

RESOL: WAYLAND  
**RESOLUTION OF THE CITY COUNCIL**

*No.* 112

*Approved* February 11, 1998

RESOLVED, DECREED AND ORDERED

That the following named street shown as cross-hatched area on the accompanying plan entitled "Providence, Rhode Island Department of Public Works-Engineering Office, street line section Plan No. 064598 dated October 21, 1997.

Viz: Wayland and East George Streets, (portions of) shown on cross-hatched area accompanying plan and designated by the letters (K-L-M-N-O-P-Q-K) having ceased to be useful to the public and its proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

(1) Petitioner shall tender the amount of Thirty Seven Thousand Five Hundred Dollars (\$37,500.00) in legal tender U.S. currency to the City of Providence.

(2) 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 with twenty-four (24) hour access to said facilities, or in the alternative should 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 the 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 (24) 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 city shall retain a full sewer easement acceptable 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 (24) hour access to

~~IN CITY COUNCIL~~

~~And Referred Back  
To The Committee on~~

~~CLERK~~

IN CITY COUNCIL

*Sept. 15 1997*  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS

*Michael R. Clevett*  
CLERK

THE COMMITTEE ON

*William D. ...*  
Recommends  
*Barbara A. Cairns*  
Clerk  
*G. N. ...*  
10/22/97

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution

*Barbara A. Cairns*  
Clerk  
1/21/98

said facilities or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

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  
FEB 5 1998

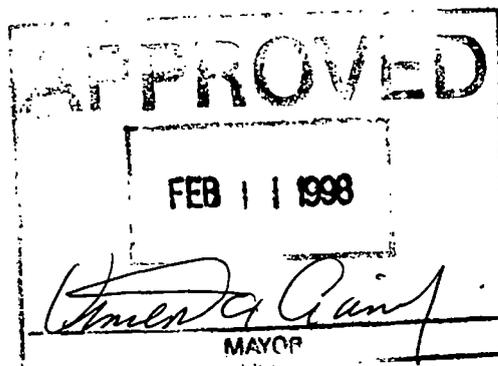
READ AND PASSED

*Evelyn V. Farquoli*

PRES.

*Michael R. Clement*

CLERK



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 WAYLAND AVENUE AND EAST GEORGE STREET.**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
14	163	101 East George Street Koffler Realty Associates One Providence Washington Plaza Providence, RI 02903
15	420	139 East George Street Koffler Realty Associates One Providence Washington Plaza Providence, RI 02903
	413	91 Wayland Avenue Koffler Realty Associates One Providence Washington Plaza Providence, RI 02903
	415	144 East George Street Koffler Realty Associates One Providence Washington Plaza Providence, RI 02903
	460	80 Butler Avenue Koffler Realty Associates One Providence Washington Plaza Providence, RI 02903
	33	135 Pitman Street Koffler Realty Associates One Providence Washington Plaza Providence, RI 02903

**PETITIONER**

Koffler Realty Associates, V, LLC  
One Providence Washington Plaza  
9th Floor  
Providence, RI 02903

  
Michael R. Clement, City Clerk  
9/30/97

\_\_\_\_\_  
Councilman Robert M. Clarkin  
Ward 1

## PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

*The undersigned respectfully petitions your honorable body*

The undersigned, Koffler Realty Associates V, LLC, hereby requests the abandonment of those portions of Wayland Avenue and East George Street reflected on the Plan attached hereto and made a part hereof. The undersigned makes this request in connection with the commercial and retail development at the Pitman Street property owned by the undersigned, and further makes the request based upon the following:

The undeveloped paper streets which are reflected on the Plan, and proposed to be abandoned, are located upon grades which are undevelopable in normal circumstances, and do not reflect the development of the improved areas of East George Street and Wayland Avenue which were developed by the undersigned in 1992, pursuant to the request of the City of Providence.

The areas of East George Street and Wayland Avenue proposed to be abandoned pursuant to this Petition serve no public purpose, and such land is better suited to be returned to the tax rolls of the City of Providence as part of the commercial development.

This project is supported by the City of Providence Planning Department, the Blackstone Park Improvement Association, the Providence Preservation Society, and related development has received favorable consideration from the Providence Zoning Board of Review.

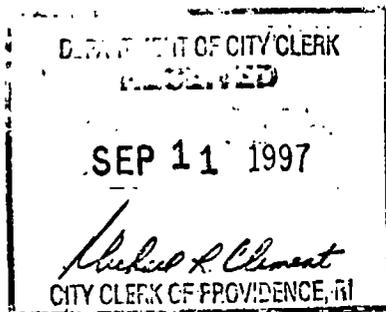
Submitted by

Koffler Realty Associates V, LLC  
One Providence Washington Plaza, 9th Floor  
Providence, RI 02903

By its Attorneys,

  
Robert I. Stolzman, Esq.  
Adler Pollock & Sheehan Incorporated  
2300 Hospital Trust Tower  
Providence, RI 02903  
(401) 274-7200

Robert I Stolzman, Esquire  
Adler Pollock & Sheehan, Inc.  
Abandonment for portion of Wayland Avenue and East George Street  
Hospital Trust Bank  
#0001054 - \$75.00



**FILED**

SEP 11 9 50 AM '97

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

IN CITY COUNCIL  
SEP 18 1997

FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS

*Michael L. Ernest*  
CLERK

THE COMMITTEE ON

*Public Works*

Recommends

*Barbara A. Fairclough*

Clerk

*G. W. Keen*

10/22/97

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution

*Barbara A. Fairclough*

Clerk

11/1/98

*From the Clerk's Desk*

MEMOS FOR ABANDONMENTS

*Mayland Ave -  
East Orange St.*

Colonel Urbano Prignano  
Chief of Police

*no objection*

~~John J. Partington~~  
~~Commissioner of Public Safety~~

✓ Chief James Rattigan  
Chief of Fire

✓ Mr. Ferdinand Ihenacho  
Director of Public Works

✓ Syl Pauley  
Water Supply Board

*see letter*

✓ Mrs. Nancy Derrig  
Superintendent of Parks

*no objection*

✓ Irene Testa  
Traffic Engineering

*no objection*

Mr. Thomas Deller  
Planning & Development (Also Fair Market Value) *O.K.*

City Plan Commission  
Planning & Development

*no objection*

✓ Mr. Michael DiNezza  
Narragansett Electric Company  
Senior Field Right of Way Manager  
280 Melrose Street  
Providence, RI 02901-1438

