

# RESOLUTION OF THE CITY COUNCIL

No. 89

Approved February 27, 2013

RESOLVED, DECREED, AND ORDERED:

That the following-named street on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064840, dated February 5, 2013."

VIZ: Cumberland Street, portion of, shown as the areas on the accompanying map and designated by the letters A-B-C-D-A, is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned upon the following:

1. Petitioner agrees to tender the amount of three million eight hundred fifty-two thousand dollars (\$3,852,000.00) in legal tender U.S. currency to the City of Providence over a ten-year period for the portions of Cumberland Street, Wardlaw Avenue, and Huxley Avenue that are the subject of an abandonment petition filed by the Office of the City Solicitor on January 3, 2013.
2. Providence College shall either grant as easement in favor of the Providence Water Supply Board, which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or, in the alternative, should it be determined by Providence College that any such facilities need be relocated in order to comply with an intended use, Providence College shall assume all costs of relocation.
3. Providence College shall accept ownership of the sewer located within the limits of the roadway to be abandoned, up to but not including the existing sewer manhole in the center of Cumberland Street at or near the property boundary between Lots 195 and 196 as shown on Plat Map 81.
4. Providence College shall either grant as easement in favor of Verizon, which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or, in the alternative, should it be determined by Providence College that any such facilities need be relocated in order to comply with an intended use, Providence College shall assume all costs of relocation.

5. Providence College shall comply with city ordinances pertaining to stormwater management, tree canopy, landscaping and lighting, and shall carefully consider modifications to traffic patterns, giving consideration to reasonable, limited access for the convenience of the neighborhood.

6. Providence College shall allow emergency vehicle access to the homes on Cumberland Street and Sandringham Avenue.

7. Providence College shall comply with all conditions contained herein within sixty (60) days from the date of passage.

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; and it is further

ORDERED, following the passage of this Resolution, Providence College shall have a Class I survey prepared by a Professional Land Surveyor, properly licensed by the Board of Registration for Professional Land Surveyors, inasmuch as road abandonments constitute a boundary change pursuant to Informational Bulletin 2003.01 issued by said Board.

**IN CITY COUNCIL**

**FEB 21 2013**

**READ AND PASSED**

  
**PRES.**

  
**ACTING CLERK**

**I HEREBY APPROVE.**

  
**Mayor**

Date: 2/27/13

**CITY OF PROVIDENCE**  
**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

THAT the City Solicitor's Office, on behalf of Providence College ("Petitioner"), respectfully petitions your honorable body for the abandonment pursuant to RIGL §24-6-1 of those public ways located in the City of Providence (the "City") that are described below (hereinafter, the "Street Areas"). This Petition is presented pursuant to and subject to the terms set forth in that proposed 2012 Memorandum of Agreement ("2012 MOA"), between the City of Providence and Providence College that has been executed both by Providence College and by The Hon. Angel Taveras, Mayor, on behalf of the City, and which is presently pending before this honorable body for its review, approval and passage.

As used herein, the term "Street Areas" shall mean, collectively, approximately 80,850 square feet in the following street areas in the City as shown on the exhibits attached to this Petition:

- 1) The "Huxley Avenue Area" – a portion of Huxley Avenue from Lot #229 to Lot #8 in Plat #119
- 2) The "Cumberland Street Area" – from Lot #189 to Lot #195 in Plat #81
- 3) The "Wardlaw Avenue Area" – from Lot #186 to Lot #189 in Plat #81

The Street Areas are shown on Exhibit A and Exhibit B attached hereto and will be more particularly described in a Street Line Section Plan prepared by the Department of Public Works to be provided to the Council prior to the completion of the abandonment requested in this Petition.

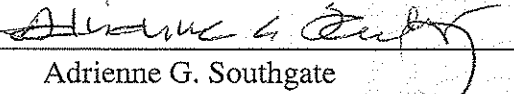
In support of this Petition, Petitioner respectfully represents to this Honorable City Council that the Street Areas are abutted on both sides by land owned by Petitioner and have ceased to be useful to the public.

The Petitioner and the City have each conducted studies with respect to the fair market value of the Street Areas and agreed that said fair market value does not exceed \$3.852 million.

