

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 443

Approved November 13, 2006

WHEREAS, the Providence City Council passed Resolution No. 343 (effective August 9, 2006), incorporating the standard sixty (60) day provision for compliance with all terms of the abandonment; and

WHEREAS, petitioners have complied with all the terms of the Parley Street abandonment, with one exception; and

WHEREAS, petitioners have been unable to secure the services of a registered land surveyor to comply with the following term of the said resolution: "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";

NOW, THEREFORE, BE IT RESOLVED, DECREED, AND ORDERED:

Petitioners shall have until December 31, 2006, to comply with the outstanding requirement that the abandoned portion of Parley Street have a Class 1 survey prepared by a Professional Land Surveyor.

IN CITY COUNCIL

NOV 2 2006

READ AND PASSED

PRES. PRO TEMPORE

CLERK

APPROVED

MAYOR

11/13/06

Gentle Heart, By Request

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

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

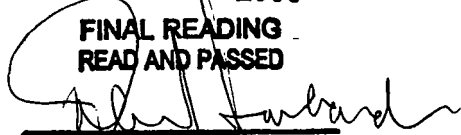
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner 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.

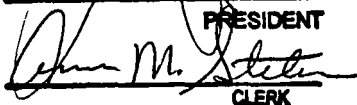
**IN CITY
COUNCIL**

AUG 3 2006

FINAL READING
READ AND PASSED

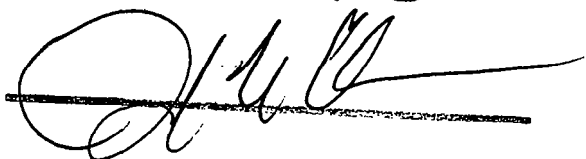


PRESIDENT



CLERK

APPROVED



MAYOR 8/9/06

MAYOR 8/9/06

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 444

Approved November 13, 2006

WHEREAS, The individuals with Disabilities Education Act (IDEA) and its associated regulations were passed and reauthorized to ensure that children with disabilities have available to them special education and related services designated to meet their unique educational needs; and

WHEREAS, In 1975 Congress pledged to provide 40% of IDEA funding and, 30 years later, has not yet reached this goal leaving local taxpayers to fund the difference; and

WHEREAS, The General Laws of the State of Rhode Island charge school committees with providing special education to meet the needs of the child with a disability as recommended and approved by the State Board of Regents for Elementary and Secondary Education in accordance with its regulations; and

WHEREAS, The State legislation and associated regulations are in some cases more restrictive than federal legislation; and

WHEREAS, Section 608(a)(2) of the federal law IDEA (2004) requires states to identify in writing to local educational agencies located in the state any such rule, regulation, or policy as a state-imposed requirement that is not required by IDEA and federal regulations; and

WHEREAS, Section 608(a)(3) further asks states to minimize the number of rules, regulations, and policies to which the local educational agencies and schools located in the State are subject under this title.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council joins the Providence School Committee and those of other communities in asking the Rhode Island General Assembly to repeal State Special Education Laws deemed more restrictive than federal legislation; and

BE IT FURTHER RESOLVED, That the City Clerk send a copy of this resolution to the Senators and Representatives, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives, and to each municipality in the State of Rhode Island.

IN CITY COUNCIL
NOV 2 2006
READ AND PASSED

Barbara A. Young
PRES. PRO TEMPORE

Ann M. Steen
CLERK

APPROVED

[Signature]
MAYOR 11/13/06

Council President Lombardi, Ray Lequest



**City Of Providence- City Plan Commission
Application for Administrative Subdivision**

Date _____

1. General Information

A. Assessor's Plat(s): 72 Lot(s): 470 + 552

B. Street Address, if Applicable 73 LUNA ST.

C. Applicant's Name, Address:

BONNIE M. LOVELL

73 LUNA STREET, PROVIDENCE, RI 02904

Telephone no: _____

D. Owner's Name, Address, Telephone no. (include all owners of property):

BONNIE M. LOVELL

73 LUNA STREET

PROVIDENCE, RI 02904

2. Description of Change

3. Tax Obligation

Current Tax Obligation for Assessor's Plat(s): _____ Lot(s): _____

_____ has been met by the owner for tax period ending _____

_____ has not been met by the owner. (Submission is not complete until taxes are paid.)

4. Owner/Applicant Signature(s) and date _____

Application received on _____ by _____

Procedure for filing an Administrative Subdivision

1. Complete the application form on the reverse of this page. *All owners of all pieces of property must sign the form.*
2. Have an Administrative Subdivision Plan prepared by a professional land surveyor registered in the State of Rhode Island. *The plan must include all elements listed in the checklist below.*
3. Submit the application form and the Mylar copy of the plan to Christopher Ise, Principal Planner, Department of Planning and Development, 400 Westminster Street, Providence 02903 (tel. 351-4300). There is no application fee.
4. The plan, if complete, will be processed in a few days. When you are notified that it is ready, retrieve the plan and file it with the Providence Recorder of Deeds in City Hall. There will be a recording fee.
5. Department of Planning and Development staff will forward copies of the plan to the Tax Assessor's Office and the Department of Inspection and Standards. A letter announcing the approval of the subdivision will also be posted in the City Clerk's Office.

