

RESOLUTION OF THE CITY COUNCIL

No. 385

Approved July 17, 2001

RESOLVED, DECREED, AND ORDERED:

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DFW-Engineering Office, Street line Section Plan Number 064667 dated July 6, 2001.

VIZ: Kennedy Plaza, so-called, (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-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 shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

2. 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;

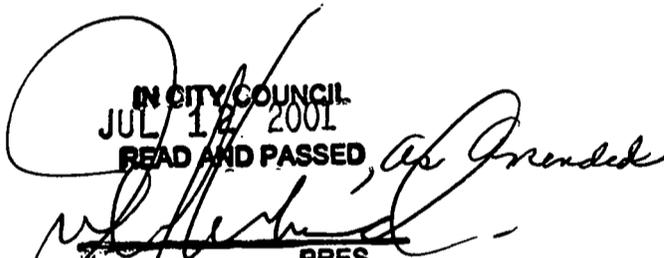
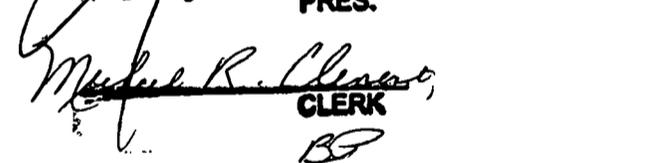
3. The Petitioner shall convey an easement acceptable to Verizon which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such

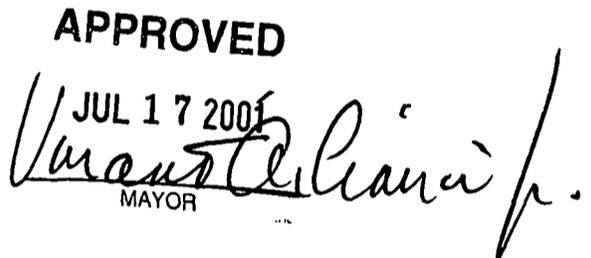
facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation;

4. 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
JUL 17 2001
READ AND PASSED, as amended

PRES.

CLERK
BF

APPROVED
JUL 17 2001

MAYOR

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

July 6, 2001

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

RE: Proposed Abandonment of Portion of Kennedy Plaza
Right-of-Way (Petition of Nancy Derrig, Sup't/Park Dept.)

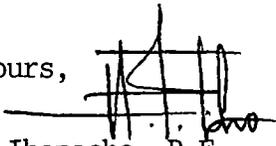
Dear Councilman Clarkin:

This Department has no objection to the portion abandonment of the Kennedy Plaza Right-of-Way, in accordance with the accompanying plan, entitled, "Providence, R.I., P.W. Dept. -- Engineering Office, Street Line Section, Plan No.064666. Date: July 5,2001".

Area to be abandoned is noted as cross-hatched section designated by the letters A-B-C-D-E-F-A on the accompanying plan. Area encompasses the Comfort Station at Kennedy Plaza. THERE IS NO SEWER EASEMENT REQUIRED RELATIVE TO THIS PORTION ABANDONMENT of Kennedy Plaza. Total Square Footage is 13,960.00' ±. Lot number 31 was taken from the City of Providence Assessor's Plat 20.

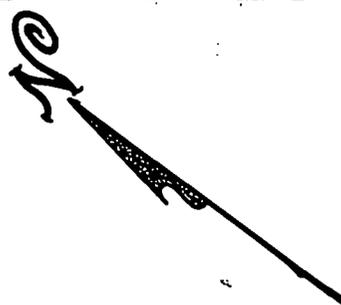
Please note that this letter supersedes that of March 27, 2001, for Plan No. 064661. If we can further assist, please advise.

