

RESOLUTION OF THE CITY COUNCIL

No. 295

Approved June 25, 2005

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064765 dated June 11, 2004.

VIZ:

REEDER STREET, portion of, approximately ninety feet east of Eddy Street, shown as the cross-hatched area on accompanying plan and designated by the letters (G-H-I-J), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) The value of the abandoned street was determined to be Ten Thousand Two Hundred Dollars (\$10,200.00), but given the public benefits to the Meeting Street School project being constructed on adjacent properties, which include (a) setting back the school by an additional ten feet off Eddy Street to allow for any future street expansion; (b) creation of a youth soccer/football field to be used by the City during non-school hours under the guidance of the Parks Department; and (c) Meeting Street's agreement to create and take responsibility for a green buffer zone to provide a nice entry point for those entering South Providence, the Public Works Committee voted to accept the in-kind contributions in lieu of the appraised value.

(1) Petitioner shall pay the sum of in legal U.S. tender to the City of Providence.

(2) The petitioner shall convey a full sewer easement acceptable to City of Providence, Department of Public Works 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) Petitioner shall grant an easement in favor of Narragansett Electric Company, permitting the retention of its facilities in their existing location, together with the right to

IN CITY COUNCIL
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

CLERK

THE COMMITTEE ON

Public Works

Recommendations

James M. Heister

CLERK

5-18-04 - Schedule

6-23-04 - Paving

10-4-04 - Con't

3-7-05 - Con't

THE COMMITTEE ON

PUBLIC WORKS

Approves Passage of
The Within Resolution

James M. Heister

CLERK

6-2-05

inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

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

(5) 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.

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

And it is further

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

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

IN CITY COUNCIL
 JUN 16 2005
 READ AND PASSED

Josephine DiSanto
 PRES. ACTING

Patricia Bestwick
 CLERK

APPROVED

[Signature] 6/25/05

MAYOR

PROPOSED ABANDONMENTS OF HASWELL &
REEDER STS.

- A.P. 47 LOT 646 - 962 EDDY ST. • MSC REALTY 667 WATERMAN AVE.
EAST PROV. 02914
- LOT 819 - 14 HASWELL ST. • MSC REALTY 667 WATERMAN AVE.
E. PROV. 02914
- LOT 649 - 970 EDDY ST. • MSC REALTY 667 WATERMAN AVE.
E. PROV. 02914
- LOT 818 - 13 HASWELL ST. • MSC REALTY 667 WATERMAN AVE.
E. PROV. 02914
- A.P. 54 LOT 914 - 982 EDDY ST. • MSC REALTY 667 WATERMAN AVE.
E. PROV. 02914

CITY OF PROVIDENCE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

ABANDONMENT OF A PORTION OF REEDER STREET

DRAFT OF PETITION TO CITY COUNCIL

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

Meeting Street respectfully requests that a portion of Reeder Street be abandoned; specifically the rear portion that is bordered by lot 914, which is owned by Meeting Street. Abandonment of this portion of Reeder Street will enable Meeting Street to construct its facility and campus in the best manner possible.

CITY OF PROVIDENCE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

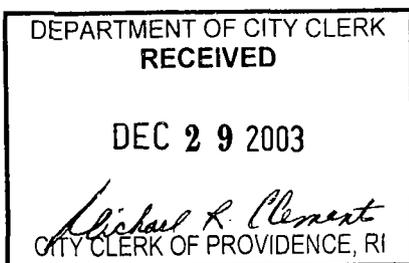
ABANDONMENT OF A PORTION OF REEDER STREET

PETITION TO CITY COUNCIL

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

Meeting Street respectfully requests that a portion of Reeder Street be abandoned; specifically the rear portion that is bordered by lots 126, 127, 128, 129, 130, and 131 of Plat 54, all of which are owned by Meeting Street. Abandonment of this portion of Reeder Street will enable Meeting Street to construct its facility and campus in the best manner possible.