*no objection*

✓ Pamela Greenwood  
New England Telephone  
Manager - Right of Way  
85 High Street  
Pawtucket, RI 02860

*no objection*

Mr. Thomas P. Gavula, Director  
Engineering, Project Manager  
Providence Gas Company  
477 Dexter Street  
Providence, RI 02907

*272-5740  
(512) per letter*

✓ Mr. John Zuba  
Narragansett Bay Commission  
235 Promenade Street  
Providence, RI 02903

*no objection*

COUNCILPERSON IN AREA *Clarke*

COLONEL URBANO  
PRIGNANO Jr.

Chief of Police



VINCENT A. CIANCI, JR.

Mayor

**PROVIDENCE POLICE DEPARTMENT  
TRAFFIC BUREAU**

*Lieutenant Kenneth M. Cohen, Commanding*

January 16, 1998

TO: Barbara A. Poirier  
FROM: Lieutenant Kenneth M. Cohen, Traffic Bureau  
SUBJECT: Street Abandonment, East George Street and Wayland Avenue

Sir:

I have reviewed the request for the abandonment of East George Street and Wayland Avenue and don not feel that the Police Department will have any objection to the proposal. The areas that being abandoned are only rights of way on plat maps, and are not currently being used. The portions of these streets being abandoned are actually areas that pass through existing properties, or behind existing structures.

There would be no direct impact on public safety by this request. In fact, the abandonment of these streets allows for better access to the properties that they currently are adjacent to, as a reesult of the proposed construction.

Respectfully,

A handwritten signature in black ink, appearing to read "K. M. Cohen", written over a horizontal line.

Lieutenant Kenneth M. Cohen  
Commander, Traffic Bureau

Vincent A. Cianci Jr.  
Mayor  
John J. Partington  
Comptroller

James F. Rattigan  
Chief of Department  
David D. Costa  
Fire Marshal



**PROVIDENCE FIRE PREVENTION DIVISION**  
*"Smoke Detectors Save Lives"*

October 9, 1997

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

Chairman Clarkin,

*Wayne Ave. - E. Beaye St.*

After review of the proposal to abandon portions of ~~Wayne Ave. - E. Beaye St.~~, Butler Avenue and East George Streets (see attached), the Fire Department has no objection.

Yours truly,

*David D. Costa*

David D. Costa  
Fire Marshal

Vincent A. Cianci Jr.  
Mayor  
John J. Partington  
Commissioner

James F. Rattigan  
Chief of Department  
David D. Costa  
Fire Marshal



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October 9, 1997

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

Chairman Clarkin,

After review of the proposal to abandon portions of Wayland Avenue, Butler Avenue and East George Streets (see attached), the Fire Department has no objection.

Yours truly,

A handwritten signature in black ink that reads "David D. Costa".

David D. Costa  
Fire Marshal

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: October 1, 1997

TO: Chief James Rattigan, Chief of Fire

SUBJECT: **PETITION TO ABANDON A PORTION OF  
WAYLAND AVENUE AND EAST GEORGE  
STREET.**

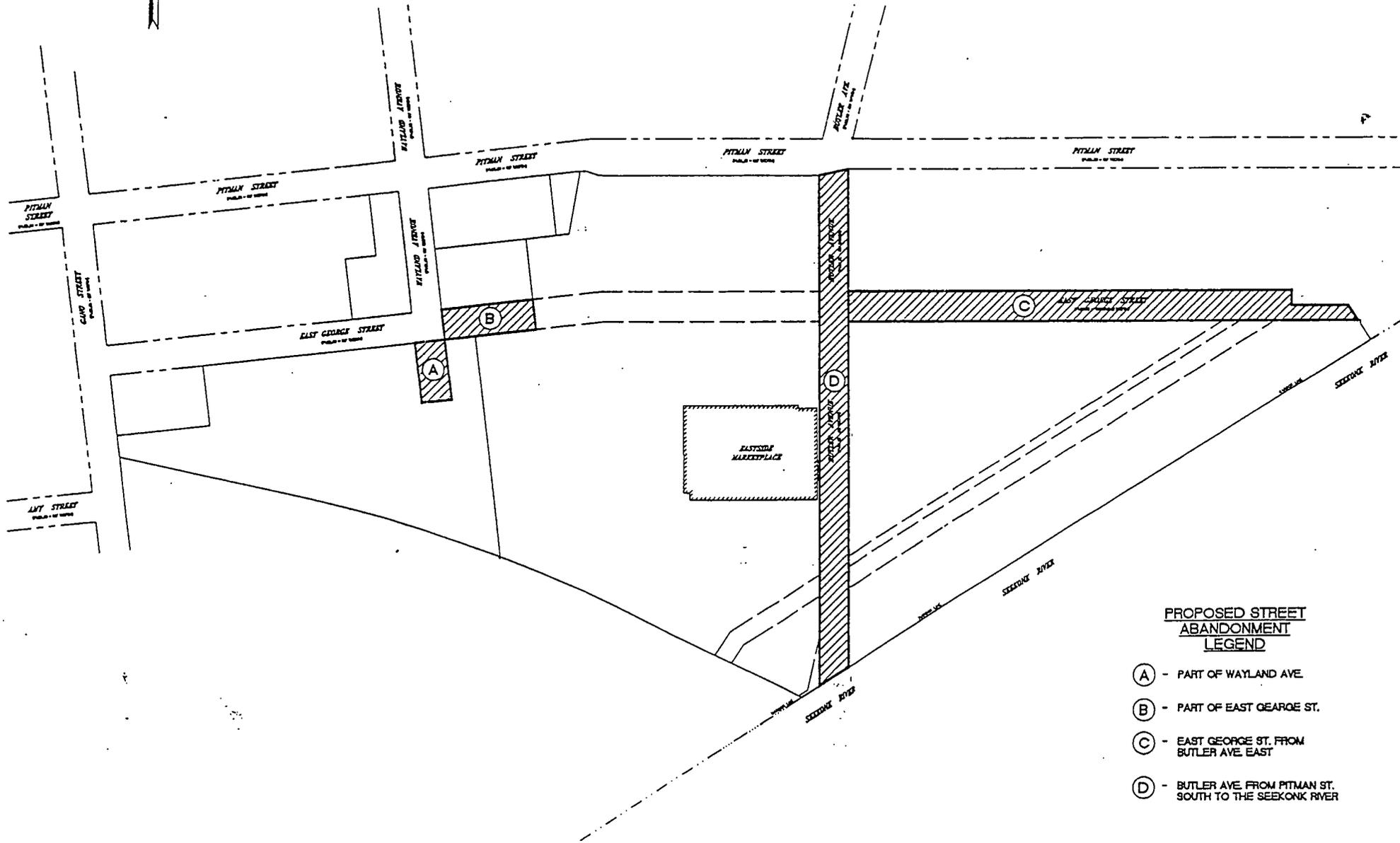
CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee  
on Public Works.