Very truly yours,


Ferdinand C. Ihenacho, P.E.
Director

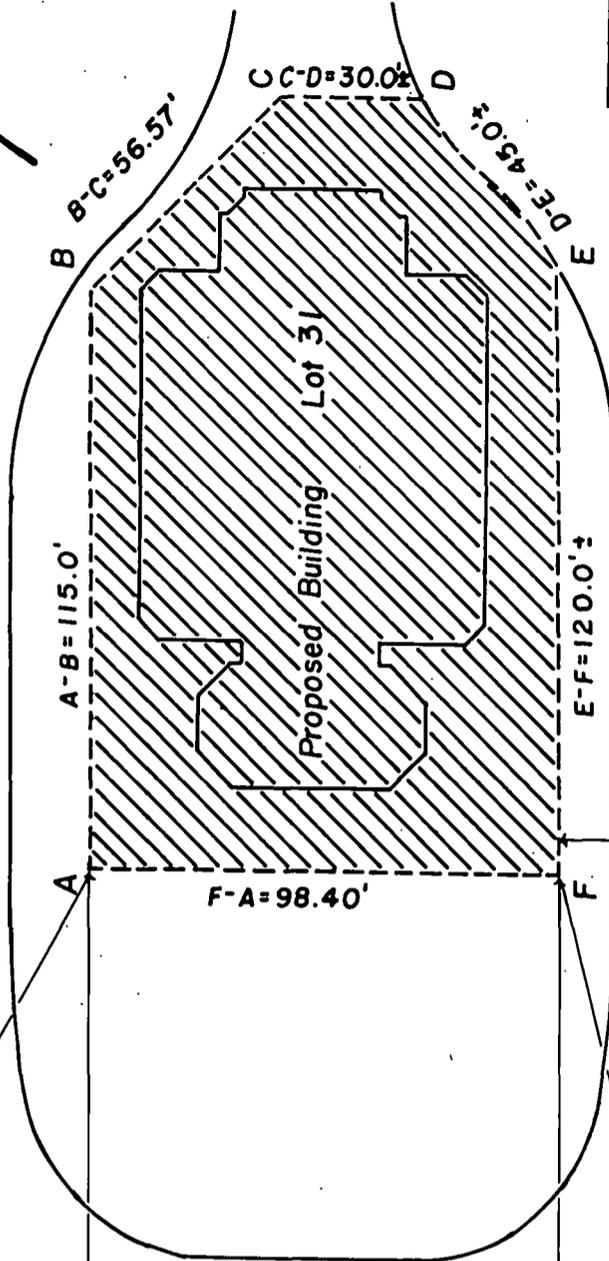
CC: M. Clement - City Clerk
J. D'Amico, Esq.
G. Florio
JLC
SZ

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064666
 Date July 5, 2001



KENNEDY PLAZA

KENNEDY PLAZA



DORRANCE STREET

CITY HALL

NOTES: Cross-hatched area (A-B-C-D-E-F-A) indicates proposed abandonment.
 Total square footage=13,960.0'±

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of a portion of Kennedy Plaza.
 Drawn by A. Zisiades Checked by ALC
 Scale 1" = 40' Date 7-5-2001
 Correct: [Signature] Associate Engr.
 Approved: [Signature] 7/6/2001
 CHIEF ENGINEER

Lot number taken from A.P. 20.

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

March 27, 2001

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

Re: Petition of Nancy Derrig, Sup't. of Parks
Requesting the Abandonment of a Portion of
the Kennedy Plaza Right-of-Way

Dear Councilman Clarkin:

This Department has no objection to the portion abandonment of the Kennedy Plaza Right-of-Way, in accordance with the accompanying plan, entitled "Providence, RI, P.W. Dept. - Engineering Office, Street Line Section, plan No. 064661, Date: 3/23/01".

Area to be abandoned is noted as "cross-hatched section, noted as A-B-C-D-A on the accompanying Plan." Said cross-hatched area encompasses the Comfort Station at Kennedy Plaza. There is NO SEWER EASEMENT REQUIRED relative to this portion abandonment of Kennedy Plaza. Total Square Footage is 9,672.0+ Sq. Ft. Lot No. 31 was taken from City of Providence Assessor's Plat 20.