| Checklist for Administrative Subdivisions | | |
|--|---|--|
| To be Checked by the Administrative Officer and Surveyor | | |
| 1 | ✓ | Completed Application Form A |
| 2 | ✓ | One copy of the preliminary site plan drawn to a scale of between 1" = 20' and 1" = 80' (so that the required details may be shown). If no new lot lines are being created, a Class IV survey is acceptable. Otherwise, surveys must be Class I. |
| 3 | ✓ | One copy of the final site plan printed on Mylar |
| 4 | ✓ | The size of the plan sheets shall be no smaller than 8 1/2" x 11" and no larger than 18" x 24" |
| 5 | ✓ | Surveyor's stamp or certification |
| 6 | ✓ | Date of plan preparation, with revision date(s), if any |
| 7 | ✓ | Graphic scale and true north arrow |
| 8 | ✓ | Plat and lot number(s) of the parcel being subdivided |
| 9 | ✓ | Zoning district(s) and overlay district(s) of the parcel being subdivided; if more than one district, zoning boundary lines must be shown |
| 10 | ✓ | Deed book and page number from the Recorder of Deeds |
| 11 | ✓ | Perimeter boundary lines of the subdivision, drawn so as to distinguish them from other property lines |
| 12 | ✓ | Location and dimensions of existing property lines, easements and rights-of-way within or adjacent to the subdivision parcel |
| 13 | | Certified copy of deed(s) from the Recorder of Deeds |
| 14 | | Municipal Lien Certificate(s) from the Tax Collector's Office |
| 15 | ✓ | New legal description of parcel(s) |

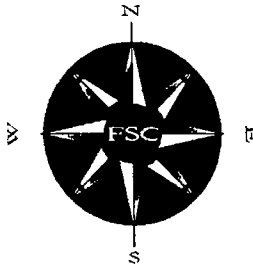
FOSTER SURVEY COMPANY

Land Surveyors/Planners

1099 Toll Gate Road
Warwick, Rhode Island 02886
Tel: (401) 615-3897
Fax: (401) 615-3898

8 North Road
Foster, Rhode Island 02825
Tel: (401) 647-9240

www.FosterSurvey.com



Legal Description of Parcel B

Beginning at a iron rod in the southwesterly street line of Grafton Street, said point being the northeasterly corner of the herein described parcel of land and the northwesterly corner of land now or formerly of Bonnie M. Lovell;

Thence running N 66°23'06" W in the southwesterly street line of Grafton Street a distance of thirty-six and 65/100 (36.65') feet to a point, said point being the northwesterly corner of the herein described parcel of land, the southeasterly corner of other land now or formerly of Bonnie M. Lovell and the northeasterly corner of other land now or formerly of Bonnie M. Lovell;

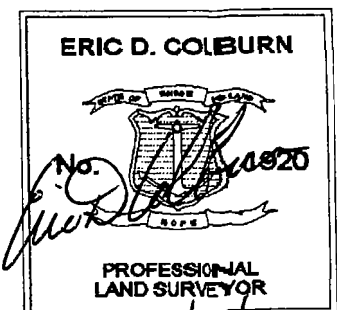
Thence running S 07°43'17" E in the former southwesterly terminus of Parley Street, bounded southwesterly by said Lovell land a distance of forty-six and 82/100 (46.82') feet to a point, said point being the southeasterly corner of said other land now or formerly of Bonnie M. Lovell and the northeasterly corner of land now or formerly of Victor D. Rodriguez;

Thence running S 07°43'17" E in the former southwesterly terminus of Parley Street, bounded southwesterly by said Rodriguez land a distance of twenty-three and 66/100 (23.66') feet to a iron rod, said point being the most southerly corner of the herein described parcel of land, the most southerly corner of the former location of Parley Street and the most northerly corner of land now or formerly of Olatunde & Adebola Sulaimon;

Thence running N 23°36'54" E in the range of the southeasterly street line of said Parley Street bounded southeasterly by said land now or formerly of Bonnie M. Lovell a distance of sixty and 20/100 (60.20') feet to the iron rod at the point and place of beginning.

