

RESOLUTION OF THE CITY COUNCIL

No. 498

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. 064650 dated March 28, 2000."

VIZ: Whittier Avenue (portion of) extending from the corner of Alumni Avenue to the corner of Lloyd Avenue as shown as a cross-hatched area on the accompanying plan and designated by the letters M-N-O-T-M, 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:

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.

CLE.

APPROVED

AUG 11 2000

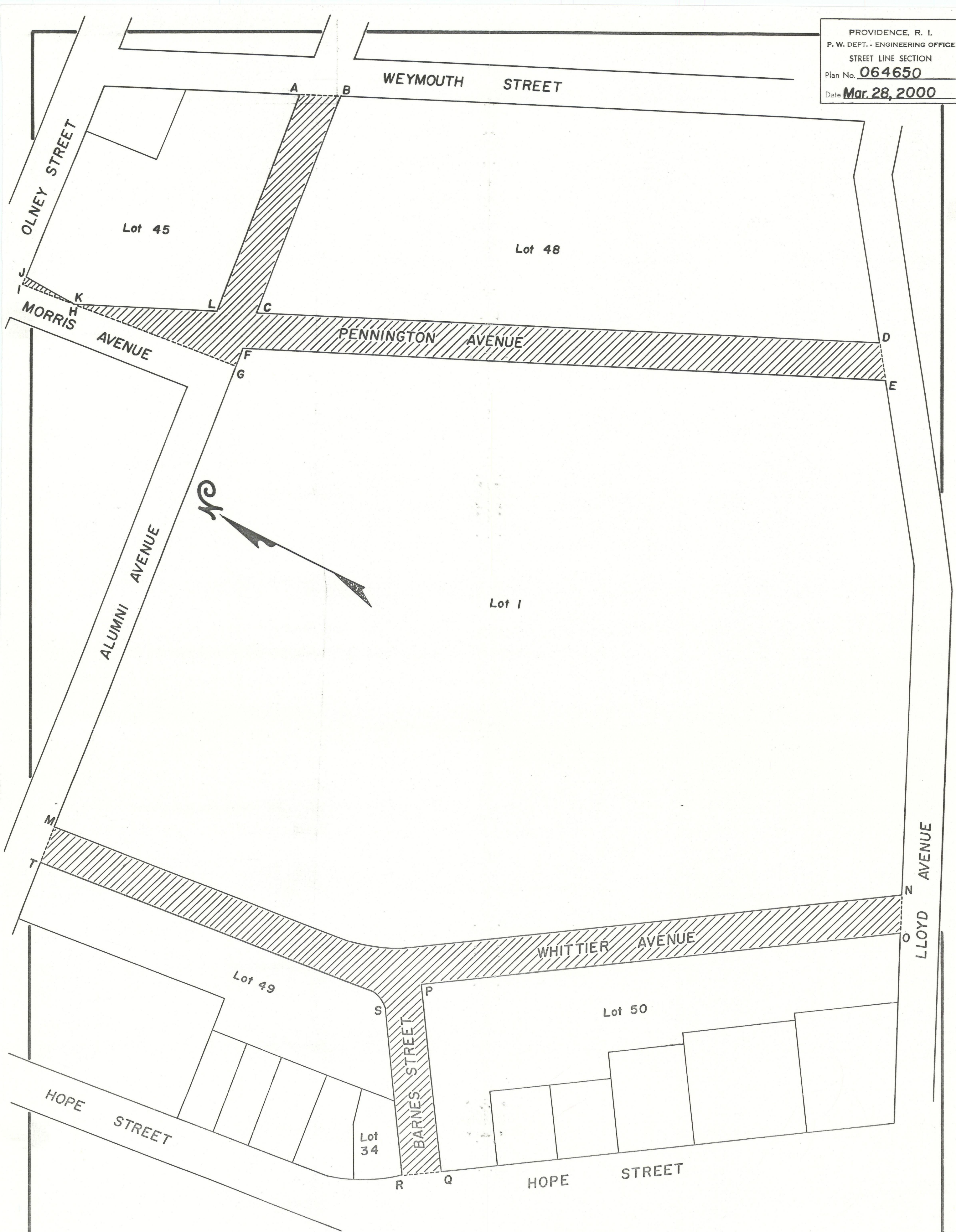
MAYOR

IN CITY COUNCIL
MAR 2 2000
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael B. Clement
CB

THE COMMITTEE ON
~~Public Works~~
~~Recommends~~ *Public Hearing*
Claire B. Butler
April 5, 2000
Clerk

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Claire B. Butler
July 12, 2000
Clerk

From the Clerk's Desk



NOTES: Cross-hatched areas (A-B-C-D-E-F-G-H-I-J-K-L-A) & (M-N-O-P-Q-R-S-T-M)
indicate proposed abandonments. No sewer easement required.
Total square footage = 137,143.00 ft.