Petition to abandon a portion of Reeder Street
Saccoccio & Associates, Inc.
MSC Realty, Inc.
Check #001683
\$75.00



MARY C. LAKE, CPA, CFO
Mary C. Lake, CPA
CHIEF FINANCIAL OFFICER

MEETING STREET
667 WATERMAN AVE
EAST PROVIDENCE, RI

02914

LIV CITY COUNCIL
JAN 8 2004
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Air Burt CLERK

THE COMMITTEE ON
Public Works
Recommends

Ann M. Helton

CLERK

5-18-04 Schedule P. Hwy
6-23-04 P. Hwy held
10-4-04 Con 4
3/7/05

28 Garfield Avenue
 Cranston, RI 02920
 Tel: 401.942.7870
 Fax: 401.942.7878

SACCOCCIO & ASSOCIATES, INC.
 ARCHITECTS



FUTURE SITE
 FOR
 MEETING STREET
 PROVIDENCE
 RHODE ISLAND

SHEET TITLE
 PROPOSED
 SITE PLAN

DRAWN LG

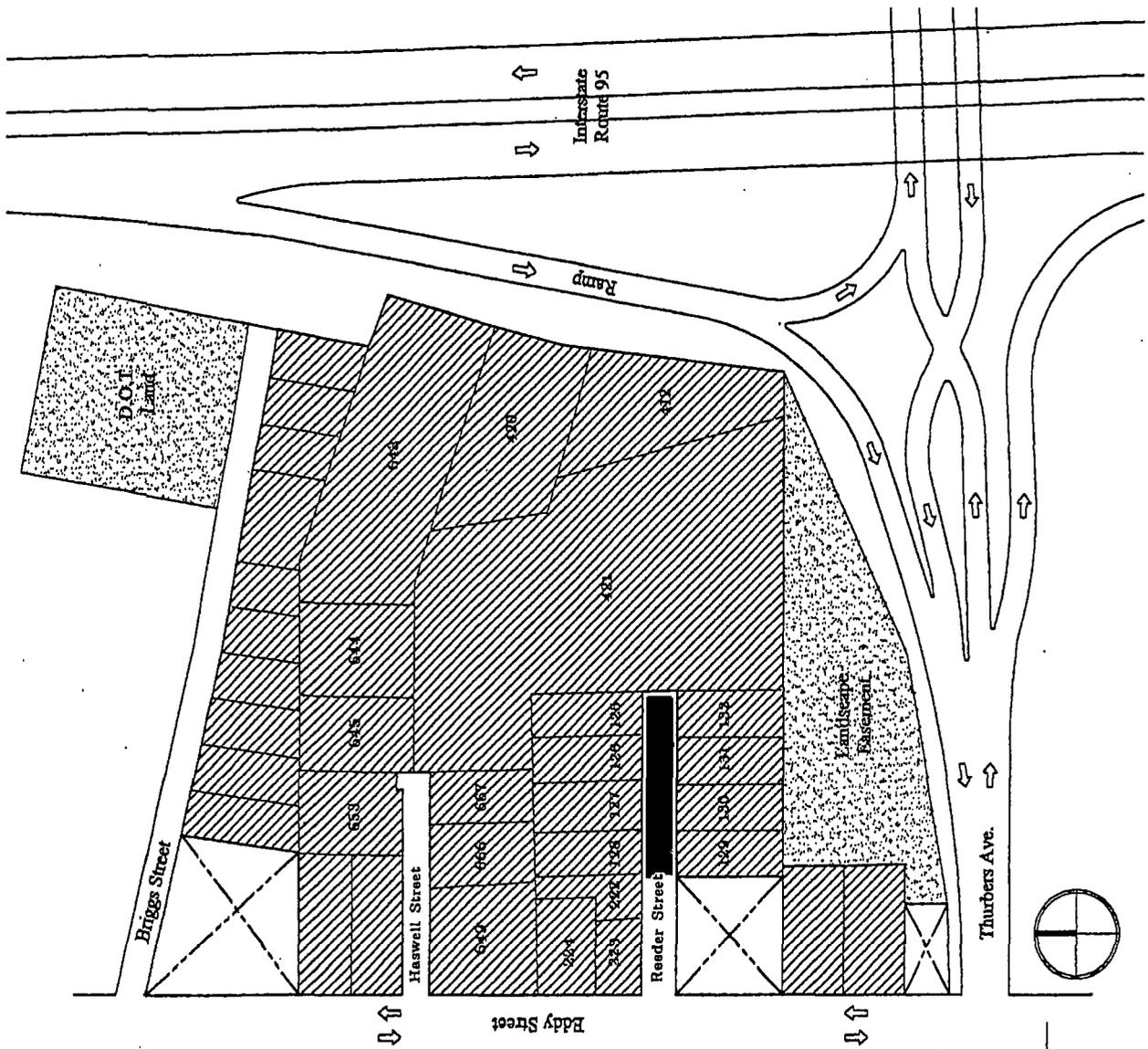
DATE: 03-01-03

JOB NO: 01110-C

C1

SHEET 1 OF 1

LEGEND	
	PURCHASED PROPERTIES
	PROPERTIES TO BE PURCHASED
	EASEMENTS
	SURROUNDING AREA



PROPOSED SITE PLAN



PROVIDENCE CITY CLERK

12-29-2003 #0

	2X	75.00	a
ABANDON		150.00	
SUBL		150.00	
CHECK		150.00	

6830 11:08PM

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

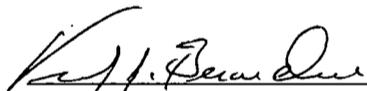
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON REEDER STREET

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
54	914	MSC Realty 667 Waterman Avenue East Providence, RI 02914

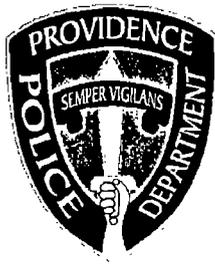
PETITIONER

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

 6-16-09

Vincent J. Berarducci
City Sergeant

Councilman Luis A. Aponte
Ward 10



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

July 6, 2004

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

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

Per review, Lieutenant Timothy M. Lee, the Commanding Officer of the Traffic Bureau has reviewed the petition regarding abandonment of a portion of Reeder Street. At this time if the City has no future use of this property, the Providence Police Department would have no objection.