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

Very truly yours,

Ferdinand C. Ihenacho

Ferdinand C. Ihenacho, P.E.
Director

fc

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

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: June 12, 2001

TO : Michael Clement, City Clerk

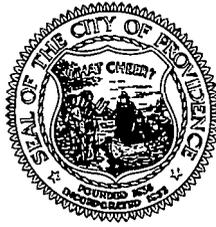
FROM: William G. Floriani, Assistant Director
Project Management and Construction

RE : KENNEDY PLAZA ABANDONMENT

Pursuant to yours and Councilman Clarkin's request I have completed an Estimate of Value for this abandonment. Kennedy Plaza is owned by the City and is zoned Open Space. The request is to determine Fair Market Value. Not being apprised of all the specifics of the transaction I have made certain assumptions. It is my opinion that the Fair Market Value on the open market of a 9,672 s. f. site would be \$967,000.00, if sold by the City as a buildable parcel.

The Open Space Zone would require a reduction in value because of the restrictions placed on the site. The value in my estimation would be \$629,000.00 if sold. The Resolution states that the site will be leased to RIPTA. Given the lease option and retention of the site in City ownership, I arrived at a yearly rental of \$125,736.00 or \$10,500.00 per month based on the open space designation. Should RIPTA get the site at a value less than recommended the City should ask for a percentage of the actual rental stream produced by the occupants of the site.

GEORGE CALCAGNI
Chair



VINCENT A. CIANCI, JR.
Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning The Future of Providence"

March 27, 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. 3177, Petition for the abandonment of a portion of Kennedy Plaza

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, June 15, 1999 reviewed and evaluated the communication of the Committee on Public Works dated May 17, 1999 requesting the Commission's recommendation on the proposed abandonment of a portion of Kennedy Plaza, the West Approach Road, and a portion of the East Approach Road. The Commission voted to recommend that the Committee on Public Works approve the petition to abandon the aforesaid public rights-of-way (see attached letter from Deller to Clarkin).

The Committee approved the abandonment of the East and West Approaches, but took no action on the Kennedy Plaza petition because a proper map describing the portion of right-of-way had not been prepared. Superintendent of Parks Nancy Derrig has resubmitted the petition for Kennedy Plaza. The area to be abandoned and the reason for abandonment have not changed. We therefore request that you reconsider the Commission's original recommendation to approve the petition to abandon the portion of Kennedy Plaza.

Sincerely,

Samuel J. Shamoon
Associate Director of Planning

cc: Nancy Derrig, Parks Dept., Henry Kinch, RIPTA



PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

July 9, 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. 3148. Abandonment of a portion of Kennedy Plaza for RIPTA's Intermodal Transit Center and abandonment of the West Approach Road and a portion of the East Approach Road of the Fleet Skating Center.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, June 15, 1999, reviewed and evaluated the request from the Committee on Public Works on the petition to abandon a portion of Kennedy Plaza surrounding Lot 31 on Assessor's Plat 20, to accommodate a new RIPTA Intermodal Transit Center. Additionally, the petition requests the abandonment of the West Approach Road and portion of the East Approach Road with remaining unused right-of-way that was incorporated into the parcel of the Fleet Skating Center.

A petition was submitted by the Board of Park Commissioners to abandon two separate sections of Kennedy Plaza, The Parks Department already maintains and has ownership of the Fleet Skating Center and its surrounding grounds.

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 approve the petition to abandon the aforesaid public rights-of-way.

Regards.

Thomas E. Deller, AICP, Deputy Director



May 2, 2001

Ms. Claire E. Bestwick
Department of City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Re: Petition to Abandon a Portion of Kennedy Plaza-Right of Way

Dear Ms. Bestwick:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has underground facilities situated in the area of Kennedy Plaza proposed for abandonment.

NECO has no objection to the abandonment provided that, in the event, the street is abandoned, an easement, approved by NECO, for our facilities is granted to NECO.

Please call me if you have any questions.

Very truly yours,

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

Right of Way



Verizon Communications
85 High Street
Pawtucket, RI 02860

Phone 401.727.9555
Fax 401.725.7680

March 22, 2001

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

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF KENNEDY PLAZA.