LOT NUMBERS TAKEN FROM A.P. II.

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing proposed abandonments: Alumni, Barnes, Pennington & Whittier
Drawn by A. Zisiades Checked by _____
Scale 1" = 80' Date 3-28-2000
Correct _____ Associate Engr.
Approved _____ CHIEF ENGINEER

Lot 49

S

P

BARNES STREET

Lot 50

WHITTIER AVENUE

HOPE

STREET

3.1
4.6

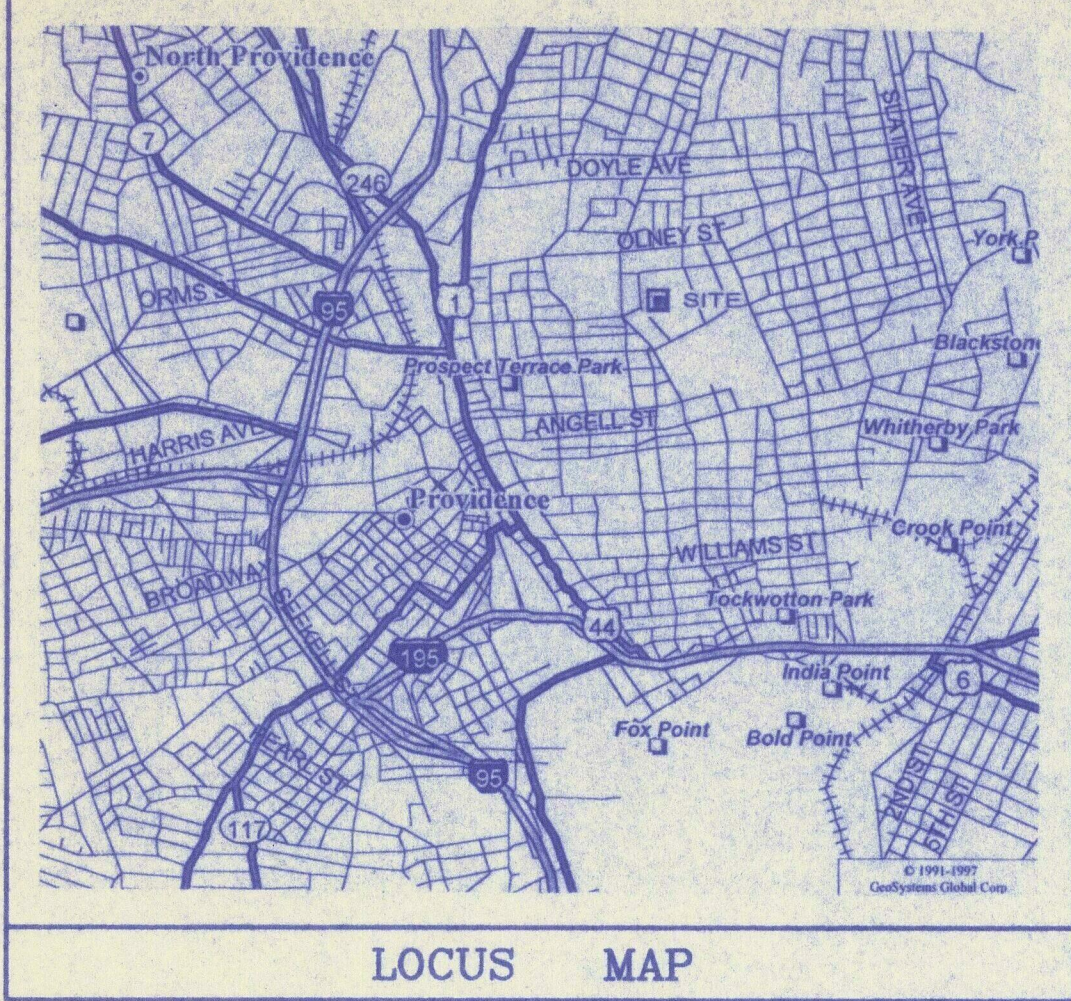
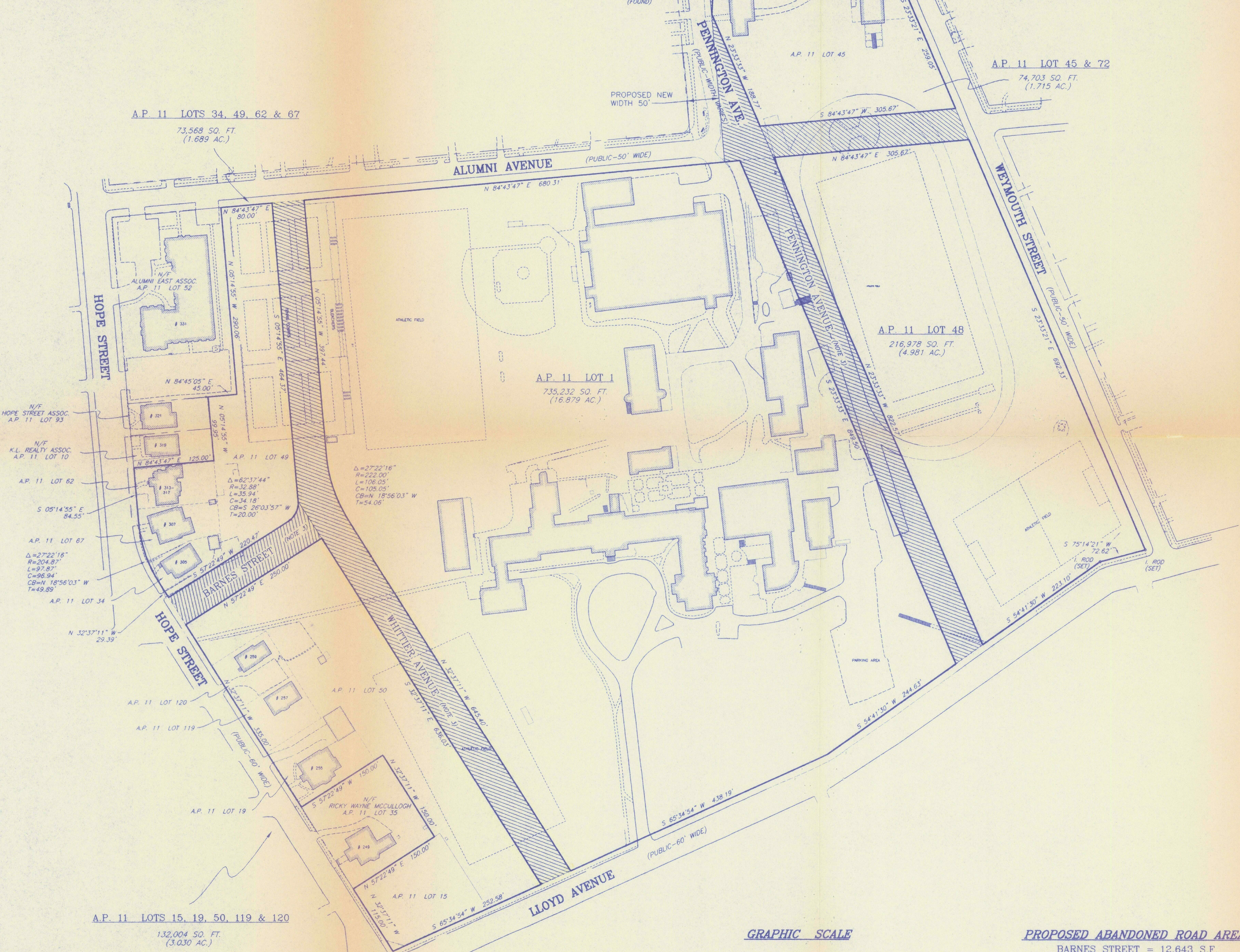
R-S-T-M)

