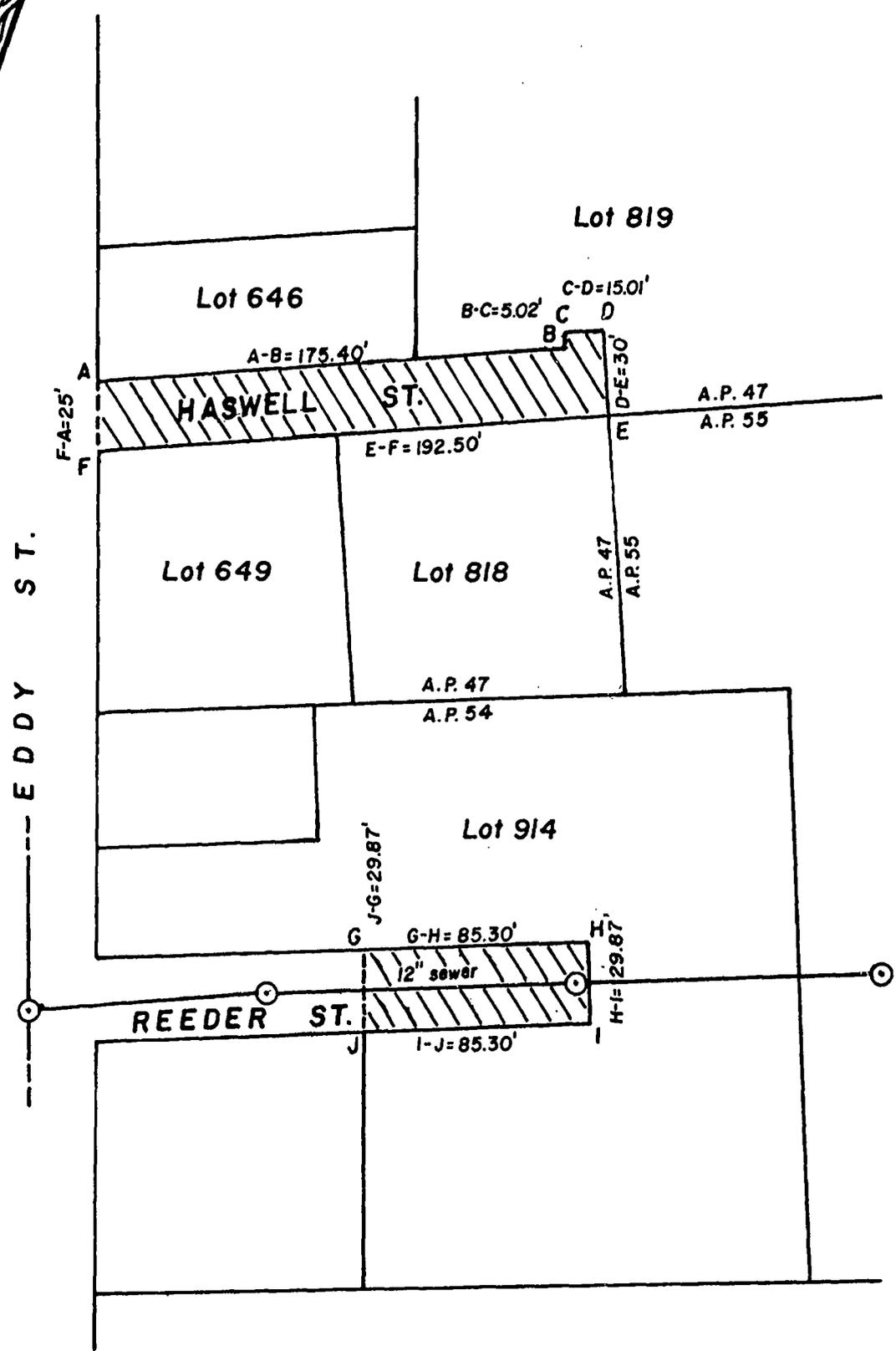
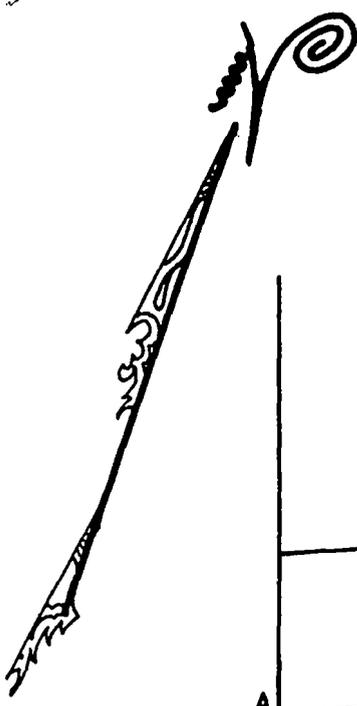
6830 11:09TM