In the event that this Honorable City Council grants this Petition, Petitioner shall acquire title to the Street Areas as petitioned and as proposed in the 2012 MOA and requests that the order or decree issued shall require the City to grant confirmatory deeds as may be reasonably necessary to convey title to the Street Areas to Petitioner.

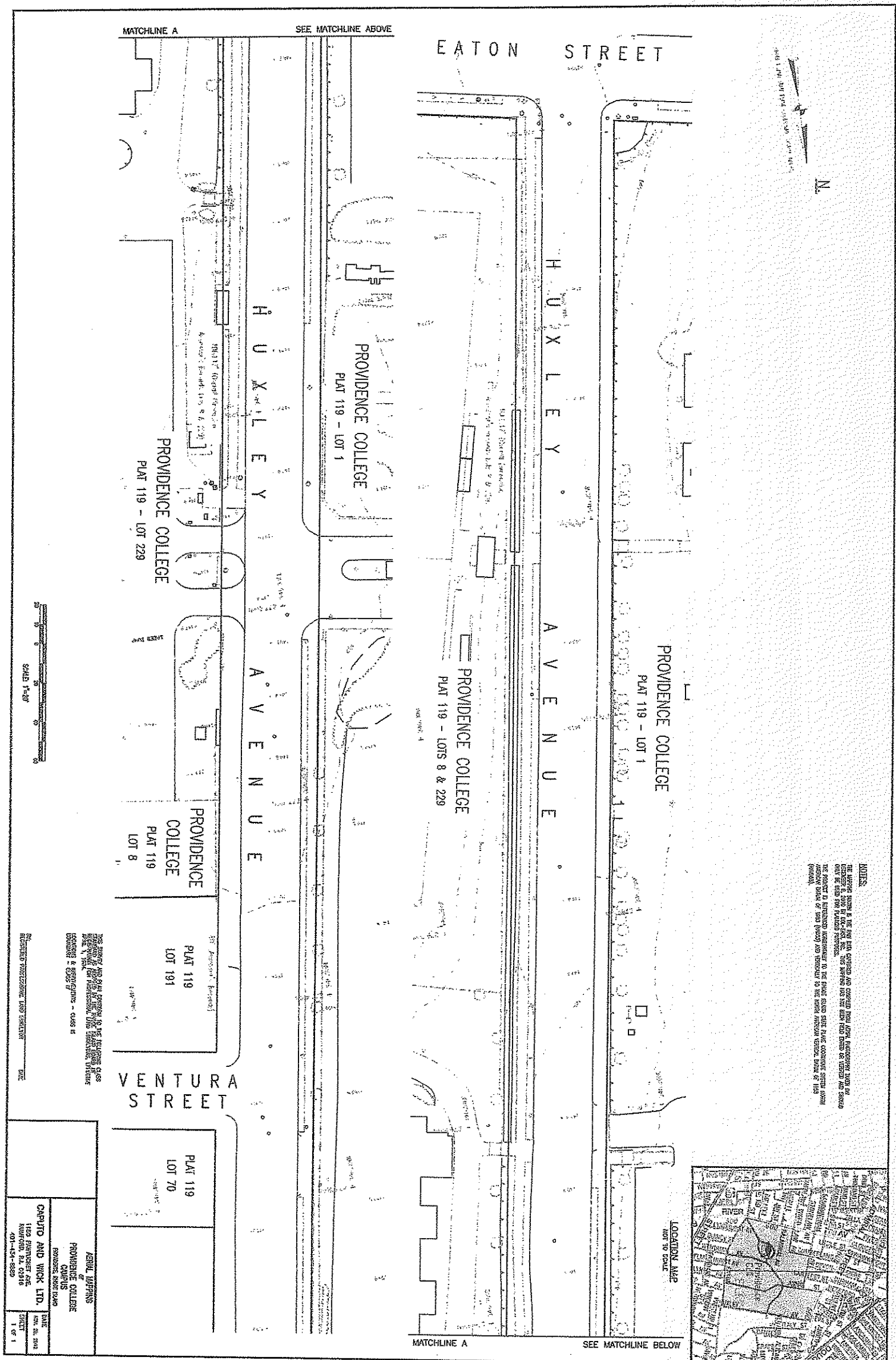
Respectfully Submitted,

PROVIDENCE CITY SOLICITOR'S OFFICE

By:   
Adrienne G. Southgate  
Deputy City Solicitor

January 3, 2012

# EXHIBIT A

[illegible]