DISPOSITION: The accompanying resolution is referred to you for  
study, report and recommendation and report back in  
writing to the above-named committee as soon as  
practical.

*Robert M. Clarkin*

*Second By* City Clerk

N



**PROPOSED STREET  
ABANDONMENT  
LEGEND**

- (A) - PART OF WAYLAND AVE
- (B) - PART OF EAST GEORGE ST.
- (C) - EAST GEORGE ST. FROM BUTLER AVE. EAST
- (D) - BUTLER AVE. FROM PITMAN ST. SOUTH TO THE SEEKONK RIVER

Ferdinand C. Ihenacho, P.E.  
Director



VINCENT A. CIANCI, JR.  
Mayor

Department of Public Works

"Building Pride In Providence"

November 4, 1997

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

Re: Proposed Abandonment (Portions)  
East George St. & Wayland Ave.

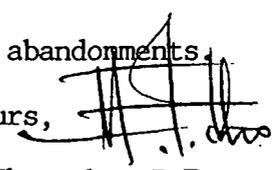
Dear Councilman Clarkin:

This department has no objection to the proposed abandonment of portion of East George St. and portion of Wayland Ave., as shown on the attached plan, entitled "Providence, R.I., P.W. Dept. - Engineering Office, Street Line Section, Plan no.064598, Date: 10/21/97".

Areas to be abandoned are shown as cross-hatched - East George St. is denoted as "O-P-Q-R-O" and Wayland Ave. is denoted as "K-L-M-N-K" on the accompanying plan. Lot numbers were taken from City of Providence Assessor's Plats 14 and 15. There are 12,500 Sq. Ft. associated with these proposed portion abandonments. Also enclosed find a list of abutting property owners in connection with this proposal.

If we can further assist you in this regard, please advise. Note also that a full-sewer easement will be required relative to these proposed abandonments.

Very truly yours,

  
Ferdinand C. Ihenacho, P.E.  
Director

CC: J. D'Amico, Esq. M. Clement, City Clerk  
G. Florio, Ass't. Dir. J.T. Morris, Assoc. Eng.  
JLC-Assoc. Eng. S.Z. - Eng.

700 Allens Avenue ● Providence, Rhode Island 02905

(401) 467-7950 (Voice) ● 751-0203 (TDD) ● 941-2567 (Facsimile)

PROPOSED ABANDONMENT  
PORTION OF WAYLAND AVE. & EAST GEORGE ST.

A.P. 14 LOT 163 - 101 EAST GEORGE ST.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

A.P. 15 LOT 420 - 139 EAST GEORGE ST.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

LOT 413 - 91 WAYLAND AVE.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

LOT 415 - 144 EAST GEORGE ST.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

LOT 460 - 80 BUTLER AVE.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

LOT 33 - 135 PITMAN ST.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

Ferdinand C. Ihenacho, P.E.  
Director



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Works

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Providence, R.I. 02903

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Areas to be abandoned are shown as cross-hatched on East George St. is denoted as "O-P-Q-R-O" and Wayland Ave. is denoted as "K-L-M-N-K" on the accompanying plan. Lot numbers were taken from City of Providence Assessor's Plats 14 and 15. There are 12,500 Sq. Ft. associated with these proposed portion abandonments. Also enclosed find a list of abutting property owners in connection with this proposal.

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Ferdinand C. Ihenacho, P.E.  
Director

CC: J. D'Amico, Esq.                      M. Clement, City Clerk  
G. Florio, Ass't. Dir.                  J.T. Morris, Assoc. Eng.  
JLC-Assoc. Eng.                          S.Z. - Eng.