CHECK	150.00
SUBTL	150.00
ABANDN	150.00
ZX a	75.00

12-29-2003 NO

PROVIDENCE CITY CLERK

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No 064765  
 Date June 11, 2004



NOTES: Cross-hatched areas (A-B-C-D-E-F-A) & (G-H-I-J-G) indicates proposed abandonments.  
 Total square footage for Haswell St. = 4,867.60'±  
 Total square footage for Reeder St. = 2,550'±  
 Total square footage = 7,417.60'±  
 Full sewer easement required for Reeder St.

Lot numbers taken from A.P. 47 & 54.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonments of Haswell St. & Reeder St. (portion of)  
 Drawn by A. Zisades Checked by JPC  
 Scale 1" = 60 Date 6-11-2004  
 Correct James A. Morris Associate Engr.  
 Approved William C. Bamford  
 CHIEF ENGINEER

PROPOSED ABANDONMENTS OF HASWELL &  
REEDER STS.

- A.P. 47 LOT 646 - 962 EDDY ST. • MSC REALTY 667 WATERMAN AVE.  
EAST PROV. 02914
- LOT 819 - 14 HASWELL ST. • MSC REALTY 667 WATERMAN AVE  
E. PROV. 02914
- LOT 649 - 970 EDDY ST. • MSC REALTY 667 WATERMAN AVE.  
E. PROV. 02914
- LOT 818 - 13 HASWELL ST. • MSC REALTY 667 WATERMAN AVE  
E. PROV. 02914

- 
- Reeder Street
- A.P. 54 LOT 914 - 982 EDDY ST. • MSC REALTY 667 WATERMAN AVE.  
E. PROV. 02914

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

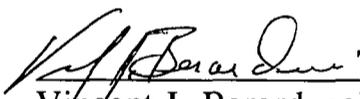
**THIS IS TO CERTIFY**, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

**PETITION TO ABANDON HASWELL STREET**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
47	646	MSC Realty 667 Waterman Avenue East Providence, RI 02914
47	819	MSC Realty 667 Waterman Avenue East Providence, RI 02914
47	649	MSC Realty 667 Waterman Avenue East Providence, RI 02914
47	818	MSC Realty 667 Waterman Avenue East Providence, RI 02914

**PETITIONER**

Mary C. Lake, CPA, CFO  
Chief Financial Officer  
Meeting Street  
667 Waterman Avenue  
East Providence, RI 02914

 6-16-04  
\_\_\_\_\_  
Vincent J. Berarducci  
City Sergeant

\_\_\_\_\_  
Councilman Luis A. Aponte  
Ward 10



PROVIDENCE POLICE DEPARTMENT  
Traffic Bureau  
325 Washington St., Providence, RI 02903  
243-6279

July 6, 2004

To: Anna M. Stetson, Second Deputy City Clerk  
From: Sergeant Gary A. Venditto, Traffic Bureau, Director  
Subject: Abandonment of Haswell Street

A handwritten signature in black ink, appearing to read "Sgt. G. A. Venditto", is written over the "From:" line of the header.

Per review, Lieutenant Timothy M. Lee, the Commanding Officer of the Traffic Bureau has reviewed the petition for abandonment of Haswell Street. At this time the recommendation is if the city of Providence no future use of this property, the Providence Police Department has no objection.