077
LLC

Barnes

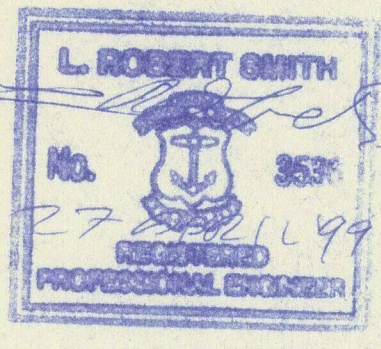
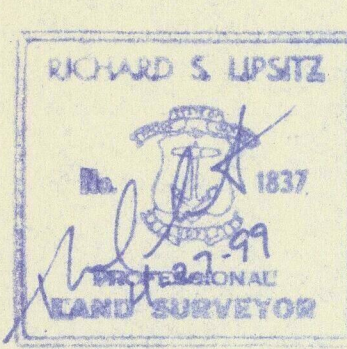
LEGEND

N/F	- NOW OR FORMERLY	PK NAIL	- MASONRY NAIL
A.P.	- ASSESSORS PLAT	PED	- PEDESTRIAN
DH	- DRILL HOLE	RHB	- RHODE ISLAND HIGHWAY BOUND
(FND.)	- FOUND	FE	- FLARED END
±	- PLUS OR MINUS	RCP	- REINFORCED CONCRETE PIPE
S.F.	- SQUARE FEET	X 10.8	- SPOT GRADE
-----	- STONE WALL	15	- EXISTING CONTOUR
----	- FENCE	INV	- INVERT
STY.	- STORY	CB	- CATCH BASIN
AC.	- ACRES	SM	- SANITARY SEWER MANHOLE
W/F	- WOOD FRAMED	SDM	- STORM DRAIN MANHOLE
SHP	- STATE HIGHWAY PLAT	EW	- ELECTRIC HANDHOLE
R/W	- RETAINING WALL	W.G.	- WATER GATE



NOTES / REFERENCES

- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
 - CITY OF PROVIDENCE STREET LINE PLANS FOR HOPE STREET, LLOYD AVENUE, WEYMOUTH STREET, ALUMNI AVENUE & OLNEY STREET
 - "MAP OF LAND IN PROVIDENCE, R.I. BELONGING TO THE YEARLY MEETING OF FRIENDS FOR NEW ENGLAND BY J.A. LATHAM DEC. 15, 1884."
 - "MAP SHOWING LOT OF LAND CONVEYED TO JOSEPHINE RATHBONE BY THE YEARLY MEETING OF FRIENDS FOR NEW ENGLAND BY J.A. LATHAM JUNE 1889."
 - "PLAT OF FRIENDS SCHOOL ESTATE SURVEYED & DRAWN BY WM. S. HAINES 1877."
- REFERENCE IS MADE TO THE FOLLOWING CITY OF PROVIDENCE LAND EVIDENCE RECORDS REGARDING RECORD TITLE TO THE PREMISES SURVEYED:
 - A.P. 11 LOTS 1, 15, 45, 48, 49, 50, 62, 67, 72, 119 & 120 - VOLUME 617 PAGE 346
 - A.P. 11 LOT 19 - VOLUME 2489 PAGE 231
 - A.P. 11 LOT 34 - VOLUME 1725 PAGE 180
- NO RECORD OF EITHER THE ACCEPTANCE OR ABANDONMENT OF BARNES STREET, WHITTIER AVENUE OR PENNINGTON AVENUE WAS FOUND IN THE RECORDS OF THE CITY OF PROVIDENCE.



CERTIFICATION

THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING CLASS STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 1994.

BOUNDARY SURVEY - CLASS 1
TOPOGRAPHIC SURVEY - N/A

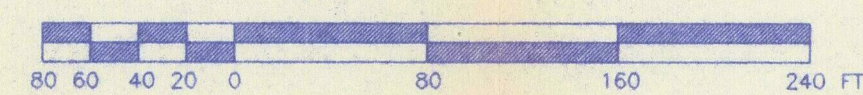
[Signature] 1837 4-27-99
RICHARD S. LIPSITZ REG. NO. DATE
WATERMAN ENGINEERING COMPANY

1	4/27/99	PROPOSED ROAD ABANDONMENTS	RSL
NO.	DATE	REVISION	BY
SHEET TITLE	BOUNDARY SURVEY PLAN		
PROJECT	MOSES BROWN SCHOOL		
	LLOYD AVE., HOPE ST., ALUMNI AVE., WEYMOUTH ST. & OLNEY ST. PROVIDENCE RHODE ISLAND		
PROJECT NO.	P98 259	SCALE	1" = 80'
DATE	FEB. 17, 1999	DRAWN BY	RSL
CHECKED BY	LRS		
WATERMAN ENGINEERING CO.			
CIVIL ENGINEERS - SURVEYORS			
EAST PROVIDENCE RHODE ISLAND			
1 of 1 SHEETS			

PROPOSED ABANDONED ROAD AREAS

BARNES STREET = 12,643 S.F.
WHITTIER AVENUE = 58,216 S.F.
PENNINGTON AVENUE = 51,000 S.F.
ALUMNI AVENUE = 15,284 S.F.