700 Allens Avenue ● Providence, Rhode Island 02905

(401) 467-7950 (Voice) ● 751-0203 (TDD) ● 941-2567 (Facsimile)

City of Providence



Rhode Island

## Department of City Clerk

### MEMORANDUM

DATE: October 1, 1997

TO: Ferdinand Ihenacho, Director of Public Works *FI*

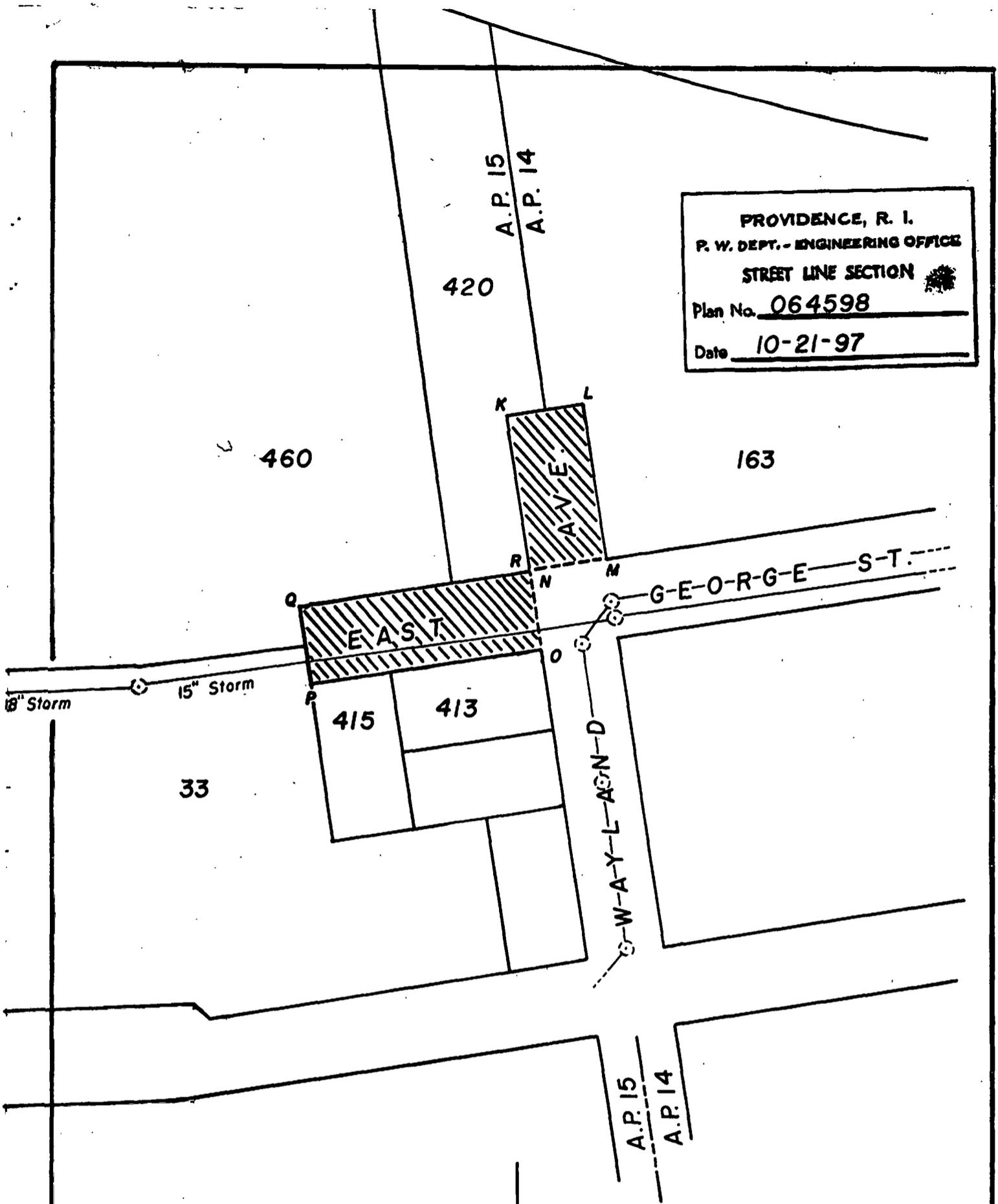
SUBJECT: **PETITION TO ABANDON A PORTION OF  
WAYLAND AVENUE AND EAST GEORGE  
STREET.**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee  
on Public Works.

DISPOSITION: The accompanying resolution is referred to you for  
study, report and recommendation and report back in  
writing to the above-named committee as soon as  
practical.

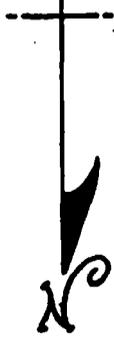
*Barbara A. Gaire*  
Seen By City Clerk

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064598  
 Date 10-21-97



**NOTES: Cross-hatched area (K-L-M-N-O-P-Q-R-K) indicates proposed abandonment.**

**Total square footage= 12,500'  
 Full sewer easement required.**



**Lot numbers taken from A.P. 14 & 15.**

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonments: East  
George, Wayland Ave.  
 Drawn by A. Zisiades Checked by J.T.M.  
 Scale 1" = 80' Date 10-21-97  
 Correct [Signature] Associate Engr.  
[Signature] CHIEF ENGINEER

PROPOSED ABANDONMENT  
PORTION OF WAYLAND AVE. & EAST GEORGE ST.

A.P. 14 LOT 163 - 101 EAST GEORGE ST.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