Respectfully Submitted,

---

Lieutenant Timothy M. Lee  
Commanding Officer, Traffic Bureau

GARY E. MULCAHY  
Acting Chief

DAVID D. COSTA  
Acting Assistant Chief



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 *gem*

**DATE:** February 3, 2004

**SUBJECT:** PETITIONS TO CITY COUNCIL

This office is in receipt of the Memoranda to the City Clerk which was recently forwarded to this office, regarding requests contained in the petitions of Mary C. Lake (CFO for MSC Realty, Inc., 667 Waterman Street, East Providence, RI) seeking permission to abandon Haswell Street in its entirety, as well as an additional request to abandon a portion of Roeder Street.

Please be advised this Department has no objection to these proposals.

gem/rh

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*

February 9, 2004

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

SUBJECT: Petition for Street Abandonment  
Haswell Street  
Providence, Rhode Island

Dear Councilman Hassett:

The referenced Petition to the City Council has been reviewed for any impact this action might have on the Providence Water (PW) water distribution system. Our records indicate that a 6-inch water main is located in Haswell Street with water services leading to several building lots on either side of said street.

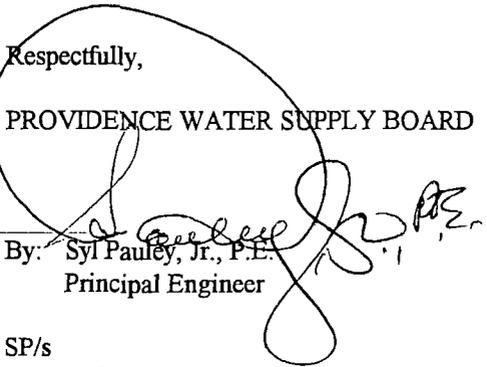
It is our understanding that the existing water main and services will not be required much longer since the Petitioner plans to consolidate all lots into one inside the area bounded by the following streets: Thurbers Avenue, Eddy Street, Briggs Street and Interstate Route 95. This will allow for the construction of a brand new 73,000 square foot school.

PW has no objection to the street abandonment provided that the Petitioner agrees to pay for all costs associated with physically severing the Haswell Street water main from the surrounding water distribution system and allowing the pipeline to be abandoned in place.

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

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

By:  Syl Pauley, Jr., P.E.  
Principal Engineer

SP/s

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

ABNLTR81.WPD

WWW.PROVWATER.COM

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



## Department of Public Parks

*"Building Pride In Providence"*

### MEMORANDUM

**TO: ANNA M. STETSON, SECOND DEPUTY CITY CLERK**

**FROM: ROBERT F. MCMAHON, ACTING SUPERINTENDENT OF PARKS**

Handwritten signature of Robert F. McMahon in black ink.

**DATE: JANUARY 22, 2004**

The Parks Department supports the Petition to abandon Haswell Street and supports the proposed location of Meeting Street School back to Providence.

JOHN D. NICKELSON, P. E.  
Director



DAVID N. CICILLINE  
Mayor

## Department of Public Works

*"Building Pride in Providence"*

July 20, 2004

Honorable Terrance M. Hassett  
Chairman of the Public Works Committee  
Providence City Council  
City Hall  
Providence, RI 02903

**RE: Abandonment of Haswell Street**

Dear Councilman Hassett:

Please be advised that this office has no objections to this matter.

Very truly yours,

A handwritten signature in black ink that reads "William C. Bombard".

William C. Bombard, P.E.  
Acting Traffic Engineer

WCB:om



## Providence City Plan Commission

DAVID N. CICILLINE  
Mayor

February 20, 2004

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. 3222: Proposed Abandonment of Haswell Street

Dear Councilman Hassett:

The City Plan Commission at its regular meeting on Tuesday, February 17, 2004 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of Haswell Street, as petitioned by Mary C. Lake, on behalf of the Meeting Street School.

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 abandonment would not be in opposition to the public interest. The street is a dead-end, and the petitioner owns all property on both sides of the street for its entire length.

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.

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

The petitioner owns all property on both sides of the street for its entire length.

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. The Comprehensive Plan, in the Transportation, Parking and Circulation Plan, has a policy of discouraging street and alley abandonments citywide. However, under the proposed development scenario, this public right-of-way serves no public purpose.