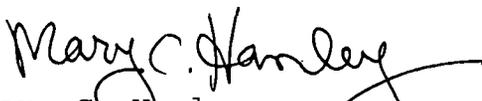
Verizon presently has underground facilities in said street.

These facilities include a conduit system that provide service to the surrounding area.

Verizon will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

Very truly yours,


Mary C. Hanley
Manager - Right of Way

PLAZA

35

5
23 774

120.7
49-51

25 PLAZA

17-2
24

EXCHANGE ST
17-39

8
9200

200,625

59-63

ST.

12
40,892

D1-300

200-110

14
27,960

ARCADE ST

15
4929

16
8487

18
27773

10-40

130
114-110 106-102 94-100
118-96 90-76
12
20

138-1-155

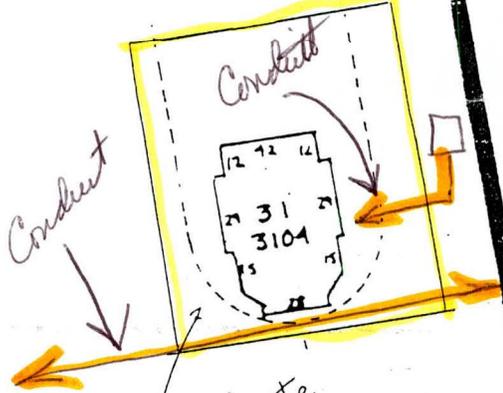
KENNEDY

KENNEDY

O.S.

19

PLAT



Approximate Area to be abandoned.

Underground Conduit System

APPROACH

ST.

APPROACH

25

45 55 57

20

ProvGas

A ProvEnergy Company



03/26/01

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 the Kennedy Plaza ROW, Providence
ProvGas Requests an Easement

Dear Ms. Bestwick:

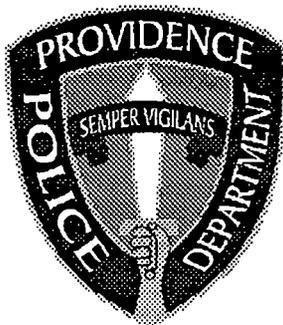
Providence Gas owns and maintains a gas main within the proposed abandonment. This 12" gas line provides must be maintained at all times. However, this line is no longer in conflict with the proposed expansion to the bus terminal. We have relocated our gas line around the proposed terminal, between the Soldier and Sailor Monument and the terminal as directed by RIPTA. This is shown on RIPTA's Drainage and Utility Plan C-7. We have no objections to this abandonment as long as we receive an easement allowing us to own, operate, and maintain our facilities.

If you have any further questions, please feel free to call me at 401- 272-5040 extension 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



PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU

Lieutenant Timothy Lee, Commanding

A large, stylized handwritten signature in black ink, which appears to be "Timothy Lee".

TO: Colonel Richard Sullivan, chief of Police

FROM: Lieutenant Timothy Lee, Commanding Traffic Bureau

SUBJECT: Petition to abandon a portion of Kennedy Plaza

Dear Sir,

It appears that the portion under consideration is in the interior of the Kennedy Plaza and would have no effect on the traffic in the area.

Respectfully Submitted:

Lieutenant Timothy Lee



Rhode Island

Department of City Clerk

MEMORANDUM

RECEIVED
CHIEF'S OFFICE
01 MAR 20 PM 1:14A

DATE: March 20, 2001

TO: Colonel Richard T. Sullivan, Chief of Police

SUBJECT: **PETITION OF NANCY DERRIG,
SUPERINTENDENT OF PARKS, REQUESTING
THE ABANDONMENT OF A PORTION OF THE
KENNEDY PLAZA RIGHT-OF-WAY.**

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.