Respectfully Submitted,

Lieutenant Timothy M. Lee
Commanding Officer, Traffic Bureau

GARY E. MULCAHY
Acting Chief

DAVID N. CICILLINE
MAYOR

DAVID D. COSTA
Acting Assistant Chief



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

MEMORANDUM
Via Facsimile

TO: Office of the City Clerk

FROM: Gary E. Mulcahy
Acting Chief of Department *GEM*

DATE: February 3, 2004

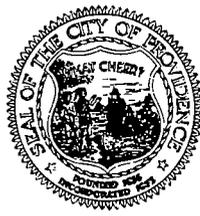
SUBJECT: PETITIONS TO CITY COUNCIL

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

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

gem/rh

MAKRAM H. MEGALLI, P. E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works

"Building Pride in Providence"

June 15, 2004

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

RE: Proposed Abandonment of A portion of Reeder Street

Dear Councilman Hassett:

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

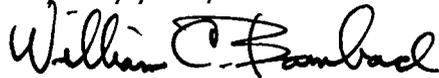
That portion of Reeder Street's to be abandoned from approximately 100 feet east of Eddy Street to the end is shown as cross-hatched area on the accompanying plan. Area of Reeder Street is designated as G-H-I-J-G, on the accompanying plan.

Total square footage for this portion abandonment is 2550± square feet. Lot number for aforementioned plan were taken from City of Providence Assessor's Plat#54. A list of abutting property owners is attached herewith for your approval.

According to Informational Bulletin 2003.01 issued by Rhode Island State Board of Registration for Professional Land Surveyor, a road abandonment constitute a boundary change, and, as such, requires a Class 1 survey prepared by a Professional Land Surveyor, properly licensed by said board.

