

RESOLUTION OF THE CITY COUNCIL

No. 179

Approved March 26, 2002

WHEREAS, upon review of "Resolution No. 702 Approved December 14, 2001," the map number referenced thereon is incorrect; and

WHEREAS, the City Council wishes to correct said error,

NOW, THEREFORE, BE IT RESOLVED, that the above-referenced Resolution is reconsidered.

BE IT FURTHER RESOLVED, that the amended Resolution shall read as follows and shall include that amendatory map attached hereto:

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. 064668 dated July 26, 2001."

VIZ: Ellis Street 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. Said abandonment is specifically conditioned precedent upon the following:

1. The Petitioner agrees to tender the amount of Fifty Thousand Five Hundred (\$50,500.00) Dollars in legal tender U.S. currency to the City of Providence.
2. The petitioner shall convey an easement acceptable to the Narragansett Electric Co. 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 Providence Gas Company which will permit retention of its facilities in their existing location, together

IN CITY COUNCIL
FEB 21 2002
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael B. Clemond CLERK
CB

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution, as amended
Barbara A. Finner
Clerk CB
March 4, 2002

Councilman Carbin

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. 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;

5. Petitioner shall assume all costs of severing existing water and hydrant services at the abandoned location and shall assume all costs incurred for reconnection of necessary water services for residential, commercial, industrial and public safety uses. Petitioner shall comply with all conditions posited in a letter dated 15 June, 2001 from the Providence Water Supply Board to the Council Committee on Public Works which is attached hereto as Exhibit "B."

6. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer and fire hydrant easements on Ellis Street 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 City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation;

7. 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 and without further action by the City become a nullity.

8. Petitioner shall submit to the City Clerk copies of a traffic study to which it has made reference at the working study of the Council Committee on Public Works of 8 November, 2001 and shall as soon as practicable at its sole costs erect the traffic control devices referenced therein and at the meeting of that date.

9. Petitioner shall indemnify and hold harmless the City of Providence, its officers, agents, employees and servants from any demand(s), claim(s) of cause(s) of action of any kind arising from any level of environmental contamination at the abandoned situs.

