

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 343

Approved August 9, 2006

RESOLVED, DECREED AND ORDERED:

That portions of the following named streets shown as cross-hatched areas on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064781 dated September 28, 2005.

VIZ:

GRAFTON STREET, portions of, abutting AP 72, Lot 552, and PARLEY STREET, portions of, abutting AP 72, Lots 455, 469, and 470, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-A) and (D-E-F-D), having ceased to be useful to the public, are proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of Seven thousand two hundred thirty-six Dollars (\$7,236.00) in legal U.S. tender to the City of Providence.

(2) 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.

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

And it is further

IN CITY COUNCIL
SEP 15 2005
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Craig Barber CLERK
CB

THE COMMITTEE ON
Public Works
Recommends
Amman M. Hatcher
CLERK

3-7-06 Con't for Public Hearing
7-17-06 - Public Hearing

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
John M. Stebbins
July 25, 2006 Clerk

P H C P P

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

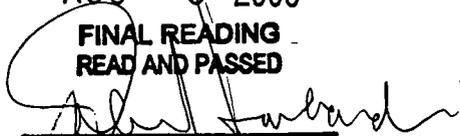
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner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

ORDERED, That according to Informational Bulletin 2003.01 issued by the Rhode Island Board of Registration for Professional Land Surveyors, road abandonment constitutes a boundary change, and as such, requires a Class 1 survey prepared by a Professional Land Surveyor properly licensed by said board.

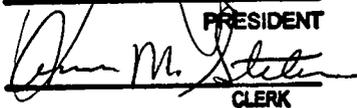
**IN CITY
COUNCIL**

AUG 3 2006

FINAL READING
READ AND PASSED



PRESIDENT



CLERK

APPROVED



MAYOR 8/9/06



Anna M. Stetson
City Clerk

Clerk of Council

DEPARTMENT OF CITY CLERK
CITY HALL

Claire E. Bestwick
First Deputy

Lori L. Hagen
Second Deputy

DATE: July 27, 2006

TO: Mr. Joseph Chiodo, City Controller

SUBJECT: CHECK TO BE DEPOSITED FOR ABANDONMENT OF A PORTION OF PARLEY STREET AND GRAFTON STREET

CONSIDERED BY: Anna M. Stetson, City Clerk

DISPOSITION: Accompanying is check number 411135159-1 with Citizens Bank in the amount of \$7,236.00 from Bonnie Lovell and Henry J. D'Agostino for payment of the abandonment of a portion of Parley Street and Gratfon Street. Please deposit into the Sale of Real Estate Account (856-4-00000-2500).

A handwritten signature in black ink, appearing to read "Anna M. Stetson".



Anna M. Stetson
City Clerk

Clerk of Council

DEPARTMENT OF CITY CLERK
CITY HALL

Claire E. Bestwick
First Deputy

Lori L. Hagen
Second Deputy

RECEIPT

Received of Bonnie Lovell and Henry J. D'Agostino from Citizens Bank in the amount of Seven Thousand Two Hundred Thirty Six (\$7,236.00) Dollars for payment for the abandonment of abandon a portion of Parley Street.

A handwritten signature in cursive script, appearing to read "Anna M. Stetson", written over a horizontal line.

Anna M. Stetson
City Clerk

Dated: July 27, 2006

22016293027 New 5/05
PERST M 68037-M32700-N
DATA

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

Citizens Bank

OFFICIAL CHECK

23-97 1020 41 1135159-1

JULY 27 2006

\$7,236.00 DOLLARS

PAID TO THE ORDER OF CITY OF PROVIDENCE

MEMO TO ABANDON PORTIONS OF PARLEY'S LAWN GRAFTON MS TOTAL \$47,185.04

Drawer: Citizens Bank of Rhode Island

Wendy Rowell

Issued by Integrated Payment Systems Inc, Englewood, Colorado
Morgan Chase Bank, N.A., Denver, Colorado

AUTHORIZED SIGNATURE

⑈4 2000 2⑈ +⑈ 10 2000 97 9⑈ 6800 4 1 1 1 3 5 1 5 9 6⑈

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 PARLEY STREET

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
72	455	Bonnie M. Lovell 73 Luna Street Providence, RI 02904-2434
72	552	Bonnie M. Lovell 73 Luna Street Providence, RI 02904-2434
72	470	Bonnie M. Lovell 73 Luna Street Providence, RI 02904-2434
72	469	Victor D. Rodriguez 59-61 Luna Street Providence, RI 02904

PETITIONER

Henry D'Agostino & Bonnie Lovell
73 Luna Street
Providence, RI 02904-2434


Vincent J. Berarducci
City Sergeant

7-12-06

Councilwoman Carol A. Romano
Ward 4

IN CITY COUNCIL
SEP 15 2006
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Claire Best Clerk

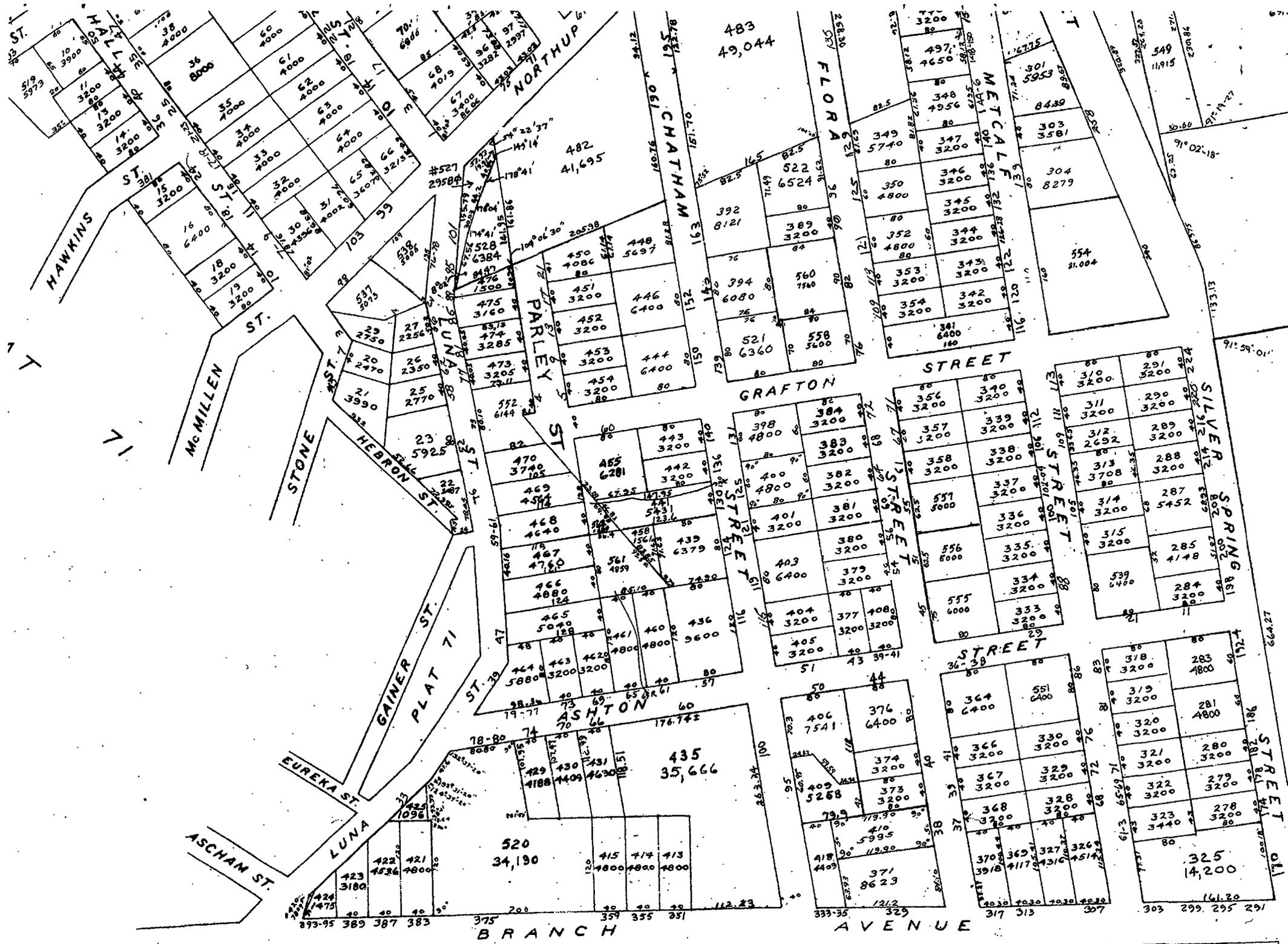
THE COMMITTEE ON
Public Works
Recommends
Ann M. Stiles
CLERK
3-7-06 - Com for Public hearing
3-17-06 - Public hearing

From the Clerk's desk

2005 SEP -8 P 1:12
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

FILED

Bonnie Lovell
527-3232



483
49,044

482
41,695

520
34,190

435
35,666

325
14,200

HAWKINS ST.
MILLER ST.
STONE ST.
GAINER ST.
EUREKA ST.
LUNA ST.
ASCHAN ST.

CHATHAM ST.
PARLEY ST.
GRAFTON ST.
METCALF ST.
SILVER ST.
SPRING ST.
OLLI ST.

BRANCH AVENUE

GAINERS PLAT 71

NORTHUP

STREET

STREET

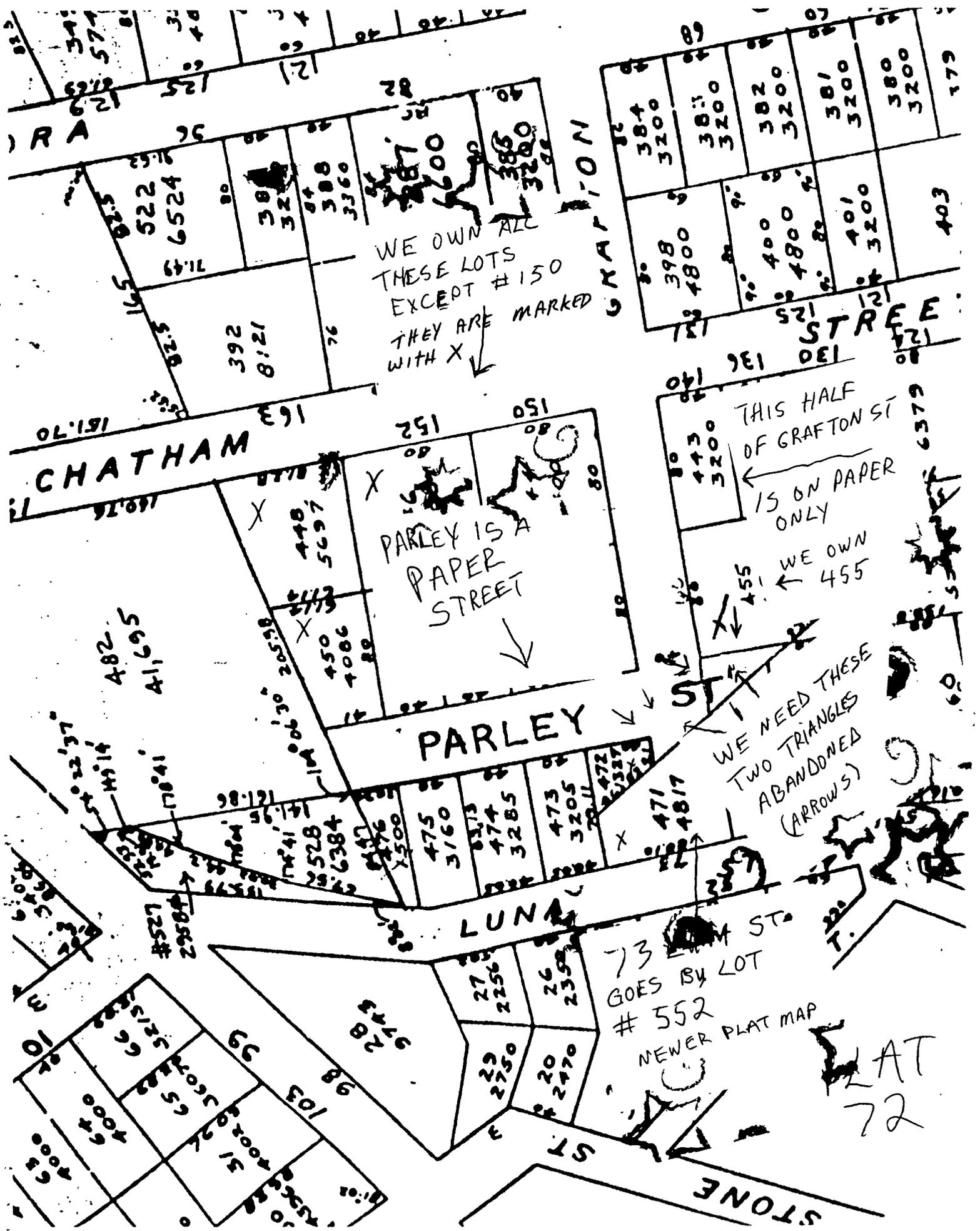
ST.

ST.

ST.

ST.

ST.



WE OWN ALL
THESE LOTS
EXCEPT #150
THEY ARE MARKED
WITH X

PARLEY IS A
PAPER
STREET

THIS HALF
OF GRAFTON ST
IS ON PAPER
ONLY

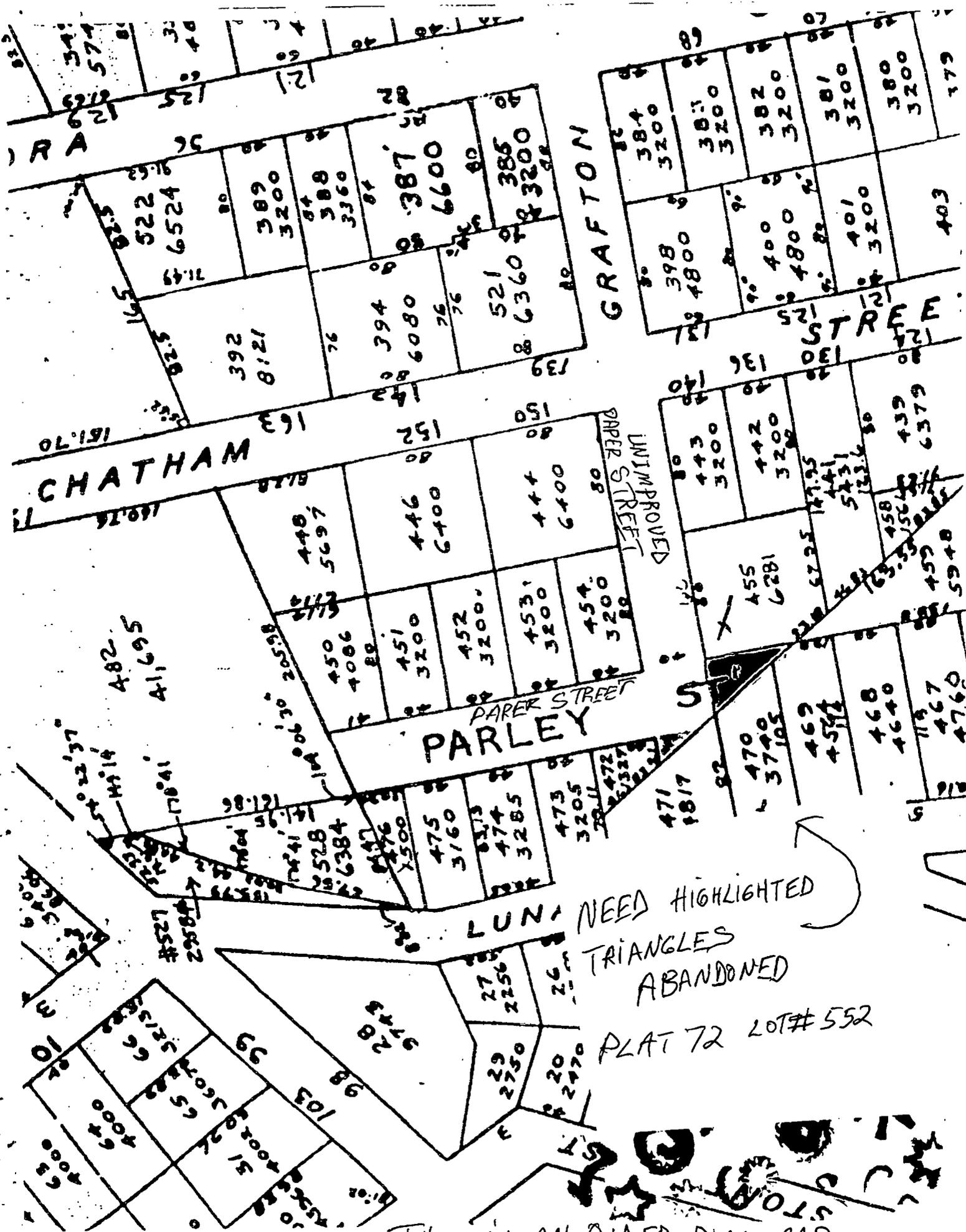
WE OWN
455

WE NEED THESE
TWO TRIANGLES
ABANDONED
(ARROWS)

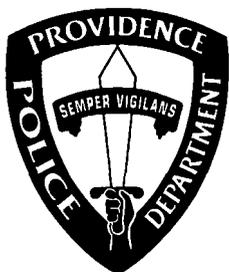
73 ST
GOES BY LOT
#552
NEWER PLAT MAP

PLAT
72

THIS IS AN OLDER PLAT MAP



THIS IS AN OLDER PLAT MAP



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

October 11, 2005

To: Anna M. Stetson, Second Deputy City Clerk

From: Capt. James T. Nolette

Subject: Petition from Bonnie Lovell

Dear Anna:

After looking at the plans and descriptions enclosed, the Police Department has no objections to proposed changes as proposed by Mrs. Lovell on Luna St.

Sincerely,


Capt. James T. Nolette

George S. Farrell
Fire Marshal

George D. Calise
Deputy Fire Marshal



David N. Cicilline
Mayor

David D. Costa
Chief of Department

Providence Fire Prevention Division
"Smoke Detectors Save Lives"

November 21, 2005

Ms. Anna M. Stetson, Second Deputy City Clerk
Providence City Hall, Department of City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

Re: Proposal for abandonment a portion of Parley/Grafton Street – rear of 73 Luna St.

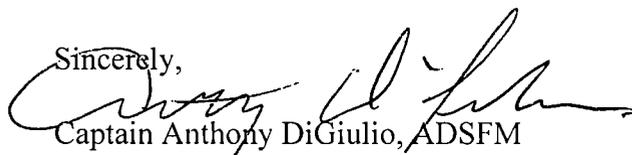
Dear Ms. Stetson:

The Providence Fire Department has no objection to the abandonment of the small triangular portions of Parley and Grafton Streets as proposed by Henry D'Agostino and Bonnie Lovell at the present time.

The present proposal affects a paper street that is currently overrun mostly with vegetation and a small portion of the paper portion of Grafton Street is fenced off and has a storage trailer and other debris cluttering the area.

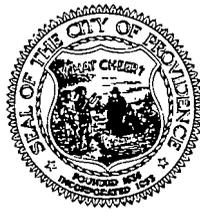
If you need any further information, please do not hesitate to call.

Sincerely,


Captain Anthony DiGiulio, ADSFM
Providence Fire Prevention

Cc: Marshal George S. Farrell

JOHN D. NICKELSON, PE
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
"Building Pride in Providence"

September 29, 2005

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 Grafton Street and Parley Street

Dear Councilman Hassett:

This department has no objection to the abandonment of a portion of Grafton Street and Parley Street in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064781 -Date: September 28, 2005. Areas of Grafton Street and Parley Street are designated as A-B-C-D-A and D-E-F-D, on the accompanying plan.

It is noted that there is NO SEWER EASEMENT required for Grafton Street and Parley Street. Total area for this portion abandonment is 1,094.14 square feet for Parley Street and 362.25 square feet for Grafton Street. The shaded area of 9.21 square feet represents that portion of land to be conveyed to the City for highway purposes. The purpose of this conveyance is to create a square corner at the intersection of the northerly sideline of Parley Street and the westerly sideline of Grafton Street. Therefore, the net area to be abandoned is 1,447.18 square feet.

Lot numbers for aforementioned plan were taken from City of Providence Assessor's Plat # 72. A list of abutting property owners is attached herewith for your use.

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

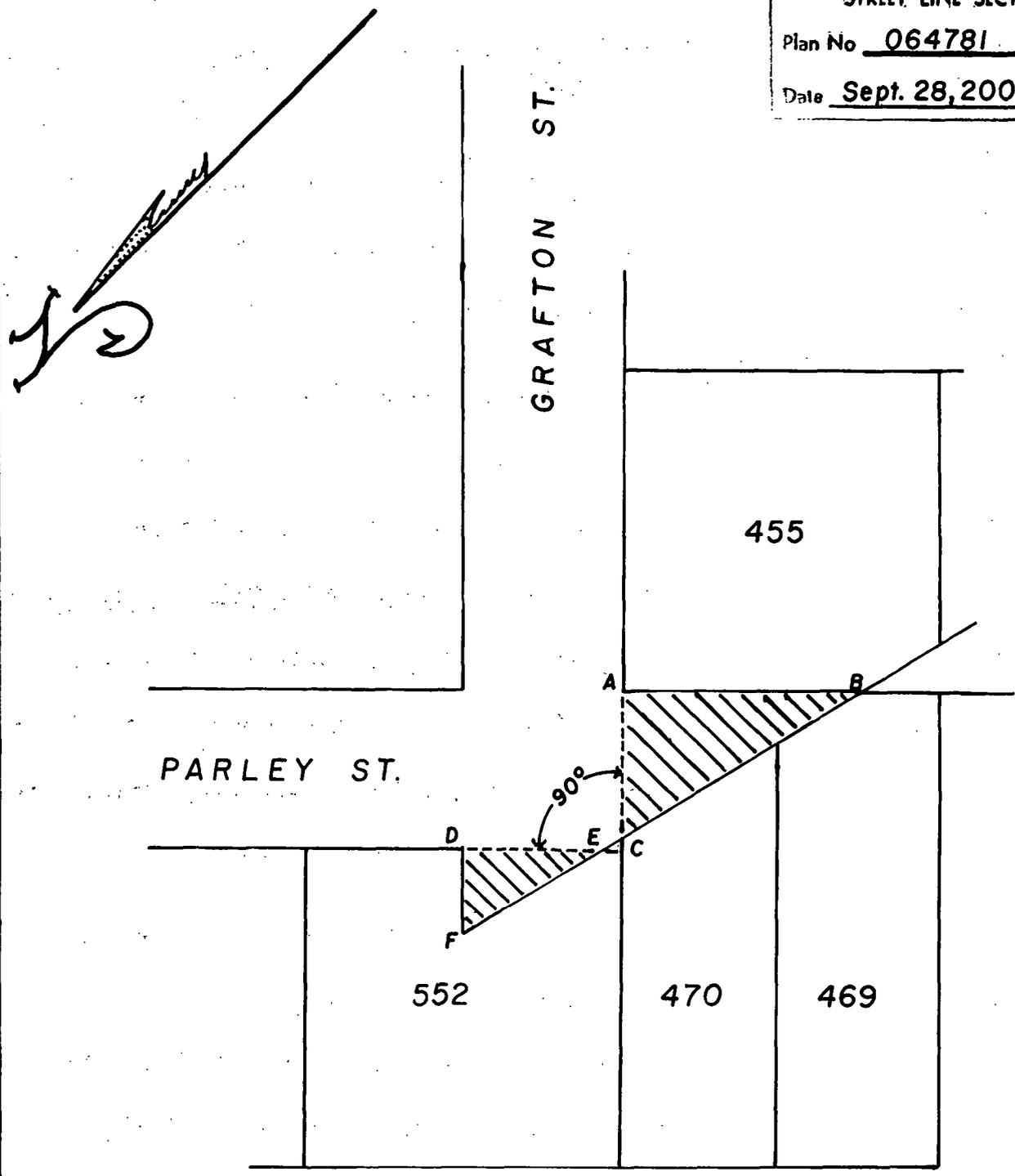
If we can further assist in this regard, please advise.

Very truly yours,

John D. Nickelson, PE
Director

cc: M. Clement – City Clerk
BB, GF, SZ-DPW
A. Southgate, Esq. – Law Dept.
T. Deller, - Planning
J. Gelati – Tax Assessors

PROVIDENCE, R. I.
 P. W. DEPT. • ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No 064781
 Date Sept. 28, 2005



NOTES: Cross-hatched areas (A-B-C-A) & (D-E-F-D) indicates proposed abandonments.
 Shaded area indicates proposed land to be conveyed to the City of Providence for highway purposes.
 Parley St. square footage=1,094.14
 Grafton St. square footage=362.25
 Shaded area square footage=9.21
 Total square footage= 1,447.18 (net)
 No sewer easement required.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. • Engineering Office
 Showing proposed abandonments of portions of Grafton & Parley Sts.
 Drawn by A. Zigiades Checked by _____
 Scale 1" = 40' Date 9-28-2005
 Corrected James P. Morris Associate Engr.
 Approved William J. [Signature] CHIEF ENGINEER

Lot numbers taken from A.P. 72.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

~~ABANDONED PORTION OF PARLEY STREET~~

THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

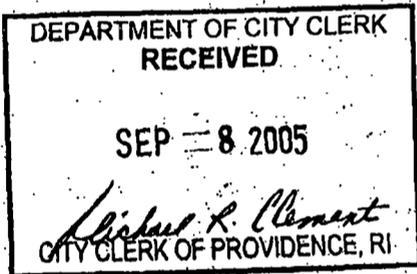
The undersigned respectfully petitions your honorable body

EAR LADIES AND GENTLEMEN,

I AM PROPOSING TO BUILD AN ADDITION TO THE REAR OF
3 LUNA ST LOT # 552. BECAUSE OF THIS TRIANGLE BEING
IN MY BACKYARD, I WILL NOT MEET REAR YARD SETBACK, I
WILL BE TOO CLOSE. I HAVE A SET OF 10 MONTH OLD TWINS (BOY/GIRL)
AND NEED ADDITIONAL BEDROOMS. FROM REAR OF 73 LUNA WE ARE
ADDING 12 FEET OUT OF REAR OF HOUSE. CAN YOU HELP US?
THE SECOND TRIANGLE BETWEEN LOTS 470 + 455 WE ARE ALSO
REQUESTING ABANDONED. IT IS ALL TREES + WOULD NEVER BE USED AS
PART OF PARLEY ST. ANYWAY.

THANK YOU VERY MUCH!
HENRY D'AGOSTINO
BONNIE LOVELL

tion to abandon a portion of Parley Street
y D'Agostino & Bonnie Lovell
zens Bank
c #836
00



Bonnie Lovell 8/31/05
(Signature of Claimant)

HENRY D'AGOSTINO + BONNIE LOVELL
(PRINT or TYPE)

ESS 73 LUNA ST PROV

E NO. 401-351-0552 CELL 527-3232

OF ACCIDENT

WITNESSES -- (2) required:

of Company (a) \$
(b) \$

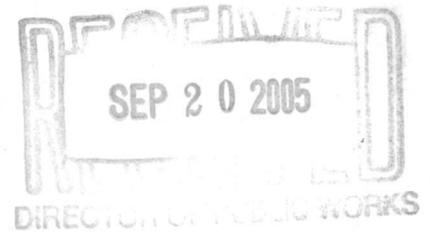
ou insured? Yes No

by what company

City of Providence



Rhode Island



Department of City Clerk

MEMORANDUM

DATE: September 19, 2005

TO: John Nickelson, Director of Public Works

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

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 possible in order that the committee can meet in a timely fashion relative to this matter.

A handwritten signature in cursive script, appearing to read "Anna M. Stetson".
City Clerk

ANDREW K. MOFFIT
Chairman
JOSEPH D. CATALDI
Vice Chairman
ALEXANDER D. PRIGNANO
Ex-Officio
CARISSA R. RICHARD
Secretary
FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor
BOYCE SPINELLI
Acting General Manager
JOSEPH DE LUCA
City Councilman
PATRICK K. BUTLER
City Councilman
ANNE T. QUINTERNO
Member
EVERETT BIANCO
Member

October 4, 2005

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

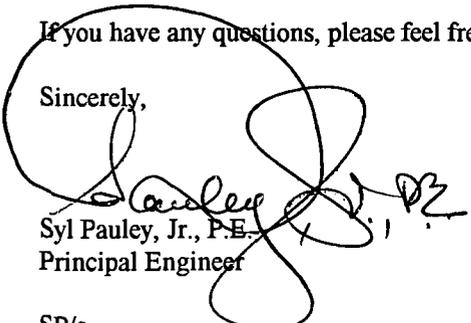
SUBJECT: Petition for Street Abandonment
Parley Street (Portion of)
Providence, Rhode Island

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 do not indicate any water system related infrastructure within the limits described on the map supplied with the Petition. More specifically, the area of interest is to the rear of property located at 23 Luna Street. Accordingly, PW does not oppose this abandonment.

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

Sincerely,



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

SP/s

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

ABNLTR102.WPD

WWW.PROVWATER.COM

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

ALIX R. OGDEN
Suprintendent of Parks



DAVID N. CICILLINE
Mayor

Department of Public Parks

"Building Pride In Providence"

January 24, 2006

Anna M. Stetson, Second Deputy City Clerk
Department of City Clerk
City of Providence
City Hall
Providence, RI

RE: Abandonment of portion of Parley Street, portion of Devine Street
portion of Hauxhurst Street.

The Department of Public Parks has no objection to the proposed abandonments
of the above mentioned streets.

Sincerly Yours

A handwritten signature in black ink that reads "John A. Izzo".

John A. Izzo
Supervisor of Engineering & Planning

JOHN D. NICKELSON, P. E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
Traffic Engineering Division
"Building Pride in Providence"

MEMORANDUM

TO: Councilman Terrance M. Hassett, Chairman, Committee on Public Work

FROM: E. Bernard Leiby, Traffic Engineer *EBL*

CC: John D. Nickelson, PE, Director of DPW
Thomas Deller, PE, Director of Planning
Anna Stetson, Office of the City Clerk

DATE: September 28, 2005

SUBJECT: Petition of James by Henry D'Agostino and Bonnie Lovell, requesting permission to abandon a small section between Lots 470 and 455 located in the rear of 73 Luna Street.

The office of Traffic Engineering has reviewed this request and approve of the decision to abandon a small section between Lots 470 and 455 located in the rear of 73 Luna Street.



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

October 28, 2005

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

Attn: Anna Stetson, Second Deputy City Clerk

Re: CPC Referral No. 3252: Proposed Abandonment of Portions of Parley Street

Dear Councilman Hassett:

The City Plan Commission at its regular meeting on Tuesday, October 18, 2005 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of portions of Parley Street, as petitioned by Bonnie Lovell and Henry D'Agostino of 73 Luna Street.

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.*

Abandoning the small sections of street would have the benefit of allowing the petitioners to improve their property as well as serving to clarify the existing street layout. The Traffic Engineer has approved the proposal.

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 from this abandonment are anticipated.

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

No abutting landowners have submitted input.

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

No access would be denied.

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.*

Based on the information submitted, there is no apparent need for protection or maintenance of services or utilities associated with the requested abandonment.

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 plan has been submitted with limited detail. The stated intentions are clear and there is no conflict with the Comprehensive Plan or Zoning Ordinance.

The Commission voted to recommend to the Committee on Public Works that the petition be approved.

Sincerely,



Christopher J. Ise
Administrative Officer

cc: Bonnie Lovell and Henry D'Agostino, Petitioners



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

March 6, 2006

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

Re: Proposed abandonment of a portion of Parley and Grafton
Streets

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Parley and Grafton Streets, otherwise designated as a partial abandonment of this area as located on Assessors Plat 72 in the Charles Street Neighborhood of the city.

The proposed abandonment contains 1,447.18 square feet. The area in general are two triangular parcels along the street. The City's Department of Public works has no objection to this request. They are mandating the petitioner have a Class 1 survey completed for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for this area. The topography of the site is level at street grade, but it is not developable and its only functional use would be as side yard. The property is presently zoned R-3 single family. The highest and best use would be as vacant land.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
March 6, 2006

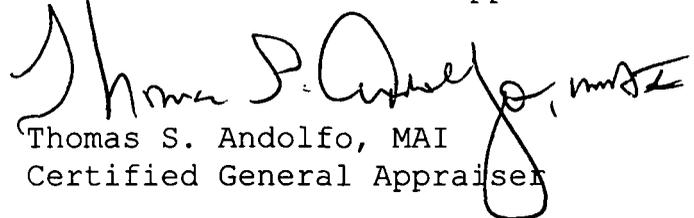
Based upon an analysis of comparable residential land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$5.00 per square foot is hereby estimated for this site. Therefore, 1,447.18 square feet x \$5.00 per square foot = \$7,236.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



November 14, 2005

Anna M. Stetson
City Clerk's Office
Providence City Hall
Providence, RI 02903

Re: Petition to Abandon a portion of Parley Street

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has no equipment in the area proposed for abandonment.

Therefore, NECO has no objection to the abandonment.

Please call me if you have any questions.

Very truly yours,

Mindy C. Montecalvo
Property Rights Specialist
(401) 784-7512
(401) 784-7316 (fax)

Right Of Way



85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

September 23, 2005

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 LUNA ST & PARLEY ST

Dear Ms. Stetson:

Upon investigation by our in house Engineer, Craig Richards, it has been determined that Verizon has no facilities on the portion of the street to be abandoned.

Very truly yours,

A handwritten signature in black ink that reads "Mary C. Hanley". The signature is written in a cursive style with a long, sweeping tail.

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



September 21, 2005

Anna M. Stetson, Second Deputy City Clerk
Department of City Clerk, City of Providence, Rhode Island
City Hall
Providence, RI 02903

RE: Petition from Henry D'Agostino and Bonnie Lovell to abandon a portion of Parley Street.

Dear Ms. Stetson:

New England Gas Company does not own nor maintain gas facilities within above-mentioned area therefore, we have no objections to this petition.

If you have any further questions please feel free to call me at (401) 525-5521.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas Gavula".

Thomas Gavula
Manager GIS Records/Drafting &
Cathodic Protection

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 343

Approved August 9, 2006

RESOLVED, DECREED AND ORDERED:

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VIZ:

GRAFTON STREET, portions of, abutting AP 72, Lot 552, and PARLEY STREET, portions of, abutting AP 72, Lots 455, 469, and 470, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-A) and (D-E-F-D), having ceased to be useful to the public, are proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

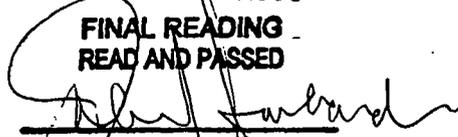
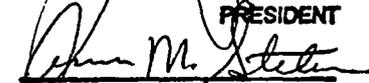
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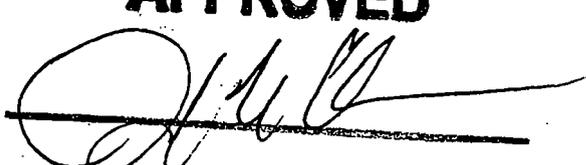
And it is further

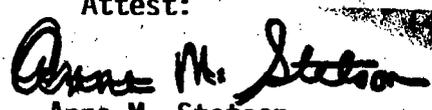
ORDERED, That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

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.

ORDERED, That according to Informational Bulletin 2003.01 issued by the Rhode Island Board of Registration for Professional Land Surveyors, road abandonment constitutes a boundary change, and as such, requires a Class 1 survey prepared by a Professional Land Surveyor properly licensed by said board.

**IN CITY
COUNCIL**
AUG 3 2006
FINAL READING
READ AND PASSED

PRESIDENT

CLERK

APPROVED

MAYOR 8/9/06

A true copy,
Attest:

Anna M. Stetson
City Clerk

THE CITY OF PROVIDENCE

~~Doc No:~~ 00150824

Book: 8230 Page: 229

CITY SERGEANT'S OFFICE

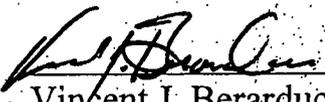
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF PARLEY STREET

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
72	455	Bonnie M. Lovell 73 Luna Street Providence, RI 02904-2434
72	552	Bonnie M. Lovell 73 Luna Street Providence, RI 02904-2434
72	470	Bonnie M. Lovell 73 Luna Street Providence, RI 02904-2434
72	469	Victor D. Rodriguez 59-61 Luna Street Providence, RI 02904

PETITIONER

Henry D'Agostino & Bonnie Lovell
73 Luna Street
Providence, RI 02904-2434

 7-12-06
Vincent J. Berarducci
City Sergeant

Councilwoman Carol A. Romano
Ward 4



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

October 11, 2005

To: Anna M. Stetson, Second Deputy City Clerk

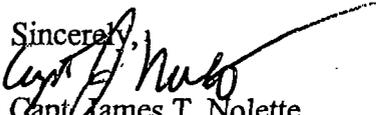
From: Capt. James T. Nolette

Subject: Petition from Bonnie Lovell

Dear Anna:

After looking at the plans and descriptions enclosed, the Police Department has no objections to proposed changes as proposed by Mrs. Lovell on Luna St.

Sincerely,


Capt. James T. Nolette

George S. Farrell
Fire Marshal

George D. Calise
Deputy Fire Marshal



David N. Cicilline
Mayor

David D. Costa
Chief of Department

Providence Fire Prevention Division
"Smoke Detectors Save Lives"

November 21, 2005

Ms. Anna M. Stetson, Second Deputy City Clerk
Providence City Hall, Department of City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

Re: Proposal for abandonment a portion of Parley/Grafton Street – rear of 73 Luna St.

Dear Ms. Stetson:

The Providence Fire Department has no objection to the abandonment of the small triangular portions of Parley and Grafton Streets as proposed by Henry D'Agostino and Bonnie Lovell at the present time.

The present proposal affects a paper street that is currently overrun mostly with vegetation and a small portion of the paper portion of Grafton Street is fenced off and has a storage trailer and other debris cluttering the area.

If you need any further information, please do not hesitate to call.

Sincerely,


Captain Anthony DiGiulio, ADSFM
Providence Fire Prevention

Cc: Marshal George S. Farrell

JOHN D. NICKELSON, PE
Director



DAVID N. CICILLINE
Mayor
00150824
230 Page: 232

Department of Public Works
"Building Pride in Providence"

September 29, 2005

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 Grafton Street and Parley Street

Dear Councilman Hassett:

This department has no objection to the abandonment of a portion of Grafton Street and Parley Street in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064781 -Date: September 28, 2005. Areas of Grafton Street and Parley Street are designated as A-B-C-D-A and D-E-F-D, on the accompanying plan.

It is noted that there is NO SEWER EASEMENT required for Grafton Street and Parley Street. Total area for this portion abandonment is 1,094.14 square feet for Parley Street and 362.25 square feet for Grafton Street. The shaded area of 9.21 square feet represents that portion of land to be conveyed to the City for highway purposes. The purpose of this conveyance is to create a square corner at the intersection of the northerly sideline of Parley Street and the westerly sideline of Grafton Street. Therefore, the net area to be abandoned is 1,447.18 square feet.

Lot numbers for aforementioned plan were taken from City of Providence Assessor's Plat # 72. A list of abutting property owners is attached herewith for your use.

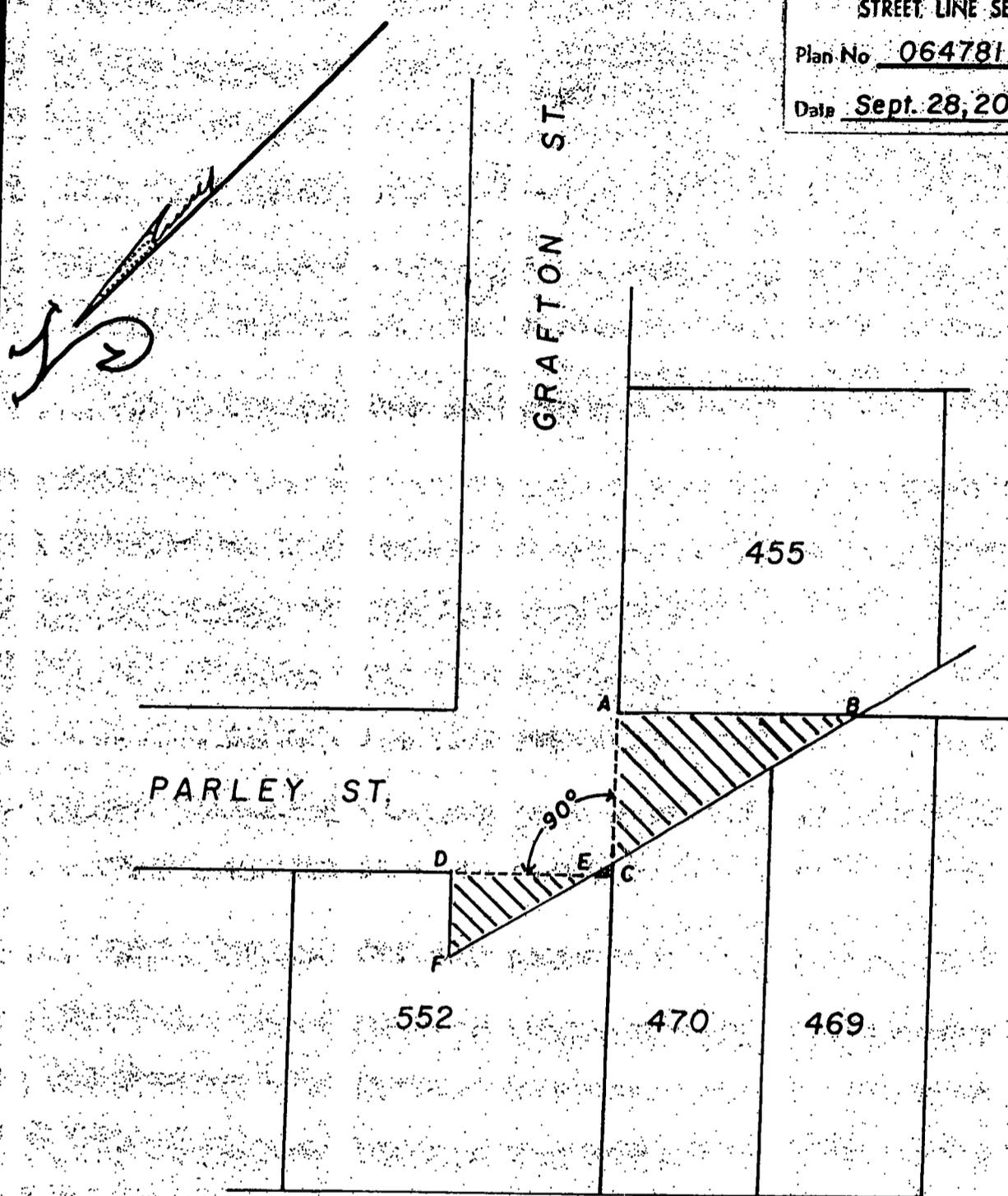
According to Informational Bulletin 2003.01 issued by Rhode Island State Board of Registration for Professional Land Surveyors, road abandonment constitutes a boundary change, and, as such, requires a Class 1 survey prepared by a Professional Land Surveyor, properly licensed by said board.

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

Very truly yours,

John D. Nickelson, PE
Director

cc: M. Clement – City Clerk
BB, GF, SZ-DPW
A. Southgate, Esq. – Law Dept.
T. Deller; - Planning
J. Gelati – Tax Assessors



NOTES: Cross-hatched areas (A-B-C-A) & (D-E-F-D) indicates proposed abandonments. Shaded area indicates proposed land to be conveyed to the City of Providence for highway purposes.

Parley St. square footage=1,094.14
Grafton St. square footage=362.25
Shaded area square footage=9.21
Total square footage=1,447.18 (net)
No sewer easement required.

CITY OF PROVIDENCE, B. I.
Public Works Dept. - Engineering Office
Showing proposed abandonments of portions
of Grafton & Parley Sts.
Drawn by A. Zislaides Checked by _____
Scale 1" = 40' Date 9-28-2005
Corrected James P. Morris Associate Engr.
Approved William B. [Signature] CHIEF ENGINEER

Lot numbers taken from A.P. 72.

ANDREW K. MOFFIT
Chairman
JOSEPH D. CATALDI
Vice Chairman
ALEXANDER D. PRIGNANO
Ex-Officio
CARISSA R. RICHARD
Secretary
FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor
BOYCE SPINELLI
Acting General Manager
JOSEPH DE LUCA
City Councilman
PATRICK K. BUTLER
City Councilman
ANNE T. QUINTERNO
Member
EVERETT BIANCO
Member

October 4, 2005

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

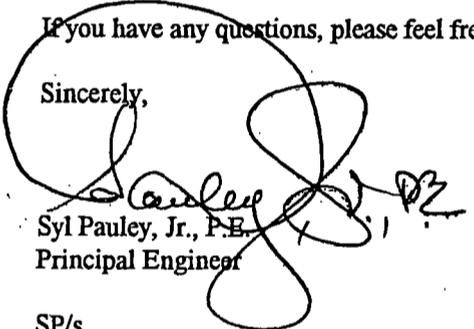
SUBJECT: Petition for Street Abandonment
Parley Street (Portion of)
Providence, Rhode Island

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 do not indicate any water system related infrastructure within the limits described on the map supplied with the Petition. More specifically, the area of interest is to the rear of property located at 23 Luna Street. Accordingly, PW does not oppose this abandonment.

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

Sincerely,



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

SP/s

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

ABNLTR102.WPD

WWW.PROVWATER.COM

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

ALIX R. OGDEN
Superintendent of Parks

Doc No: 00150824
8230 Page: 23

DAVID N. CICILLINE
Mayor



Department of Public Parks

"Building Pride In Providence"

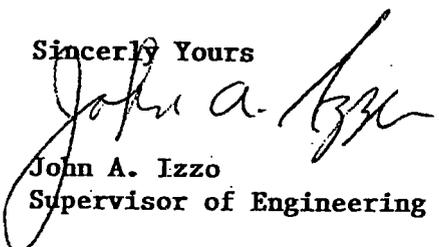
January 24, 2006

Anna M. Stetson, Second Deputy City Clerk
Department of City Clerk
City of Providence
City Hall
Providence, RI

RE: Abandonment of portion of Parley Street, portion of Devine Street,
portion of Hauxhurst Street.

The Department of Public Parks has no objection to the proposed abandonments
of the above mentioned streets.

Sincerely Yours


John A. Izzo
Supervisor of Engineering & Planning

JOHN D. NICKELSON, P. E.
Director



DAVID N. CICILLINE
Mayor

00150824
8230 Page: 236

Department of Public Works
Traffic Engineering Division
"Building Pride in Providence"

MEMORANDUM

TO: Councilman Terrance M. Hassett, Chairman, Committee on Public Work

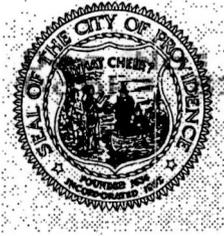
FROM: E. Bernard Leiby, Traffic Engineer *EBL*

CC: John D. Nickelson, PE, Director of DPW
Thomas Deller, PE, Director of Planning
Anna Stetson, Office of the City Clerk

DATE: September 28, 2005

SUBJECT: Petition of James by Henry D'Agostino and Bonnie Lovell, requesting permission to abandon a small section between Lots 470 and 455 located in the rear of 73 Luna Street.

The office of Traffic Engineering has reviewed this request and approve of the decision to abandon a small section between Lots 470 and 455 located in the rear of 73 Luna Street.



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

October 28, 2005

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

Attn: Anna Stetson, Second Deputy City Clerk

Re: CPC Referral No. 3252: Proposed Abandonment of Portions of Parley Street

Dear Councilman Hassett:

The City Plan Commission at its regular meeting on Tuesday, October 18, 2005 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of portions of Parley Street, as petitioned by Bonnie Lovell and Henry D'Agostino of 73 Luna Street.

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.*

Abandoning the small sections of street would have the benefit of allowing the petitioners to improve their property as well as serving to clarify the existing street layout. The Traffic Engineer has approved the proposal.

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 from this abandonment are anticipated.

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

No abutting landowners have submitted input.

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

No access would be denied.

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.*

Based on the information submitted, there is no apparent need for protection or maintenance of services or utilities associated with the requested abandonment.

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 plan has been submitted with limited detail. The stated intentions are clear and there is no conflict with the Comprehensive Plan or Zoning Ordinance.

The Commission voted to recommend to the Committee on Public Works that the petition be approved.

Sincerely,



Christopher J. Ise
Administrative Officer

cc: Bonnie Lovell and Henry D'Agostino, Petitioners

AAA
ccc

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

March 6, 2006

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

Re: Proposed abandonment of a portion of Parley and Grafton
Streets

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Parley and Grafton Streets, otherwise designated as a partial abandonment of this area as located on Assessors Plat 72 in the Charles Street Neighborhood of the city.

The proposed abandonment contains 1,447.18 square feet. The area in general are two triangular parcels along the street. The City's Department of Public works has no objection to this request. They are mandating the petitioner have a Class 1 survey completed for recording purposes.

We have taken into account a number of factors in arriving at the fair market value for this area. The topography of the site is level at street grade, but it is not developable and its only functional use would be as side yard. The property is presently zoned R-3 single family. The highest and best use would be as vacant land.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
March 6, 2006

Based upon an analysis of comparable residential land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$5.00 per square foot is hereby estimated for this site. Therefore, 1,447.18 square feet x \$5.00 per square foot = \$7,236.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani (fcd)

William G Floriani
Certified Residential Appraiser

Thomas S. Andolfo, MAI

Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



November 14, 2005

Anna M. Stetson
City Clerk's Office
Providence City Hall
Providence, RI 02903

Re: Petition to Abandon a portion of Parley Street

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has no equipment in the area proposed for abandonment.

Therefore, NECO has no objection to the abandonment.

Please call me if you have any questions.

Very truly yours,

Mindy C. Montecalvo
Property Rights Specialist
(401) 784-7512
(401) 784-7316 (fax)

280 Melrose Street
PO Box 1438
Providence, RI 02901-1438
401.784.7000



Right Of Way

85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

September 23, 2005

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 LUNA ST & PARLEY ST

Dear Ms. Stetson:

Upon investigation by our in house Engineer, Craig Richards, it has been determined that Verizon has no facilities on the portion of the street to be abandoned.

Very truly yours,

A handwritten signature in cursive script that reads "Mary C. Hanley". The signature is written in black ink and is positioned above the typed name.

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



September 21, 2005

Anna M. Stetson, Second Deputy City Clerk
Department of City Clerk, City of Providence, Rhode Island
City Hall
Providence, RI 02903

RE: Petition from Henry D'Agostino and Bonnie Lovell to abandon a portion of Parley Street.

Dear Ms. Stetson:

New England Gas Company does not own nor maintain gas facilities within above-mentioned area therefore, we have no objections to this petition.

If you have any further questions please feel free to call me at (401) 525-5521.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas Gavula".

Thomas Gavula
Manager GIS Records/Drafting &
Cathodic Protection

100 Weybosset Street
Providence, RI 02903

www.negasco.com

The Narragansett Bay Commission
One Service Road
Providence, Rhode Island 02905

401 • 461 • 8848
401 • 461 • 6540 FAX

<http://www.narrabay.com>



00150824
230 Page =

244

Vincent J. Mesolella
Chairman

Paul Pinault, P.E.
Executive Director

October 18, 2005

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

Subject: Abandonment of City-Owned Property

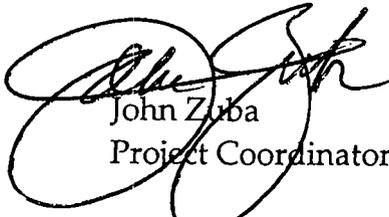
Dear Ms. Stetson:

I am responding to your memorandum concerning the abandonment of a portion Parley Street that is in the rear of 73 Luna Street located in the City of Providence, RI.

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

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

Sincerely,



John Zuba
Project Coordinator

Cc: Steve Martinelli, NBC

a clean bay today a clean bay today

RECEIVED:

Providence
Received for Record
Aug 18, 2006 at 09:18:43A
Document Num: 00150824
Barbara Troncy
Recorder of Deeds