

resolution/temple
RESOLUTION OF THE CITY COUNCIL

No. 231

Approved April 23, 1999

RESOLVED, DECREED AND ORDERED

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Providence, Rhode Island, Department of Public Works - Engineering Office, street line Section Plan No. 064603 dated February 3, 1998."

Viz: Temple Court 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 Ten Thousand Seven Hundred and Fifty-Four Dollars (\$10,754.00) in legal tender U.S. currency to the City of Providence.
2. The petitioner shall convey an easement acceptable to the Narragansett Electric Company 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;
3. The petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Bureau dated 24 February 1998 which states as follows: "(A) A twenty-foot wide fire lane is maintained; (B) That the roadway be painted with yellow lines and the words 'Fire Lane Do Not Park.' " Reference is made to Fire Department map attached hereto.
4. The petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Water Supply Board dated 2 February 1998 which states as follows: "(A) The petitioner shall have the property line surveyed and staked in the area of the water main to determine the point at which point the main needs to be abandoned; (B) Petitioner agrees to pay

IN CITY COUNCIL
Jan. 22, 1998
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Closser CLERK

THE COMMITTEE ON
Tulsi Gabbard
Recommends P.H.
Barbara A. Givens Clerk
8/19/91
G. H. Leach 8/19/91
12/9/95 Continued
3/16/99 " "

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Barbara A. Givens Clerk
3/30/99

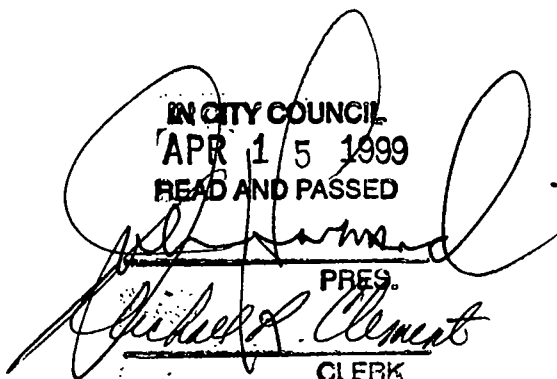
Providence Water Supply Board to have its forces cut and cap the main at the property line and install blow-off."


5. The Petitioner shall grant an easement to all persons being serviced by or having an interest in that private sewer line referenced in the above-mentioned Section Plan No. 064603 and in those applicable records maintained by the Department of Public Works. Said easement shall grant the right for 24 hour access to inspect, maintain, operate and replace the mentioned private sewer line. Alternatively, the Petitioner may, at his sole cost and expense relocate said facilities.

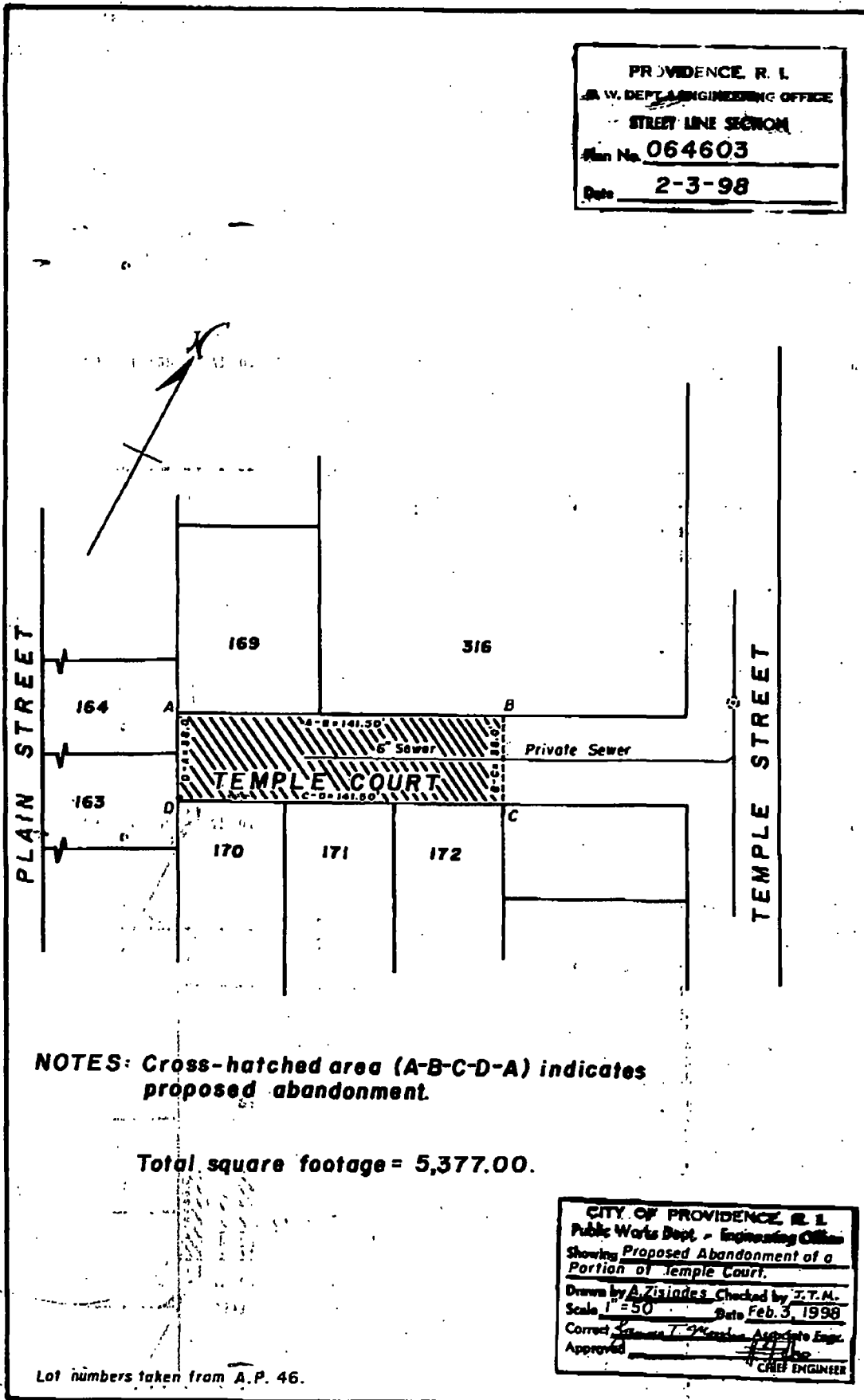
6. That the petitioner shall comply with the conditions to which reference is made in that communication from Providence City Plan Commission dated 9 March 1998 which states as follows: "(A) The petitioner communicate the intentions and procure the agreement to abandon that portion of Temple Court with FDL Associates (Plat 46, Lot 316.)"

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

ORDERED, That after the entry of this order or decree, the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

IN CITY COUNCIL
APR 15 1999
READ AND PASSED

PRES.
CLERK

APPROVED
APR 23 1999

MAYOR



768
N-50

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

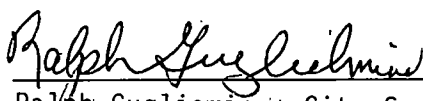
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF TEMPLE COURT.

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
46	163	Donald G. Myrberg 280 Public Street Providence, RI 02905
46	164	Donald G. Myrberg 280 Public Street Providence, RI 02905
46	169	New H.J. Company, Inc. 4501 West 62 nd Street Indianapolis, IN 46268
46	170 171 172	New H.J. Company, Inc. 4501 West 62 nd Street Indianapolis, IN 46268
46	316	FDL Associates 15-17 Temple Street Providence, RI 02905

PETITIONER

Mr. Robert J. Ilg.
Herff Jones, Inc.
226 Public Street
Box 6500
Providence, RI 02940-6500


