

# RESOLUTION OF THE CITY COUNCIL

*No.* 499

*Approved* August 11, 2000

## RESOLVED, DECREED, AND ORDERED:

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064642 dated September 15, 1999."

VIZ: East George Street (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-E-F-G-H-I-J-K-L-M-N-O-P-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 Fifteen Thousand (\$15,000.00) Dollars in legal tender U.S. currency to the City of Providence.
2. The petitioner shall convey an easement acceptable to the Narragansett Bay Commission 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 convey an easement acceptable to Providence Gas 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;
4. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer easements on East George Street which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the

IN CITY COUNCIL  
SEP 2 1999  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
*Jean M. Angeline* CLERK  
CB

THE COMMITTEE ON  
*Public Works*  
Recommends *Public Hearing*  
*Charles P. Givens*  
CLERK  
NOV. 16, 1999

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Claire Bestwick*  
MAY 24, 2000 Clerk

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;

5. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated 6 October 1999 which provides that said abandonment ought to be subject to providing Salvation Army and any successors sufficient access so as to permit the Salvation Army utilization of its loading dock.

6. Petitioner shall comply with all conditions contained herein 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.

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

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

IN CITY COUNCIL  
AUG 3 2000  
READ AND PASSED

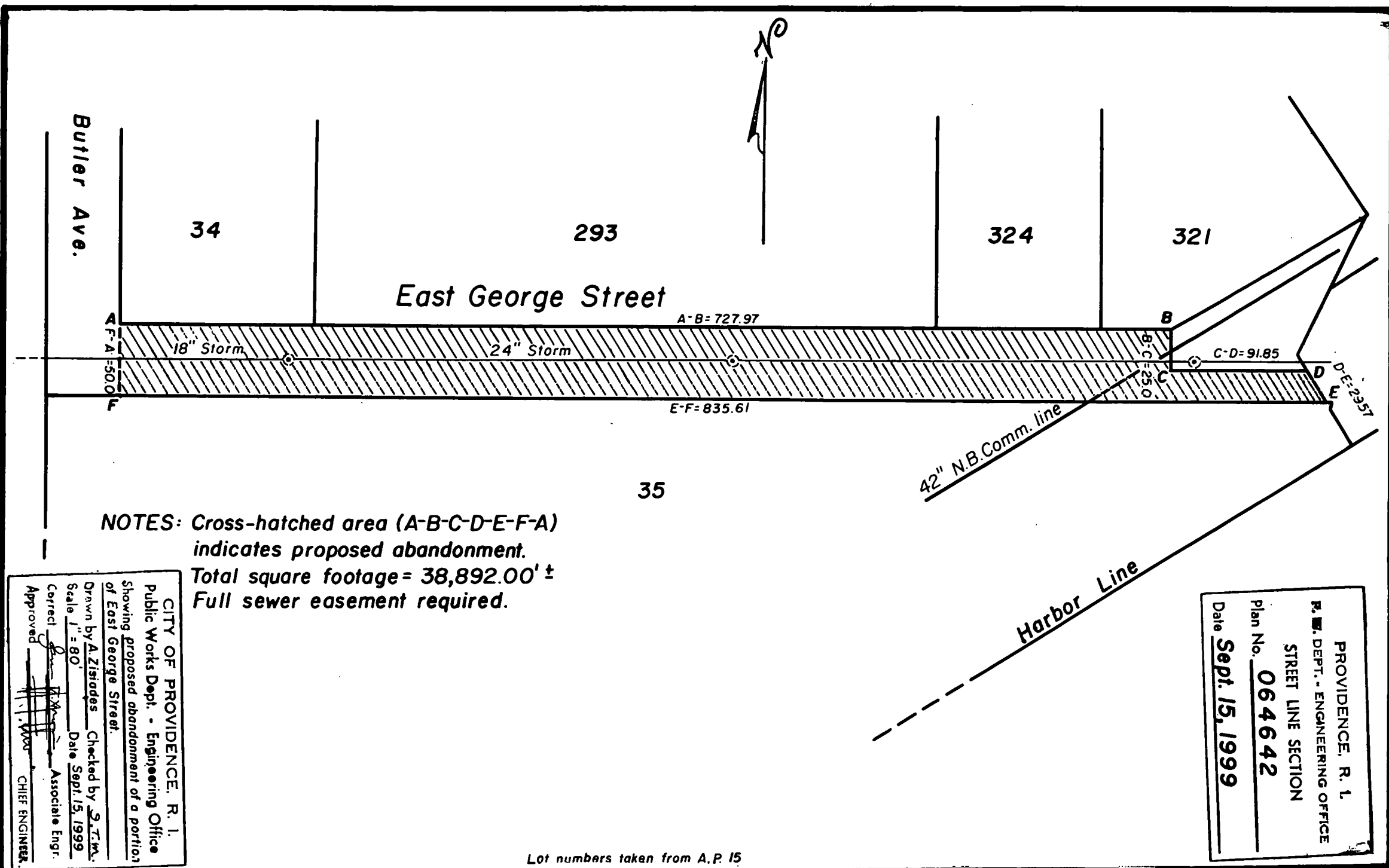
PRES.

CLERK

APPROVED

AUG 11 2000

MAYOR



NOTES: Cross-hatched area (A-B-C-D-E-F-A)  
indicates proposed abandonment.  
Total square footage = 38,892.00' ±  
Full sewer easement required.

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed abandonment of a portion  
of East George Street.  
Drawn by A. Zisades Checked by J. T. M.  
Scale 1" = 80' Date Sept. 15, 1999  
Corrected Associate Engr.  
Approved CHIEF ENGINEER

PROVIDENCE, R. I.  
R. I. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064642  
Date Sept. 15, 1999

Lot numbers taken from A.P. 15

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 EAST GEORGE STREET.**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
15	34	Salvation Army of Rhode Island 20 Miner Street Providence, RI 02906
15	35	Koffler Realty 1 Providence Washington Plaza Providence, RI 02903
15	293	Salvation Army of Rhode Island 20 Miner Street Providence, RI 02906
15	321	Frank Gustavson 225 Wampanoag Trail East Providence, RI 02915
15	324	Salvation Army of Rhode Island 20 Miner Street Providence, RI 02906

**PETITIONER**

Robert I. Stolzman, Esquire  
Andrew W. Prete, Esquire  
Adler Pollock & Sheehan P.C.  
One BankBoston Plaza  
Providence, RI 02903

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Ralph Guglielmino  
City Sergeant

---

Councilman Robert M. Clarkin  
Ward 1

James F. Rattigan  
Chief of Department

David D. Costa  
Fire Marshal



Vincent A. Cianci Jr.  
Mayor

John J. Partington  
Commissioner

## PROVIDENCE FIRE PREVENTION DIVISION

*"Smoke Detectors Save Lives"*

October 26, 1999

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

Re: Abandon a Portion of East George Street

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of East George Street (see attached), the Fire Department has no objection.

Yours truly,

A handwritten signature in black ink, appearing to read "David D. Costa".

David D. Costa  
Fire Marshal

Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

## Department of Public Works

*"Building Pride In Providence"*

September 21, 1999

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

Re: Portion Abandonment  
East George St.

Dear Councilman Clarkin:

This department has no objection to the portion abandonment of East George St. from Butler Ave. to the Harbor Line as shown on the accompanying plan, entitled "Providence, RI, P.W. Dept.--Engineering Office, Street Line Section, Plan No. 064642, Date: 9/15/99".

The proposed portion abandonment is depicted as cross-hatched area on the accompanying plan, noted as A-B-C-D-E-F-A. The total square footage related to this proposed abandonment is 38,892.00 sq. Ft. Further note that a Full Sewer Easement is required for the Narragansett Bay Commission's 42 in. sewer line and an 18in./24 in. storm line in said East George St. Lot numbers for this proposed abandonment were taken from City of Prov. A.P. #15. A list of affected abutting property owners is attached herewith for your review.

If we can further assist in this regard, please advise.

Very truly yours,

A handwritten signature in black ink, appearing to read "F. Ihenacho", is written over a grid of lines.