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

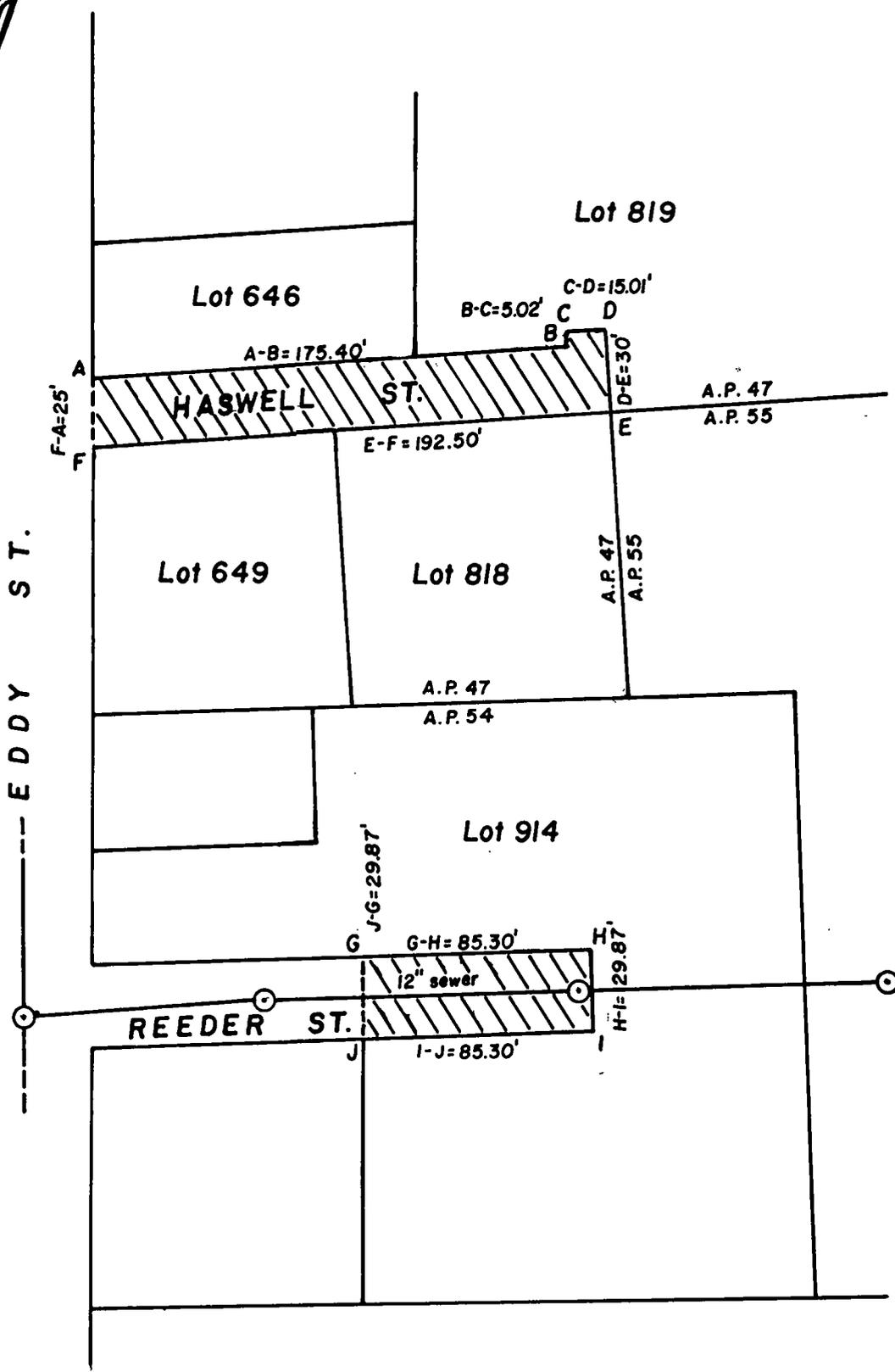
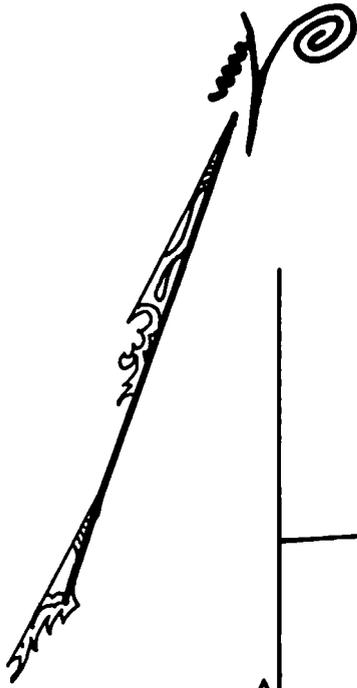
Very truly yours,

for 

Makram H. Megalli, P.E.
Director

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

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



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

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

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



ROBERT A. WALSH, JR.
Chairman
JOEL D. LANDRY, II
Vice Chairman
ALEXANDER D. PRIGNANO
Ex-Officio
CARISSA R. RICHARD
Secretary
FERNANDO S. CUNHA, ESQ.
Legal Advisor

DAVID N. CICILLINE
Mayor
ROBERT J. KILDUFF, P.E., ESQ.
Chief Engineer & General Manager
JOSEPH DE LUCA
City Councilman
PETER S. MANCINI
City Councilman
JOSEPH D. CATALDI
Member
ANNE T. QUINTERNO
Member