Ralph Gugliemino, City Sergeant
8/4/98

Councilman ~~John H. Rollins~~
Ward 10 Luis Aponte

PUBLIC STREET

TEMPLE STREET

**LOT
NO. 4**



**TEMPLE
COURT**

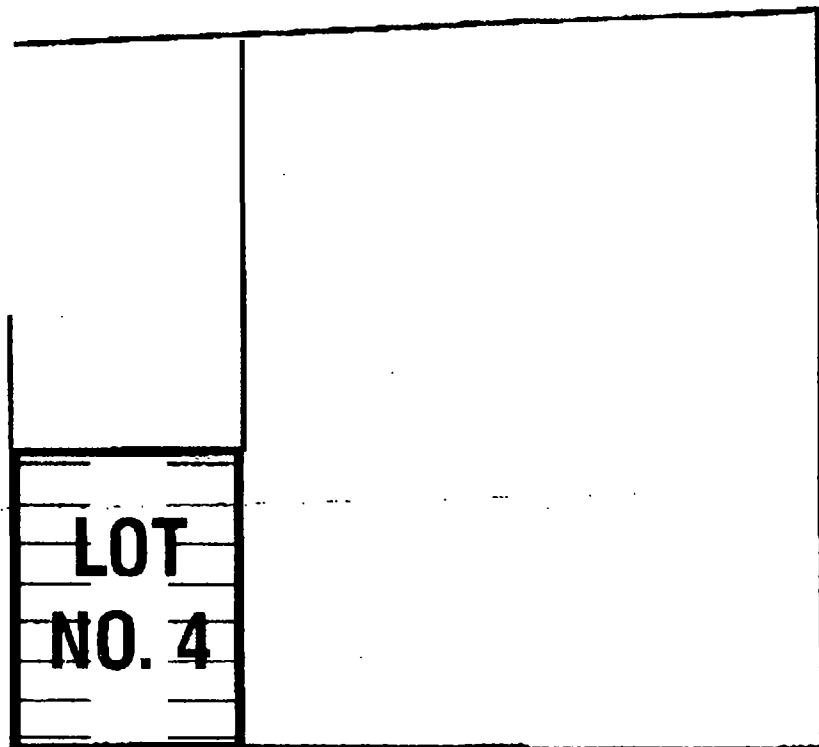
LOT NO. 3



**NEW
PROPOSED
PARKING
OPTION "A"**

POTTERS AVENUE

PUBLIC STREET

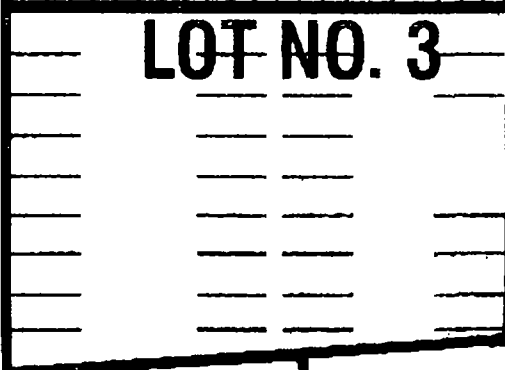


**LOT
NO. 4**

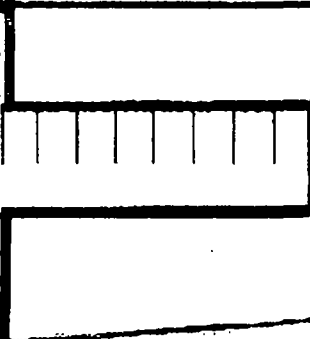


B

**TEMPLE
COURT**



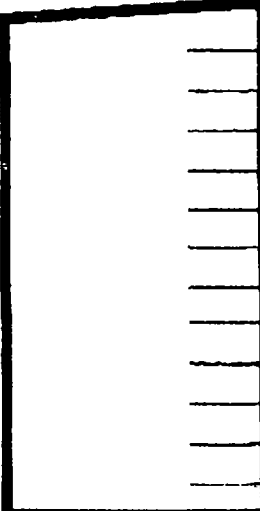
LOT NO. 3



TEMPLE STREET



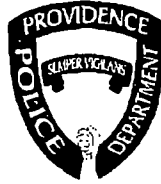
**NEW
PROPOSED
PARKING
OPTION "B"**



POTTERS AVENUE

COLONEL URBANO
PRIGNANO Jr.

Chief of Police



VINCENT A. CIANCI, JR.

Mayor

**PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU**

Lieutenant Kenneth M. Cohen, Commanding

February 13, 1998

TO: Barbara Poirier
FROM: Lieutenant Kenneth M. Cohen, Traffic Bureau
SUBJECT: Abandonment of Temple Court

Barbara:

I have reviewed the request by Herff Jones to abandon a portion of Temple Court. I do not feel that this proposal would adversely affect the Police Department. The adjacent property owners would not be affected as there is access by other means.

I do not feel that the police department would have an objection to this proposal.

Respectfully,

Lieutenant Kenneth M. Cohen
Commander, Traffic Bureau

Chief of Department
David D. Costa
Fire Marshal

Vincent A. Cianci Jr.
Mayor
John J. Partington
Commissioner



PROVIDENCE FIRE PREVENTION BUREAU

"Smoke Detectors Save Lives"

February 24, 1998

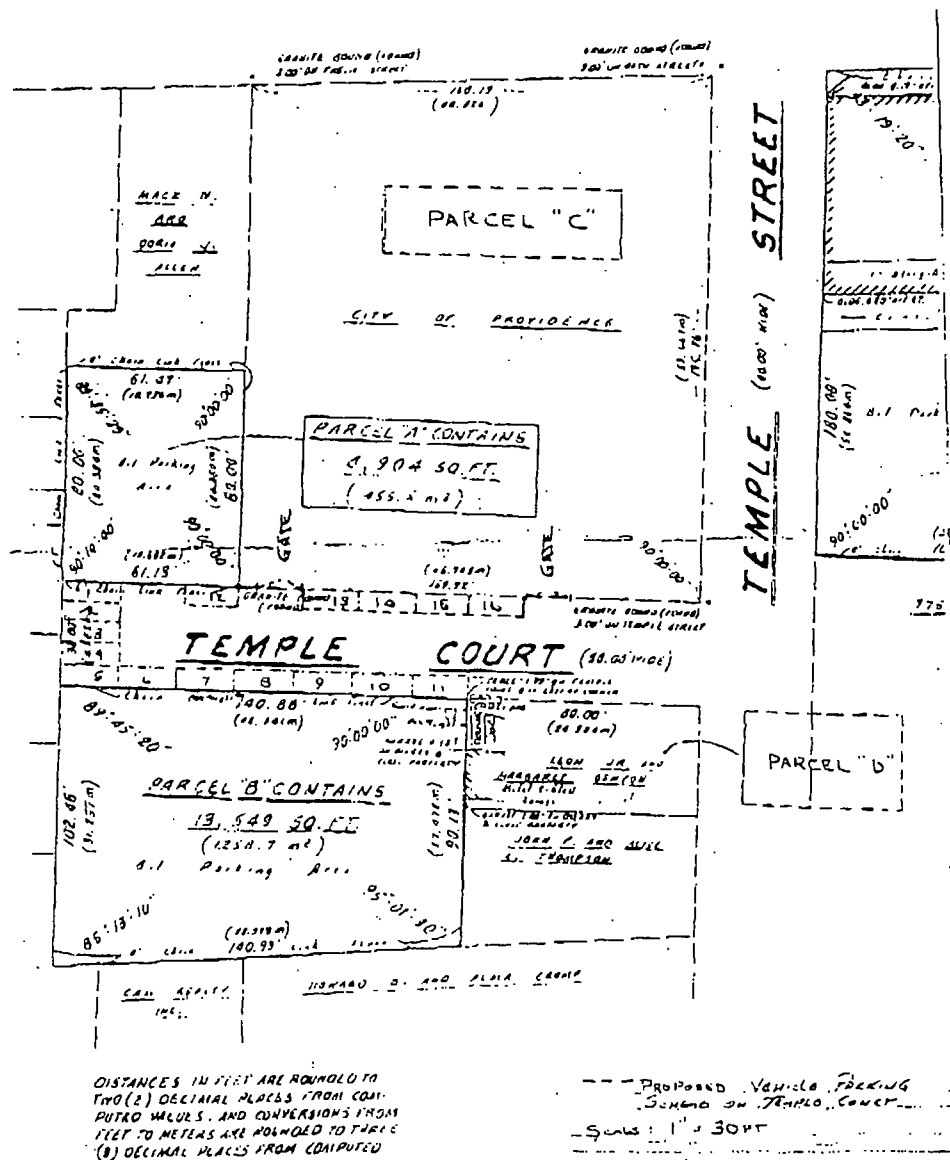
Barbara A. Poirier
Second Deputy City Clerk
City Hall
Providence, R.I. 02903

Second Deputy Clerk Poirier,

After review of the proposal to abandon a portion of Temple Court (see attached), the Fire Department has an objection.

Yours truly,

David D. Costa
Fire Marshal



Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

March 2, 1998

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

Re: Proposed Abandonment/Temple Court

Dear Councilman Clarkin:

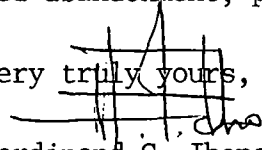
This department has no objection to the proposed abandonment of Temple Court, as shown on plan, entitled "Providence, R.I., P.W. Dept. - Engineering Office, Street Line Section, Plan No. 064603, Date: 2/3/98".