Anne A. Bestwick
Second Deputy City Clerk

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

February 27, 2001

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

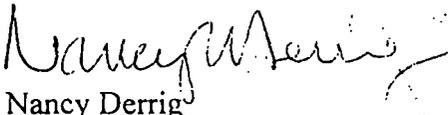
The undersigned respectfully petitions your honorable body

Whereas the City intends to enlarge AP 20, Lot 31 to accommodate a new and expanded transportation bus terminal that will be leased to the Rhode Island Public Transit Authority (RIPTA) by the Board of Park Commissioners, and

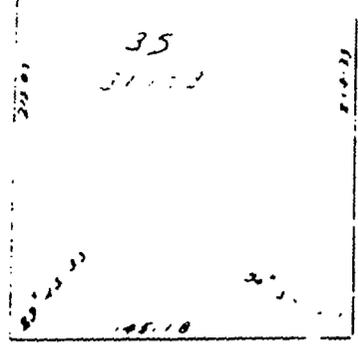
Whereas said AP 20, Lot 31 is not sufficient to accommodate such a terminal,

The Board of Park Commissioners hereby requests that a portion of the Kennedy Plaza right-of-way be abandoned by the Honorable City Council in accordance with the dimensions shown on the attached map.

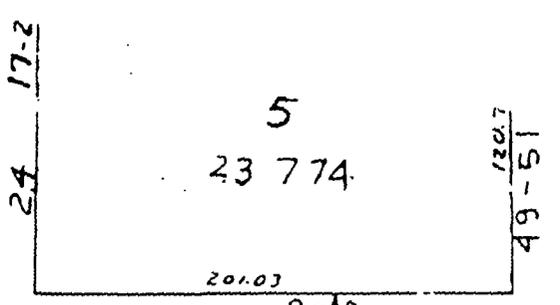
Sincerely,


Nancy Derrig
Superintendent of Parks

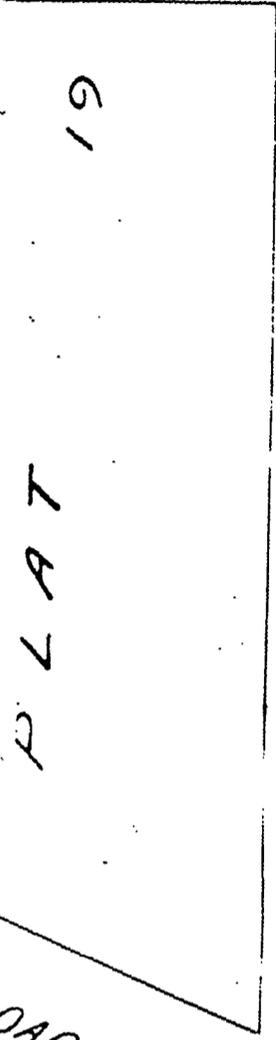
PLAZA



25 PLAZA

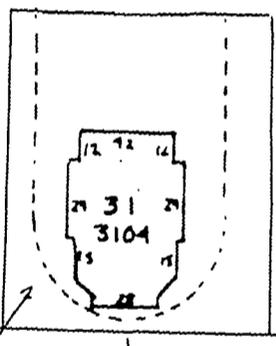


EXCHANGE ST. 17-39



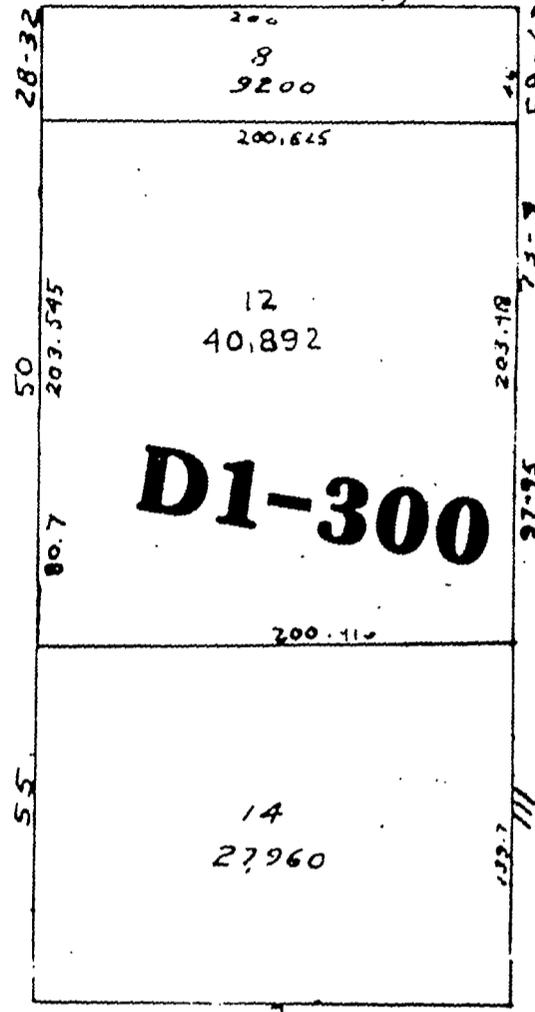
KENNEDY

O.S.

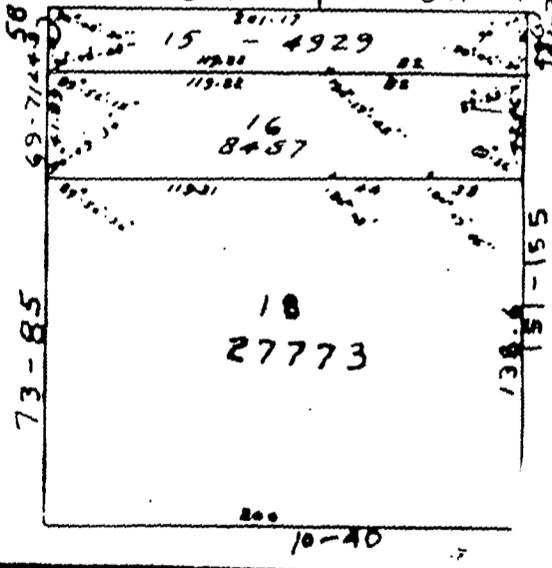


Approximate Area to be abandoned.

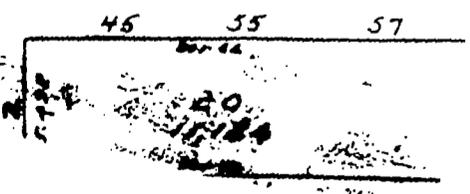