A.P. 15 LOT 420 - 139 EAST GEORGE ST.  
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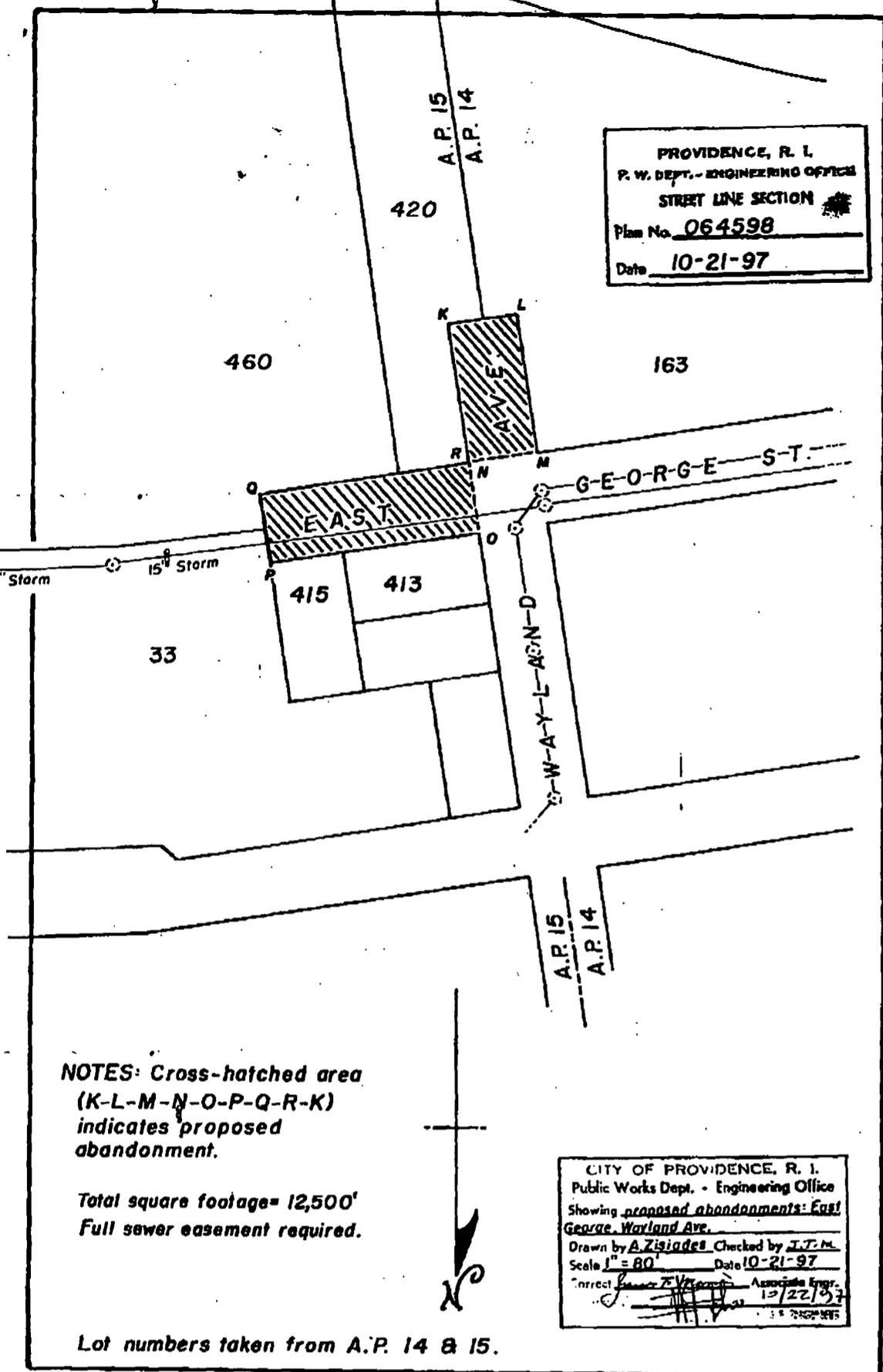
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KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

LOT 33 - 135 PITMAN ST.  
KOFFLER REALTY ASSOC. ONE PROV. WASH. PLAZA

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064598  
 Date 10-21-97



NOTES: Cross-hatched area  
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CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonments: East  
 George, Warland Ave.  
 Drawn by A. Zisades Checked by J.T.M.  
 Scale 1" = 80' Date 10-21-97  
 Corrected by [Signature] Associate Eng. 12/22/97

Lot numbers taken from A.P. 14 & 15.

76B  
 N-46

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*

January 9, 1998

Councilman Robert M. Clarkin  
Committee on Public Works  
City Hall  
25 Dorrance Street  
Providence, R.I. 02903

SUBJECT: Petition for Street Abandonment  
Wayland Avenue and East George Street (P/O)  
Providence, R. I.

Dear Councilman:

We have received a copy of the Petition to the City Council for the abandonment of a portion of Wayland Avenue and East George Street to review as to the potential impact on the Providence Water Supply Board (PWSB) system. Our records indicate that this portion of Wayland Avenue has in place a PWSB 6" water main. PWSB has determined that the portion of the main located in the proposed abandonment area is no longer required.

PWSB has no objection to this action provided that the Petitioner agrees to pay for the cutting and capping of the main by PWSB forces at the tee, which is in the intersection of Wayland and East George Street, and also agrees to reimburse the value of the remaining life of the portion of the removed asset.

With regard to the portion of East George Street, PWSB does not have any water services, mains, or appurtenances installed therein. Accordingly, the PWSB has no objections to the proposed abandonment of this portion of East George Street.

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.  
Syl Pauley, P. E.  
R. Kilduff, P. E.  
M. Clements  
File

ABDN 2

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  
*City Councilwoman*

MARY A. NOCERA  
*Member*

JOSEPH D. CATALDI  
*Member*

October 29, 1997

Robert I. Stolzman, ESQ.  
Adler Pollock & Sheehan Incorporated  
2300 Hospital Trust Tower  
Providence, R.I. 02903

To Whom it May Concern:

We have received a copy of a petition to the City Council for the Abandonment of a portion of the referenced street-between Wayland Avenue and East George Street - from the Providence City

Clerk. It is the Policy of the Providence Water Supply Board to collect a fee, as authorized by the R.I. Public Utilities Commission, to review this type of request. Please forward your check in the amount of \$75.00, made payable to the "City Collector, Providence Water Supply Board", at your earliest convenience . **Our review will commence as soon as we receive payment.**

If you have any questions, please do not hesitate to contact me at (401)521-6300 EXT182

Very truly yours,

Providence Water Supply Board  
Richard O. Rafanovic, P.E.  
Chief Engineer/General Manager

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

By: Peter McCaughlin  
Regulatory Services Program Manager

SP/s

cc: P. Gadoury  
Syl Pauley  
R. Kilduff, P.E.  
M. Clement, City Clerk  
File

*C:\My Files\letters.mpd\XXX\June 10, 1996:1*

NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

October 6, 1997

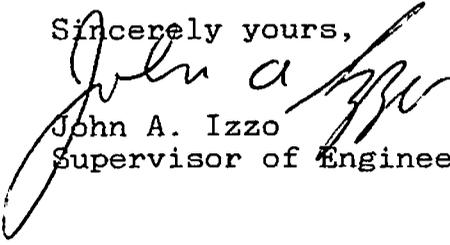
Mr. Michael Clement  
City Clerk  
City Hall  
Providence, R.I., 02903

RE: Abandonment of portion of Wayland Ave. & East George St.