Proposed abandonment is shown as cross-hatched area on the accompanying plan, designated as A-B-C-D-A. Said proposed abandonment of Temple Court contains a square footage of 5,377 ft. It is noted that a 6-in. private sewer line is located within the proposed abandonment of Temple Court, also shown on accompanying plan.

A list of abutting property owners is also attached hereto for your convenience. It is noted that lot numbers shown on the accompanying plan were taken from City of Providence Assessor's Plat No. 46.

If we can further assist you with this proposed abandonment, please advise.

Very truly yours,

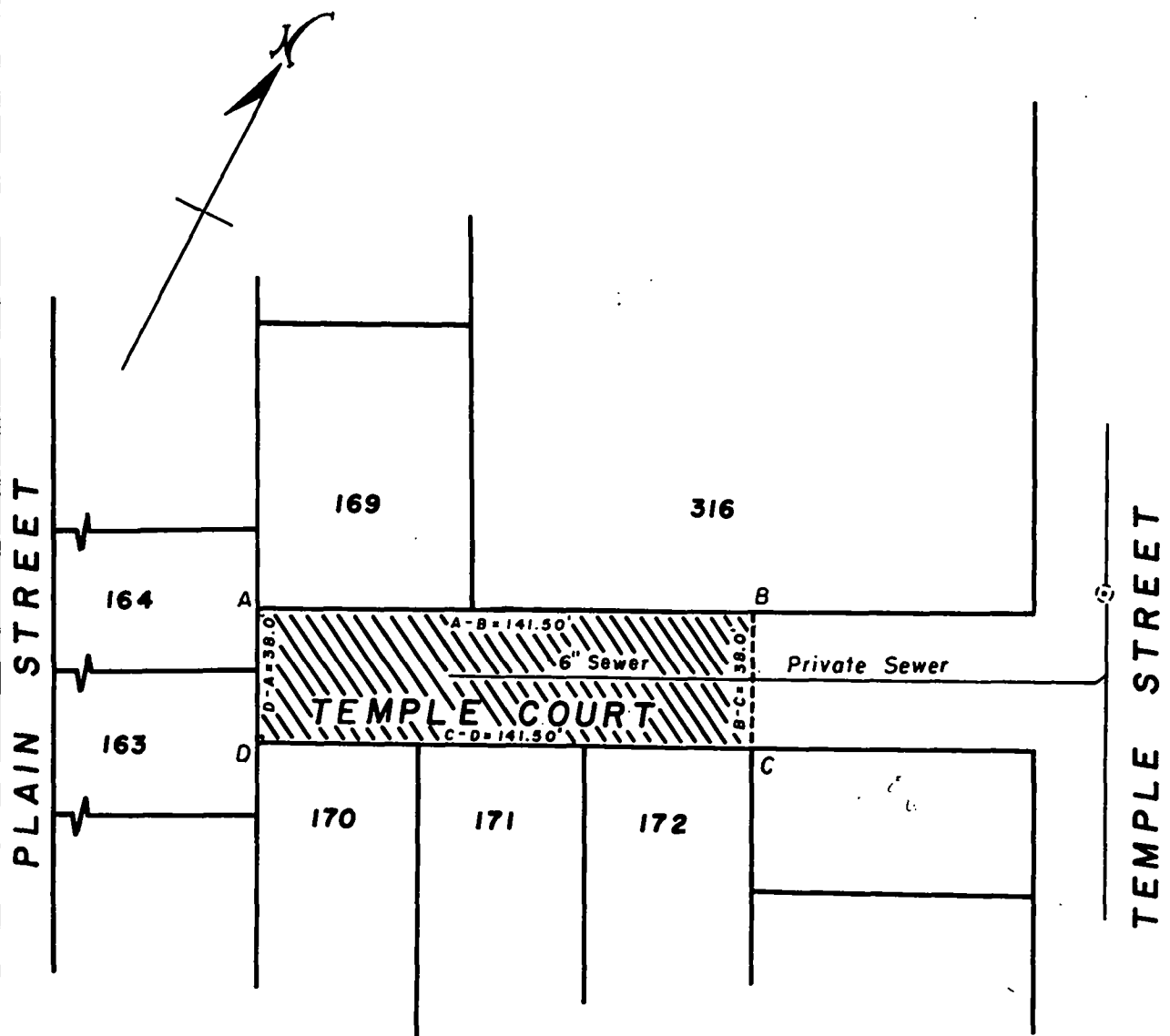

Ferdinand C. Ihenacho, P.E.
Director

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

700 Allens Avenue • Providence, Rhode Island 02905

(401) 467-7950 (Voice) • 751-0203 (TDD) • 941-2567 (Facsimile)

PROVIDENCE, R. I.
 P. W. DEPT. ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064603
 Date 2-3-98



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.

Total square footage = 5,377.00.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Abandonment of a
 Portion of Temple Court.
 Drawn by A. Zisiades Checked by J.T.M.
 Scale 1" = 50' Date Feb. 3, 1998
 Correct James T. Morris Associate Engr.
 Approved [Signature] CHIEF ENGINEER

Lot numbers taken from A.P. 46.

PROPOSED ABANDONMENT OF A
PORTION OF TEMPLE COURT

PLAT 46 LOT 163 - 326 PLAIN ST.
DONALD G. MYRBERG 280 PUBLIC ST.
PROV. R.I. 02905

LOT 164 - 324 PLAIN ST.
DONALD G. MYRBERG 280 PUBLIC ST.
PROV. R.I. 02905

LOT 169 - 11 TEMPLE CT.
NEW H.J. COMPANY INC.
4501 WEST 62nd ST.
INDIANAPOLIS, IN 46268

LOT 170 }
171 } NOW 618 10 TEMPLE CT.
172 }

NEW H.J. COMPANY INC.
4501 WEST 62nd ST.
INDIANAPOLIS, IN 46268

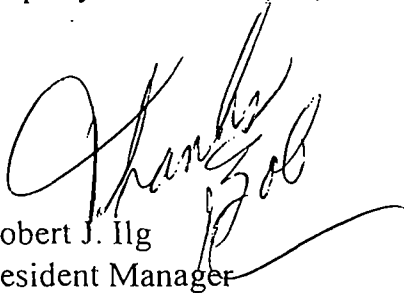
LOT 316 - 252 PUBLIC ST.
FDL ASSOCIATES
15-17 TEMPLE ST. PROV. R.I. 02905



ADDENDUM TO LETTER DATED DECEMBER 29, 1997, ADDRESSED TO:

Ms. Barbara Poirier
2nd Deputy City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

We petition the City of Providence to abandon that portion of Temple Court from easterly property line of Lot 172, Parcel B, to westerly termination of said Court.



Robert J. Ilg
Resident Manager

February 5, 1998



December 29, 1997

HAND DELIVERED

Ms. Barbara Poirier
2nd Deputy City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Dear Ms. Poirier:

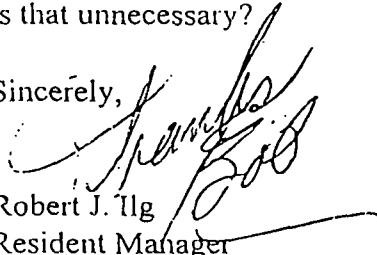
Per our telephone conversation, please find enclosed a print showing Parcels A and B which are Herff Jones property. The ideal option for Herff Jones would be to purchase the entire 38 ft. width of the street all along Parcel B which shows parking places 5 through 11 in red. On the other side of Temple Court street, we own the property through item labeled #12. We would also prefer to be able to park cars on Temple Court in positions labeled 13, 14, 15 and 16.

The owner of Parcel C has access to his property as indicated in red on the layout, and the owner of Parcel D has access to his property indicated in red.

We petition the City of Providence to abandon this street in the maximum square footage that the City would see fit to sell to Herff Jones, Inc. Please find enclosed a check in the amount of \$75.00 to cover the fee for the Petition.

Is it necessary to obtain the services of an attorney familiar with this type of legal transaction, or is that unnecessary?

Sincerely,


Robert J. Ilg
Resident Manager

It

Enclosures:

Blueprint
Check

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

ROBERT J. KILDUFF, ESQ., P.E.
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

BOYCE SPINELLI
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

RICHARD O. RAFANOVIC, P.E.
General Mgr./Chief Engr.