February 9, 2004

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

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

Dear Councilman Hassett:

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

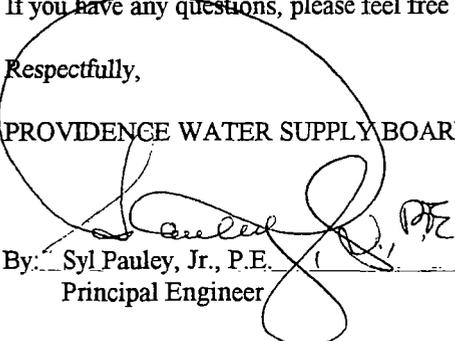
It is our understanding that the existing water main and services will not be required much longer since the Petitioner plans to consolidate all lots into one inside the area bounded by the following streets: Thurbers Avenue, Eddy Street, Briggs Street and Interstate Route 95. This will allow for the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

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

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

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

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

SP/s

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

ABNLTR82WPD

WWW.PROVWATER.COM

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



Department of Public Parks

"Building Pride In Providence"

MEMORANDUM

TO: ANNA M. STETSON, SECOND DEPUTY CITY CLERK

FROM: ROBERT F. MCMAHON, ACTING SUPERINTENDENT OF PARKS

DATE: JANUARY 22, 2004

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

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

JOHN D. NICKELSON, P. E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works

"Building Pride in Providence"

July 20, 2004

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

RE: Abandonment of a Portion of Reeder Street

Dear Councilman Hassett:

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

Very truly yours,

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

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

WCB:om



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

February 20, 2004

Honorable M. Terrence Hassett, Chair
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

Re: CPC REFERRAL NO. 3223: Proposed Abandonment of a Portion of Reeder Street

Dear Councilman Hassett:

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

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

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

This abandonment would not be in opposition to the public interest. The street is a dead-end, and the petitioner owns all property on both sides of the portion proposed for abandonment. Another abutter to the remaining portion of Reeder Street, Lawton Movers, would not be negatively impacted.

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

No negative impacts are evident.

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

The petitioner owns all property on both sides of the portion proposed for abandonment.

4. *No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.*

No access will be denied to surrounding areas.

5. *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*

It is not known whether public services or facilities need to be protected, provided, or maintained within the right-of-way. The petitioner would need to grant easements if necessary.

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

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

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

Sincerely,



Christopher J. Ise
Administrative Officer

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

Narragansett Electric

A National Grid Company



February 9, 2004

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

Re: Petition to Abandon a Portion of Reeder Street

Dear Ms. Stetson:

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

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

Please call me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mindy C. Montecalvo".

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

Right Of Way



85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

February 25, 2004

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

Attn: Ms. Anna Stetson

RE: PETITION TO ABANDON A PORTION OF REEDER STREET

Dear Ms. Stetson:

Upon investigation by our in house Engineer, Darren Andrade, it has been determined that Verizon currently has no facilities on the proposed site to be abandoned.

Very truly yours,

A handwritten signature in black ink that reads "Mary C. Hanley". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Mary C. Hanley
Manager - Right of Way
401-727-9555

January 22, 2004



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

Re: Petition Requesting the Partial Abandonment of Reeder Street, Providence, RI

Dear Councilman Hassett:

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

- New England Gas presently has a 4" natural gas main extending into Reeder Street a distance of 216' from Eddy Street. Approximately 60' into Reeder Street from Eddy Street is an active service supplying #994 Eddy Street. (see attached)
- In order to allow for this roadway to be abandoned, we can either run a new service to #994 Eddy Street from the main in Eddy Street for a fee which would allow for the existing line in Reeder Street to be cut off and abandoned in place or we can be granted an easement for the existing line and continue to operate it as is.

If you would like this facility to be relayed, please inform me in writing and we can meet on site to determine the appropriate fee. If you prefer to provide an easement, please complete the following:

- Attached to this correspondence is our approved blank easement document that should be filled out and returned to us for approval by our Legal Department.
- In addition to the attached document, a detailed plot plan showing the meets and bounds of the proposed 20' wide easement will be required for filing the final copy for approval.
- Once approved, the package will be returned to you for recording.
- Upon completion, please forward us a final recorded copy for our permanent records.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Barry J. Foster".