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

Sincerely,



Christopher J. Ise  
Administrative Officer

cc: Mary C. Lake, for the Meeting Street School

# Narragansett Electric

A National Grid Company



February 9, 2004

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

Re: Petition to Abandon a Portion of Haswell Street

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has overhead equipment in the area of Haswell Street proposed for abandonment which can not be removed.

Therefore, NECO has no objection to the abandonment provided we are granted an easement for said equipment.

Please call me if you have any questions.

Very truly yours,

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

Right Of Way



85 High Street  
Pawtucket, RI 02860

Phone 401 727-9555  
Fax 401 725-7680

February 25, 2004

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

Attn: Ms. Anna Stetson

RE: PETITION TO ABANDON A PORTION OF HASWELL STREET

Dear Ms. Stetson:

Upon investigation by our in house Engineer, Darren Andrade, 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

January 22, 2004



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

Re: Petition Requesting the Abandonment of Haswell Street, Providence, RI

Dear Councilman Hassett:

Upon review of the above referenced request, New England Gas has the following comments:

- New England Gas Company presently has a 4" natural gas main extending into Haswell Street a distance of 293' from Eddy Street. (see attached)
- Given that this line does not service any existing customers, we can either cut it off in Eddy Street and abandon it in place or we can continue to operate it as is. If the option of operating it in place is chosen, we respectfully request that a 20-foot wide easement be provided to us for our continued operation and maintenance of this facility.

If you would like this facility to be cut off and abandoned in place, please inform me in writing and I will proceed as requested. If you prefer to provide an easement, please complete the following:

- Attached to this correspondence is our approved blank easement document that should be filled out and returned to us for approval by our Legal Department.
- In addition to the attached document, a detailed plot plan showing the meets and bounds of our proposed easement will be required for filing the final copy for approval.
- Once approved, the package will be returned to you for recording.
- Upon completion, please forward us a final recorded copy for our permanent records.

Once the facility is properly abandoned or the easement is in place, we will not have any objections to this proposal.

If you have any further questions please feel free to call me at (401) 525-5669.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry J. Foster", is written over the typed name.