JOSEPHINE DIRUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

January 28, 1998

Herff Jones, Inc.
226 Public Street
P.O. Box 6500
Providence, R.I. 02940

Subject: Petition for Street Abandonment:
Temple Street and Temple Court
Providence, R.I. 02905

Dear Mr. Ilg,

We have received a copy of a petition to the City Council for the Abandonment of a portion of Temple Street and Temple Court from the Providence City Clerk. It is the policy of the Providence Water Supply Board to collect a fee, as authorized by the R.I. Public Utilities Commission, to review this type of request. Please forward your check in the amount of \$75.00, made payable to "City Collector, Providence Water Supply Board", at your earliest convenience. **Our review will commence as soon as we receive payment.**

If you have any question do not hesitate to contact me at (401)521-6300 EXT 7244.

Respectfully,

Providence Water Supply Board
Richard O. Rafanovic, P.E.
Chief Engineer/General Manager

A handwritten signature in black ink, appearing to read "Peter McLaughlin".

By: Peter McLaughlin
Regulatory Services Program Manger

cc: Paul Gadoury, PWSB
Syl Pauley, PWSB
R. Kilduff
M. Clement, City Clerk ✓
File

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

ROBERT J. KILDUFF, ESQ., P.E.
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

BOYCE SPINELLI
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

RICHARD O. RAFANOVIC, P.E.
General Mgr./Chief Engr.

JOSEPHINE DIRUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

February 17, 1998

Barbara A. Poirier
Second Deputy City Clerk
City Clerks Office
City Hall
25 Dorrance Street
Providence, R.I. 02903

Subject: Petition for Street Abandonment
Temple Court
Providence, R.I.

Dear Ms. Poirier:

We have received a copy of a petition to the City Council for the **abandonment** of a portion of Temple Court to review as to the potential impact on the Providence Water Supply Board (PWSB) system. Our records indicate that this portion of Temple Court has in place a PWSB 6" water main. Providence Water has determined that a portion of the main would be located in the proposed abandonment area and therefore must be removed.

PWSB has no objection to the abandonment under the following conditions.

- A. Petitioner agrees to have the property line surveyed and staked in the area of the water main to determine the point at which point the main needs to be abandoned.
- B. Petitioner agrees to pay PWSB to have its forces cut and cap the main at the property line and install a blow off.

If you have any question do not hesitate to contact Peter McLaughlin (401)521-6300 EXT 7244.

Respectfully,

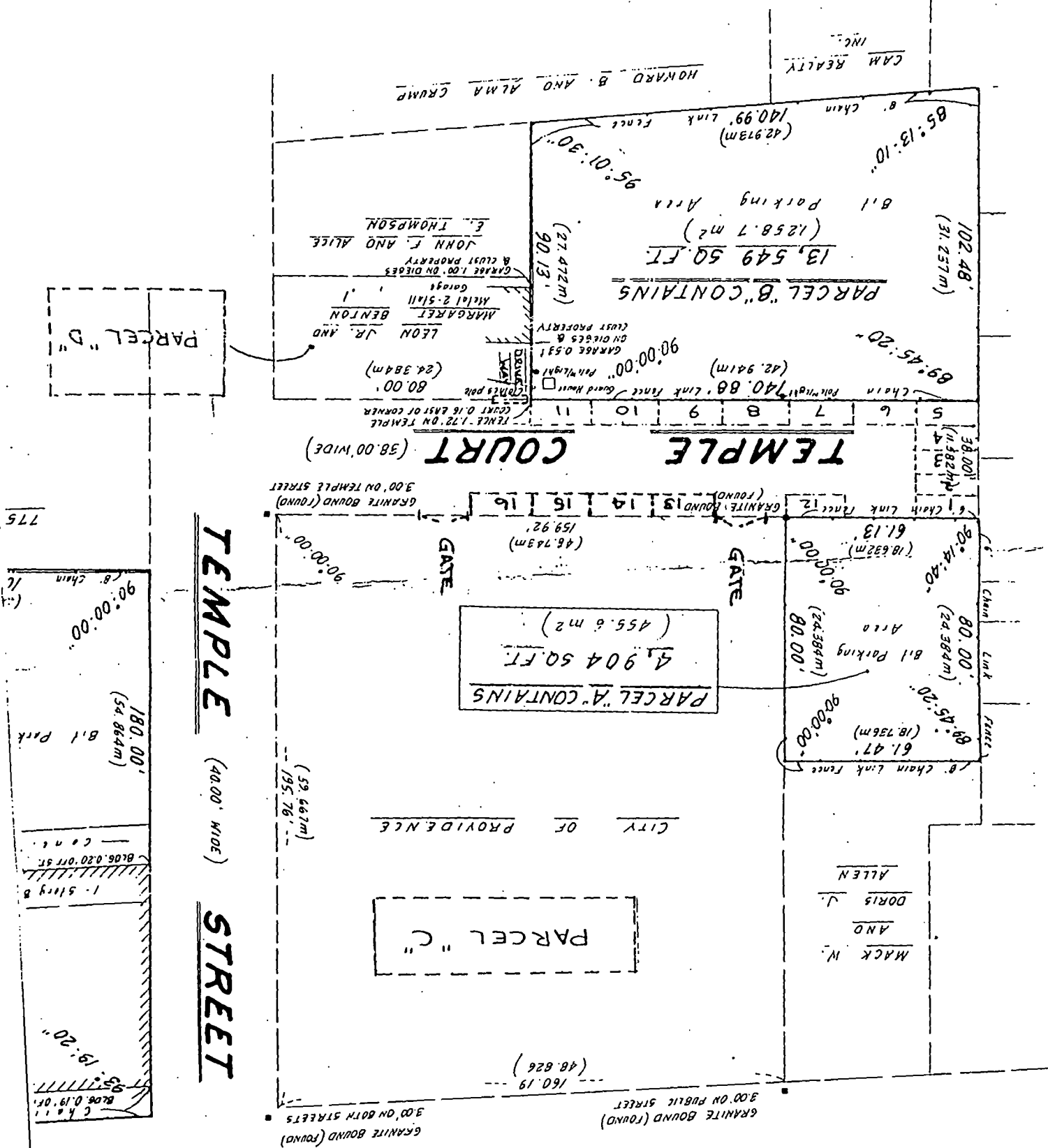
Providence Water Supply Board
Richard O. Rafanovic, P.E.
Chief Engineer/General Manager

A handwritten signature in black ink, appearing to read "Paul Gadenry", written over the typed name.

By: Paul Gadenry
Director of Engineering

cc: S. Pauley
P. McLaughlin
R. Kilduff
R.J. Ilg
File

--- Proposed Vehicle Parking Scheme on Temple Court



NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

February 3, 1998

Mr. Michael Clement
City Clerk
City Hall
Providence, R.I. 02903

RE: Abandonment of portion of Temple Court
Petition to place structure over easement/gangway

Dear Mr. Clement:

Upon review of all Department of Public Parks plans and records. It is the conclusion of the Parks Department that the abandonment of the above named streets, will in no way effect any Parks Department facilities, and or future plans for the area.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "John A. Izzo", is written over the typed name and title.

John A. Izzo
Supervisor of Engineering & Planning

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

March 2, 1998

Mr. Michael Clement
City Clerk
City Hall
Providence, R.I. 02903

RE: Abandonment of portion of Temple Court **Addendum**
Petition to place structure over easement/gangway

Dear Mr. Clement:

Upon review of all Department of Public Parks plans and records. It is the conclusion of the Parks Department that the abandonment of the above named streets, will in no way effect any Parks Department facilities, and or future plans for the area.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John A. Izzo".

John A. Izzo
Supervisor of Engineering & Planning

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, Director

DATE: 10/26/98

RE: **PROPOSED ABANDONMENTS**

Request: To abandon a portion of Temple Street

Disposition: No objection to said abandonment.

IRENE J. TESTA
Traffic Engineer
JOSEPH W. CAPRIO
Deputy Director

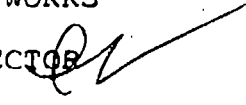


VINCENT A. CIANCI, JR.
Mayor

Department of Traffic Engineering
"Building Pride In Providence"

MEMORANDUM

TO: COUNCILMAN ROBERT CLARKIN, CHAIRMAN
COMMITTEE ON PUBLIC WORKS

FROM: IRENE J. TESTA, DIRECTOR 

DATE: 11/4/98

RE: PROPOSED ABANDONMENT

REQUEST: To abandon a portion of Temple Street.

DISPOSITION: No objection.



PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

March 9, 1998

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

ATTENTION: Mr. Michael R. Clement, City Clerk

CPC REFERRAL NO. 3122 - Abandonment of a portion of Temple Court.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on February 24, 1998, reviewed and evaluated the request from the Committee on Public Works the petition for proposed abandonment of a portion of Temple Court. The petitioner is Mr. Robert J. Ilg, Resident Manager of HERFF JONES, INC., owner of adjacent lots 169, 170, 171, and 172 on Assessor's Plat 46 (described in the petition as Parcels A and B).

