

# RESOLUTION OF THE CITY COUNCIL

No. 688

Approved October 7, 2003

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. 064701 dated December 13, 2001."

VIZ: Bowditch Place, as described in Attachment "A" and shown as the cross-hatched areas on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public, 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 One Dollar (\$1.00) in legal tender U.S. currency to the City of Providence.
2. The Petitioner agrees to maintain the abandoned portion for security and circulation around the new Providence Public Safety Complex.
3. The 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.
4. The Petitioner shall maintain easements which will permit retention of private sewer lines 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.
5. The Petitioner shall maintain easements for to the Providence Water Supply Board which will permit retention of its water services and a 6" cast iron main in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four access to said facilities.
6. Such other conditions as the Mayor or the Law Department shall see fit to impose.

RECEIVED  
CITY OF PROVIDENCE  
OCT 10 2003

IN CITY COUNCIL  
NOV 16 2001  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
Michael R. Clement  
CLERK

THE COMMITTEE ON  
Public Works  
Recommendations - Set up Public hearing  
Chie E. Bestwick  
CLERK  
12-11-01  
1-10-02 - P. Hing held  
AMS 3-12-03 - Con 4  
5-27-03 ..  
7-28-03 ..  
11-17-03 P. Hing held

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
John M. Helton  
CLERK  
9-22-03

ORDERED, That the Traffic Engineer be and she 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  
OCT 2 2003  
READ AND PASSED

**APPROVED**

PRES.