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

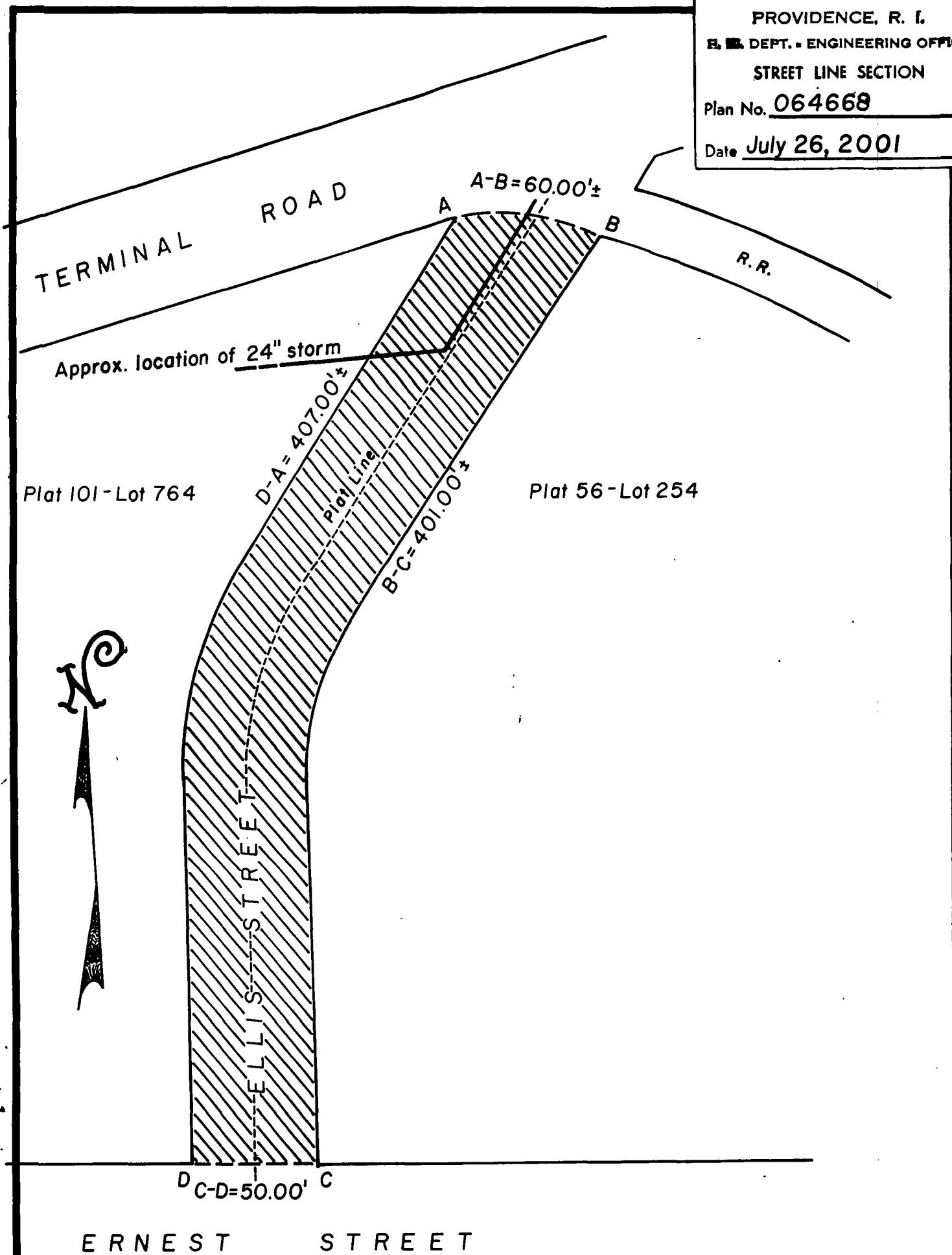
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner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

IN CITY COUNCIL
MAR 21 2002
READ AND PASSED
PRES.
Michael B. Clement
CLERK CB

APPROVED
MAR 26 2002
Vincenzo A. Cianciola
MAYOR

C.C.R. # 702 Approved 12/14/01

PROVIDENCE, R. I.
R. I. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064668
Date July 26, 2001



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
Narragansett Bay Commission's
Combined Sewer Outfall Abatement Project
Total square footage = 20,200'±
Full sewer easement required.
Lot numbers taken from A.P. 101 & 56.

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing proposed abandonment of
Ellis Street.
Drawn by A. Zisades Checked by JLC
Scale 1" = 50' Date 7-26-2001
Correct James P. Zisades Associate Engr.
Approved [Signature] 8/6/2001
CHIEF ENGINEER

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3. 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;

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IN CITY COUNCIL
MAR 21 2002
READ AND PASSED
PRES.
Michael B. Clement
CLERK CB

APPROVED
MAR 26 2002
Vincenzo A. Cianci
MAYOR

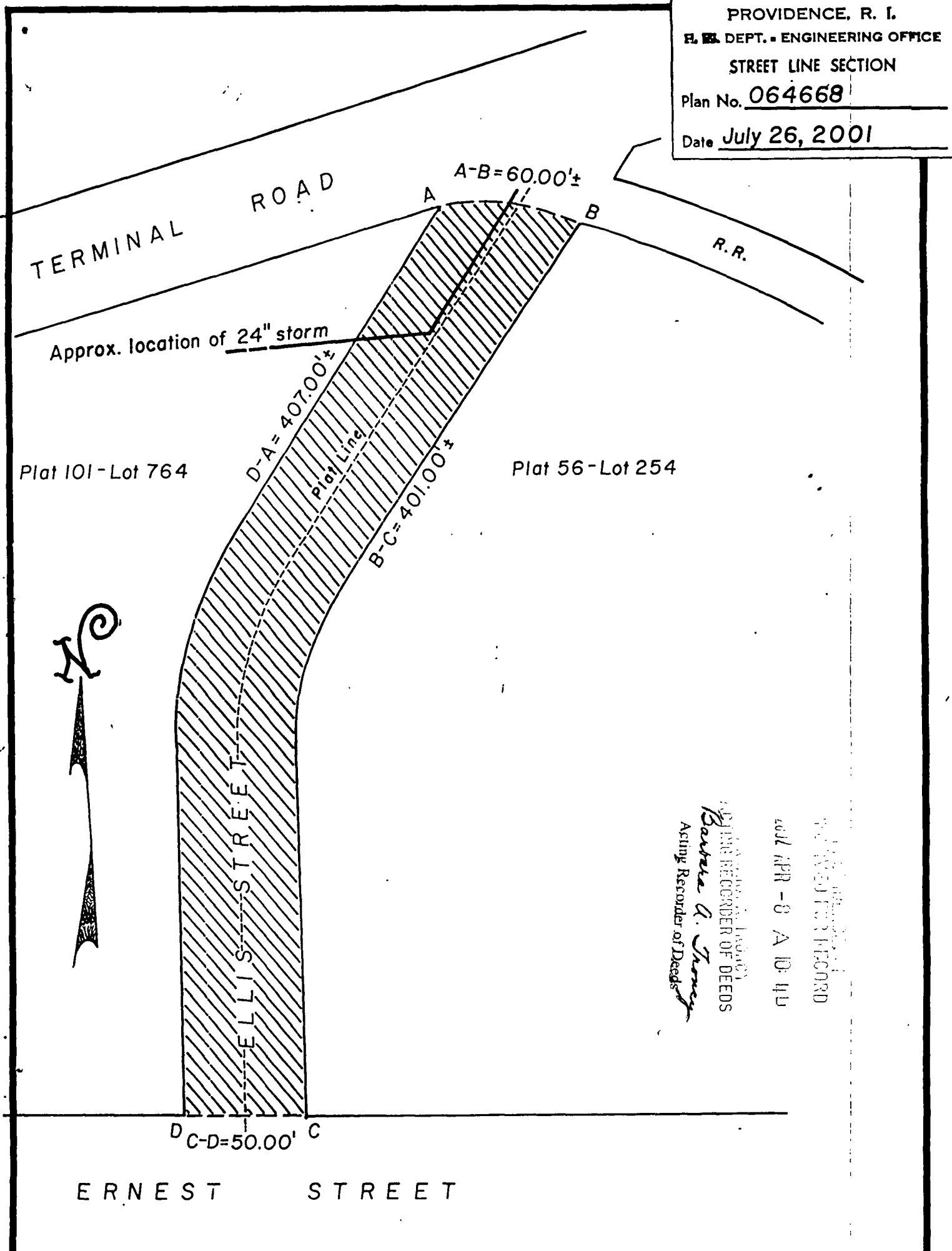
A true copy
Attest
Michael R. Clement
City Clerk

C.C.R. #702

Approved 12/18/01

DK 5098P60040

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064668
 Date July 26, 2001



RECORDED FOR RECORD
 APR - 8 A 10:40
 RECORDING REORDER OF DEEDS
 Barbara A. Jones
 Acting Recorder of Deeds

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
 Narragansett Bay Commission's
 Combined Sewer Outfall Abatement Project
 Total square footage= 20,200'±
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CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of
 Ellis Street.
 Drawn by A. Zisades Checked by JLC
 Scale 1" = 50' Date 7-26-2001
 Correct James A. Jones Associate Engr.
 Approved [Signature] 8/6/2001
 CHIEF ENGINEER

5098 / 37-40



PROVIDENCE, RI
RECEIVED FOR RECORD

2002 APR -8 A 10: 44

BARBARA A. TRONCY
ACTING RECORDER OF DEEDS

28053