Ferdinand C. Ihenacho, P.E.  
Director/DPW

CC: M. Clement, J.D'Amico, G.Florio,  
JTM, JLC, SZ

ARMANDO PARILLO  
*Chairman*

JOEL D. LANDRY, II, ESQ.  
*Vice Chairman*

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

FERNANDO S. CUNHA, ESQ.  
*Legal Advisor*

ALEXANDER D. PRIGNANO  
*Ex-Officio*



VINCENT A. CIANCI, JR.  
*Mayor*

RICHARD O. RAFANOVIC, P.E., M.B.A.  
*General Manager & Chief Engineer*

JOSEPH DE LUCA  
*City Councilman*

RITA M. WILLIAMS  
*City Councilwoman*

MARY A. NOCERA  
*Member*

JOSEPH D. CATALDI  
*Member*

September 10, 1999

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

**SUBJECT: Petition to Abandon a Portion of East George Street**

Dear Councilman Clarkin:

The referenced Petition received from the Department of City Clerk proposes to abandon a portion of East George Street. The proposed abandonment shall be as indicated on Drawing Number S-2, Subdivision Plan Butler Street and East George Street, prepared by Vanasse Hangen Brustlin, Inc. and dated November 20, 1996.

Accordingly, we have reviewed this Petition with respect to the impact it may have on the Providence Water Supply Board (PWSB) Distribution System. Our present records indicate that the portion of East George Street, as proposed herein for abandonment, contains no PWSB water mains, services or appurtenances. Therefore, PWSB has no objection to the proposed abandonment and should you have any questions, please contact the undersigned at (401) 521-6300, extension 7228.

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

A handwritten signature in dark ink, appearing to read "Dennis Haworth", written over a horizontal line.

By: Dennis Haworth

Engineering Records Manager

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



NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

September 9, 1999

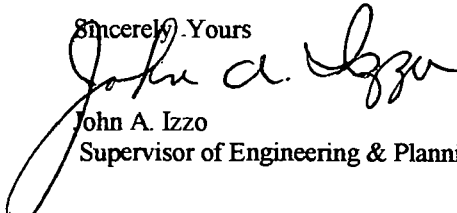
Ms. Barbara Pourier  
Deputy City Clerk  
City Clerks Office  
City Hall  
Providence, RI 02903

RE: Abandonment of a portion of East George Street

Dear Ms. Pourer:

The Providence Parks Department has no objection to the abandonment of a portion of East George Street.

Sincerely, Yours

  
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 *Irene J. Testa*

**DATE:** 5/10/2000

**RE:** PENDING MATTERS

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**Request:** To abandon a portion of East George Street.

**Disposition:** No objection to said abandonment.

# MEMORANDUM

**DATE:** November 4, 1999

**TO :** Michael R. Clement, City Clerk

**FROM:** William G. Floriani, Assistant Director

**CC :** John F. Palmieri, Director  
Thomas O' Connor, Associate Director

**RE :** East George Street Abandonment

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I have review the material submitted by Mr. Robert I. Stolzman in reference to the above referenced street abandonment. Given the facts presented in reference to the environmental problems I concur that the parcel is worth \$3,741.00 offered by the petitioner.

This concurrence has to take into consideration the following:

1. The petitioner must verify with paid invoices the actual cost of remediation.
2. The City will not be held responsible for any actions during or after the remediation.
3. Should the cost be in excess of the estimates, the petitioner will still pay the \$3,741.00 for the abandonment, but should it be considerably less than the estimate provided the petitioner must pay the difference between the actual cost of the site \$72,000 and the cost to remediate the site.



## PROVIDENCE CITY PLAN COMMISSION

*"Planning the Future of Providence"*

October 6, 1999

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

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

CPC Referral No. 3153. Petition from KOFFLER REALTY ASSOCIATES V, LLC for an abandonment of a portion of East George Street. (*the matter was continued for further study*)

Dear Councilman Clarkin:

The City Plan Commission reviewed for the second time on Tuesday, August 17, 1999, the request from the Committee on Public Works a petition for a perpetual easement within the public right-of-way of East George Street. Since that time the applicant has opted to abandon the street and has submitted an amended petition to the Committee on Public Works.