*Michael R. Clement*  
CLERK

**MAYOR**

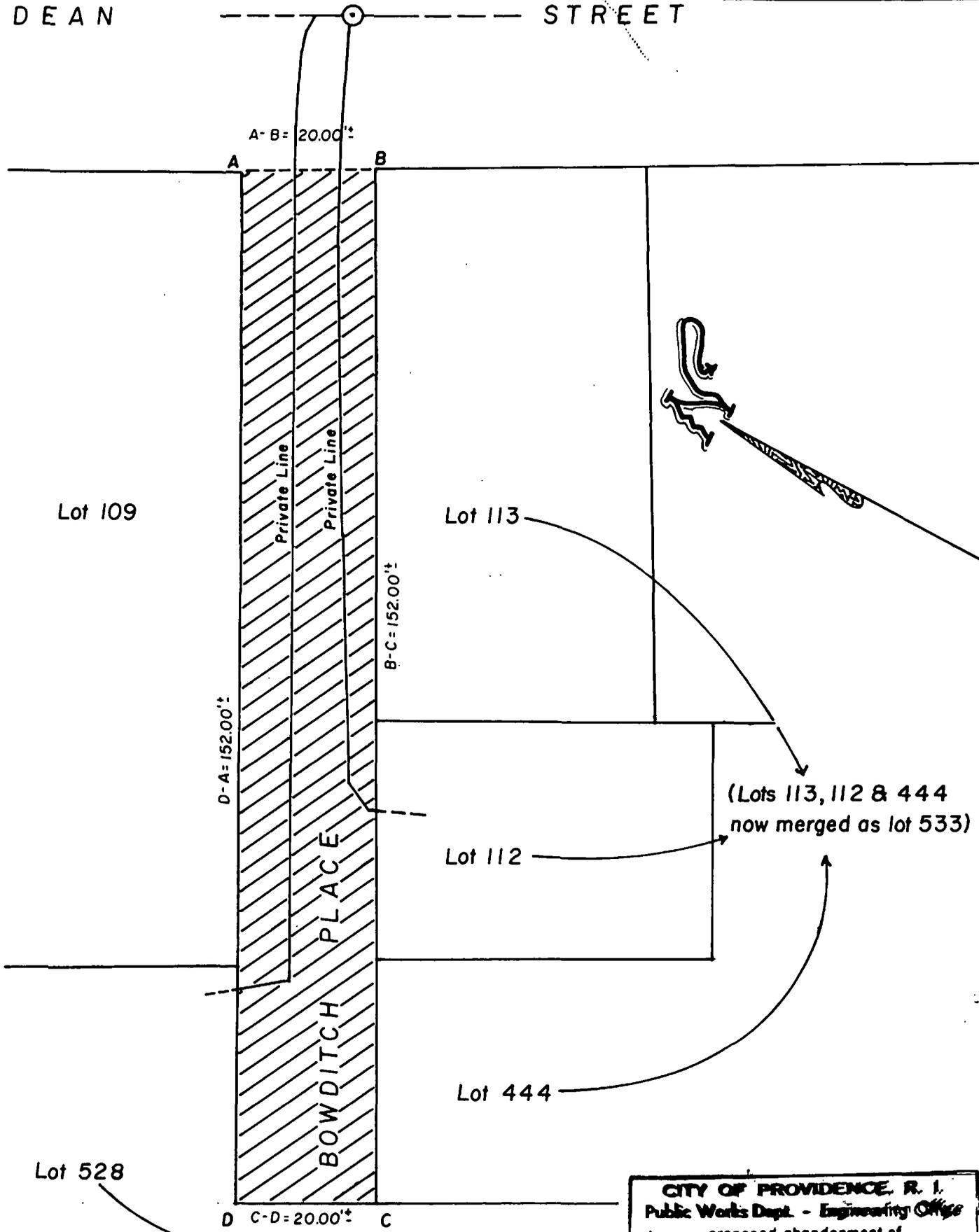
10/7/03

COTTAGE S

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064701  
 Date Dec. 13, 2001

DEAN

STREET



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment. — Sewer easement required for private sewer line. — Total square footage = 3,040.00'±

Lot numbers taken from A.P. 29.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonment of  
 Bowditch Place.  
 Drawn by A. Zisades Checked by [Signature]  
 Scale 1" = 20' Date 12-13-2001  
 Correct James A. Morris Associate Engr.  
 Approved [Signature] CHIEF ENGINEER

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

*"Building Pride In Providence"*

December 14 , 2001

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

Dear Councilman Clarkin:

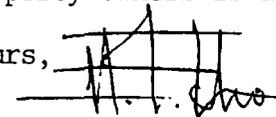
RE: Petition of John F. Palmieri, Director Dept. of Planning & Development,  
Requesting the Abandonment of Bowditch Place.

Dear Councilman Clarkin:

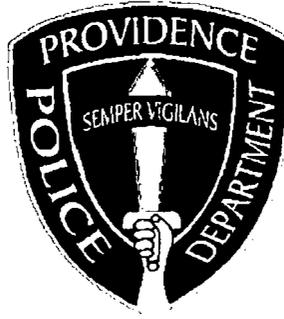
This Department has no objection to the above-referenced abandonment of Bowditch Place in conjunction with the accompanying plan entitled " Providence, R.I., P.W. Dept., Engineering Office, Street Line Section, Plan No. 064701, Date: December 14 , 2001.

Area of Bowditch Place to be abandoned is noted as A-B-C-D-A .... on the accompanying plan, as cross-hatched area. \*There is sewer easement/Pvt. line required, in conjunction with this proposed abandonment. Total Square Footage is 3,040.00+ Sq.Ft. Note that Lot Numbers for this plan were taken from City of Providence Assessor's Plat: No. 25. (\*NOTE: The Sewer Easement is PRIVATE -- to be incorporated within the Deeds of abutters tied into Said Private Sewer line within abandonment of Bowditch Pl. as shown on this plan. If we can further assist, please advise. A list of abutting property owners is attached.

Very truly yours,

  
Ferdinand C. Ihenacho, P.E.  
Director

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



PROVIDENCE POLICE DEPARTMENT  
TRAFFIC BUREAU

*Lieutenant Timothy Lee, Commanding*

*December 20, 2001*

**TO:** Colonel Richard Sullivan, Chief of Police

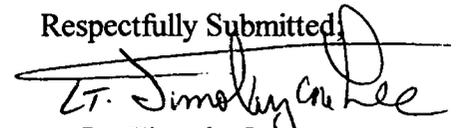
**FROM:** Lieutenant Timothy Lee, Commanding Traffic Bureau

**SUBJECT:** Street Abandonment

Dear Sir,

The City of Providence Public Safety Complex is in the best interest of the City . Therefore it is in the best interest of the City to abandon this property.

Respectfully Submitted,

  
Lt. Timothy Lee

James F. Rattigan  
Chief of Department

William T. Giannini  
Asst. Chief of Department

Gary E. Mulcahy  
Asst. Chief of Department



Vincent A. Cianci, Jr.  
Mayor

John J. Partington  
Commissioner of Public Safety

**DEPARTMENT OF PUBLIC SAFETY, FIRE DEPARTMENT**  
*"Building Pride in Providence"*

November 29, 2001

Department of City Clerk  
City Hall  
Providence, RI 02903

To Whom It May Concern:

The Providence Fire Department is in receipt of a petition requesting permission to abandon Bowditch Place.