The owner of Lot 316 (described as Parcel C) is not a petitioner for the proposed abandonment. However, the petitioner is requesting the length of Parcel B and a portion of Parcel C be abandoned in order to provide at least sixteen parking spaces for Herff Jones employees.

It was brought to the Commission's attention by the petitioner that he has no affirmative agreement with the owner of Parcel C to abandon the subject portion of Temple Court. Also the petitioner claims he is in good standing with the owners of Lot 379, which has a driveway that abuts Lot 172.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission found the proposed change with conditions as requested by the Commission is consistent with *Providence 2000: The Comprehensive Plan*.

Therefore, the City Plan Commission voted to recommend that the City Council approve on condition the petitioner Herff Jones, Inc. communicate the intentions and procure the agreement to abandon that portion of Temple Court with FDL Associates (Plat 46, Lot 316).

Regards,

A handwritten signature in black ink, consisting of a large, loopy 'T' followed by a horizontal line and a small flourish.

Thomas E. Deller, AICP
Deputy Director

cc: George Calcagni, Chair
Robert Ilg, Petitioner
FDL Associates, Abutter
Margaret Benton, Abutter

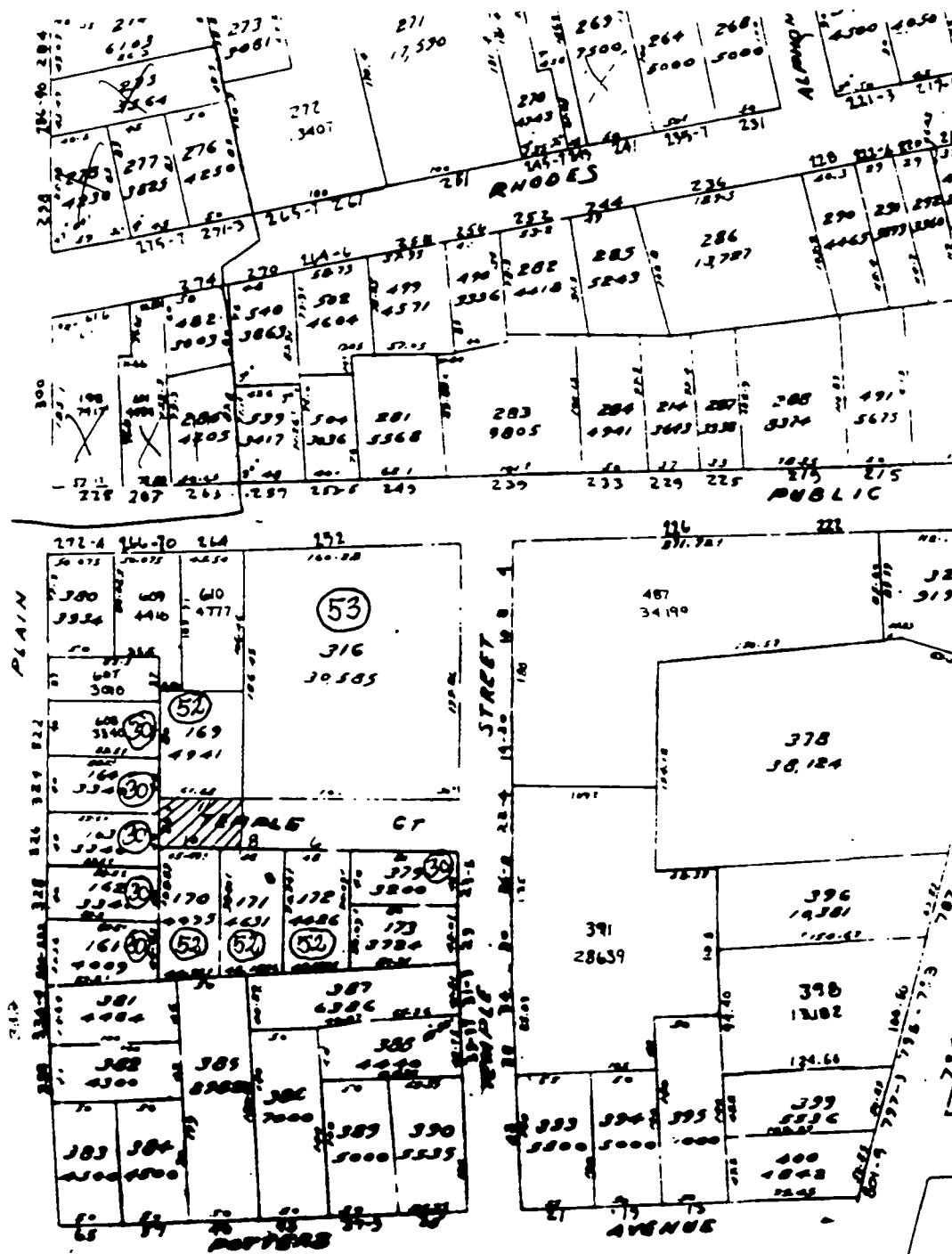
3122 - CPC letter

CITY PLAN COMMISSION PROVIDENCE, R.I.

Ref. No. 3122 Subject: ABANDONMENT OF PORTION OF TEMPLE COURT
 Plat No. 46 Lot No. _____
 Lot Area: 61.62 X 38.00

LAND USE LEGEND

- 00 Vac. Land
- 01 One Fam.
- 02 One Fam. & Nonres.
- 03 One Fam. & Home Occ.
- 04 One Fam. & Prof. Off.
- 05 Auxiliary to Res.
- 06 Two Fam.
- 07 Two Fam. & Nonres.
- 08 Two Fam. & Home Occ.
- 09 Two Fam. & Prof. Off.
- 10 Two Fam. & One Fam.
- 11 Three Fam.
- 12 Three Fam. & Nonres.
- 13 Three Fam. & Home Occ.
- 14 Three Fam. & Prof. Off.
- 15 Three Fam. & One Fam.
- 16 Three Fam. & Two Fam.
- 17 Aot. 4 Fam. or More
- 18 Aot. & Nonres.
- 19 Aot. & Home Occ.
- 20 Aot. & Prof. Off.
- 21 Aot. & One Fam.
- 22 Aot. & Two Fam.
- 23 Aot. & Three Fam.
- 24 Lodging House
- 25 Fraternity
- 26 Limited Comm.
- 27 Parking Lot
- 28 Gen. Comm.
- 29 Nonstruct. Gen. Comm.
- 30 Parking Gar.
- 31 Heavy Comm.
- 32 Nonstruct. Heavy Comm.
- 33 Auto. Service Sta.
- 34 Stor. Gar. for Comm. Veh.
- 35 Gen. Ind.
- 36 Nonstruct. Gen. Ind.
- 37 Heavy Ind.
- 38 Nonstruct. Heavy Ind.
- 39 Utility
- 40 Railroad
- 41 Instit. (not elsewhere class.)
- 42 Parochial School
- 43 Church
- 44 Private School or Coll.
- 45 Cemetery
- 46 Park, Golf Course
- 47 Playground & Playfield
- 48 Public Bldg. (exc. schools)
- 49 Public School (E.S., J.H., H.S.)



AREA IN QUESTION

Date: 1/30/98 By: GT Scale: _____

GEORGE CALCAGNI

Chair



VINCENT A. CIANCI, JR.

Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

March 9, 1998

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

ATTENTION: Mr. Michael R. Clement, City Clerk ✓

CPC REFERRAL NO. 3122 - Abandonment of a portion of Temple Court.

Dear Councilman Clarkin:

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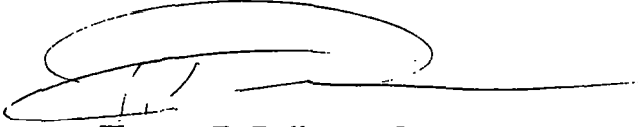
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It was brought to the Commission's attention by the petitioner that he has no affirmative agreement with the owner of Parcel C to abandon the subject portion of Temple Court. Also the petitioner claims he is in good standing with the owners of Lot 379, which has a driveway that abuts Lot 172.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission found the proposed change with conditions as requested by the Commission is consistent with *Providence 2000: The Comprehensive Plan*.

Therefore, the City Plan Commission voted to recommend that the City Council approve on condition the petitioner Herff Jones, Inc. communicate the intentions and procure the agreement to abandon that portion of Temple Court with FDL Associates (Plat 46, Lot 316).