Dear Mr. Clement:

Upon review of all Department of Public Parks plans, and records. It is the conclusion of the Parks Department that the abandonment of a portion of Wayland Ave. & East George St., will in no way effect any Parks Department existing facility, and or future plans for that area.

Sincerely yours,

  
John A. Izzo

Supervisor of Engineering & Planning



IRENE J. TESTA  
Traffic Engineer

VINCENT A. CIANCI, JR.  
Mayor

JOSEPH W. CAPRIO  
Deputy Director

Department of Traffic Engineering  
"Building Pride In Providence"

## MEMORANDUM

TO: COUNCILMAN ROBERT CLARKIN, CHAIRMAN  
COMMITTEE ON PUBLIC WORKS

FROM: IRENE J. TESTA

DATE: OCTOBER 6, 1997

RE: PENDING MATTERS

---

REQUEST: Petition to abandon a portion of Wayland Avenue and  
East George Street.

DISPOSITION: Granted, no objection to said abandonment.

# MEMORANDUM

**DATE:** January 14, 1998

**TO :** Thomas E. Deller, Deputy Director

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

**RE :** STREET ABANDONMENT  
EAST GEORGE AND WAYLAND AVENUE  
AP 14 AND 15

---

Pursuant to your <sup>George + Wayland Avenue</sup> request I have completed an appraisal of the proposed street abandonment on East Ave. The request is from a developer who plans to use this property to enhance his commercial development. The property in question contains 12,500 sq. ft. and is presently in a W-1 commercial and residential zone.

The property would be worth \$8.00 per Ft. If no easements were required. According to Public Works, there will be a full sewer and storm drain easement required. Based on the foregoing the value would be reduced by 60%.

The value in my opinion for this site is as follows:

**12,500 sq. ft. @ \$3.00 per ft. = \$37,500.00**

GEORGE CALCAGNI

Chair



VINCENT A. CIANCI, JR.

Mayor

## PROVIDENCE CITY PLAN COMMISSION

*"Planning the Future of Providence"*

January 6, 1998

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

ATTENTION: Mr. Michael R. Clement, City Clerk ✓

CPC REFERRAL NO. 3117 - Petition to abandon portions of East George Street and Wayland Avenue.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on December 16, 1997, reviewed and evaluated the request from the petitioner, Kofler Realty Associates to abandon a portion of Butler Avenue, East George Street and Wayland Avenue.

The Commission was presented with a plan by the petitioner that included a major development of land off Pitman Street in the vicinity of the East Side Marketplace. The plans received zoning approval and several buildings including a pharmacy, bank, and assisted living units are under construction.

An earlier petition, received in October, requested the abandonment of a portion of Butler Avenue, as well as portions of Wayland Avenue and East George Street. However, after a staff review the Department recommended denial of the abandonment of Butler Avenue from its intersection with Pitman Street to its terminus at the Seekonk River shoreline, because that right-of-way remains one of the last public access points to the waterfront.

In light of this action the petitioner modified the request for abandonment to drop Butler Avenue from consideration and that only the paper street stub ends of Wayland Avenue and East George Street should continue to be considered for abandonment.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission finds no objection to abandoning the portions of Wayland Avenue and the portion of East George Street at Wayland Avenue shown as (A) and

(B), respectively on the attached plan, prepared by the City's Department of Public Works. The Commission also notes its support of the withdrawal of the portion to abandon Butler Avenue and East George Street behind the Salvation Army Building and the proposed abandonment is consistent with *Providence 2000: The Comprehensive Plan*.

Therefore, the City Plan Commission voted to recommend that the City Council approve the amended petition to abandon portions of Butler Avenue and East George Street.

Regards,

A handwritten signature in black ink, enclosed in a hand-drawn oval. The signature is stylized and appears to read 'T. Deller'.

Thomas E. Deller, AICP  
Deputy Director

cc: G. Calcagni, Chair  
Koffler Realty Associates  
R. Stolzman, Esquire

3117 - council letter



Narragansett Electric  
A NEES company

October 15, 1997

Councilman Robert M. Clarkin  
Chairman, Committee on Public Works  
Department of City Clerk  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

Re: Petition to Abandon Portions of Wayland Ave., Butler St., and East George St.

Dear Councilman Clarkin:

The Narragansett Electric Company (NECo) presently has facilities situated in the proposed abandoned portions of Wayland Avenue, Butler Street, and East George Street in the City of Providence. NECo has no objection to the proposed abandonment provided that in the event the street is abandoned, an easement acceptable to NECo will permit the retention of our facilities in their existing locations and the right to access them.

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

Sincerely,

Michael D. DiNezza  
Senior Real Estate Representative



October 14, 1997

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

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF WAYLAND AVENUE AND EAST  
GEORGE STREET.

Dear Sir:

Upon investigation by our Engineering Department, it has been determined that Bell Atlantic formally (Nynex) currently has no facilities on the proposed site to be abandoned.

Very truly yours,

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



January 21, 1998

Ms. Barbara A. Poirier  
Second Deputy City Clerk  
Department of City Clerk  
City of Providence  
Providence, RI 02903

RE: WAYLAND AVENUE AND EAST GEORGE STREET

Dear Ms. Poirier:

Please be advised, Providence Gas Company will need an easement for our utilities located in that portion of Wayland Avenue and East George Street described in your petition for abandonment.