Barry J. Foster  
Engineering Design Supervisor

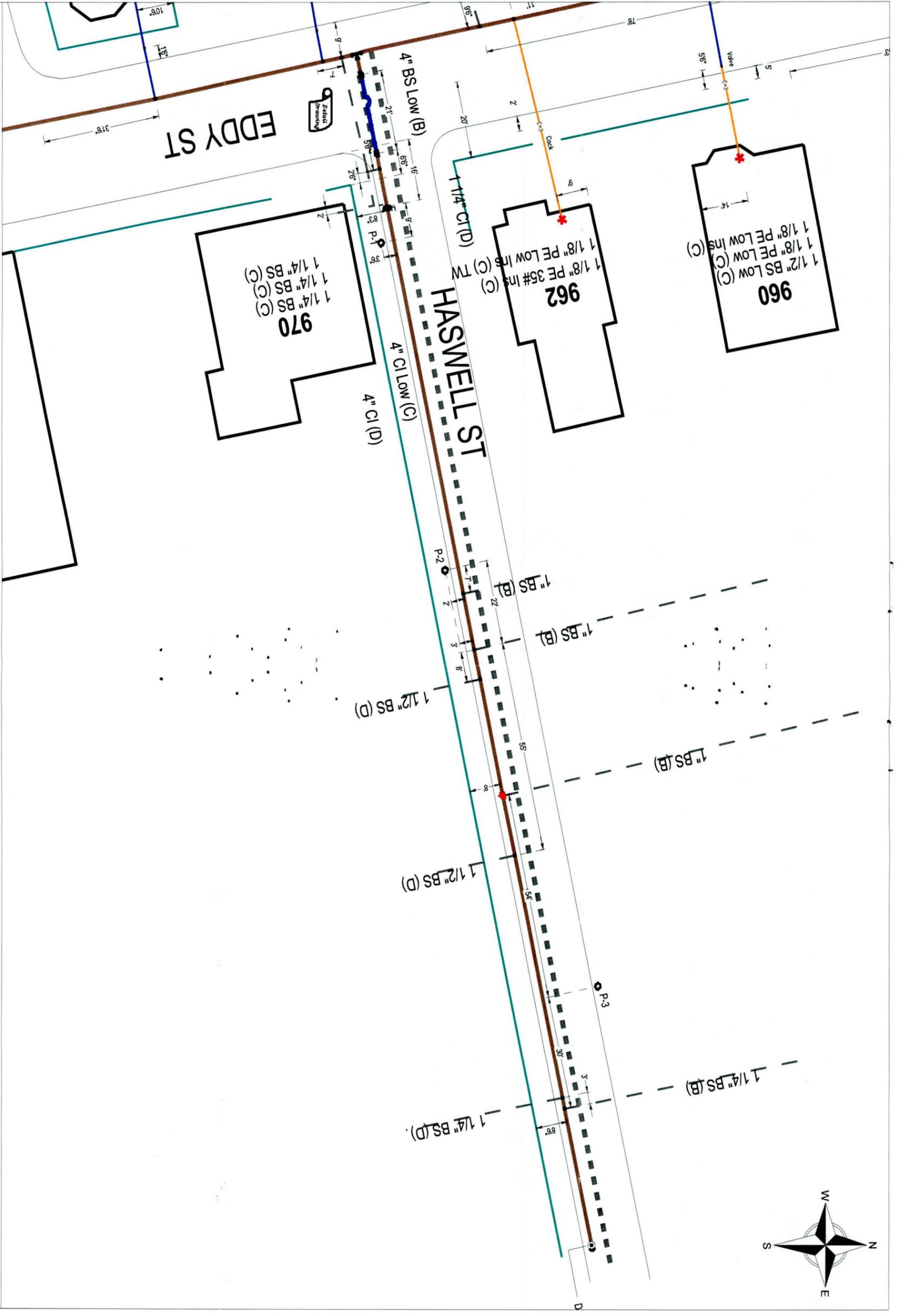
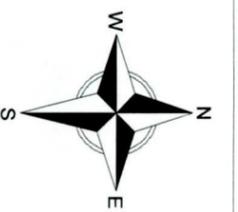
PC Ms. Anna M. Stetson, Second Deputy City Clerk, Department of City Clerk

Attachments  
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



Barry Foster

01/22/2004

## EASEMENT AGREEMENT

This Agreement (the "Agreement") is made on \_\_\_\_\_, 20\_\_\_, between \_\_\_\_\_ ("Grantor"), and New England Gas Company, a division of Southern Union Company, a Delaware corporation ("Grantee"), whose mailing address is 100 Weybosset Street, Providence, Rhode Island 02903.

1. **Grant of Easement.** For the consideration described in paragraph 2, Grantor grants to Grantee, with Quitclaim Covenants, a perpetual easement and right-of-way (the "Easement") in, under, through, over, upon and across the real property located in \_\_\_\_\_, Rhode Island and more particularly described on **Exhibit A**, which is attached to this Agreement and hereby incorporated by reference (the "Easement Area").

2. **Consideration.** The Easement is granted in consideration of the Grantee's payment to Grantor of \$\_\_\_\_\_, the sufficiency and receipt of which is acknowledged.

3. **Character of Easement.** This Agreement grants an easement in gross.

4. **Purpose of Easement.** The Easement consists of the perpetual right and easement:

(a) to place, install, construct, operate, repair, maintain, rebuild, replace, relocate, and remove a pipeline for the transportation and distribution of natural gas (the "Distribution System") on the Easement Area, which Distribution System includes the necessary piping, conduits, valves, fixtures, appurtenances and other relevant equipment installed therein and attached thereto, in, under, through over across and upon the Easement Area as from time to time may be required;

(b) to make such excavation or excavations as may be reasonable and necessary to construct, reconstruct, repair and remove the Distribution System; and

(c) to pass over and across the Easement Area as reasonable necessary for all purposes described in this Agreement.

5. **Covenants Running with the Land.** The provisions, terms and obligations contained herein shall constitute covenants running with the land, and each such provision, term or obligation shall run in perpetuity in favor of the Grantor.