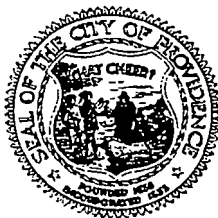
Regards,

A handwritten signature in black ink, appearing to read 'Thomas E. Deller', with a long horizontal flourish extending to the right.

Thomas E. Deller, AICP
Deputy Director

cc: George Calcagni, Chair
Robert Ilg, Petitioner
FDL Associates, Abutter
Margaret Benton, Abutter

3122 - CPC letter



DEPARTMENT OF PLANNING AND DEVELOPMENT

"Building Pride in Providence"

MEMORANDUM

DATE: April 1, 1998

TO : Michael Clement, City Clerk

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

RE : APPRAISED VALUE
TEMPLE COURT ABANDONMENT

Pursuant to your request I have visited the site referenced above to determine Fair Market Value. The proposed abandonment is a major portion of Temple Court and is presently Zoned R-3, it contains 5,377 sq. ft. of land as per the attached map from Providence Public Works. The petitioner plans to use the site as commercial parking for its business. The Fair market Value in my opinion is as follows:

5,377 sq. ft. @ \$2.00 per ft. = \$10,760.00 (rounded)

This value is based on all easements remaining in place.

GEORGE CALCAGNI

Chair



W. Floriani

VINCENT A. CIANCI, JR.

Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

March 9, 1998

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

R-3

ATTENTION: Mr. Michael R. Clement, City Clerk

CPC REFERRAL NO. 3122 - Abandonment of a portion of Temple Court.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on February 24, 1998, reviewed and evaluated the request from the Committee on Public Works the petition for proposed abandonment of a portion of Temple Court. The petitioner is Mr. Robert J. Ilg, Resident Manager of HERFF JONES, INC., owner of adjacent lots 169, 170, 171, and 172 on Assessor's Plat 46 (described in the petition as Parcels A and B).

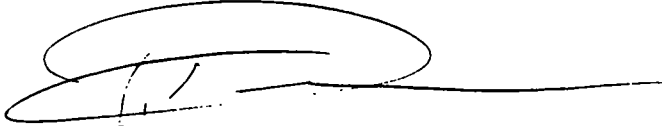
The owner of Lot 316 (described as Parcel C) is not a petitioner for the proposed abandonment. However, the petitioner is requesting the length of Parcel B and a portion of Parcel C be abandoned in order to provide at least sixteen parking spaces for Herff Jones employees.

It was brought to the Commission's attention by the petitioner that he has no affirmative agreement with the owner of Parcel C to abandon the subject portion of Temple Court. Also the petitioner claims he is in good standing with the owners of Lot 379, which has a driveway that abuts Lot 172.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission found the proposed change with conditions as requested by the Commission is consistent with *Providence 2000: The Comprehensive Plan*.

Therefore, the City Plan Commission voted to recommend that the City Council approve on condition the petitioner Herff Jones, Inc. communicate the intentions and procure the agreement to abandon that portion of Temple Court with FDL Associates (Plat 46, Lot 316).

Regards,

A handwritten signature in black ink, appearing to read 'T. Deller', is written over a horizontal line. The signature is enclosed within a large, hand-drawn oval.

Thomas E. Deller, AICP
Deputy Director

cc: George Calcagni, Chair
Robert Ilg, Petitioner
FDL Associates, Abutter
Margaret Benton, Abutter

3122 - CPC letter



Narragansett Electric
A NEES company

February 13, 1998

Ms. Barbara A. Poirier, Second Deputy City Clerk
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Petition to Abandon a Portion of Temple Court

Dear Ms. Poirier:

The Narragansett Electric Company (NEC) presently has overhead facilities situated in the area which is proposed for abandonment. NEC has no objection to the proposed abandonment of this area provided that in the event the street is abandoned, an easement acceptable to NEC will permit the retention of our facilities in their existing locations along with the right to maintain them.

If you have any questions please call me at 401-784-7209.

Sincerely,

Michael D. DiNezza
Senior Real Estate Representative



Michael D. DiNezza, Senior Real Estate Representative
The Narragansett Electric Company
280 Melrose Street
Providence, Rhode Island 02901
Tel: 401-784-7209 Fax: 401-784-7218
dinezz@neesnet.com



February 9, 1998

Providence City Council
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

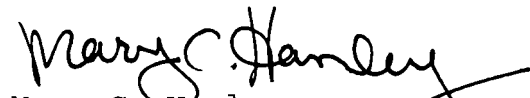
Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF TEMPLE COURT.

Dear Sir:

Upon investigation by our Engineering Department, 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



February 18, 1998

Ms. Barbara A. Poirier
Second Deputy City Clerk
Department of City Clerk
City of Providence
Providence, RI 02903

RE: TEMPLE COURT

Dear Ms. Poirier:

Please be advised, Providence Gas Company will abandon its facilities in Temple Court. Consequently no easement will be required and no objection will be made to the abandonment of the street.

Sincerely,

A handwritten signature in cursive script, reading "Cynthia M. Radican".

Cynthia M. Radican
Research Analyst


cc: file

401 • 277 • 6680
401 • 277 • 2584 FAX
401 • 277 • 6680 TDD
<http://www.narrabay.com>

Paul Pinault, P.E.
Executive Director



Ms. Barbara Poirier
Second Deputy City Clerk
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903


John Zuba
Project Coordinator

cc: Joseph Filippone

401 • 277 • 6680
401 • 277 • 2584 FAX
401 • 277 • 6680 TDD
<http://www.narrabay.com>

Paul Pinault, P.E.
Executive Director




Ms. Barbara Poirier
Second Deputy City Clerk
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Dear Ms. Poirier:

The NBC does not own any facility in this Court. Therefore, we do not have any objection to the abandonment of this property.

We appreciate your notification of this abandonment and the opportunity to comment.

Sincerely,


John Zuba
Project Coordinator

JZ:lz

cc: Joseph Filippone



HERFF JONES®

An employee owned company

March 25, 1999

Fire Marshal David D. Costa
Providence Fire Prevention Bureau
209 Fountain Street
Providence, RI 02903

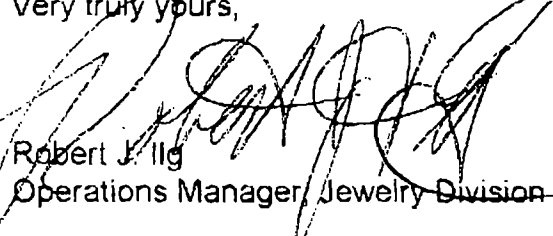
Dear Fire Marshal Costa:

I am in receipt of Barbara Poirer's communication indicating some concern about the abandonment of Temple Court. I have attached a print of the property in question on Temple Court labeled A & B.

Once that property has been determined as abandoned as graphically shown in the proposed Parking Option A, there will be a 20 foot access lane for the Fire Department to all parking lots that are contiguous with no fences or obstruction, and the entrance will be from Potters Avenue which is a straight line access to Lot #4 that is in question. I believe this solves any issue the Fire Department may have on emergency and/or rescue missions into that area. I would be happy to conduct a tour of this area with interested parties to convince them of the viability of this option.

The same option solves whatever problem there may be if the street is abandoned as proposed in Parking Option B. There are in fact two entrances to these contiguous parking lots (one on Potters and one on Temple Street). Potters Street is the best option, and we can demonstrate that by having a short meeting on the property.

Very truly yours,



Robert J. Ilg
Operations Manager, Jewelry Division

RJI/ha

Attachments

cc: Councilman Luis Aponte
213 Massachusetts Avenue
Providence, RI 02905

Councilman Clarkin
329 Ives Street
Providence, RI 02906



December 29, 1997

HAND DELIVERED

Ms. Barbara Poirier
2nd Deputy City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Dear Ms. Poirier:

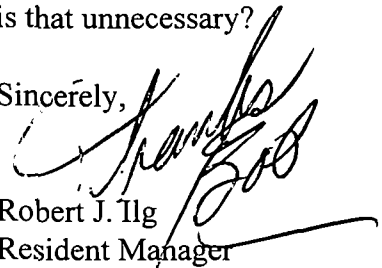
Per our telephone conversation, please find enclosed a print showing Parcels A and B which are Herff Jones property. The ideal option for Herff Jones would be to purchase the entire 38 ft. width of the street all along Parcel B which shows parking places 5 through 11 in red. On the other side of Temple Court street, we own the property through item labeled #12. We would also prefer to be able to park cars on Temple Court in positions labeled 13, 14, 15 and 16.

The owner of Parcel C has access to his property as indicated in red on the layout, and the owner of Parcel D has access to his property indicated in red.