Please be advised that the Providence Fire Department has no objection to this request. If you have any further questions, please do not hesitate to contact us.

Yours truly,

Gary E. Mulcahy  
Acting Assistant Chief of Department

GEM:lr1

PROPOSED ABANDONMENT OF  
BOWDITCH PLACE

A.P. 29 LOT 109 - 265 DEAN ST.

JASON & BEVERLY RUBIN

105 CARPENTER ST. PROV. 02903

LOT 112

LOT 113

LOT 444

LOT 533

349 WEST FOUNTAIN ST.

P.R.B. 400 WESTMINSTER

LOT 528 - 26 CARGILL ST.

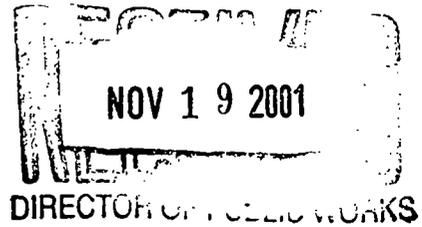
WEST SIDE INVESTMENTS

2380 CRANSTON ST. CRANSTON 02920

City of Providence



Rhode Island



Department of City Clerk

MEMORANDUM

*TCI - file*

DATE: November 16, 2001

TO: Ferdinand Ihenacho, Director of Public Works

SUBJECT: **PETITION OF JOHN F. PALMIERI, DIRECTOR, DEPARTMENT OF PLANNING & DEVELOPMENT, REQUESTING THE ABANDONMENT OF BOWDITCH PLACE.**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee on Public Works

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

*Claire E. Butcher*  
Second Deputy City Clerk

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 b*

October 30, 2001

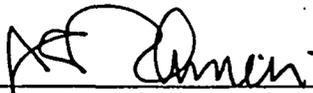
To the Honorable City Council:

The Providence Redevelopment Agency hereby petitions the Providence City Council to consider the abandonment of Bowditch Place.

As shown on the attached plan, Bowditch Place is adjacent to the site of the Providence Public Safety Complex, currently under construction. The abandonment of this street is necessary for security and circulation around the complex.

The Agency requests that the abandonment be at no cost to the petitioner.

Respectfully submitted,



Providence Redevelopment Agency  
John F. Palmieri  
Executive Director



ARMANDO PARILLO  
*Chairman*

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

CARISSA R. RICHARD  
*Secretary*

FERNANDO S. CUNHA, ESQ.  
*Legal Advisor*

ALEXANDER D. PRIGNANO  
*Ex-Officio*



VINCENT A. CIANCI, JR.  
*Mayor*

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

JOSEPH DE LUCA  
*City Councilman*

RITA M. WILLIAMS  
*City Councilwoman*

MARY A. NOCERA  
*Member*

JOSEPH D. CATALDI  
*Member*

December 5, 2001

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

SUBJECT: Petition for Street Abandonment  
Bowditch Place  
Providence, Rhode Island

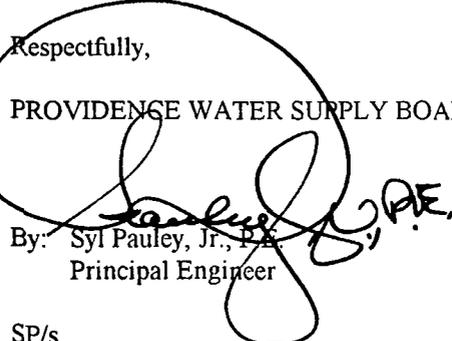
Dear Councilman Clarkin:

The referenced Petition to the City Council has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records indicate that there are several water services and a 6-inch cast iron water main in this street. However, they are scheduled for abandonment in the very near future. Accordingly, PW does not oppose this abandonment.

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

ABNLTR52.WPD

NAÏCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

November 20, 2001

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

RE: Abandonment of Bowditch Place

The Department of Public Parks has reviewed the proposed abandonment of Bowditch Place, and has no objection to the proposed abandonment.

Sincerely yours,

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

John A. Izzo  
Supervisor of Engineering & Planning

IRENE J. TESTA  
Traffic Engineer

JOSEPH W. CAPRIO  
Deputy Director



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:** 11/19/01

**RE:** PENDING MATTER

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**REQUEST:** To abandon Bowditch Place.

**DISPOSITION:** No objection.

HENRY E. KATES  
Chairman

LESLIE A. GARDNER  
Vice Chairwoman

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

RONALD W. ALLEN  
LUIS A. APONTE  
Councilmen

JOHN F. PALMIERI  
Executive Director

SAMUEL J. SHAMOON  
Secretary



VINCENT A. CIANCI, JR.  
Mayor

## PROVIDENCE REDEVELOPMENT AGENCY

*"Building Pride in Providence"*

### MEMORANDUM

**DATE:** February 27, 2002

**TO :** Michael Clement, City Clerk

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

**RE :** ABANDONMENT  
Bowditch Place

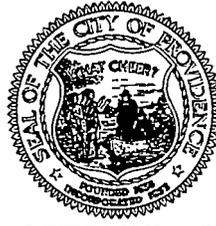
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Pursuant to your request I have visited the site referenced above. The purpose was to determine Fair Market Value. The parcel abuts the Public Safety Site on one side and a private owner on the other. The parcel would be split in half upon abandonment. 1,528 sq. ft. would go to the private owner and 1,525 sq. ft. would go the Providence Redevelopment Agency (PRA). The parcels are a total of 3,053 sq. ft. and is zoned C-4. The parcel will require an easement for a private sewer line as depicted on the plan from Public Works. This would reduce the value by 30%. The actual value would be \$15.00 per ft.

3053 sq. ft. @ \$7.50 per. ft. = \$22,897.50

The private owner would be responsible for one half the value. The PRA being a City agency and this parcel will be a part of the new Public Safety site should be for \$1.00.

Cc: Joseph A. Abbate



## PROVIDENCE CITY PLAN COMMISSION

*"Planning The Future of Providence"*

December 19, 2001

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

Attn: Michael R. Clement, City Clerk

**Re: CPC REFERRAL NO. 3186: Proposed Abandonment of Bowditch Place**

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, December 18, 2001 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of Bowditch Place.

The Commission made the following findings of fact as required by the *City Plan Commission Handbook* Policy No. 1: "Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment":

1. *A public interest has to be clearly demonstrated. A public interest is defined as one or more of the following: public health and safety, adequate provision of transportation, general improvement of traffic patterns and/or circulation, convenient access to properties, avoidance of a nuisance, significant economic development, preservation of a historical or cultural feature, and improvement of the general welfare of the community.*

This street abandonment is in the public interest as it will further the development of the new Public Safety Facility. As this street is a dead-end, there will be no adverse impact on traffic patterns.

2. *No negative impact is evident on existing land uses, future plans, zoning, safety, health or welfare of the community by the proposed abandonment.*

No negative impacts from this abandonment are anticipated.

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

The PRA is the abutter to the south of Bowditch Place. To the north, Plat 29, Lot 109 is listed in the Tax Assessor's records as being owned by "Jason Rubin, Trustee and Beverly Rubin, Trustee, et al." Plat 29, Lot 528 is listed as belonging to West Side Investments, Inc. The abutting landowners must agree to this abandonment before it may proceed. The PRA plans to condemn the portion of the street that would be offered to the other abutting landowners.

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 rights-of-way. The PRA would need to grant easements if necessary.

6. *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.*

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

The Commission voted to recommend to the Committee on Public Works that it approve the subject abandonment at no cost to the petitioner.

Sincerely,



Samuel J. Shamoon  
Associate Director of Planning

# Narragansett Electric

A National Grid Company



November 27, 2001

Claire E. Bestwick  
City Clerk's Office  
Providence City Hall  
Providence, RI 02903

Re: Abandonment — Bowditch Place, Providence, RI

Dear Ms. Bennett:

Please be advised that Narragansett Electric has no facilities located at the proposed abandonment site.

Therefore, we do not object to the abandonment of that portion of Bowditch Place.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Mindy C. Montecalvo  
Real Estate Consultant  
Property Assets  
(401) 784-7512

Right Of Way



85 High Street  
Pawtucket, RI 02860

Phone 401 727-9555  
Fax 401 725-7680

October 30, 2002

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

Attn: Ms. Claire Bestwick

RE: PETITION TO ABANDON A PORTION OF BOWDITCH PLACE

Dear Ms. Bestwick:

Upon investigation by our in house Engineer, Paul Troia, 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 "Pam Jarvela, am".