The purpose of the abandonment, is to (1) establish a loading area in the rear of the Salvation Army building located on Pitman Street; (2) create an access to parking area adjacent to the proposed assisted living residence located on Butler Avenue; and (3) to extend a drainage basin.

The owners, Koffler Corp. are concerned that the plan for construction of an assisted living facility will not provide enough space to allow parking for the facility as well as access to the Salvation Army loading dock. On this abandoned road, Koffler would plant vegetation and build a driveway leading to the Salvation Army loading dock.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission found the proposed abandonment of said right-of-way is consistent with *Providence 2000: The Comprehensive Plan*.

The City Plan Commission voted to recommend that the Committee on Public Works find that there is no objection to abandoning the subject portion of East George Street. This approval is subject to the provision of adequate access for Salvation Army delivery trucks and acquiring an agreement from the Salvation Army, to that effect.

Regards,

A handwritten signature in black ink, consisting of a large, loopy 'T' followed by a horizontal line and a long, sweeping flourish that extends to the right.

Thomas E. Deller, AICP  
Deputy Director

cc: Robert Stolzman, Esq., Adler Pollock & Sheehan P.C.  
Councilman Robert M. Clarkin, Ward 1  
George Calcagni, Chair, City Plan Commission



Narragansett Electric  
A NEES company

September 24, 1999

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

Re: Petition to Abandon a Portion of East George Street

Dear Ms. Poirier:

The Narragansett Electric Company (NECo) has no facilities within the area of East George Street proposed for abandonment.

Sincerely,

Michael D. DiNezza  
Senior Real Estate Representative

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

Right of Way Department



November 17, 1999

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

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF EAST GEORGE STREET

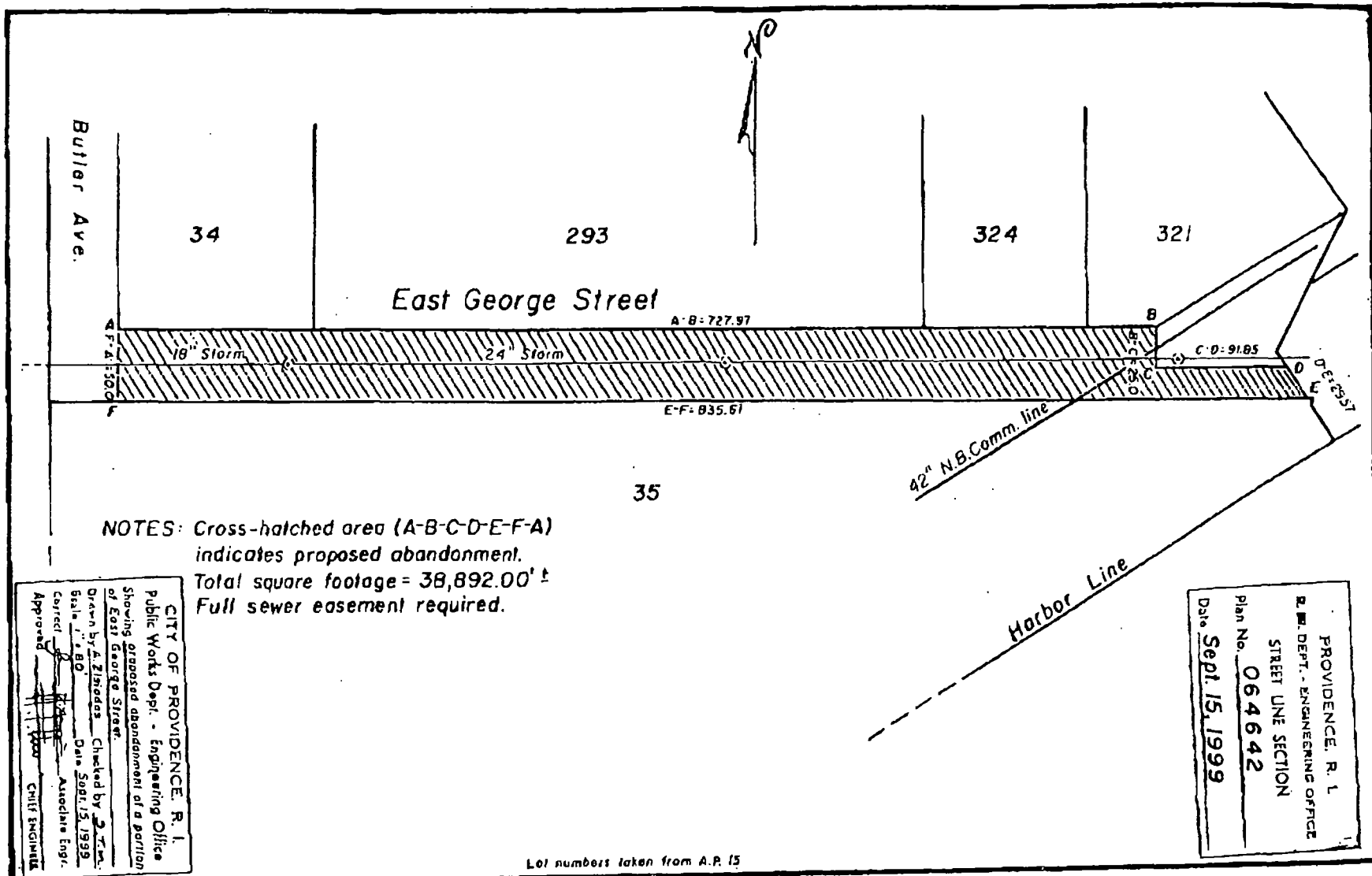
Dear Sir:

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary C. Hanley". The signature is fluid and cursive, with a large loop at the end.

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



768  
N-75





9/9/99

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

Re: Petition to Abandon a Portion of East George Street, Providence

Dear Ms. Poirier:

Providence Gas owns and maintains facilities within the proposed abandonment. We also plan to service the assisted living complex using this route in the future.

We do not wish to relinquish our rights to install and maintain our gas facilities through this easement. However, if we are granted an easement to operate and maintain our existing facilities in their present position and to install future facilities, we have no objections.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'M McGuire', written over a horizontal line.

Michael McGuire  
Manager of Engineering Design & Drafting



# RESOLUTION OF THE CITY COUNCIL

*No.* 499

*Approved* August 11, 2000

## RESOLVED, DECREED, AND ORDERED:

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064642 dated September 15, 1999."

VIZ: East George Street (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-E-F-G-H-I-J-K-L-M-N-O-P-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 Fifteen Thousand (\$15,000.00) Dollars in legal tender U.S. currency to the City of Providence.
2. The petitioner shall convey an easement acceptable to the Narragansett Bay Commission 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.
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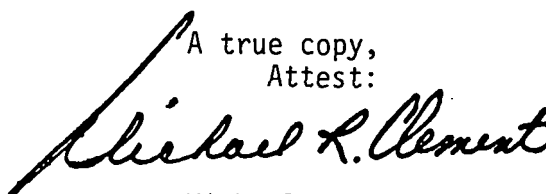
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A true copy,  
Attest:



Michael R. Clement  
City Clerk

PROVIDENCE, R. I.  
RECEIVED FOR RECORD

2000 AUG 30 10:21

BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS  
*Barbara A. Troncy*

Butler Ave.

34

293

324

321

East George Street

A-B = 727.97

A-F-A = 500.0

18" Storm

24" Storm

E-F = 835.61

B-C = 25.0

C-D = 91.85

D-E = 295.7

35

42" N.B. Comm. line

Harbor Line

NOTES: Cross-hatched area (A-B-C-D-E-F-A)  
indicates proposed abandonment.  
Total square footage = 38,892.00' ±  
Full sewer easement required.

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed abandonment of a portion  
of East George Street.  
Drawn by A. Zisades Checked by S. T. M.  
Scale 1" = 80' Date Sept. 15, 1999  
Corrected by Associate Engr.  
Approved by CHIEF ENGINEER

PROVIDENCE, R. I.  
R. I. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064642  
Date Sept. 15, 1999

Lot numbers taken from A.P. 15

4451-147-149

PROVIDENCE, R.I.  
RECEIVED FOR RECORD  
2000 AUG 10 2:27

BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

36023