We petition the City of Providence to abandon this street in the maximum square footage that the City would see fit to sell to Herff Jones, Inc. Please find enclosed a check in the amount of \$75.00 to cover the fee for the Petition.

Is it necessary to obtain the services of an attorney familiar with this type of legal transaction, or is that unnecessary?

Sincerely,


Robert J. Ilg
Resident Manager

Abandonment of Temple Court Street
Robert J. Ilg, Resident Manager, Herff Jones
National City Bank of Indiana
Check #12178 - \$75.00

It

Enclosures:

Blueprint
Check

IN CITY COUNCIL

JAN 22 1998
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement CLERK

THE COMMITTEE ON

Colin Forth
Recommends P.H.
Barbara A. Coarier
Clerk

8/19/96

J. H. Leach 8/9/96
12/9/96 Continued
3/16/99 " "

THE COMMITTEE ON
PUBLIC WORKS

Approves Passage of
The Within Resolution

Barbara A. Coarier
Clerk

3/30/99

GRANITE BOUND (FOUND)
3.00' ON PUBLIC STREET

GRANITE BOUND (FOUND)
3.00' ON BOTH STREETS

MACK W.
AND
DORIS J.
ALLEN

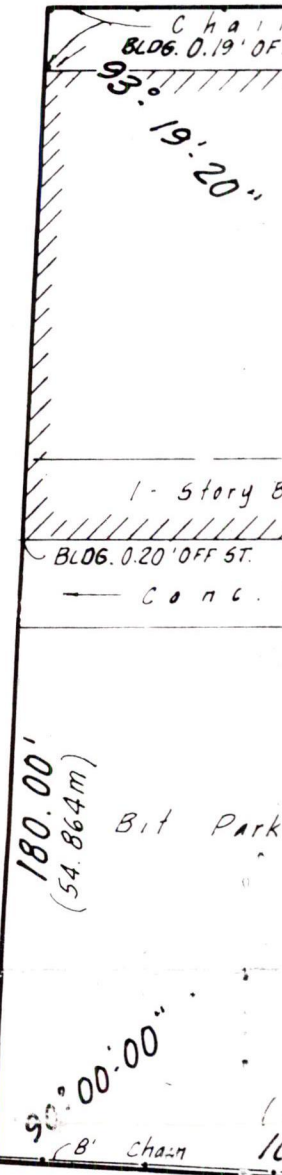
PARCEL "C"

CITY OF PROVIDENCE

PARCEL "A" CONTAINS

4,904 SQ. FT.
(455.6 m²)

TEMPLE STREET (40.00' WIDE)



TEMPLE

COURT

(38.00' WIDE)

PARCEL "B" CONTAINS

13,549 SQ. FT.
(1,258.7 m²)

Bit Parking Area

FENCE 1.72' ON TEMPLE COURT 0.16 EAST OF CORNER

80.00' (24.384m)

LEON JR. AND MARGARET BENTON
Metal 2-5 stall Garage

GARAGE 1.00' ON DIEGES & CLUST PROPERTY

JOHN F. AND ALICE E. THOMPSON

PARCEL "D"

CAM REALTY INC.

HOWARD B. AND ALMA CRUMP

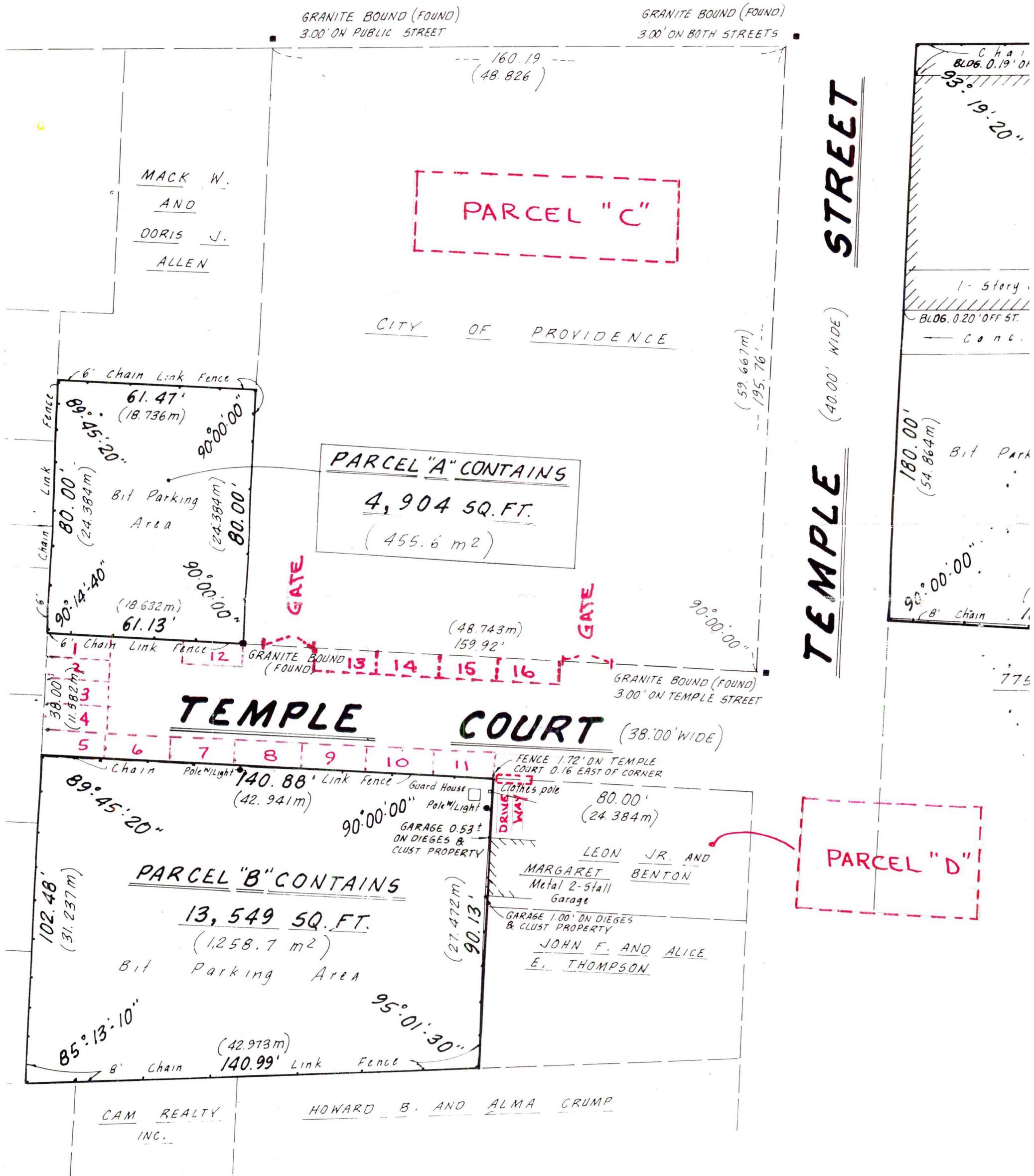
DISTANCES IN FEET ARE ROUNDED TO TWO (2) DECIMAL PLACES FROM COMPUTED VALUES, AND CONVERSIONS FROM FEET TO METERS ARE ROUNDED TO THREE (3) DECIMAL PLACES FROM COMPUTED VALUES.

--- PROPOSED VEHICLE PARKING SCHEME ON TEMPLE COURT

SCALE: 1" = 30 FT

DRAWN BY: D. WALKER

DATE: 12-23-97



DISTANCES IN FEET ARE ROUNDED TO TWO (2) DECIMAL PLACES FROM COMPUTED VALUES, AND CONVERSIONS FROM FEET TO METERS ARE ROUNDED TO THREE (3) DECIMAL PLACES FROM COMPUTED VALUES.

--- PROPOSED VEHICLE PARKING
SCHEME ON TEMPLE COURT

SCALE: 1" = 30 FT

DRAWN BY: D. WALKER

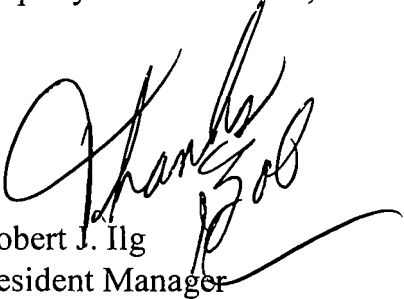
DATE: 12-23-97



ADDENDUM TO LETTER DATED DECEMBER 29, 1997, ADDRESSED TO:

Ms. Barbara Poirier
2nd Deputy City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

We petition the City of Providence to abandon that portion of Temple Court from easterly property line of Lot 172, Parcel B, to westerly termination of said Court.