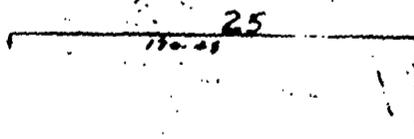
KENNEDY



ARCADE ST.



STAMINSTER ST.



James F. Rattigan
Chief of Department

David D. Costa
Fire Marshal



Vincent A. Cianci Jr.
Mayor

John J. Partington
Commissioner

PROVIDENCE FIRE PREVENTION BUREAU
"Smoke Detectors Save Lives"

March 29, 2001

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

Re: Abandon a Portion of the Kennedy Plaza Right-of-Way

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of the Kennedy Plaza Right-of-Way (see attached), the Fire Department has no objection.

David D. Costa
Fire Marshal

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

PATRICIA F. MC VICKER, ESQ.
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

ALEXANDER D. PRIGNANO
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

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

JOSEPH DE LUCA
City Councilman

RITA M. WILLIAMS
City Councilwoman

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

June 18, 2001

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

SUBJECT: Petition for Right-Of-Way Abandonment
Portion of Kennedy Plaza
Providence, Rhode Island

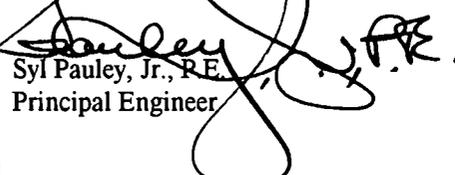
Dear Councilman Clarkin:

The referenced Petition, which was initiated by the Board of Park Commissioners, has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records indicate that PW does not own any infrastructure within the limits of "Proposed Parcel 31 (Area = 14,452 S.F.)," as shown on a Class 1 Survey Plan (Drawing No. H3838, Sheet 1 of 1) which was prepared by Wallace, Floyd, Design Group of Boston, MA (a copy of a portion of this drawing has been attached to this correspondence). 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,

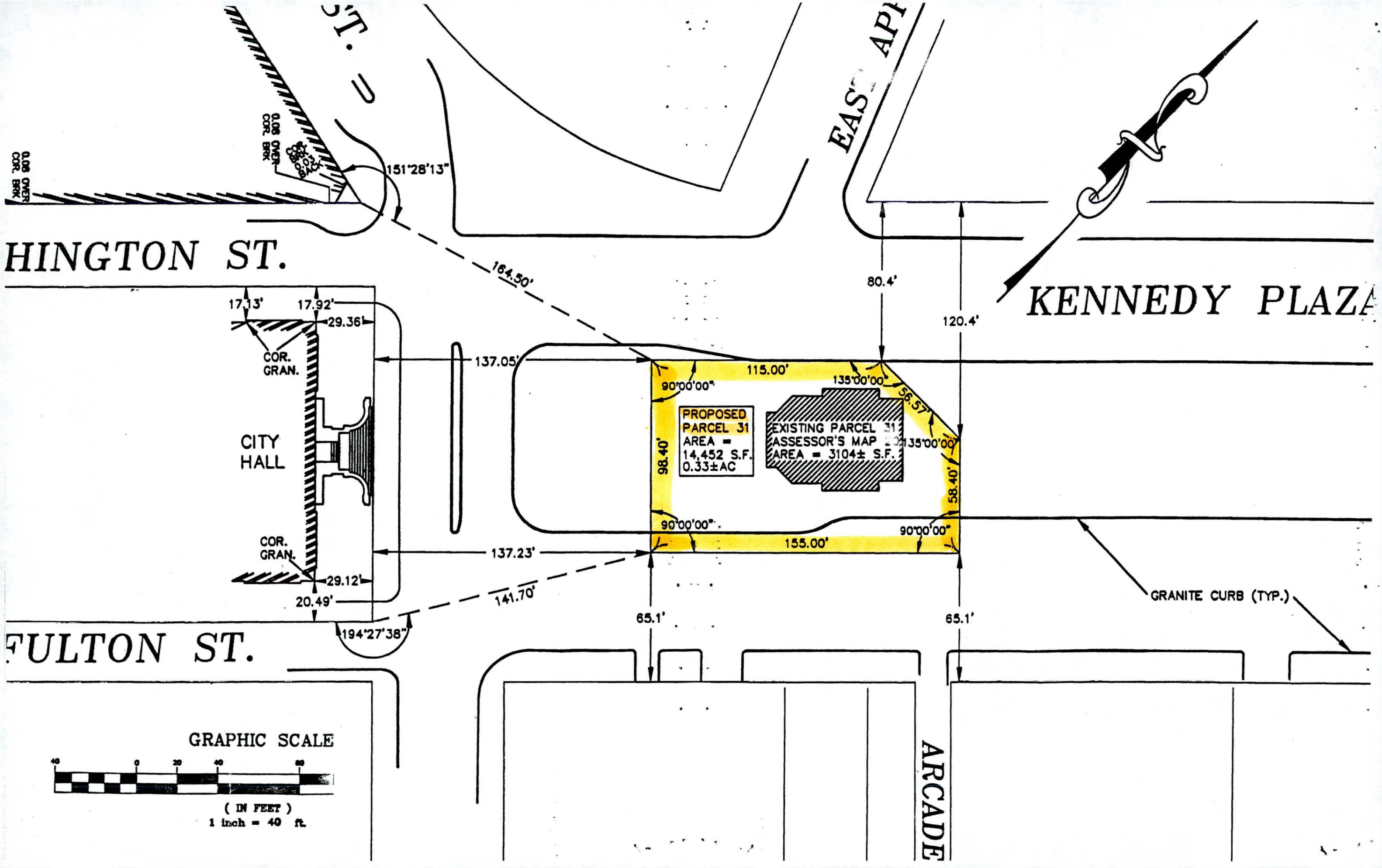
PROVIDENCE WATER SUPPLY BOARD

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

SP/s
enclosure

cc: P. Gadoury, P.E., w/o encl
M. Clement, City Clerk, w/encl
File, w/encl

ABNLTR37.SAM



IRENE J. TESTA
Traffic Engineer

JOSEPH W. CAPRIO
Deputy Director



VINCENT A. GIANCI, 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: 3/21/01

RE: PENDING MATTERS

REQUEST: To abandon a portion of the Kennedy Plaza
right-of-way in accordance with the dimensions
shown on map.

DISPOSITION: No objection.

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

March 22, 2001

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

RE: Proposed Abandonment of Portion of Geoffreys Court, and portion of Kennedy Plaza right of way

Dear Mr. Clement:

The Department of Public Parks has reviewed the proposed abandonment of a portion of Geoffreys Court and a portion of Kennedy Plaza right of way, and has no objection to the proposed abandonment's.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "John A. Izzo".

John A. Izzo
Supervisor of Engineering & Planning

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

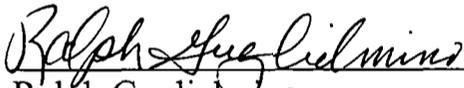
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

**PETITION TO ABANDON A PORTION OF THE KENNEDY PLAZA
RIGHT-OF-WAY.**

PLAT LOT NAME AND ADDRESS

PETITIONER

Nancy Derrig, Superintendent
