

RESOLUTION OF THE CITY COUNCIL

No. 494

Approved September 14, 2001

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. 064653 dated June 20, 2000."

VIZ: Vesta Street (portion of) as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway to the Petitioner. Said abandonment is specifically conditioned precedent upon the following:

1. The Petitioner, Times 2 Academy, shall tender the amount of One (\$1.00) Dollar in legal tender U.S. currency to the City of Providence.
2. The city shall retain for itself in the abandoned premises an easement sufficient to permit retention of Providence Energy's 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 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.
4. The Petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Bureau dated 16 June 2000 which states Petitioner and any successors in interest shall maintain said abandoned roadways so that emergency vehicles will have twenty-four (24) hour access to the front of the Times 2 Academy.

THE COMMITTEE ON
Public Works
Recommends Set Up Public Hearing
Claire D. Buttner
June 12, 2001

IN CITY COUNCIL
JUN 1 2000
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael E. Clement
CB

THE COMMITTEE ON
Public Works
Recommends Public Hearing
Claire D. Buttner
July 11, 2001

THE COMMITTEE ON
Public Works
Recommends Set Up Public Hearing
Claire D. Buttner
Oct. 10, 2000

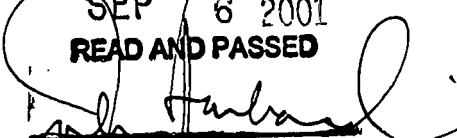
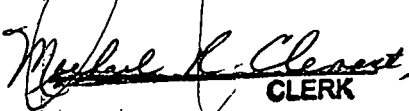

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Claire D. Buttner
July 26, 2001 Clerk

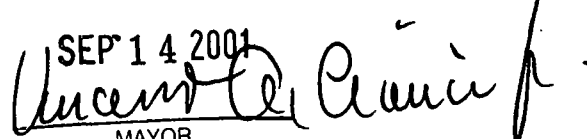
THE COMMITTEE ON
Public Works
Recommends Public Hearing
Claire D. Buttner
Nov. 8, 2000

THE COMMITTEE ON
Public Works
Recommends Continued
Claire D. Buttner Set Up
Nov. 21, 2000 Public
Hearing

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
SEP 6 2001
READ AND PASSED

PRES.

CLERK


APPROVED
SEP 14 2001

MAYOR

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

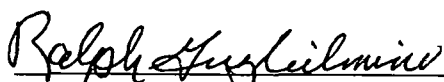
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF VESTA STREET.

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
68	122	Providence Redevelopment Agency City of Providence 400 Westminster Street Providence, RI 02903
68	124	Providence Redevelopment Agency City of Providence 400 Westminster Street Providence, RI 02903
68	125	Providence Redevelopment Agency City of Providence 400 Westminster Street Providence, RI 02903
68	128	Providence Redevelopment Agency City of Providence 400 Westminster Street Providence, RI 02903
68	129	Providence Redevelopment Agency City of Providence 400 Westminster Street Providence, RI 02903

PETITIONER

Providence Redevelopment Agency
John F. Palmieri, Director
400 Westminster Street
Providence, RI 02903



Ralph Guglielmino
City Sergeant

Councilman Terrence M. Hassett
Ward 12

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

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

June 21, 2000

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

Re: Portion Abandonment
Vesta St.

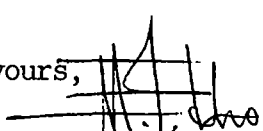
Dear Councilman Clarkin:

This department has no objection to the proposed portion abandonment of Vesta Street, in conjunction with the accompanying plan, entitled " Providence, RI, P.W. Dept. - Engineering Office, Street Line Section, Plan No. 0646537 Date: June 20, 2000".

The portion of Vesta St. to be abandoned is noted as cross-hatched area designated by the letters A-B-C-D-A on the accompanying plan. Total square footage for this proposed portion abandonment of Vesta St. is 3435.00+. Lot numbers were taken from the City of Providence A.P. 68.

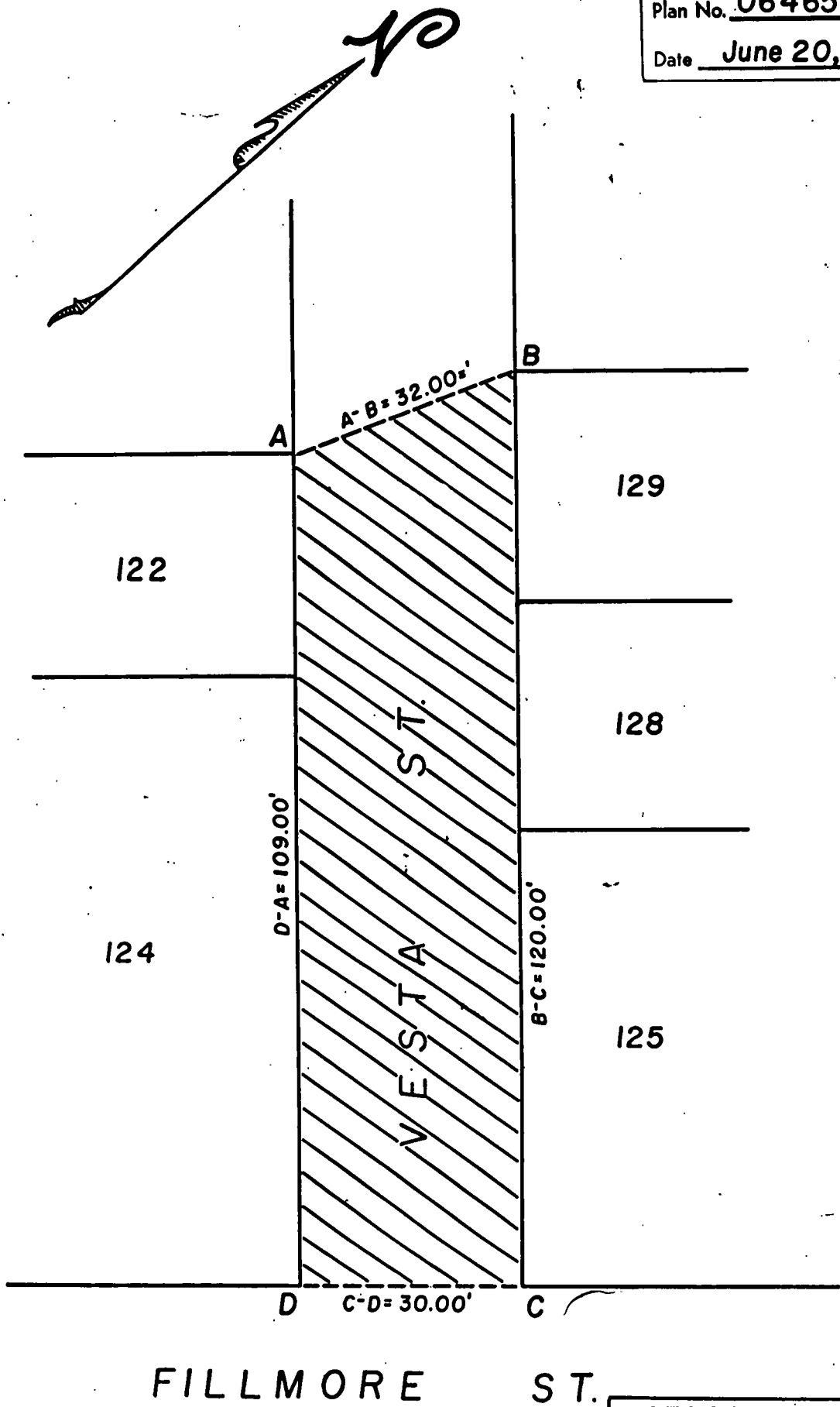
A list of abutting property owners is attached herewith for your perusal. If we can be of further assistance, please advise.

Very truly yours,


Ferdinand C. Ihenacho, P.E.
Director of Public Works

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

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064653
 Date June 20, 2000



NOTES: Cross-hatched area (A-B-C-D-A)
 Indicates proposed abandonment.
 Total square footage = 3435.00'
 Lot numbers taken from A.P. 68.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of a
Vesta St. (portion of)
 Drawn by A. Zisiades Checked by JEC
 Scale 1" = 20' Date 6/20/2000
 Correct JEC Associate Engr.
 Approved [Signature] CHIEF ENGINEER



Department of Planning and Development

"Building Pride in Providence"

November 29, 2000

Councilman Robert M. Clarkin
Providence City Hall
City Council Office
25 Dorrance Street
Providence, RI 02903

RE: Abandonment of Vesta Street

Dear Councilman Clarkin:

It has come to my attention that the Public Works Committee had a public hearing on the abandonment of Vesta Street and that no one appeared either in support or opposition to the proposal.

It is unfortunate that this Department somehow missed the hearing. It was not intentional. Although the Clerk's Office sent us notification it was inadvertently overlooked. It is unfortunate that the petitioner, Times² was not notified of the hearing.

However, given that public notice was given and that no person appeared to object, it would seem to be ample justification that your Committee fulfilled its obligation to have the matter heard. To call for a second hearing, which at best will be perfunctory, will cause undue hardship and delay to Times². We have been working with the charter school for some time now and feel that the Committee has the power to approve the abandonment without a second public hearing.

I was at another public hearing on November 21, when your Committee made the decision to hold a second hearing on the advice of Assistant City Solicitor John D'Amico. On this date, I received and reviewed the minutes of that meeting. I disagree with Mr. D'Amico's assertion that the Committee has no "credible kind of evidence." It seems to me that Mr. Ralph Taylor of Times² presented the purposes of the plan at your November 21 meeting.

Moreover, the street abandonment proposal was reviewed by Traffic Engineering and Public Works, both of whom registered no objection.

Therefore, I respectfully request that the Committee reconsider its position and approve the abandonment of Vesta Street without going through a second public hearing.

Sincerely,

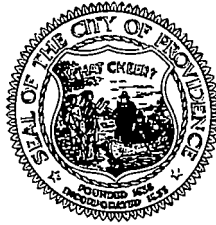
A handwritten signature in black ink, appearing to read "John F. Palmieri". The signature is stylized with a large, looped initial "J" and a cursive "Palmieri".

John F. Palmieri

SJS:pb

CC: Michael Clement, City Clerk ✓
John D'Amico, Assistant City Solicitor
Ralph Taylor, Times²

GEORGE CALCAGNI
Chair



VINCENT A. CIANCI, JR.
Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning The Future of Providence"

June 27, 2000

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

Attn: Michael R. Clement, City Clerk

Re: CPC Referral No. 3168, Petition for the Abandonment of Vesta Street.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, June 20, 2000 reviewed and evaluated the request of the Committee on Public Works dated May 1, 2000 for the Commission's recommendation on the proposed abandonment of Vesta Street.

The petitioner is the Providence Redevelopment Agency, on behalf of itself and the Times² Academy requesting the abandonment of the remaining portion of Vesta Street in front of lots 129, 128, 125, 124 and 122 on Assessor's Plat 68, commencing at Fillmore Street and terminating at the dead-end portion of Vesta Street. The first portion of Vesta Street was abandoned on July 10, 1998. The purpose of the abandonment is to assemble the adjacent parcels into one lot for the Times Academy.

The Commission found the proposed abandonment is consistent with the Comprehensive Plan and voted to recommend that the Committee on Public Works approve this proposed abandonment.

Sincerely,

Samuel J. Shamoon, Associate Director of Planning

cc: Mr. Ralph Taylor, Times² Academy
George Calcagni, Chair

James F. Rattigan
Chief of Department

David D. Costa
Fire Marshal



Vincent A. Cianci Jr.
Mayor

John J. Partington
Commissioner

PROVIDENCE FIRE PREVENTION DIVISION
"Smoke Detectors Save Lives"

June 16, 2000

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

Re: Petition to Abandon a Portion of Vesta Street

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of Vesta Street (see attached), the Fire Department has no objection provided that access for emergency vehicles is maintained to the front of the Times-2 Academy.

Respectfully,

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

David D. Costa
Fire Marshal

PROPOSED ABANDONMENT OF A PORTION
OF VESTA STREET

A.P. 68	LOT 122	CITY OF PROVIDENCE
.	LOT 124	" " "
	LOT 125	" " "
.	LOT 128	" " "
...	LOT 129	" " "

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

June 14, 2000

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

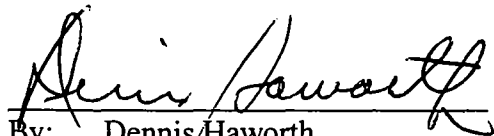
SUBJECT: Petition to Abandon a Portion of Vesta Street

Dear Councilman Clarkin:

The referenced Petition received from the Department of City Clerk proposes to abandon a portion of Vesta Street. The proposed abandonment fronts on Lots 122, 124, 125, 128 and 129, on Assessor's Plat 68 and terminates at the roadway's existing dead end.

Accordingly, we have reviewed this Petition with respect to the impact it may have on the Providence Water Supply Board (PWSB) Distribution System. Our present records indicate that the portion of Vesta Street, as proposed herein for abandonment, contains no facilities belonging to PWSB. Therefore, PWSB has no objection to the proposed abandonment and 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

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

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

June 12, 2000

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

RE: Proposed Abandonment of portion of Vesta Street

Dear Mr. Clement:

The Department of Public Parks has reviewed the proposed abandonment of a portion of Vesta Street and has no objection to the 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: 11/14/00

RE: PENDING MATTERS

Request: To abandon a portion of Vesta Street.

Disposition: No objection.