GRAPHIC SCALE



COPYRIGHT ©
WATERMAN ENGINEERING COMPANY
ENGINEERS / SURVEYORS
450 NORTH BROADWAY
EAST PROVIDENCE, RHODE ISLAND 02914

THESE DRAWINGS ARE THE PROPERTY OF THE ENGINEER/SURVEYOR AND HAVE BEEN PREPARED FOR THE OWNER FOR THIS PROJECT AT THIS SITE AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE, LOCATION OR OWNER WITHOUT WRITTEN CONSENT OF THIS OWNER OR ONE OF ITS DIRECTORS.

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

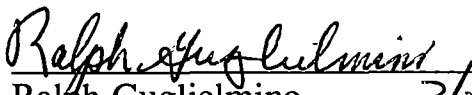
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF WHITTIER AVENUE

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
11	65	Mr. and Mrs. Jamie D'Oliveira 329 Olney Street Providence, RI 02906
11	55	Mr. and Mrs. Charles Means 100 Morris Avenue Providence, RI 02906
11	24	Mr. Tim Daly and Ms. Amy Van Nostrand 64 Alumni Avenue Providence, RI 02906
11	24	Mr. Tim Daly and Ms. Amy Van Nostrand 11 South Angell Street Box 303 Providence, RI 02906

PETITIONER

Andrew M. Teitz, Esquire
Ursillo, Teitz & Ritch, Ltd.
2 Williams Street
Providence, RI 02903-2918


Ralph Guglielmino
City Sergeant

Councilwoman Rita M. Williams
Ward 2

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: 7/10/2000

RE: **PROPOSED ABANDONMENTS**

Request: That a portion of the following streets be abandoned in accordance with said petition from Moses Brown School filed by Andrew M Teitz, Esq.

1. Alumni Avenue
2. Pennington Avenue
3. Whittier Avenue
4. Barnes Street

Disposition: No objection.



PROVIDENCE POLICE DEPARTMENT

Traffic Service

209 Fountain Street, Providence, RI 02903

X 2352

March 22, 2000

To: Colonel Urbano Prignano Jr.

From: Major Richard T. Sullivan

Subject: Abandonment of Streets

Sir:

Attached is a copy of a Memorandum dated March 21, 2000, requesting an abandonment of certain portions of; Alumni Avenue, Pennington Avenue, Whittier Avenue and Barnes Street.

These streets are 'paper streets' and as such are not used by the motoring public, in fact the streets in question can not be accessed by the general public. The streets are part of the Moses Brown Complex and have been for several years.

The Providence Police Department has no objection to the abandonment of these streets.

JAMES F. RATTIGAN
CHIEF OF DEPARTMENT

DAVID N. BOCK
ASS'T. CHIEF OF DEPARTMENT



VINCENT A. CIANCI, JR.
MAYOR

JOHN J. PARTINGTON
COMMISSIONER

Department of Public Safety, Fire Department
"Building Pride In Providence"

April 4, 2000

The Honorable Robert M. Clarkin
Chairman
Committee on Public Works
Office of the City Clerk
City Hall
Providence, Rhode Island 02903

Dear Councilman Clarkin:

With regard to the "Petition to Abandon a Portion of Pennington Avenue" which was received this date (copy attached), please be advised that the Providence Fire Department has no objection to the proposed abandonment.

Sincerely yours,

WILLIAM T. GIANNINI
Acting Chief of Department

WTG/rh
Attachment

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

Ferdinand C. Ihenacho, P.E., PTOE
Director of Public Works
700 Allens Ave.
Providence R.I. 02905

April 5, 2000

Re: Pennington Ave.-from the corner of Olney St. to Lloyd Ave.
Whittier Ave.- from the corner of Alumni Ave. to the
corner of Lloyd Ave.
Barnes St.-from the corner of Hope St. to the corner of
Whittier Ave.
Alumni Ave.-from the corner of Pennington Ave. to the
corner of Weymouth St.