Sincerely,

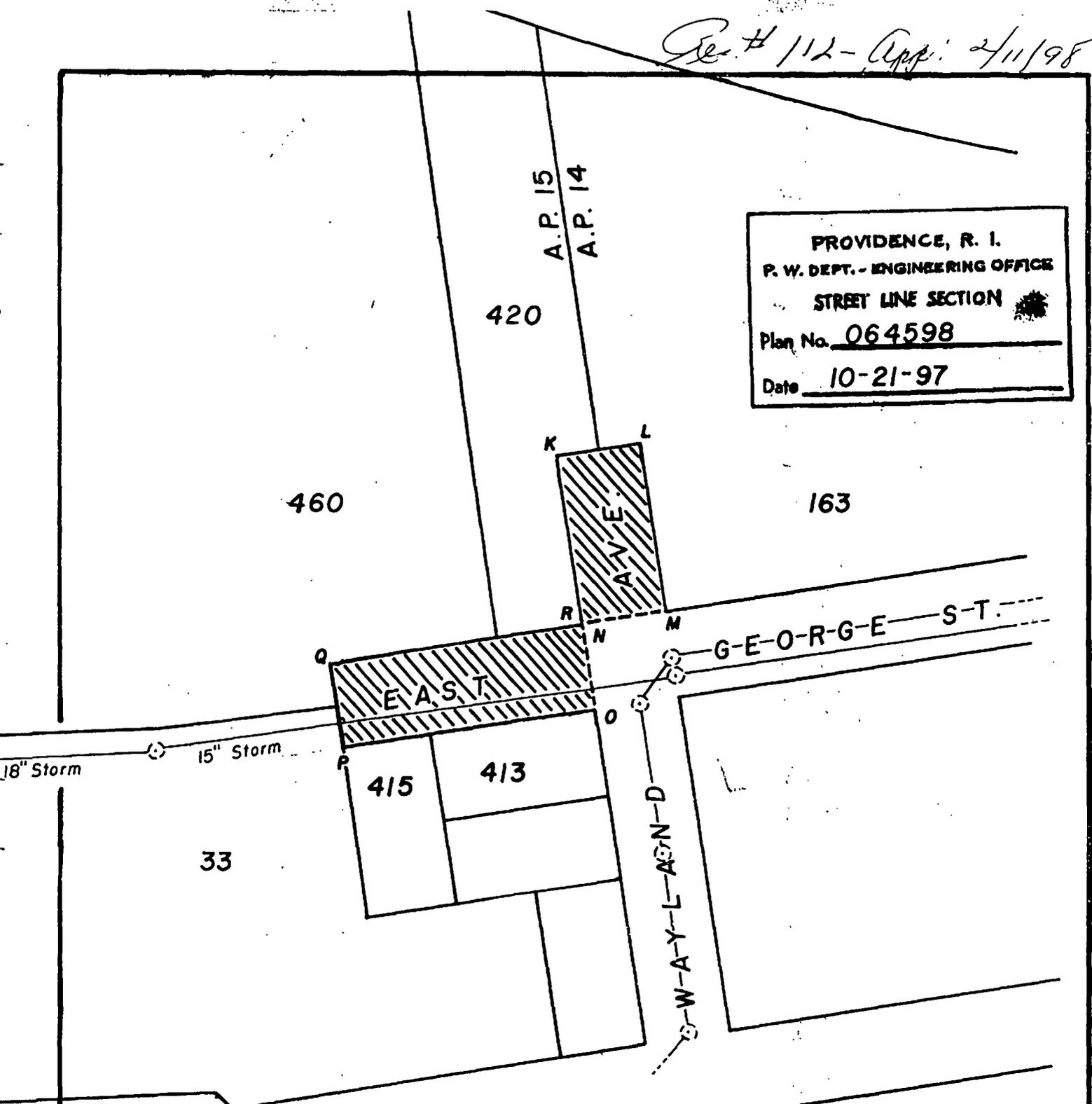
Cynthia M. Radican  
Research Analyst

cc: file



Ref # 112 - App: 2/11/98

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064598  
Date 10-21-97



NOTES: Cross-hatched area (K-L-M-N-O-P-Q-R-K) indicates proposed abandonment.

Total square footage = 12,500'  
Full sewer easement required.



Lot numbers taken from A.P. 14 & 15.

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed abandonments: East George, Wayland Ave.  
Drawn by A. Zisides Checked by J.T.K.  
Scale 1" = 80' Date 10-21-97  
Correct [Signature] Associate Engr. 10/22/97  
DATE ENGINEER

RESOL: WAYLAND  
**RESOLUTION OF THE CITY COUNCIL**

No. 112

*Approved* February 11, 1998

RESOLVED, DECREED AND ORDERED

That the following named street shown as cross-hatched area on the accompanying plan entitled "Providence, Rhode Island Department of Public Works-Engineering Office, street line section Plan No. 064598 dated October 21, 1997.

Viz: Wayland and East George Streets, (portions of) shown on cross-hatched area accompanying plan and designated by the letters (K-L-M-N-O-P-Q-K) having ceased to be useful to the public and its proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

(1) Petitioner shall tender the amount of Thirty Seven Thousand Five Hundred Dollars (\$37,500.00) in legal tender U.S. currency to the City of Providence.