6. **Warranty of Title.** Grantor and Grantor's heirs, personal representatives, successors, and assigns are and shall be bound to warrant and forever defend the Easement and rights conveyed in this Agreement to Grantee and Grantee's successors and assigns, against every person lawfully claiming or to claim all or any part of the interest in the Easement Area.

7. **Exclusiveness of Easement.** The Easement, rights, and privileges granted by this conveyance are exclusive, and Grantor covenants not to convey any other easement or conflicting rights in the Easement Area covered by this grant. In addition, Grantor covenants not to construct any permanent structure within the boundaries of the Easement Area.

8. **Temporary Easement.** In addition to the rights contained herein, Grantee shall have the right to use as much of the surface of the Grantor's property adjacent to the Easement Area as may be reasonably necessary for Grantee to construct and install the contemplated facilities in the Easement Area. On completion of construction and installation, Grantee shall replace and restore all fences, walls, or other structures that may have been relocated or removed during the construction period. In addition,

Grantee shall pay Grantor reasonable compensation both for fences, walls, or structures that may not be replaceable and for all vegetation and crops that are damaged or destroyed during construction.

9. **Encroachments.** Grantee shall have the right to cut and trim trees or shrubbery that may encroach upon the Easement Area, Grantee shall dispose of all cuttings and trimmings either by piling and burning in the Easement Area (subject to fire or air pollution laws and regulations) or by loading and hauling away from the Easement Area.

10. **Grantor's Representations and Warranties Respecting Existing Environmental Conditions.** Grantor represents and warrants that as of the date on which this Agreement is executed by Grantor, the Easement Area complies in all material respects with any applicable federal or state environmental laws and regulations, and that Grantor has not (and has no knowledge of any other person or entity which has) caused any production, use, release, threatened release, or disposal of any hazardous materials at the Easement Area in any material quantity, and that the Grantor has no notice or knowledge of any actual, pending, or threatened environmental claims against the Easement Area.

11. **Termination.** The Easement, along with its rights and privileges shall terminate when the purpose of the Easement, as described in Paragraph 4 of this Agreement, ceases to exist or is abandoned by Grantee.

12. **Failure to Perform.** Should Grantee fail to perform any covenant, undertaking, or obligations under this Agreement, all rights and privileges granted to Grantee by this Agreement, the Grantor shall have the right to terminate this Agreement. Grantee's right to terminate this Agreement herein, shall be Grantee's sole remedy at law and in equity.

13. **Entire Agreement.** This Agreement contains the entire agreement between the parties relating to its subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by both parties.

14. **Dispute Expenses and Attorneys' Fees.** If any controversy, claim, or dispute arises relating to this Agreement or its breach, the prevailing party shall be entitled to recover from the other party reasonable expenses, attorneys' fees, and costs.

15. **Assignability and Binding Effect.** The Grantee may assign this Agreement without the prior consent of Grantor. This Agreement shall bind and inure to the benefit of the Grantee and its successors and assigns and to the benefit of Grantor and Grantor's heirs, personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed for that purpose on the date first written above.

**GRANTOR:**

Name of Corporation: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

GRANTOR'S ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_

**GRANTEE:**

**New England Gas Company, a division of  
Southern Union Company**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF RHODE ISLAND  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_ by \_\_\_\_\_  
\_\_\_\_\_ [name and corporate title] of \_\_\_\_\_  
\_\_\_\_\_ [name of corporation], a \_\_\_\_\_ [state of incorporation]  
corporation, on behalf of the corporation.

Signature \_\_\_\_\_

Typed Name: \_\_\_\_\_  
Notary Public in and for the State of Rhode Island  
My commission expires: \_\_\_\_\_

GRANTEE'S ADDRESS:

New England Gas Company, a division of Southern Union Company  
Attn: David L. Black  
Vice President - Legal  
100 Weybosset Street  
Providence, RI 02903





**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**

July 28, 2004

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

Re: Proposed Abandonment of Haswell Street

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Haswell Street, otherwise designated as a full abandonment of Haswell Street on Assessor's Plat 47 as it intersects with Eddy Street in the Lower South Providence neighborhood of Providence.