The above described parcel of land contains 1,103 square feet of land, more or less.

The above described parcel of land is identified as Parcel B on that certain recorded plat entitled "Administrative Subdivision Plan, The Bonnie M. Lovell Plat, Assessor's Plat 72 Lots 470 & 552, 73 Luna St., Parley St. & Grafton St., Providence, Rhode Island, Prepared For: Bonnie M. Lovell, Date: 01/05/07, Scale: 1" inch=20 ft., Sheet 1 of 1 Sheet, Prepared By Foster Survey Company, Eric D. Colburn, Professional Land Surveyor", which said plat is recorded in the and evidence records of the City of Providence at



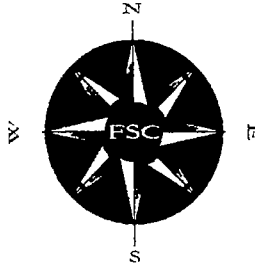
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www.FosterSurvey.com



Legal Description of Parcel A

Beginning at a point in the northwesterly street line of Parley Street in the range of the northeasterly street line of Grafton Street, said point being the northeasterly corner of the herein described parcel of land;

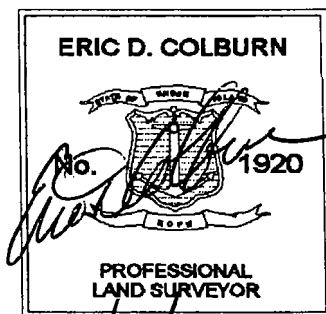
Thence running N 66°23'06" W continuing in the range of the northeasterly street line of Grafton Street, bounded northeasterly by land now or formerly of Bonnie M. Lovell a distance of twenty and 96/100 (20.96') feet to a point, said point being the northwesterly corner of the herein described parcel of land and formerly the northwesterly corner of said Grafton Street;

Thence running S 07°43'17" E in the former westerly terminus of said Grafton Street, bounded southwesterly by said Lovell land a distance of forty and 31/100 (40.31') feet to a point, said point being the most southerly corner of the herein described parcel of land;

Thence running N 23°36'54" E in the northwesterly street line of said Parley Street a distance of thirty-four and 43/100 (34.43') feet to the point and place of beginning.

The above described parcel of land contains 361 square feet of land, more or less.

The above described parcel of land is identified as Parcel A on that certain recorded plat entitled "Administrative Subdivision Plan, The Bonnie M. Lovell Plat, Assessor's Plat 72 Lots 470 & 552, 73 Luna St., Parley St. & Grafton St., Providence, Rhode Island, Prepared For: Bonnie M. Lovell, Date: 01/05/07, Scale: 1" inch=20 ft., Sheet 1 of 1 Sheet, Prepared By Foster Survey Company, Eric D. Colburn, Professional Land Surveyor", which said plat is recorded in the and evidence records of the City of Providence at



OWNER:

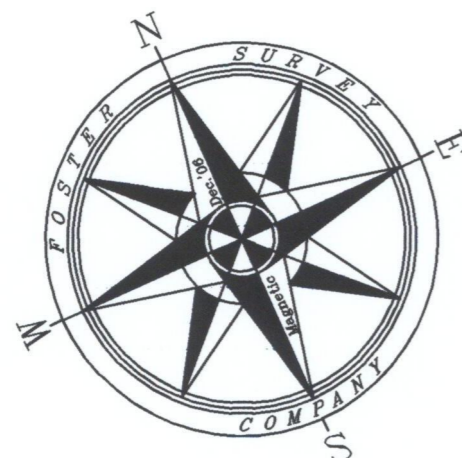
AP 85 LOTS 470 & 552
N/F BONNIE M. LOVELL
73 LUNA STREET
PROVIDENCE, RI 02904

NOTES:

- 1.) THIS SITE IS ZONED R3.
- 2.) THIS SITE LIES WITHIN A ZONE X (UNSHADED), AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN. SEE FLOOD INSURANCE RATE MAP (FIRM), CITY OF PROVIDENCE, RHODE ISLAND, PROVIDENCE COUNTY, PANEL 2 OF 7, COMMUNITY-PANEL NUMBER 445406 0002 F, MAP REVISED: JUNE 6, 2000.
- 3.) ALL INFORMATION ON THIS PLAN IS SUBJECT TO THE USER'S FIELD VERIFICATION. ABOVEGROUND AND UNDERGROUND UTILITY, STRUCTURE, AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO THE SURVEYOR. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL DIGSAFE 1-888-344-7233.

REFERENCES:

- 1.) SEE STREET ABANDONMENT PLAN ENTITLED "PROVIDENCE, R.I. DEPT. ENGINEERING OFFICE, STREET LINE SECTION, PLAN NO. 064781, DATE: SEPT. 28, 2005".
- 2.) SEE RECORDED PLAT ENTITLED "PLAT OF HOUSE LOTS IN PROVIDENCE BELONGING TO THE ESTATE OF DOCT. S. RANDAL., SURVEYED BY CUSHING AND FARNUM, JULY 1852, PLATTED BY CUSHING AND DEWITT APRIL, 1870" WHICH SAID PLAT IS RECORDED IN THE LAND EVIDENCE RECORDS OF THE CITY OF PROVIDENCE ON PLAT CARD 480.
- 3.) SEE RECORDED PLAT ENTITLED "MAP OF COTTAGE AND VILLA LOTS ON THE BRANCH AVENUE BELONGING TO P.L. CHURCH, P.M. MATHEWSON, H.J. ANGELL LAND AND N.C. NORTHUP, JUNE 1851" WHICH SAID PLAT IS RECORDED IN THE LAND EVIDENCE RECORDS OF THE CITY OF PROVIDENCE ON PLAT CARD 338.
- 5.) SEE RECORDED PLAT ENTITLED "PLAT NO. 1, PARLEY M. MATHEWSON ESTATE, IN THE CITY OF PROVIDENCE, R.I., AS DIVIDED BY COMMISSIONERS APPOINTED BY THE SUPERIOR COURT OF THE STATE OF RHODE ISLAND, SITTING FOR THE COUNTIES OF PROVIDENCE AND BRISTOL, IN EQUITY NO. 1697, ELLEN MARTIN., VS. RACHEL G.J. MATHEWSON ET AL., SURVEYED AND DRAWN BY GOFF & SCHOFIELD, SEPT., 1909" WHICH SAID PLAT IS RECORDED IN THE LAND EVIDENCE RECORDS OF THE CITY OF PROVIDENCE ON PLAT CARD 960.
- 6.) SEE UNRECORDED SURVEY ENTITLED "SURVEY OF LAND, R LOVELL, ASSESSOR'S PLAT 72, PROVIDENCE, R.I., SCALE: 1"=20', 8/85, BY FRANCIS P. DIMITRI" PROVIDED BY CLIENT.
- 7.) SEE PROVIDENCE STREET LINE PLANS NO. 060658, NO. 060659, NO. 062076, NO. 062077 NO. 03749 AND NO. 247, PROVIDED BY THE CITY OF PROVIDENCE ENGINEERING DEPARTMENT.
- 8.) SEE WATERMAN ENGINEERING COMPANY FIELD BOOK 76 PAGES 6-15.

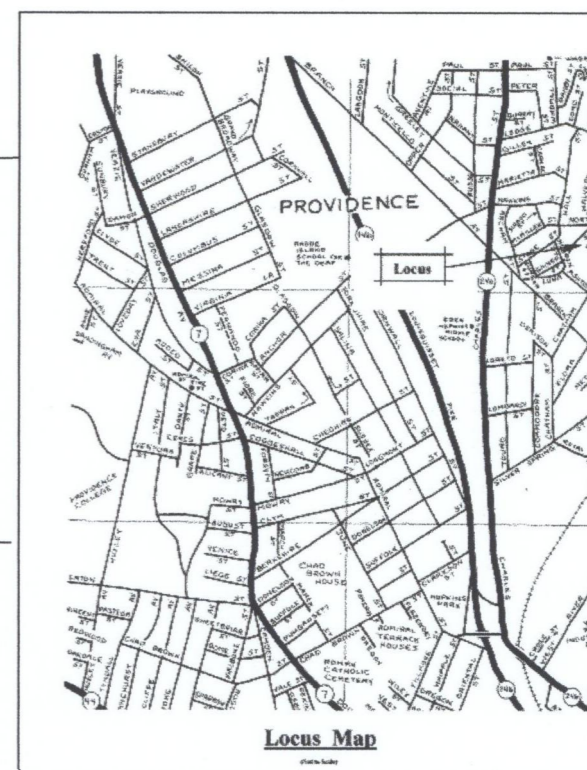


LUNA STREET
(PUBLIC~WIDTH 33'±)

AP 72 LOT 473
N/F THOMAS A. & DOMENIC D'AGOSTINO
(DB 4277 PG 56)

PARLEY STR
(PUBLIC~WIDTH 40.12')

GRAFTON STREET
(PUBLIC~WIDTH 40.12')



IRF
(0.66' SW)
(0.31' NW)

IRF
(0.13' SW)
(0.78' NW)

AP 72 LOT 552
ORIGINAL AREA: 5,830 SQ.FT.±
REVISED AREA: 6,191 SQ.FT.±
N/F BONNIE M. LOVELL
(DB 1278 PG 39)

AP 72 LOT 470
ORIGINAL AREA: 3,588 SQ.FT.±
REVISED AREA: 4,691 SQ.FT.±
N/F BONNIE M. LOVELL
(DB 1279 PG 526)

AP 72 LOT 469
N/F VICTOR D. RODRIGUEZ
(DB 4926 PG 167)

AP 72 LOT 468

IRF
(0.31' SW)
(3.23' SE)

IRF
(3.16' SE)
(0.06' SW)

AP 72 LOT 562
N/F OLATUNDE &
ADEBOLA SULAIMON
(DB 3214 PG 185)

AP 72 LOT 453

AP 72 LOT 454

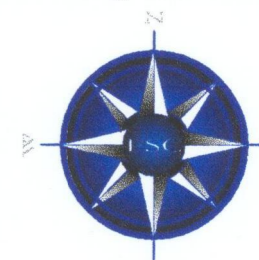
AP 72 LOT 455
N/F BONNIE M. LOVELL
(DB 3014 PGS 10,11)

AP 72 LOT 458

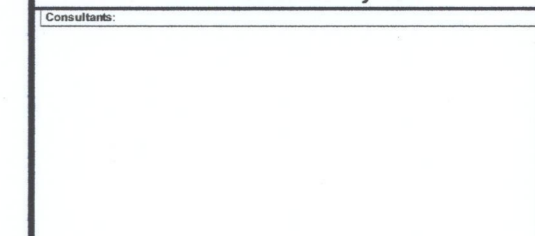
LEGEND:

| | | |
|--------|--------|--------------------------|
| ■ | GBF | GRANITE BOUND FOUND |
| ● | IPF | IRON PIPE FOUND |
| ● | NLF | NAIL FOUND |
| ● | DHF | DRILL HOLE FOUND |
| □ | GBS | GRANITE BOUND SET |
| ○ | IRS | IRON ROD SET |
| ○ | DHS | DRILL HOLE SET |
| ○ | MS | MAG NAIL SET |
| AP | AP | TAX ASSESSOR'S PLAT |
| DB PG | DB PG | DEED BOOK AND PAGE |
| N/F | N/F | NOW OR FORMERLY |
| SQ.FT. | SQ.FT. | SQUARE FEET |
| —○—○— | | EXISTING CHAINLINK FENCE |
| —□—□— | | EXISTING WOODEN FENCE |

Foster Survey Company
Land Surveyors / Planners



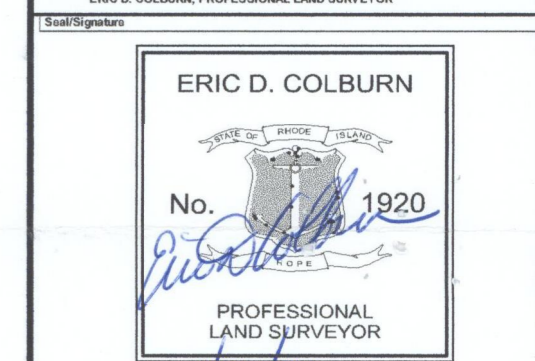
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TEL 401-615-3897 FAX 401-615-3898
8 North Road, Foster, Rhode Island 02825
TEL 401-647-9240
www.FosterSurvey.com



Certification of survey:
This survey and plan conform to the following Standard as adopted by the Rhode Island Board of Registration for Professional Land Surveyors:

Boundary Survey: Class I

By: *Eric D. Colburn* Reg.No. 1920
ERIC D. COLBURN, PROFESSIONAL LAND SURVEYOR



Title:
Administrative Subdivision Plan

The Bonnie M. Lovell Plat

Assessor's Plat 72 Lots 470 & 552
73 Luna St., Parley St. & Grafton St.
Providence, Rhode Island

Prepared For: Bonnie M. Lovell

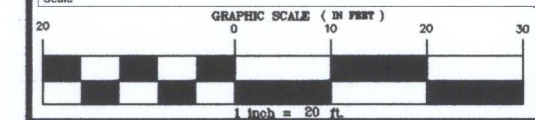
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Issue Date & Issue Description By Check
00 1/05/07 ORIGINAL ISSUE EDC EDC

Project Name
Record Plan

Project No.
880
Checked By
EDC

Drawn By
J.B. EDC



Sheet ID
Sheet

RP-1

1

of 1 Sheet.

DWG NO. 880-01.01.00