Director:

Upon extensive research on the status of said streets, the above mentioned locations were never received as City streets. This determination was based on research done at the Engineering Office at D.P.W., Archives, Recorder of Deeds, City Clerks Office and Tax Assessors Office.

More definitively, the Archives supplied me with the most concrete evidence because said locations were in fact listed in a Providence Directory from 1900. This does not merit being a legal document. From this point, we (Mr. John Myers and myself) checked the City Council Resolution books from 1898, 1899 and 1900 and said locations were never passed or received as official City streets. Also note, the Engineering Division also has a received street listing book and said locations were not listed. Based on this evidence there is no justification in proposing abandonments for these alleged streets.

Very truly yours;

A handwritten signature in cursive script that reads "Steve Zisiades".
Steve Zisiades
Engineering Division

cc: Mr. Robert Clarkin
Mr. John D'Amico, Esq.
Mr. G. Florio
JLC

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

Match 21, 2000

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

SUBJECT: **Petition to Abandon Whittier Avenue**
(Alumni Avenue to Lloyd Avenue)

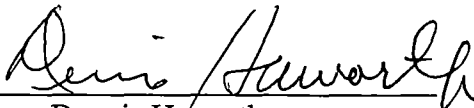
Dear Councilman Clarkin:

The referenced Petition received from the Department of City Clerk proposes to abandon Whittier Avenue, a "paper" street, running from the corner of Alumni Avenue to the corner of Lloyd Avenue. The abandonment area is shown "highlighted" in the enclosed Exhibit A.

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 Whittier Avenue contains no PWSB water mains, services or appurtenances. Therefore, PWSB has no objection to the proposed abandonment.

Should you have any questions, please contact the undersigned at (401) 521-6300, ext. 7228.

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


By: Dennis Haworth
Engineering Records Manager

enclosure

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

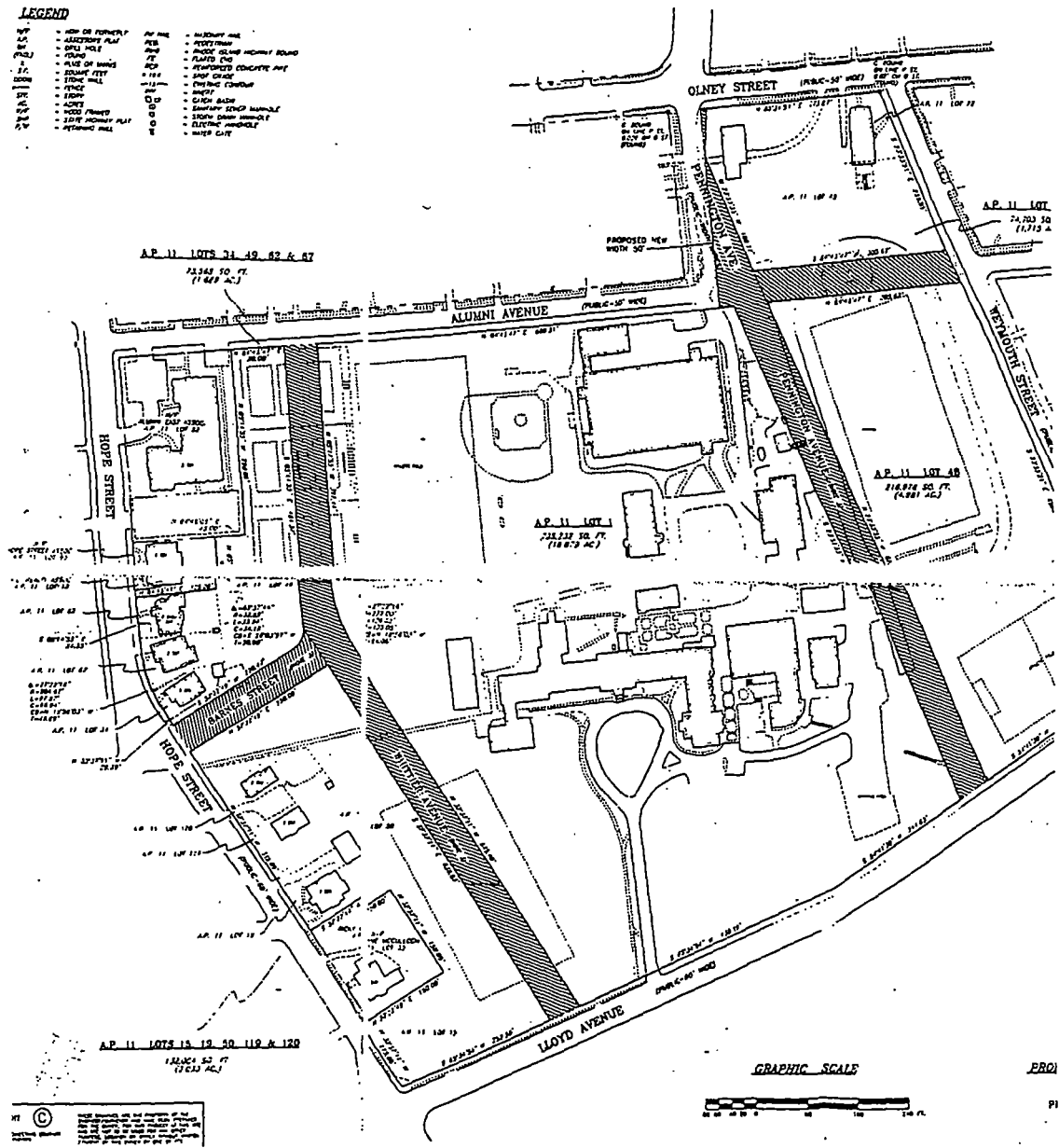
[illegible]

EXHIBIT - A

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

March 17, 2000

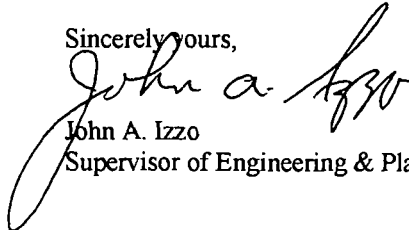
Mr. Michael Clement
City Clerk
City Hall
Providence, RI 02903

RE: Proposed Abandonment of Alumni Ave., Pennington Ave., Barnes St., & Whittier Ave. All of which are paper streets.

Dear Mr. Clement:

The Department of Public Parks has reviewed the proposed abandonment's of the above mentioned paper streets and have no objection to the abandonment's.

Sincerely yours,


John A. Izzo
Supervisor of Engineering & Planning



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 30, 2000

TO: Nancy Derrig, Superintendent of Parks

SUBJECT: **PETITION TO ABANDON A PORTION OF
PENNINGTON AVENUE**

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.

To: M. Clement
From: J. Lutz

REVISED PETITION

*No change in the proposed abandonment
approval dated March 17, 2000
from the Parks Dept*

Claire B. Restuccia
Second Deputy City Clerk

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

Right of Way Department



April 5, 2000

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

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF PENNINGTON AVENUE

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 cursive script, reading "Mary C. Hanley".

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



03/28/00

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

Re: Petition to Abandon a Portion of Alumni Ave, Pennington Ave., Whittier Ave and
Barnes St. in the Moses Brown School Area, Providence

Dear Ms. Bestwick:

Providence Gas does not own nor maintain any gas mains within the proposed abandonment. There may be service lines servicing the Moses Brown School. These service lines do not require an easement as they are only servicing the school. Therefore, we have no objections to the above-mentioned petition.


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', with a stylized flourish at the end.

Michael McGuire
Manager of Engineering Design & Facility Locating

Paul Pinault, P.E.
Executive Director

Sincerely,

John Zuba
Project Coordinator

RESOLUTION OF THE CITY COUNCIL

No. 498

Approved August 11, 2000

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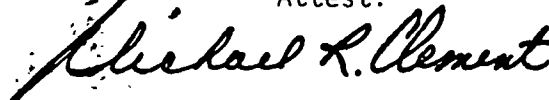
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ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice 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
City Clerk

PROVIDENCE
RECEIVED FOR RECORD

2000 AUG 30 P 4 26

BARBARA A. TRONCY
ACTING RECORDER OF DEEDS

Barbara A. Troncy

WHITTIER AVENUE

Lot 50

STREET

HOPE

(R-S-T-M)

BARNES STREET

Lot 49

Lot 51

BK 1451 PG 146

Borne

4451- 145-146

PROVIDENCE, RI
RECEIVED FOR RECORD

2000 AUG 30 10 26

BARBARA A. TRONCY
ACTING RECORDER OF DEEDS

360A