The proposed abandonment contains 4,867.60 square feet. The area in general measures 25 feet by 192 feet in length along the center line of the street. The City's Department of Public Works has no objection to this request; however, they are requiring a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value of the site. Notably, the petitioner will gain full use of the site for either commercial or institutional use, as there will be no easements required by the City of Providence Department of Public Works. The parcel is zoned M-1 Industrial.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati

Page 2

July 28, 2004

The highest and best use of the parcel would be for commercial use given the close proximity to the Eddy Street and the Rhode Island Hospital District Area. As proposed, the petitioner would have full use of the site.

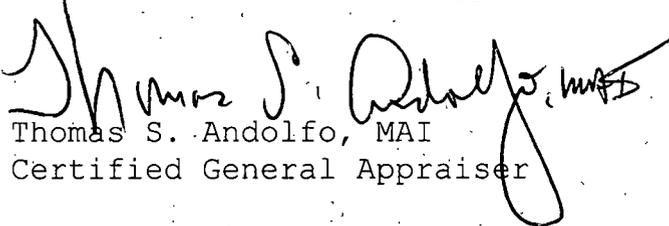
Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., as well as reviewing the most recent tax assessment revaluations, a value of \$10.00 per square foot is hereby estimated for this site.

Therefore, 4,867.60 square feet x \$10.00 per square foot = \$48,676.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani  
Certified Residential Appraiser

  
Thomas S. Andolfo, MAI  
Certified General Appraiser

WGF:TSA/fad

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Dean Esserman, Chief of Police

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back to this office as soon as practical.

**PETITION FROM MARY C. LAKE, CPA,  
CHIEF FINANCIAL OFFICER, MSC  
REALTY, INC., 667 WATERMAN STREET,  
EAST PROVIDENCE, RHODE ISLAND  
02914, REQUESTING PERMISSION TO  
ABANDON HASWELL STREET IN ITS  
ENTIRETY.**

Handwritten signature of Anna M. Stetson in cursive.

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Chief Gary Mulcahy, Acting Fire Chief

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Makram H. Megalli, Director of Public Works

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Syl Pauley, Water Supply Board

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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Second Deputy

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Bob McMahon, Acting Superintendent of Parks

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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*Anna M. Stetson*  
Second Deputy  
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Irene Testa, Traffic Engineering

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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Second Deputy

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Bill Floriani, Planning & Development

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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*Anna M. Stetson*  
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: City Plan Commission, Planning & Development

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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City Clerk

Second Deputy

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Mindy Montecalvo, Planning & Development

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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*Anna M. Stetson*  
Second Deputy  
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Mary C. Hanley, Verizon Communications

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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*Anna M. Stetson*

Second Deputy

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004  
TO: Barry J. Foster, New England Gas Company  
SUBJECT: **PUBLIC WORKS COMMITTEE**  
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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Second Deputy

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: John Zuba, Narragansett Bay Commission

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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*Anna M. Stetson*

Second Deputy

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 17, 2004

TO: Dean Esserman, Chief of Police

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

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**SECOND NOTICE**

**PETITION FROM MARY C. LAKE, CPA, CHIEF FINANCIAL OFFICER, MSC REALTY, INC., 667 WATERMAN STREET, EAST PROVIDENCE, RHODE ISLAND 02914, REQUESTING PERMISSION TO ABANDON HASWELL STREET IN ITS ENTIRETY.**

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Second Deputy City Clerk



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 17, 2004  
TO: Makram H. Megalli, Director of Public Works  
SUBJECT: **PUBLIC WORKS COMMITTEE**  
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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Second Deputy

  
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 17, 2004  
TO: Irene Testa, Traffic Engineering  
SUBJECT: **PUBLIC WORKS COMMITTEE**  
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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cond 100

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 8, 2004

TO: Dean Esserman, Chief of Police

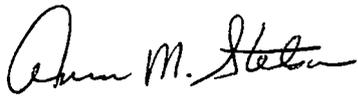
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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 8, 2004

TO: William C. Bombard, Acting Traffic Engineer

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 8, 2004

TO: John Gelati, Acting City Assessor

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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