Barry J. Foster
Engineering Design Supervisor

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

100 Weybosset Street
Providence, RI 02903

1595 Mendon Road
PO Box 7900
Cumberland, RI 02864

155 North Main Street
PO Box 911
Fall River, MA 02722

EASEMENT AGREEMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GRANTOR:

Name of Corporation: _____

By: _____

Its: _____

GRANTOR'S ADDRESS:

GRANTEE:

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

By: _____

Name: _____

Its: _____

STATE OF RHODE ISLAND
COUNTY OF _____

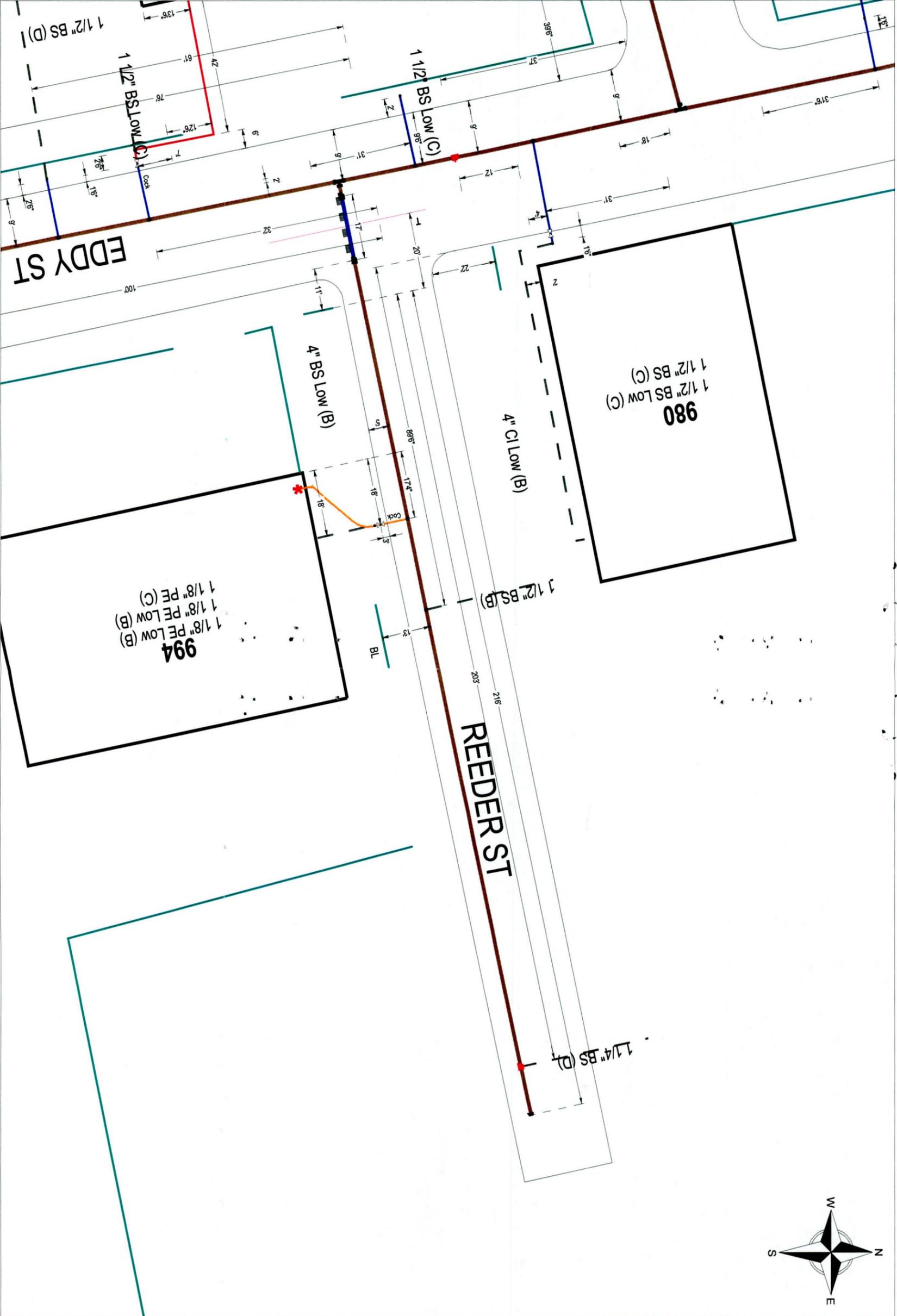
This instrument was acknowledged before me on _____, 20__ by _____
_____ [name and corporate title] of _____
_____ [name of corporation], a _____ [state of incorporation]
corporation, on behalf of the corporation.