Pam Jarvela  
Right of Way  
401-727-9514

**ProvGas**  
A ProvEnergy Company



11/23/01

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

Re: Petition to Abandon Bowditch Place, Providence

Dear Ms. Bestwick:

Providence Gas does own and maintain gas facilities within above-mentioned petition therefore, we have no objections to this petition. Please be sure to contact DIGSAFE® prior to any excavation activities at 1-888-DIGSAFE.

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

Sincerely,

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

Michael McGuire  
Manager of Engineering Design & Facility Locating





# RESOLUTION OF THE CITY COUNCIL

No. 688

Approved October 7, 2003

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RECORDED  
PROVIDENCE  
CITY CLERK  
OCT 10 2003

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IN CITY COUNCIL  
OCT 2 2003  
READ AND PASSED

**APPROVED**

*[Handwritten signature]*  
PRES.  
*[Handwritten signature]*  
MAYOR 10/7/03

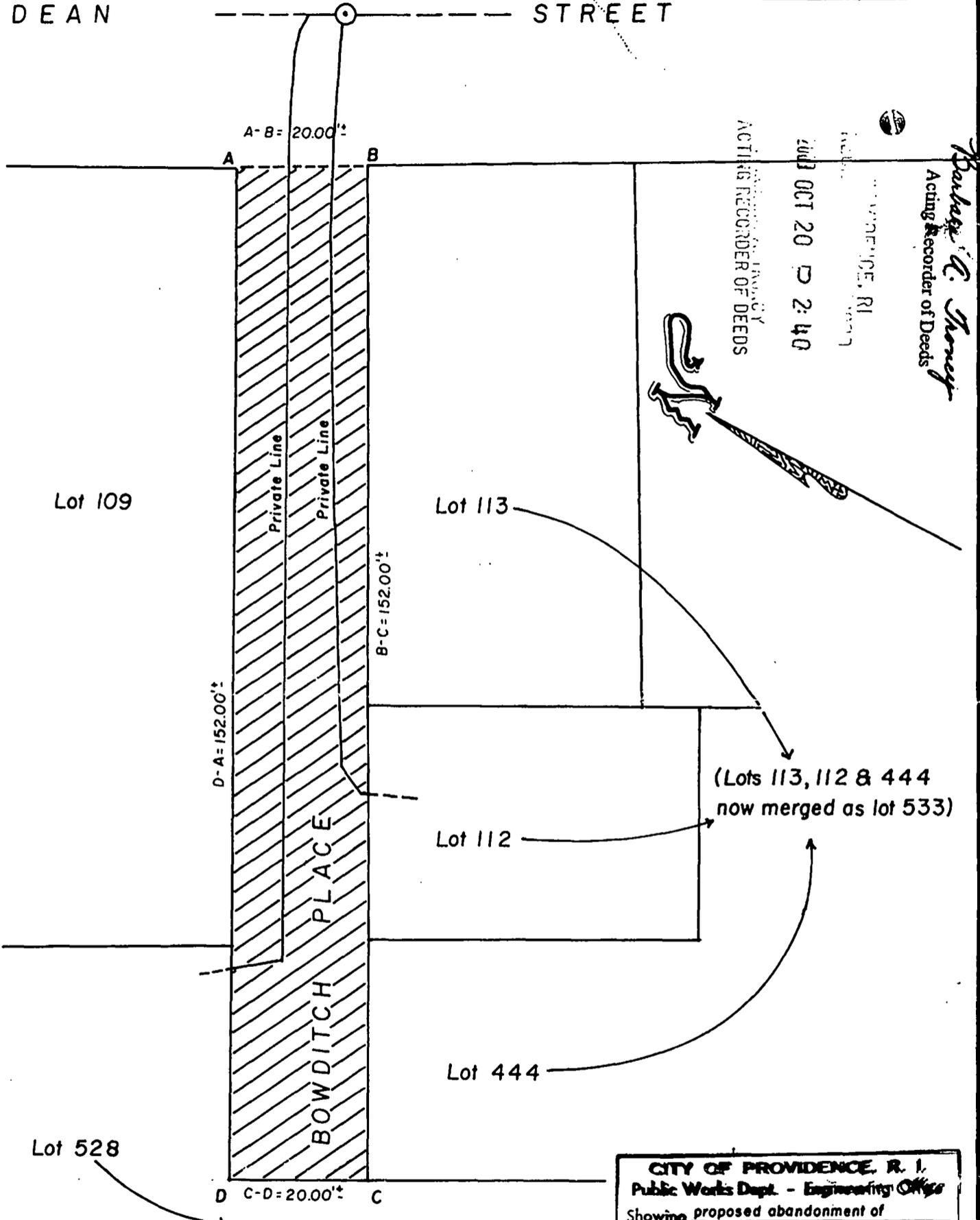
CLERK

A true copy  
Attest:  
*[Handwritten signature]*  
Michael R. Clement  
City Clerk

COTTAGE S

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064701  
 Date Dec. 13, 2001

DEAN STREET



ACTING RECORDER OF DEEDS  
 OCT 20 10 2:40  
 Providence, RI  
*Barbara C. Morrey*  
 Acting Recorder of Deeds

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment. — Sewer easement required for private sewer line. — Total square footage = 3,040.00'±

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 Showing proposed abandonment of  
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 Drawn by A. Zisgades Checked by JHC  
 Scale 1" = 20' Date 12-13-2001  
 Corrected James P. Morrey Associate Engr.  
 Approved [Signature] CHIEF ENGINEER

6/21/11-13

③

OCT 20 2:40

ACTING RECORDER OF DEEDS

70169

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IN CITY COUNCIL  
OCT 8 2003  
READ AND PASSED  
*[Signature]*  
PRES.  
*[Signature]*  
CLERK

**APPROVED**

*[Signature]*

**MAYOR**

10/7/03

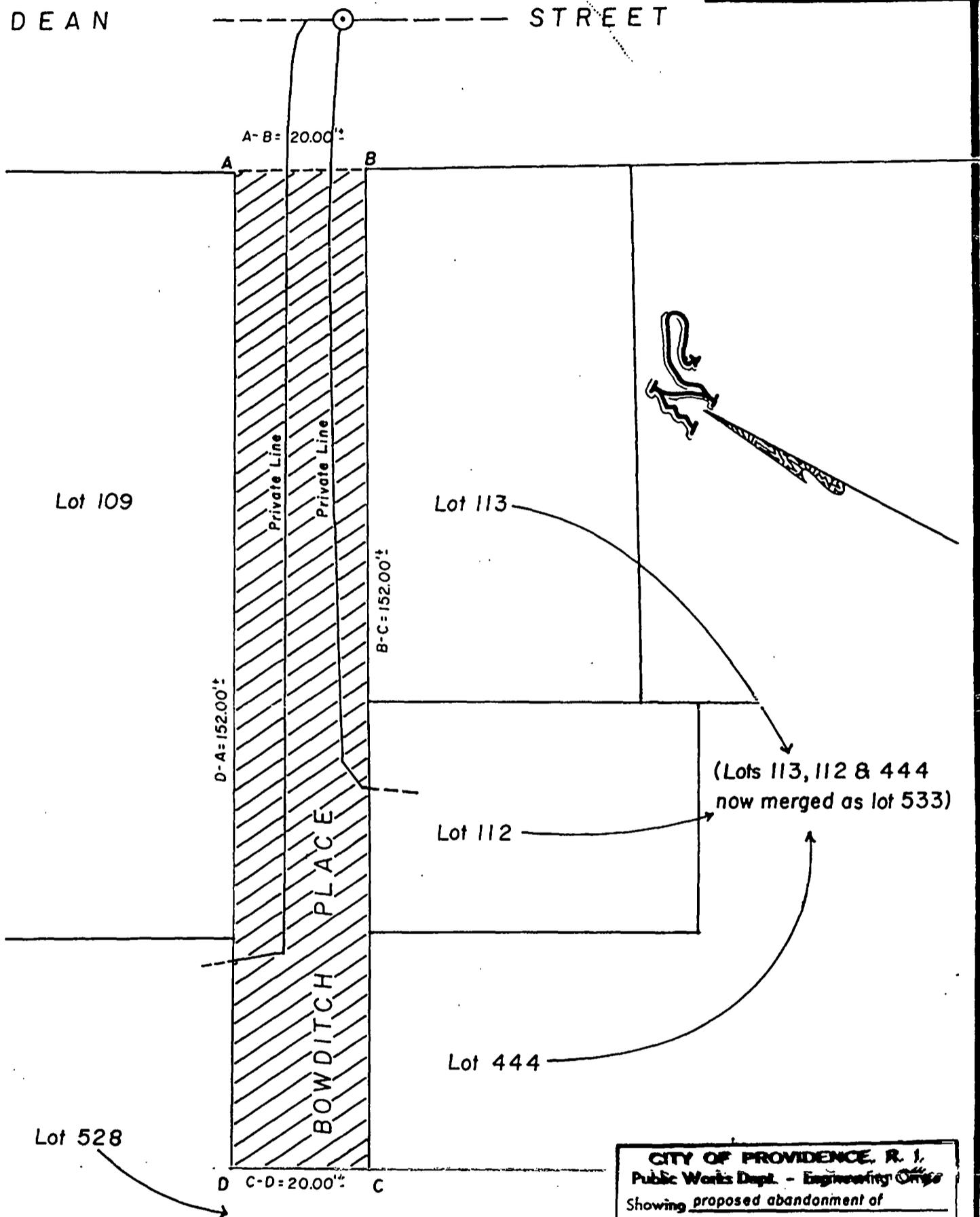
A true copy.  
Attest:  
*[Signature]*  
Michael R. Clement  
City Clerk

COTTAGE S

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064701  
 Date Dec. 13, 2001

DEAN

STREET



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 Showing proposed abandonment of  
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 Corrected by James P. Morris Associate Engr.  
 Approved [Signature] CHIEF ENGINEER

PROVIDENCE, RI  
 RECORD  
 2003 NOV 12 10:46  
 BARBARA A. IRONBY  
 ACTING RECORDER OF DEEDS  
 Barbara A. Ironby  
 Acting Recorder of Deeds

6170 283,285

RECORD  
2003 NOV 12 A 10:46  
BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS

7395

# RESOLUTION OF THE CITY COUNCIL

No. 688

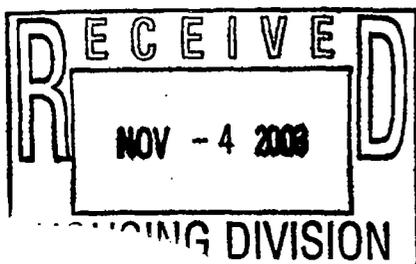
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3. The Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.
4. The Petitioner shall maintain easements which will permit retention of private sewer lines 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.
5. The Petitioner shall maintain easements for to the Providence Water Supply Board which will permit retention of its water services and a 6" cast iron main in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four access to said facilities.
6. Such other conditions as the Mayor or the Law Department shall see fit to impose.



ORDERED, That the Traffic Engineer be and she 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.

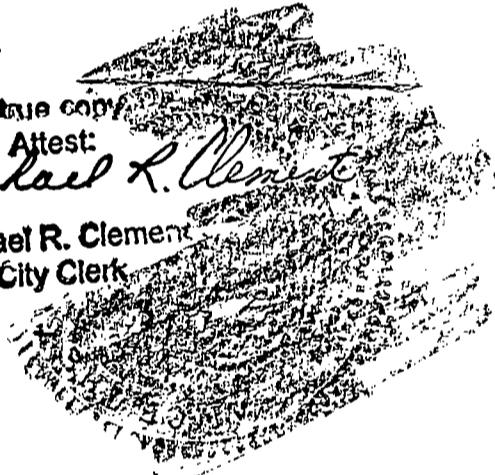
IN CITY COUNCIL  
OCT 13 2003  
READ AND PASSED

**APPROVED**

*[Handwritten signature]*  
PRES.  
*[Handwritten signature]*  
MAYOR 10/7/03

A true copy  
Attest:

*[Handwritten signature]*  
Michael R. Clement  
City Clerk

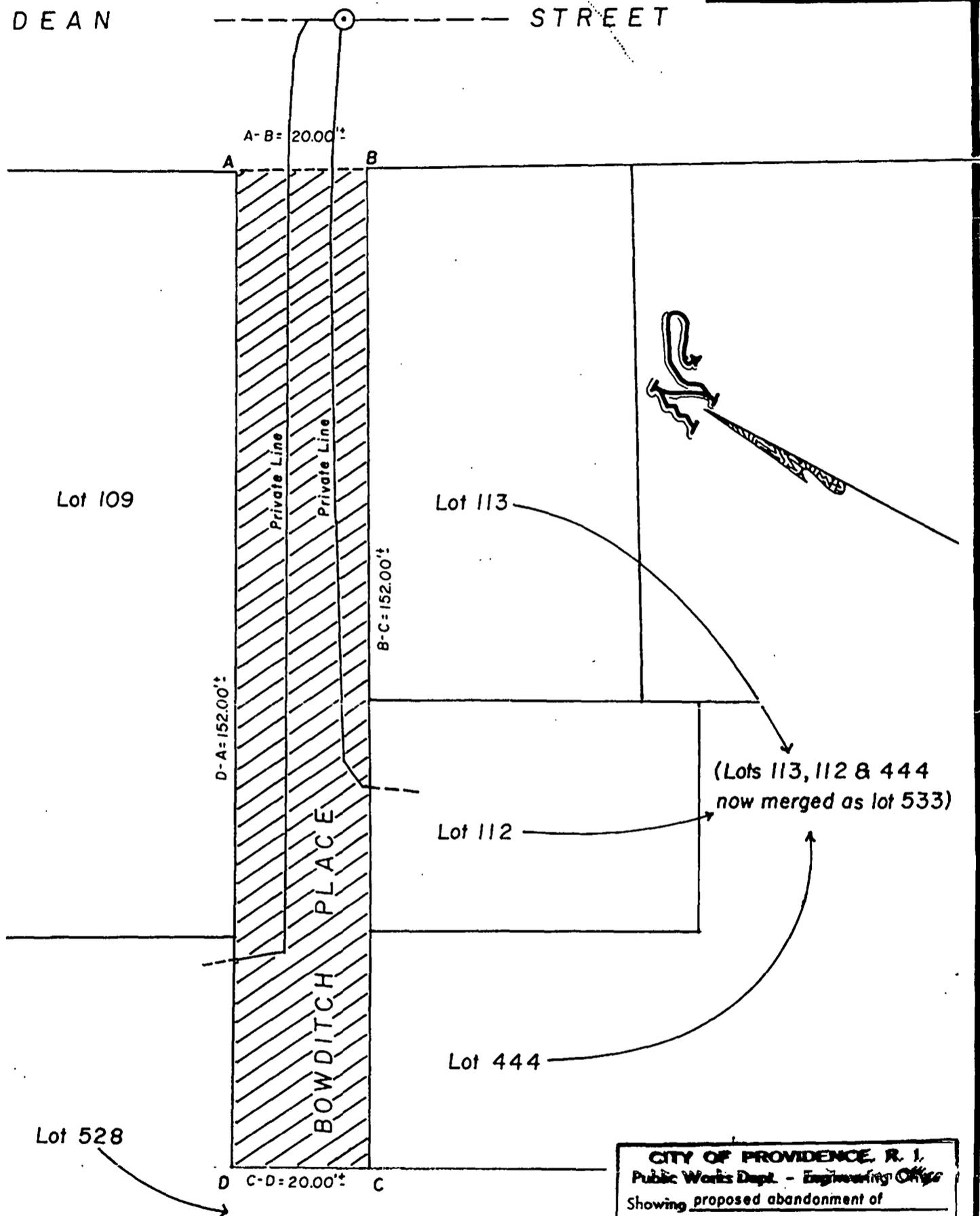


PROVIDENCE, R. I.  
CITY DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064701  
Date Dec. 13, 2001

COTTAGE STREET

DEAN STREET

STREET



Lot 109

Lot 113

B-C = 152.00'

D-A = 152.00'

(Lots 113, 112 & 444  
now merged as lot 533)

Lot 112

Lot 444

Lot 528

D C-D = 20.00' C

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment. — Sewer easement required for private sewer line. — Total square footage = 3,040.00'±

Lot numbers taken from A.P. 29.

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed abandonment of  
**Bowditch Place.**  
Drawn by A. Zisides Checked by [Signature]  
Scale 1" = 20' Date 12-13-2001  
Corrected James P. Morris Associate Engr.  
Approved [Signature] CHIEF ENGINEER

Barbara R. Stonow  
Acting Recorder of Deeds

STATE OF RHODE ISLAND  
ACTING RECORDER OF DEEDS

2003 NOV 10 A 8:59

PROVIDENCE, RI  
RECORD

01007

PROVIDENCE, RI  
RECORD

2003 NOV 10 A 8:59

EMILY HENRY  
ACTING RECORDER OF DEEDS

Handwritten signature