Parks Department



Ralph Guglielmino
City Sergeant

Council President John J. Lombardi
Ward 13

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 THE KENNEDY PLAZA
RIGHT-OF-WAY**

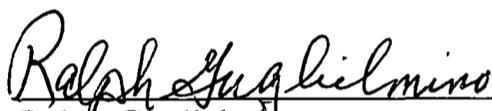
PLAT

LOT

NAME AND ADDRESS

PETITIONER

Nancy Derrig, Superintendent
Parks Department



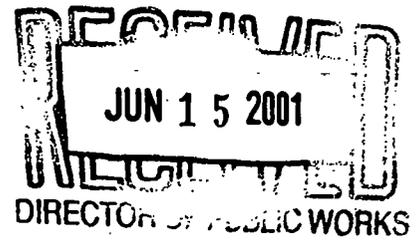
Ralph Guglielmino
City Sergeant

Council President John J. Lombardi
Ward 13

City of Providence



Rhode Island



Department of City Clerk

MEMORANDUM

DATE: June 12, 2001

TO: Ferdinand Ihenacho, Director of Public Works

SUBJECT: Petition of Nancy Derrig, Superintendent of Parks requesting the abandonment of a portion of the Kennedy Plaza right-of-way.

CONSIDERED BY: Claire E. Bestwick, Second Deputy City Clerk

DISPOSITION: On March 27, 2001, you replied on the enclosed petition for abandonment. Since your reply, the square footage of the map submitted by the Petitioner has been amended. If this changes your response in any way, please reply according to the newly submitted map to Councilman Robert M. Clarkin, Chairman of the Committee on Public Works.

A handwritten signature in cursive script, appearing to read "Claire E. Bestwick".

Second Deputy City Clerk

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

February 27, 2001

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Whereas the City intends to enlarge AP 20, Lot 31 to accommodate a new and expanded transportation bus terminal that will be leased to the Rhode Island Public Transit Authority (RIPTA) by the Board of Park Commissioners, and

Whereas said AP 20, Lot 31 is not sufficient to accommodate such a terminal,

The Board of Park Commissioners hereby requests that a portion of the Kennedy Plaza right-of-way be abandoned by the Honorable City Council in accordance with the dimensions shown on the attached map.

Sincerely,



Nancy Derrig
Superintendent of Parks