Signature _____

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

GRANTEE'S ADDRESS:

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



Barry Foster

01/22/2004



ANDOLFO APPRAISAL ASSOCIATES, INC.

**REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510**

July 28, 2004

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

Re: Proposed Abandonment of Reeder Street

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Reeder Street, otherwise designated as a full abandonment of Reeder Street on Assessor's Plat 54 as it intersects with Eddy Street in the Lower South Providence neighborhood of Providence.

The proposed abandonment contains 2,550 square feet. The area in general measures 29.87 feet by 85.30 feet in length along the center line of the street. The City's Department of Public Works has no objection to this request, however, they are requiring a Class 1 survey for recording purposes.

We have taken into account a number of factors in arriving at the fair market value of the site. Notably, the petitioner will gain partial use of the site for either commercial or institutional use, as there will be a requirement for a full sewer easement by the City of Providence Department Of Public Works. The parcel is zoned M-1 Industrial.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
July 28, 2004

The highest and best use of the site would be for commercial use given the close proximity to the Eddy Street commercial corridor. The petitioner would not be able to construct a permanent structure on the site, as they would only have limited commercial use given the full sewer easement as required by the City.

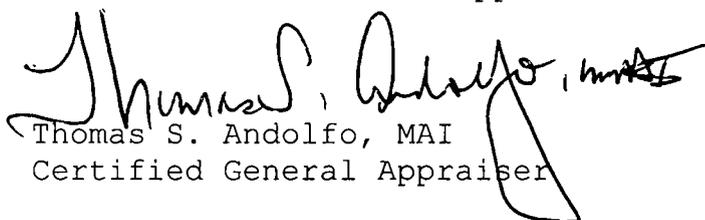
Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., as well as reviewing the most recent tax assessment revaluations, a fee value of \$8.00 per square foot is derived. However, given the sewer easement to be taken by the City, this per square foot value is reduced by 50%.

Therefore, 2,550 square feet x \$4.00 per square foot = \$10,200.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani
Certified Residential Appraiser


Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004
TO: Dean Esserman, Chief of Police
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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

Please report back to this office as soon as practical.

**PETITION FROM MARY C. LAKE, CPA,
CHIEF FINANCIAL OFFICER, MSC
REALTY, INC., 667 WATERMAN STREET,
EAST PROVIDENCE, RHODE ISLAND
02914, REQUESTING PERMISSION TO
ABANDON A PORTION OF REEDER
STREET.**

Handwritten signature of Anna M. Stetson in cursive.

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Chief Gary Mulchay, Acting Chief of Fire

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004
TO: Makram H. Megalli, Director of Public Works
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Syl Pauley, Water Supply Board

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Bob McMahon, Acting Superintendent of Parks

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Irene Testa, Traffic Engineering

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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Handwritten signature of Anna M. Stetson in black ink.

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Bill Floriani, Planning & Development

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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Handwritten signature of Anna M. Stetson in cursive.

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: City Plan Commission, Planning & Development

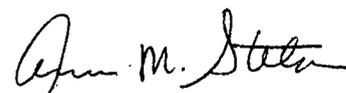
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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Mindy Montecalvo, Narragansett Electric Company

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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

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STREET.**


City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: Mary C. Hanley, Verizon Communications

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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STREET.**


City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

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

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 20, 2004

TO: John Zuba, Narragansett Bay Commission

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 17, 2004
TO: Dean Esserman, Chief of Police
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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

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SECOND NOTICE

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

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Handwritten signature of Anna M. Stetson.

Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 17, 2004

TO: Makram H. Megalli, Director of Public Works

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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Second Deputy


City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

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

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Second Dep.

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 17, 2004
TO: Bill Floriani, Planning & Development
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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Anna M. Stetson
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 8, 2004
TO: Dean Esserman, Chief of Police
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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

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STREET.**

Handwritten signature of Anna M. Stetson.

City Clerk
SECOND DEPUTY

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 8, 2004

TO: William C. Bombard, Acting Traffic Engineer

SUBJECT: **PUBLIC WORKS COMMITTEE**

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

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A handwritten signature in cursive script that reads "Anna M. Stetson".

SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 8, 2004
TO: John Gelati, Acting City Assessor
SUBJECT: **PUBLIC WORKS COMMITTEE**
CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk