

resolution/hendst  
**RESOLUTION OF THE CITY COUNCIL**

*No. 232*

*Approved* April 23, 1999

RESOLVED, DECREED AND ORDERED

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Providence, Rhode Island, Department of Public Works - Engineering Office, street line Section Plan No. 064612 dated August 27, 1998."

Viz: Henderson Street 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. 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 the Providence Water Supply Board 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 in writing agree to each of the conditions to which reference is made in that communication from the Providence Water Supply Board dated 29 September 1998 and which states as follows: "(A) Narragansett Electric will accept responsibility for final road restoration in the event that the Providence Water Supply Board needs to work in the abandoned area; (B) The public fire hydrants will remain on private property and will continue to be subject to the Hydrant Rental Fee paid by the Providence Fire Department."

4. The Petitioner shall meet with the Fire Marshal of the Providence Fire Department and enter into an agreement satisfactory to said department so as to

IN CITY COUNCIL  
*Aug. 6, 1998*  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
*Michael R. Jones* CLERK

THE COMMITTEE ON  
*Gullie Hart*  
Recommends *P.H.*  
*Barbara A. Parnis* Clerk  
*10/14/98*  
*P.H. Kell*

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Barbara A. Parnis*  
*3/30/99* Clerk

*I know the Clerk: Best*

alleviate any concerns of the Providence Fire Department as expressed in their communication dated 25 September 1998 making reference to access;

5. The petitioner shall convey an easement acceptable to the Narragansett Bay Commission 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;

6. The petitioner shall meet each of the conditions to which reference is made in the communication from the Providence City Plan Commission dated 15 October 1998 which states as follows: "(A) The abandonment is subject to a signed agreement to establish a perpetual easement for access during the Park's operational hours; (B) The petitioner installs a warning sign that informs the public of the front gates closing time."

7. In light of the continued maintenance of the so-called Collyer Park, the customary fees are waived.

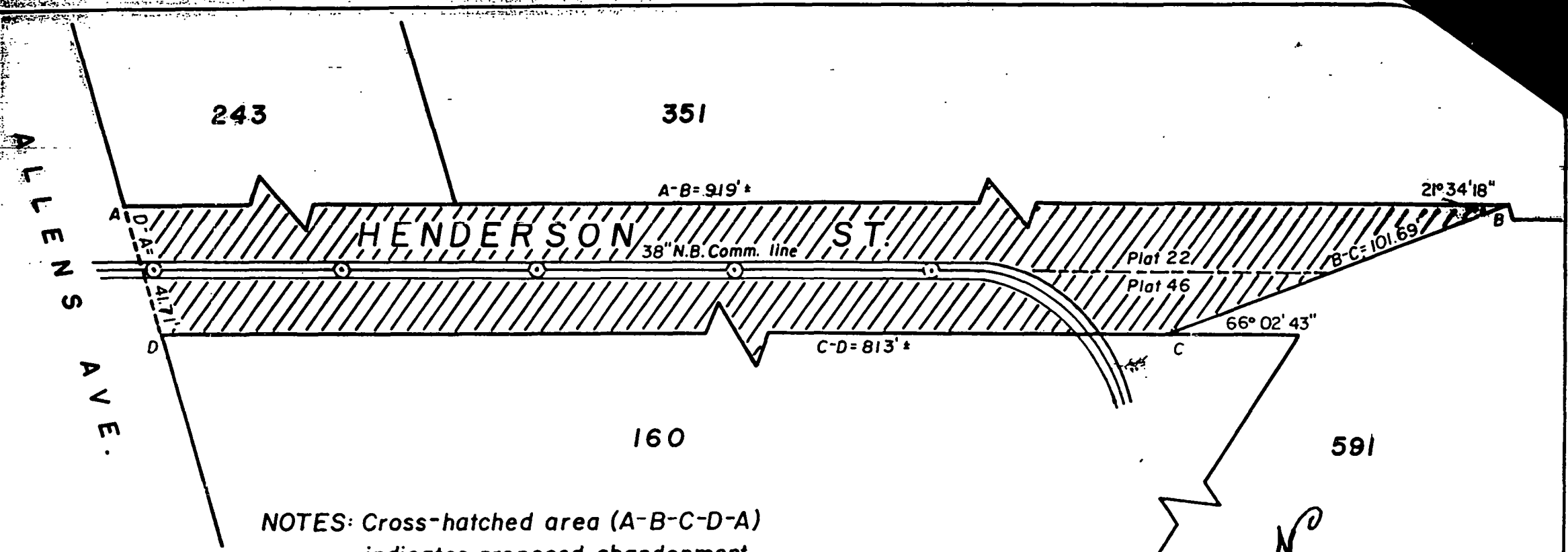
ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

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  
APR 15 1999  
READ AND PASSED  
*[Signature]*  
PRES.  
*[Signature]*  
CLERK



SECRET



NOTES: Cross-hatched area (A-B-C-D-A)  
 indicates proposed abandonment.  
 Full sewer easement will be required.  
 Total square footage = ± 34,490'



CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonment of  
 Henderson Street.  
 Drawn by AZI/ades Checked by JAM  
 Scale Not available Date 8-27-98  
 Corrected by JAM  
 Approved by JAM

PROVIDENCE, R. I.  
 E. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064612  
 Date Aug. 27, 1998

Lot numbers taken from A.P. 22 & 46.

## PETITION TO THE CITY COUNCIL

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

as follows:

*The undersigned respectfully petitions your honorable body*

(1) That your Petitioner, The Narragansett Electric Company ("Narragansett"), is a Rhode Island public utility created by the General Assembly and authorized, among other things, to engage in the production, transmission, delivery and furnishing of electricity for light, heat and power.

(2) That your Petitioner, New England Power Company ("NEP"), is a Massachusetts corporation qualified to do business in Rhode Island and engaged in the generation and transmission of electricity.

(3) That Assessor's Plat 22 shows Henderson Street extending a distance of approximately 900 feet east from Eddy Street.

(4) That said portion of Henderson Street is bounded on the north by lots 243 and 351, both on Plat 22, on the east by Plat 46, lot 591, on the south by Plat 46, lot 160, and on the west by Eddy Street all as shown on the accompanying plan entitled "NEW ENGLAND POWER COMPANY AND THE NARRAGANSETT ELECTRIC COMPANY; REPOWERING OF MANCHESTER STREET STATION, PROVIDENCE, RHODE ISLAND; PROPOSED ABANDONMENT OF HENDERSON STREET, PROVIDENCE, R.I.; 1" = 80' (JANUARY 27, 1998.)"

(5) That Henderson Street is a dead end street, so-called, which is used only by Narragansett personnel and by Providence Department of Public Works' personnel for access to the Fox Point Hurricane Barrier.

(6) That Henderson Street provides no access to tidal water at Providence Harbor.

(7) That your Petitioners seek the abandonment of Henderson Street by the City Council.

(8) That your Petitioners are the owner in fee simple of Plat 22, lot 351 and Plat 46, lot 591 as shown on the accompanying plan.

(9) That your Petitioners have repowered the Manchester Street Station in Providence at a cost of approximately \$500 million (the "Project").

FILED

JUL 16 10 46 AM '98  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution

Barbara A. Gaurin  
3/30/99 Clerk

THE COMMITTEE ON

Barbara A. Gaurin  
Recommends P.H.  
10/14/98 Clerk

(P.H. Telt)

IN CITY COUNCIL  
AUG 6 1998

FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS

Michael R. Clement  
CLERK

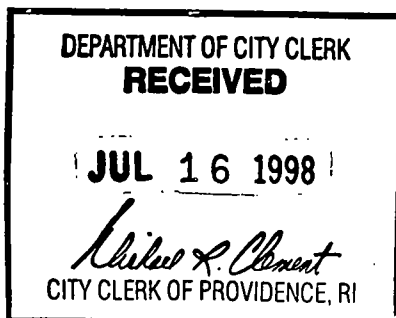
From the Clerk's Desk 12/9/98 (Continued)

(10) That as part of the Project, Narragansett and NEP (the "Companies") have constructed a public park south of the Fox Point Hurricane Barrier ("Collier Point Park").

(11) That the abandonment of Henderson Street by the City of Providence will enable the Companies to control access to Collier Point Park at night and in inclement weather, thereby protecting the public health and safety.

(12) That the other abutters on Henderson Street, C.H. Sprague & Son (owner of Plat 46, lot 160), and John A. Simourian and Michele Simourian, Trustees (owners of Plat 22, lot 243) support the abandonment as appears in the letters attached hereto.


WHEREFORE, your Petitioners respectfully pray that Henderson Street as shown on the accompanying plan be deemed no longer useful to the public and that said Henderson Street be abandoned as a public highway in accordance with the provisions of R.I.G.L. §24-6-1 et seq.



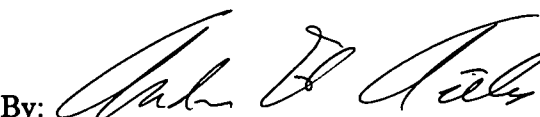
Abandonment of Henderson Street  
Narragansett Electric Company  
Citizens Bank  
Check #1728 - \$75.00

Respectfully submitted,

The Narragansett Electric Company

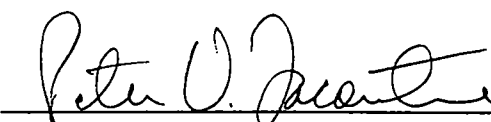
By:   
Lawrence J. Reilly, President  
280 Melrose Street  
Providence, RI 02907

New England Power Company

By:   
Andrew H. Aitken, Vice President  
25 Research Drive  
Westborough, MA 01582

By their Attorneys,

Peabody & Brown

  
Peter V. Lacouture  
One Citizens Plaza  
Providence, Rhode Island 02903  
Tel: (401) 454-1011

July 15, 1998

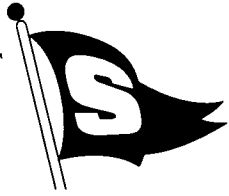
PRO: 6316\_1



RECEIVED  
GEWECEN

8PPJ JUL

*[Handwritten signature]*



## SPRAGUE ENERGY

One Parade Mall, Portsmouth, NH 03801  
TEL: (603) 431-1000 FAX: (603) 431-3018

ROBERT K. BLANCHARD  
VICE PRESIDENT  
TERMINAL OPERATIONS

November 21, 1996

Providence City Council  
City Hall  
Providence, RI 02903

Dear City Council Members:

The purpose of this letter is to express the support of Sprague Energy Corp. ("Sprague") for the Petition for Abandonment of Henderson Street filed by The Narragansett Electric Company and New England Power Company (the "Companies").

The repowering of the Manchester Street Station and the construction of Collier Point Park south of the hurricane barrier have greatly improved the area. The abandonment of Henderson Street will enable the Companies to control access to the park for the benefit of all involved. For this reason, Sprague wholeheartedly supports the abandonment of Henderson Street.

Should you need any additional information, please feel free to contact me.

Very truly yours,

Bob Blanchard  
VP Terminal Operations

RKB:acm  
prov1016.doc

**Lily Transportation Corp.**  
145 Rosemary Street  
Needham MA 02194  
Telephone: 781-449-8811  
Facsimile: 781-449-7128  
<http://www.lily.com>



May 28, 1998

Providence City Council  
City Hall  
Providence, RI 02903

Re: Henderson Street Abandonment

Dear City Council Members:

We are writing as Trustees of the JAS Providence Realty Trust, owner of the property occupied by Lily Transportation Corp. at the corner of Allens Avenue and Henderson Street. We urge the Council to approve the Petition for Abandonment of Henderson Street filed by The Narragansett Electric Company and New England Power Company (the "Companies").

The re-powering of the Manchester Street Station and the construction of Collier Point Park south of the hurricane barrier have greatly improved the area. The abandonment of Henderson Street will enable the Companies to control access to the park for the benefit of all involved. For this reason, we wholeheartedly support the abandonment of Henderson Street.

Please contact me if you need any additional information.

Sincerely,

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

John A. Simourian  
Trustee

A handwritten signature in black ink, appearing to read "Michele B. Simourian".

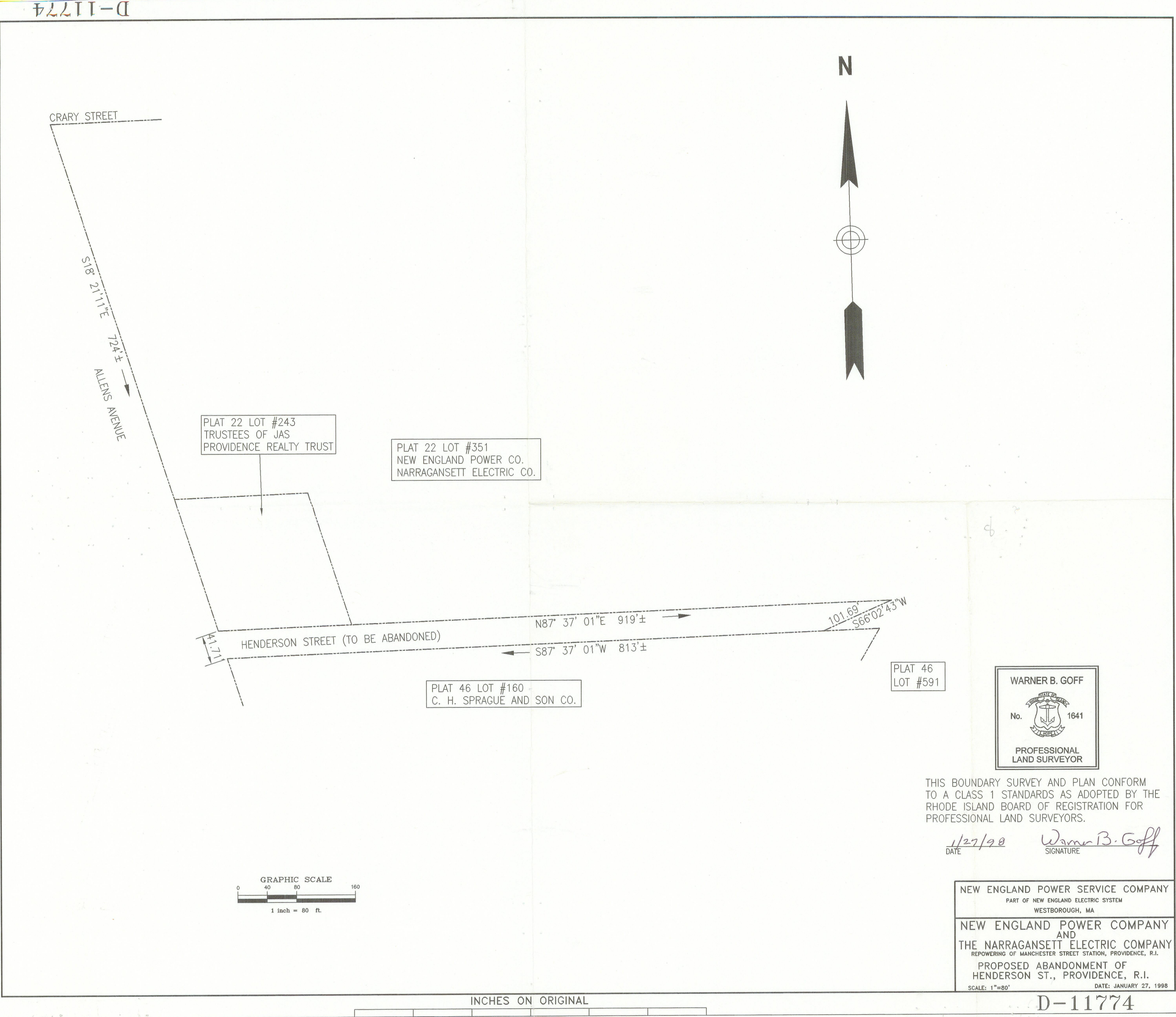
Michele B. Simourian  
Trustee

JAS/kmo/ajr



REVISIONS

ORIGINAL	DATE	REVISIONS								DESCRIPTION	MADE	CHK'D	SUP'V.	INSP.	REV'D.	AP'V'D.	AP'V.
		REV.	DATE	1	2	3	4	5	6	7	8						
DESIGNED																	
CHECKED																	
SUPERVISOR																	
INSPECTED																	
REVIEWED																	
REVIEWED																	
APPROVED																	
APPROVED																	



D-11774



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 HENDERSON STREET.**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
22	243	Providence Realty Trust John Simourian 145 Rosemary Street Needham Heights, MA 02194
22	351	Narragansett Electric Company 280 Melrose Street Providence, RI 02907
46	160	C.H. Sprague & Son Company 195 Hanover Street Portsmouth, NH 03801
46	591	Narragansett Electric Company 280 Melrose Street Providence, RI 02907

**PETITIONER**

Lawrence J. Reilly, President  
Narragansett Electric Company  
280 Melrose Street  
Providence, RI 02907

*Ralph Gugliemino 9/28/98*  
Ralph Gugliemino, City Sergeant

\_\_\_\_\_  
Councilwoman Balbina A. Young  
Ward 9

COLONEL URBANO  
PRIGNANO Jr.

Chief of Police



VINCENT A. CIANCI, JR.

Mayor

**PROVIDENCE POLICE DEPARTMENT  
TRAFFIC BUREAU**

*Lieutenant Kenneth M. Cohen, Commanding*

September 9, 1998

TO: Barbara Poirier  
FROM: Lieutenant Kenneth M. Cohen, Traffic Bureau  
SUBJECT: Abandonment of Property

Barbara,

I have reviewed the request by Narragansett Electric Co. And New England Power Co., for the abandonment of Henderson Street. Currently, Narragansett Electric maintains Collier Point Park which is at the end of Henderson Street. The street itself is a dead end, and is only used by their personnel and the City Public Works Dept. For the hurricane barrier.

I do not feel that this abandonment will have an adverse affect on the police department.

I do not feel that the police department would have an objection to this proposal.

Respectfully,

\_\_\_\_\_  
Lieutenant Kenneth M. Cohen  
Commander, Traffic Bureau

**FILED**

SEP 9 10:47 AM '98

DEPT. OF SOCIAL WELFARE  
PROVIDENCE, R.I.

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"

September 25, 1998

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

Re: Abandon a Portion of Henderson Street

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of Henderson Street for the purpose of controlling access to Collier Point Park at night and during inclement weather (see attached), the Fire Department has no objection provided no permanent barriers are constructed that would prevent Fire Department access during an emergency.

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

David D. Costa  
Fire Marshal



Ferdinand C. Ihenacho, P.E.

Director



*M. Clement*

VINCENT A. CIANCI, JR.

Mayor

## Department of Public Works

*"Building Pride In Providence"*

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

Sept. 10, 1998

Re: Proposed Abandonment  
Henderson Street

Dear Councilman Clarkin:

This Department has no objection to the proposed abandonment of Henderson St., as shown on the accompanying plan, entitled "Providence, R.I., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064612, Date: Aug. 27, 1998."

Area designated for abandonment is shown as "cross-hatched" area on the accompanying plan, defined by the letters A-B-C-D-A. It is noted that a FULL SEWER EASEMENT will be required relative to a 38" inch Narragansett Bay Commission line in said portion of Henderson St.

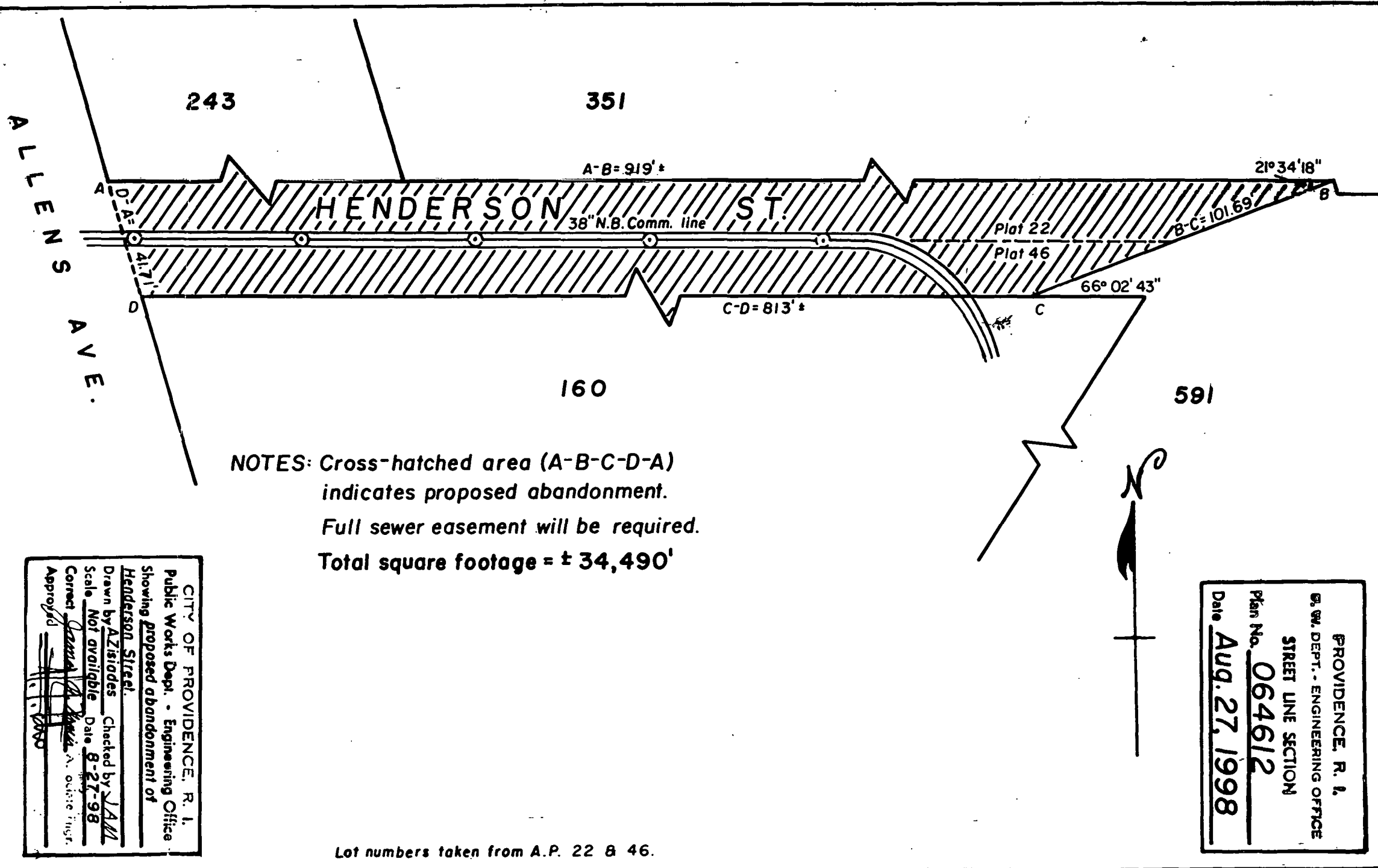
A list of abutting property owners is attached herewith. Total square footage relative to the proposed abandonment is +- 34,490'. Lot numbers indicated on the above referenced plan were taken from City of Providence, A.P. 22 and 46.

If we can further assist, please advise.

Very truly yours,

*[Signature]*  
Ferdinand C. Ihenacho, P.E.  
Director

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



PROPOSED ABANDONMENT OF  
HENDERSON STREET

PLAT 22 LOT 243 PROVIDENCE REALTY TRUST

John Summerian, 145 Rosemary St. Needham  
Hight, Ma 02194

LOT 351 NARRAGANSETT ELECTRIC CO.

280 Melrose Street, Prov. RI 02907

PLAT 46 LOT 160 C.H. SPRAGUE & SON CO.

195 Hanover St. Easton, N.H. 03801

LOT 591 NARRAGANSETT ELECTRIC CO.

Notes  
was 9

ARMANDO PARILLO  
*Chairman*  
JOEL D. LANDRY, II, ESQ.  
*Vice Chairman*  
ROBERT J. KILDUFF, ESQ., P.E.  
*Secretary*  
FERNANDO S. CUNHA, ESQ.  
*Legal Advisor*  
BOYCE SPINELLI  
*Ex-Officio*



VINCENT A. CIANCI, JR.  
*Mayor*  
RICHARD O. RAFANOVIC, P.E.  
*General Mgr./Chief Engr.*  
JOSEPHINE DIRUZZO  
*City Councilwoman*  
EVELYN V. FARGNOLI  
*Council President*  
MARY A. NOCERA  
*Member*  
JOSEPH D. CATALDI  
*Member*

September 29, 1998

Mr. Michael Clement  
City Clerk  
City Hall  
25 Dorrance Street  
Providence, R.I. 02903

SUBJECT: Petition for Street Abandonment  
Henderson Street  
Providence, R. I.

Dear Mr. Clement:

We have received a copy of the Petition to the City Council for the abandonment of a Henderson Street to review as to the potential impact on the Providence Water system. Our records indicate that this street has in place a Providence Water 6" main and a 12" main as well as several water service lines and three fire hydrants located on the street.

Providence Water has no objections to the proposed abandonment provided the following stipulations are included in the final abandonment resolution:

1. The Petitioner grant a full utility easement to Providence Water to maintain, construct, repair, etc. the existing water main and appurtenances, and that no permanent construction, whatsoever, be allowed within the easement. Wording of the easement shall be subject to review by Providence Water as to form and content.
2. In addition, pursuant to a conversation with Mr. Bill Fredda, Narragansett Electric will accept responsibility for final road restoration in the event that Providence Water needs to work in the abandonment area.
3. The public fire hydrants will remain on private property and will continue to be subject to the Hydrant Rental Fee paid by the Providence Fire Department.

If you have any questions, please feel free to contact me at 521-6300 Ext. 7244

Respectfully,

**PROVIDENCE WATER SUPPLY BOARD**

Richard O. Rafanovic, P.E.  
Chief Engineer & General Manager

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

By: Peter McLaughlin  
Regulatory Services Program Manager

cc: P. Gadoury, P.E.  
R. Kilduff, P. E.  
Petitioner  
File

NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

December 9, 1998

Providence City Council  
City Hall  
Providence, RI 02903

Dear Honorable Council Members:

The Parks Department has no objections to the proposed abandonment of Henderson Street. The abandonment will help control access to the Collyer Point Park.

Sincerely,

A handwritten signature in black ink that reads "Robert F. McMahon" with a stylized "cc" written below the name.

Robert F. McMahon  
Deputy Director

RFM/ml

cc: Nancy L. Derrig, Superintendent  
John A. Izzo

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, Director

DATE: 10/26/98

RE: **PROPOSED ABANDONMENTS**

---

Request: To abandon a portion of Henderson Street.

A handwritten signature in black ink, likely of the Mayor, is written over the "Request" line.

Disposition: No objection to said abandonment.

## **MEMORANDUM**

**DATE:** December 9, 1998  
**TO :** Michael Clement, City Clerk  
**FROM:** William G. Floriani, Assistant Director  
Project Management and Construction  
**RE :** Henderson Street Abandonment

---

Pursuant to your request I have completed an appraisal of the above abandonment. Given the restrictions placed on the parcel it must remain open to the public and a full sewer easement, the value is as follows:

**34,490 sq. ft.@1.00 per ft. = \$34,490.00**



## PROVIDENCE CITY PLAN COMMISSION

*"Planning the Future of Providence"*

October 15, 1998

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

ATTENTION: Mr. Michael R. Clement, City Clerk

Re: CPC Ref. No. 3132. Petition to abandon Henderson Street.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Thursday, September 24, 1998, reviewed and evaluated the request from the Committee on Public Works for the proposed abandonment of Henderson Street. The petitioner is the Narragansett Electric Company. Narragansett Electric Company owns Lot 351 on Assessor's Plat 22 and abutting Lot 591 on Assessor's Plat 46.

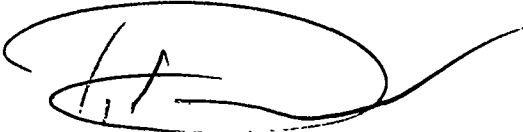
Henderson Street is a dead-end street with a well maintained park, known as Collier Point Park, located at its terminus. Narragansett Electric requests the abandonment in order to control access at night and in inclement weather to Collier Point Park, thereby protecting the public health and safety.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission found the proposed abandonment is consistent with *Providence 2000: The Comprehensive Plan*.

The Commission would advise the Committee on Public Works to approve the proposed abandonment, subject to a signed agreement to establish a perpetual easement for public access during the park's operational hours and install a warning sign that informs the public the front gates closing time. Therefore, the City Plan Commission voted to recommend that the City Council approve the abandonment of Henderson Street.



Regards,

A handwritten signature in black ink, consisting of a large loop followed by a horizontal line and a small vertical stroke.

Thomas E. Deller, AICP  
Deputy Director

cc: George Calcagni, Chair  
Lawrence J. Reilly, President, Petitioner  
Peter V. Lacouture, Esquire, for the Petitioner

*3132 - Public Works Committee*



Narragansett Electric  
A NEES company

November 2, 1998

**BY FAX AND U.S. MAIL**

Ms. Barbara A. Poirier  
Department of City Clerk  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

**Re: Petition to Abandon a Portion of Henderson Street**

Dear Ms. Poirier:

The Narragansett Electric Company (NEC) presently has overhead and underground facilities situated within the portion of Henderson Street which is proposed for abandonment. NEC has no objection to this proposal provided that in the event the street is abandoned, an easement acceptable to NEC is granted to allow for the operation and maintenance of NEC facilities in their existing locations.

If you have any questions feel free to call me at 401-784-7209.

Sincerely,

Michael D. DiNezza  
Senior Real Estate Representative

cc: Peter V. Lacouture, Esq. (Peabody & Brown)



*Henderson H.*

September 15, 1998

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

Dear Councilman Clarkin:

Providence Gas Company has no facilities within the below listed streets and therefore has no objection to the abandonment of this streets:

Henderson Street  
Aleppo Street  
Broadway

From Bosworth Street to Sheridan Street  
Greene Street to Empire Street

Sincerely,

*Thomas Gavula /ws*  
Thomas Gavula  
Director  
Engineering

cc: file

**Bell Atlantic - New England**  
Right of Way Department  
85 High Street  
Pawtucket, RI 02860  
401 727-9555



August 31, 1998

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

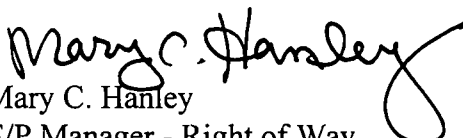
Attn: Robert Clarkin

RE: PETITION TO ABANDON HENDERSON STREET

Dear Sir:

Upon investigation it has been determined that Bell Atlantic has no facilities on the proposed site to be abandoned.

Very truly yours,

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

FILED

SEP 15 9 48 AM '98

DEPT. OF JUSTICE  
PROVIDENCE, R.I.

401 • 222 • 6680  
401 • 222 • 2584 FAX  
401 • 222 • 6680 TDD  
<http://www.narrabay.com>

Paul Pinault, P.E.  
Executive Director



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


Dear Ms. Poirier:

We have reviewed your memoranda and documentation concerning the abandonment of a section of Henderson Street, Providence, R.I. (See attached sketch).

The NBC owns and operates its 38 inch storm relief sewer system on this portion of the street which you propose to abandon. In order to properly operate, repair and maintain our facility, we require a minimal of a 15 foot easement on each side of our facility (total 30 feet). This proposed abandonment will not allow us to maintain our facility accordingly. Therefore, NBC objects to the abandonment of this street.

Should you have any questions, please call me at 222-6680.

Sincerely,

  
John Zuba  
Project Coordinator

JZ:lz

cc: Joseph Filippone

# RESOLUTION OF THE CITY COUNCIL

No. 232

*Approved* April 23, 1999

## RESOLVED, DECREED AND ORDERED

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Providence, Rhode Island, Department of Public Works - Engineering Office, street line Section Plan No. 064612 dated August 27, 1998."

Viz: Henderson Street 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. 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 the Providence Water Supply Board 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 in writing agree to each of the conditions to which reference is made in that communication from the Providence Water Supply Board dated 29 September 1998 and which states as follows: "(A) Narragansett Electric will accept responsibility for final road restoration in the event that the Providence Water Supply Board needs to work in the abandoned area; (B) The public fire hydrants will remain on private property and will continue to be subject to the Hydrant Rental Fee paid by the Providence Fire Department."

4. The Petitioner shall meet with the Fire Marshal of the Providence Fire Department and enter into an agreement satisfactory to said department so as to

alleviate any concerns of the Providence Fire Department as expressed in their communication dated 25 September 1998 making reference to access;

5. The petitioner shall convey an easement acceptable to the Narragansett Bay Commission 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;

6. The petitioner shall meet each of the conditions to which reference is made in the communication from the Providence City Plan Commission dated 15 October 1998 which states as follows: "(A) The abandonment is subject to a signed agreement to establish a perpetual easement for access during the Park's operational hours; (B) The petitioner installs a warning sign that informs the public of the front gates closing time."

7. In light of the continued maintenance of the so-called Collyer Park, the customary fees are waived.

ORDERED, That the Traffic Engineer be and he 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.

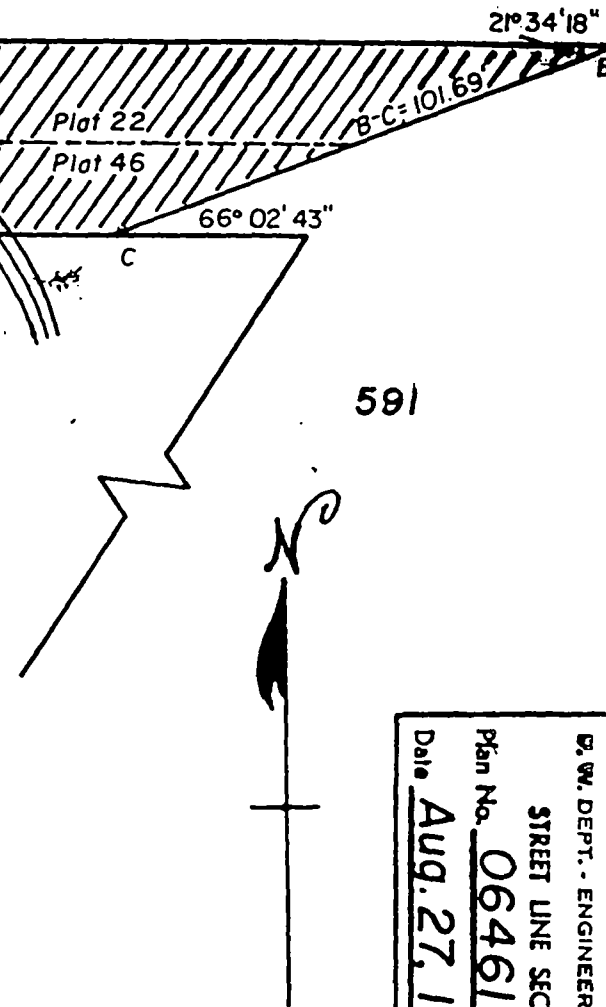
A true copy,  
Attest:

  
*Michael R. Clement*  
Michael R. Clement  
City Clerk



BK4082PG079

PROVIDENCE, R. I.  
E. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064612  
Date Aug. 27, 1998



NOTES: Cross-hatched area (A-B-C-D-A)  
indicates proposed abandonment.  
Full sewer easement will be required.  
Total square footage =  $\pm 34,490'$

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing Proposed abandonment of  
Henderson Street.  
Drawn by AZisides Checked by JAM  
Scale Not available Date 8-27-98  
Correct James A. Azisides A. Azisides  
Approved [Signature] 11.10.2000

Lot numbers taken from A.P. 22 & 46.

ALLENS AVE.

Received for Record at 2 o'clock SE min P in  
MAY 12 1999  
Register of Deeds

C 4082/ 77-79

19259

RECEIVED FOR RECORD  
AT 2 O'CLOCK 56 MIN. PM  
Providence, R.I.

MAY 12 1999  
Witness: Robert Z. Rice  
Recorder of Deeds  
Fee \_\_\_\_\_

FILED  
JUN 10 9 25 AM '99  
DEPT. OF PUBLIC HEALTH  
PROVIDENCE, R.I.