Robert J. Ilg
Resident Manager

February 5, 1998



December 29, 1997

HAND DELIVERED

Ms. Barbara Poirier
2nd Deputy City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Dear Ms. Poirier:

Per our telephone conversation, please find enclosed a print showing Parcels A and B which are Herff Jones property. The ideal option for Herff Jones would be to purchase the entire 38 ft. width of the street all along Parcel B which shows parking places 5 through 11 in red. On the other side of Temple Court street, we own the property through item labeled #12. We would also prefer to be able to park cars on Temple Court in positions labeled 13, 14, 15 and 16.

The owner of Parcel C has access to his property as indicated in red on the layout, and the owner of Parcel D has access to his property indicated in red.

We petition the City of Providence to abandon this street in the maximum square footage that the City would see fit to sell to Herff Jones, Inc. Please find enclosed a check in the amount of \$75.00 to cover the fee for the Petition.

Is it necessary to obtain the services of an attorney familiar with this type of legal transaction, or is that unnecessary?

Sincerely,

Robert J. Ilg
Resident Manager

It

Enclosures:
Blueprint
Check



226 Public St. Box 6500 Providence, RI 02940-6500

HAND DELIVERED

RECEIVED
FEB 5 1 10 PM '99
CITY OF PROVIDENCE, R.I.

Ms. Barbara Poirier
2nd Deputy City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

An employee owned company

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 27, 1998

TO: Ferdinand Ihenacho, Director of Public Works *FEI*

SUBJECT: **PETITION OF ROBERT J. ILG, RESIDENT
MANAGER, HERFF JONES, INC., 226 PUBLIC
STREET, PROVIDENCE, RHODE ISLAND FOR
PERMISSION TO ABANDON A PORTION OF
TEMPLE COURT.**

CONSIDERED BY: Barbara A. Poirier, Second Deputy City Clerk

DISPOSITION: The accompanying resolutions are referred to you for
study, report and recommendation and report back in
writing to the above-named committee as soon as
practical.

Barbara A. Poirier
Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: November 29, 1999
TO: Deborah Lapatin, Acting City Collector
SUBJECT: CHECK DEPOSITED FOR ABANDONMENT OF PROPERTY
CONSIDERED BY: Michael R. Clement, City Clerk

DISPOSITION: Accompanying is check number 159430 in the amount of \$10,754.00 from Herff Jones, Inc. for deposit for the abandonment of a portion of Temple Court in accordance with Resolution #231, approved April 23, 1999, to be deposited into the Mayor's Improvement Fund (Fund 842).

cc: John D'Amico, Senior Assistant City Solicitor
John Palmieri, Director, Planning & Development
Robert Ricci, Recorder of Deeds
Irene Testa, Traffic Engineer

A handwritten signature in cursive script that reads "Michael R. Clement".
City Clerk

1
resolution/temple
RESOLUTION OF THE CITY COUNCIL

No. 231

Approved April 23, 1999

RESOLVED, DECREED AND ORDERED

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Providence, Rhode Island, Department of Public Works - Engineering Office, street line Section Plan No. 064603 dated February 3, 1998."

Viz: Temple Court 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 Ten Thousand Seven Hundred and Fifty-Four Dollars (\$10,754.00) in legal tender U.S. currency to the City of Providence.

2. The petitioner shall convey an easement acceptable to the Narragansett Electric Company 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;

3. The petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Bureau dated 24 February 1998 which states as follows: "(A) A twenty-foot wide fire lane is maintained; (B) That the roadway be painted with yellow lines and the words 'Fire Lane Do Not Park.' " Reference is made to Fire Department map attached hereto.

4. The petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Water Supply Board dated 2 February 1998 which states as follows: "(A) The petitioner shall have the property line surveyed and staked in the area of the water main to determine the point at which point the main needs to be abandoned; (B) Petitioner agrees to pay

Providence Water Supply Board to have its forces cut and cap the main at the property line and install blow-off."

5. The Petitioner shall grant an easement to all persons being serviced by or having an interest in that private sewer line referenced in the above-mentioned Section Plan No. 064603 and in those applicable records maintained by the Department of Public Works. Said easement shall grant the right for 24 hour access to inspect, maintain, operate and replace the mentioned private sewer line. Alternatively, the Petitioner may, at his sole cost and expense relocate said facilities.

6. That the petitioner shall comply with the conditions to which reference is made in that communication from Providence City Plan Commission dated 9 March 1998 which states as follows: "(A) The petitioner communicate the intentions and procure the agreement to abandon that portion of Temple Court with FDL Associates (Plat 46, Lot 316.)"

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

ORDERED, That after the entry of this order or decree, the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

A true copy,
Attest:

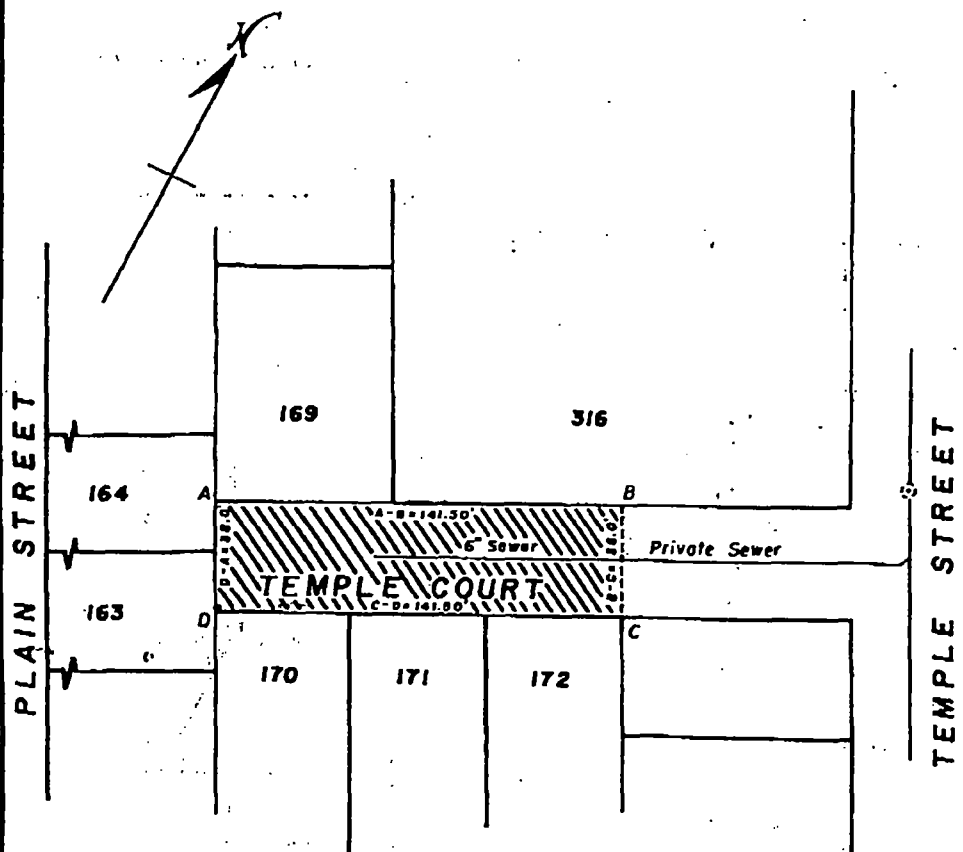


Michael R. Clement

Michael R. Clement
City Clerk

BK 4082PG076

PROVIDENCE, R. I.	
P.W. DEPT. & ENGINEERING OFFICE	
STREET LINE SECTION	
Plan No.	064603
Date	2-3-98



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.

Total square footage = 5,377.00.

Lot numbers taken from A.P. 46.

CITY OF PROVIDENCE, R. I.	
Public Works Dept. - Engineering Office	
Showing Proposed Abandonment of a	
Portion of Temple Court.	
Drawn by A. Zisades	Checked by J.T.M.
Scale 1" = 50'	Date Feb. 3, 1998
Corrected by T. M. ...	Associate Eng.
Approved	Chief Engineer

768
N-30

Received for Record at 2 o'clock 55 min D In

MAY 12 1999

Recorder of Deeds

Robert L. Riccio

FILED

JUN 10 9 25 AM '99

DEPT. OF THE CLERK
PROVIDENCE, R.I.

4082/74-76
C

19257
RECEIVED FOR RECORD
AT 10 O'CLOCK 25 MIN
PROVIDENCE, R.I.
JUN 12 1999
Robert L. Rios
Recorder of Deeds
Witness:
Fee