HENRY S. KATZ
Chairman

LESLIE A. GARDNER
Vice Chairman

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

RONALD W. ALLEN
LUIS A. APONTE
Councilmen

JOHN F. PALMIERI
Executive Director

SAMUEL J. SHAMON
Secretary



VINCENT A. CIANCI, JR.
Mayor

PROVIDENCE REDEVELOPMENT AGENCY

"Building Pride in Providence"

MEMORANDUM

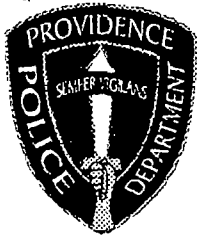
DATE: July 18, 2001

TO : Michael Clement, City Clerk

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

RE : Vesta St. Abandonment

The Providence Redevelopment Agency and Times² are requesting this abandonment. This property will be used as part of their complex. The Fair Market Value for this site, because Times² is a non-profit, would be \$1.00.



PROVIDENCE POLICE DEPARTMENT
Traffic Services
209 Fountain St, Providence, RI 02903
272-3121 X2352

6/12/00

To: Councilman Robert M. Clarkin, Chairman, Committee on Public Works
From: Major Richard T. Sullivan
Subject: Vesta Street Abandonment

Sir:

Attached is a Memorandum dated June 8, 2000, reference the abandonment of Vesta Street to make way for the Times 2 Academy. The area was checked by the Traffic Bureau and at this time there does not appear to be problem with the abandonment. With these comments, the Providence Police Department does not have any concerns with the abandonment.

Narragansett Electric

A National Grid Company



July 25, 2000

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

Re: Petition to Abandon a portion of Vesta Street

Dear Ms. Bestwick:

The Narragansett Electric Company has no facilities within the above listed areas proposed for abandonment.

Sincerely,

Sheree Storey
Paralegal/Property Assets

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

Right of Way Department



July 7, 2000

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

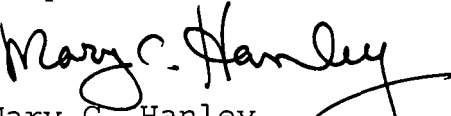
Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF VESTA STREET

Dear Sir:

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

Very truly yours,


Mary C. Hanley
Manager - Right of Way

The Narragansett Bay Commission
The Foundry Corporate Office Center
235 Promenade Street — Suite 500
Providence, RI 02908-5739
401 • 222 • 6680
401 • 222 • 2584 FAX
401 • 222 • 6680 TDD
<http://www.narrabay.com>



Vincent J. Mesolella
Chairman

Paul Pinault, P.E.
Executive Director

June 19, 2000

Ms. Claire Bestwicz
Second Deputy City Clerk
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Subject: Abandonment of City-Owned Property

Dear Ms. Bestwicz:


We have reviewed your memoranda and documentation dated May 26, 2000 concerning the abandonment of a portion of Vesta Street, Providence, R.I.

The NBC does not own any facility on this street. Therefore, we do not have any objection to the abandonment of this property.

We appreciate your notification of this easement and the opportunity to comment.

Sincerely,

Sincerely,



John Zuba
Project Coordinator

JZ:jd

cc: Joeseeph Filippone



06/14/00

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 Vesta St., Providence

Dear Ms. Bestwick:

Providence Gas does own and maintain a 4" gas service within the roadway. This service feeds the school. As long as we may obtain an easement to own and operate said pipe, 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 large, stylized loop at the end.

Michael McGuire
Manager of Engineering Design & Facility Locating

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 494

Approved September 14, 2001

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. 064653 dated June 20, 2000.."

VIZ: Vesta Street (portion of) as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway to the Petitioner. Said abandonment is specifically conditioned precedent upon the following:

1. The Petitioner, Times 2 Academy, shall tender the amount of One (\$1.00) Dollar in legal tender U.S. currency to the City of Providence.
2. The city shall retain for itself in the abandoned premises an easement sufficient to permit retention of Providence Energy's 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 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.
4. The Petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Bureau dated 16 June 2000 which states Petitioner and any successors in interest shall maintain said abandoned roadways so that emergency vehicles will have twenty-four (24) hour access to the front of the Times 2 Academy.

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
SEP 1 4 2001
READ AND PASSED

PRES.

CLERK

APPROVED

SEP 14 2001

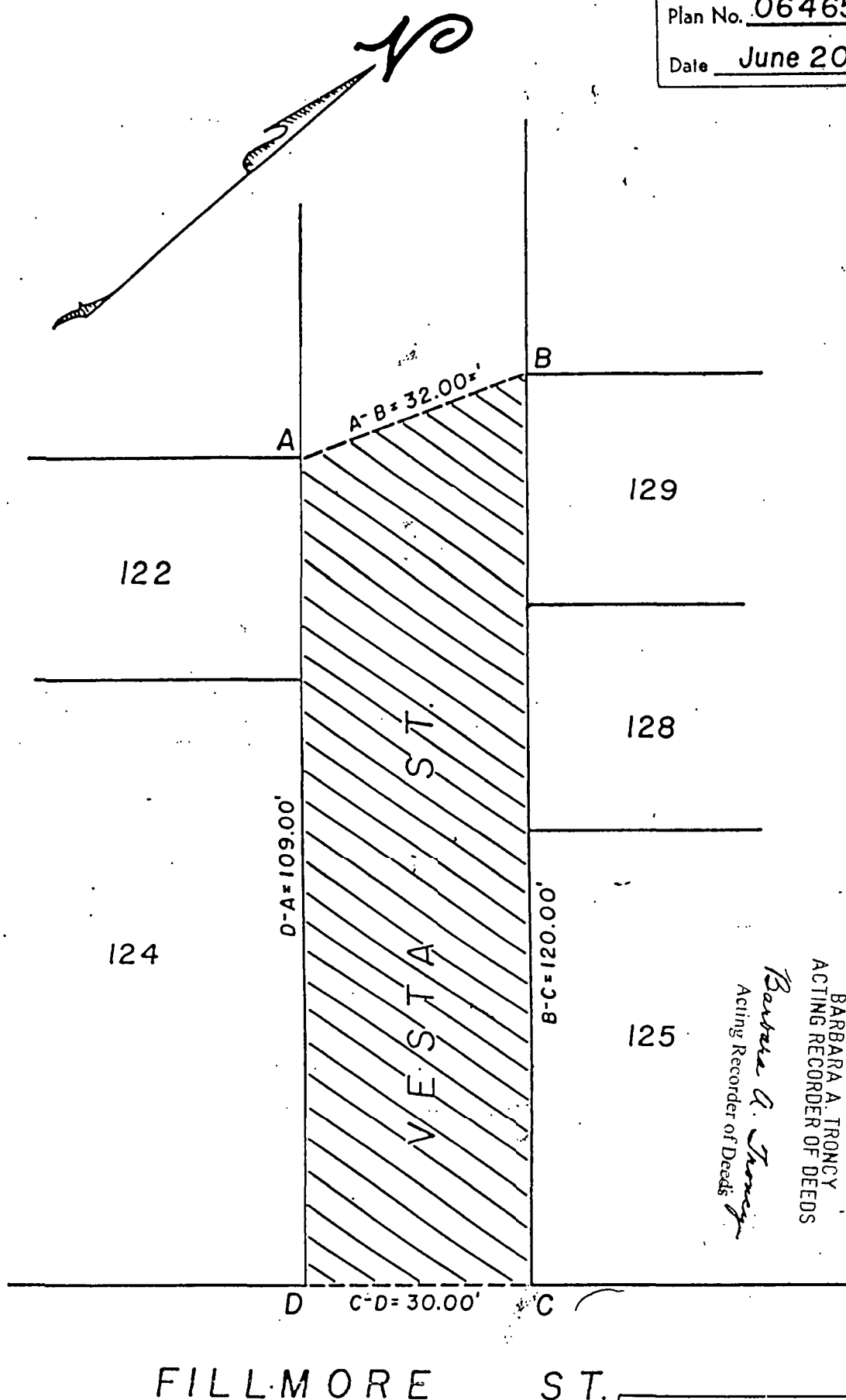
MAYOR

A true copy
Attest:

Michael R. Clement
City Clerk

BK 4842PG0050

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064653
 Date June 20, 2000



PROVIDENCE, R.I.
 RECEIVED FOR RECORD
 2001 SEP 21 P 2:07
 BARBARA A. TRONCY
 ACTING RECORDER OF DEEDS
Barbara A. Troncy
 Acting Recorder of Deeds

FILLMORE ST.

NOTES: Cross-hatched area (A-B-C-D-A)
 Indicates proposed abandonment.
 Total square footage = 3435.00'

Lot numbers taken from A.P. 68.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of a
Vesta St. (portion of)
 Drawn by A. Zisiades Checked by JEC
 Scale 1" = 20' Date 6-20-2000
 Correct JEC Associate Engr.
 Approved [Signature] CHIEF ENGINEER

4842/48-50

PROVIDENCE, RI
RECEIVED FOR RECORD

2001 SEP 21 P 2:07

BARBARA A. TRONCY
ACTING RECORDER OF DEEDS

43906