(2) 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 with twenty-four (24) hour access to said facilities, or in the alternative should 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 the 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 (24) 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 city shall retain a full sewer easement acceptable 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 (24) hour access to

said facilities or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

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

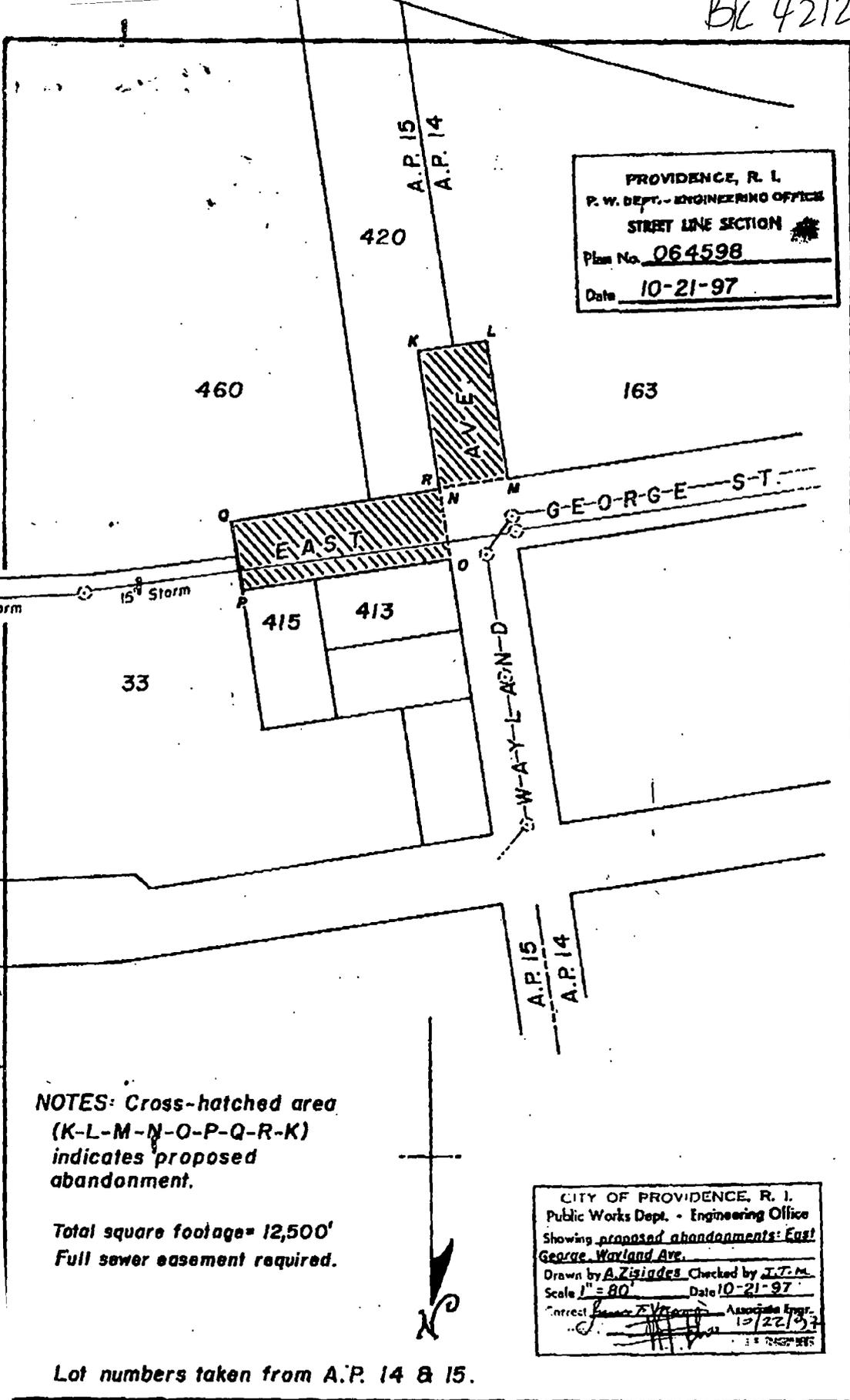


A true copy,  
Attest

*Barbara A. Poirier*  
Barbara A. Poirier  
Second Deputy City Clerk

Blk 4212 / 200' H

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064598  
Date 10-21-97



NOTES: Cross-hatched area (K-L-M-N-O-P-Q-R-K) indicates proposed abandonment.

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CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed abandonments: East  
George Wayland Ave.  
Drawn by A. Zisades Checked by J.T.M.  
Scale 1" = 80' Date 10-21-97  
Corrected by J.V. [Signature] Associate Engr.  
10/22/97

Lot numbers taken from A.P. 14 & 15.

76B  
N-46

Received for Record at 8:35 A in  
OCT 27 1999 Recorder of Deeds

Robert L. Lewis, ESQ

4212/199-200A

C

41749

RECEIVED FOR RECORD  
AT 8 O'CLOCK 35 MIN.  
PROVIDENCE, RI

OCT 27 1999

Witness:

Fee Robert Z. Ricci  
Recorder of Deeds

RESOL: WAYLAND

# RESOLUTION OF THE CITY COUNCIL

No. 112

Approved February 11, 1998

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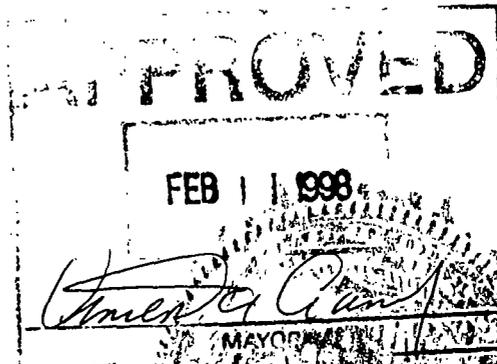
IN CITY COUNCIL  
FEB 5 1998  
READ AND PASSED

*Emilio V. Fargnoli*

PRES.

*Michael R. Clement*

CLERK



FEB 11 1998

*Thomas G. Cianci*

MAYOR

A true copy,

Attest

*Anna M. Stetson*

Anna M. Stetson  
Second Deputy City Clerk

PROVIDENCE, RI  
RECEIVED FOR RECORD  
2002 AUG 16 P 1:03  
BARBARA A. TRONCY  
ACTING RECORDER OF DEEDS  
*Barbara A. Troncy*  
Acting Recorder of Deeds

5279/022-023

PROVIDENCE, RI  
RECEIVED FOR RECORD

2002 AUG 16 P 1:03

BARBARA A. TRONCY  
CLERK  
CLERK OF RECORDS

46193

APR 11 2002

RECORDS SECTION  
CITY OF PROVIDENCE