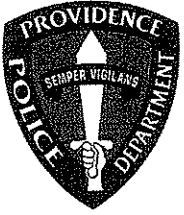
# EXHIBIT B

# Providence College

Cumberland Street

CAPUTO AND WICK LTD  
1150 Pawucket Avenue  
Rumford, Rhode Island 02916  
(401) 434-8880





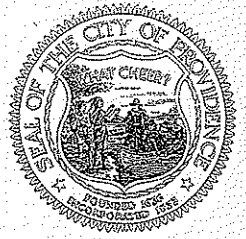
# **PROVIDENCE POLICE DEPARTMENT**

**Colonel Hugh T. Clements**

**Chief of Police**

## **TRAFFIC/PARKING ENFORCEMENT**

*Sergeant Paul F. Zienowicz, Commanding*



1-14-13

To: Anna Stetson, City Clerk  
From: Sgt. Paul Zienowicz, Traffic Services  
Subject: Huxley Ave, Wardlaw Ave, Cumberland St areas

Dear Ms. Stetson,

I have responded to, and inspected the above listed areas for permanent abandonment to Providence College. The areas in question will not be adversely affect traffic by this proposed abandonment.

At this time, the Providence Police Department has no objections to the proposed abandonment as it is represented on the plans provided for review.

Respectfully,

Sgt. Paul Zienowicz

## **Petronio, Sheri**

---

**From:** Dillon, Michael  
**Sent:** Wednesday, February 06, 2013 4:07 PM  
**To:** Petronio, Sheri  
**Subject:** Abandonments

The Providence Fire Department has no objections to the proposed Providence College abandonments as long as there are provisions for emergency vehicles to access Eaton St via Huxley from Admiral St and and there is emergency vehicle access to the homes on Cumberland St and Sandgringham Ave



**MICHAEL DILLON**  
Assistant Chief - Operations  
Providence Fire Department  
325 Washington Street  
Providence, Rhode Island 02903  
401 243 6075 OFFICE  
401 243 6488 FAX  
mdillon@providencert.com  
www.providencert.com

**CITY OF PROVIDENCE**



Department of Public Works  
Engineering Division  
| William C. Bombard PE, Chief Engineer |

February 6, 2013

Honorable Terrence Hassett  
Chairman of the Public Works Committee  
Providence City Council-City Hall  
Providence, R.I. 02903

**RE: Proposed Abandonment of a portion of Huxley Avenue**

Dear Councilman Hassett:

This department has no objection to the proposed abandonment of a portion of Huxley Ave. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064842. Area of abandonment is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

A sewer easement for maintaining an existing storm sewer for the entire length of Huxley Ave. to be abandoned shall be required for the purpose of maintaining, repairing or replacing the main sewer line and manholes, but not the catch basins, basin connections or any other drain.

Total square footage equals 52,928 square feet. ( $\pm$ )  
See accompanying plan for plat and lot numbers.

According to Informational Bulletin 2003.1 issued by 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, property licensed by said board.

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

Very truly yours,

William C. Bombard  
Acting Director

cc: Ann Stetson-City Clerk  
BB, AZ-DPW  
A. Southgate, Esq.- Law Dept.  
D. Quinn- Tax Assessors  
J. Bennett-Planning

PROVIDENCE THE CREATIVE CAPITAL

700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX  
[www.providenceri.com](http://www.providenceri.com)

N.



PROVIDENCE, RI  
P.W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION

Plan No. 064842

Date FEBRUARY 5, 2013

VENTURA STREET

A.P. 119  
LOT 191

50.00'

A.P. 119  
LOT 8

A.P. 81  
LOT 1

H  
U  
X  
L  
E  
Y  
  
A  
V  
E  
N  
U  
E

1056.96'

1060.17'

A.P. 119  
LOT 229

(S)

SEWER MANHOLE

SEWER LINE

NOTE:

CROSS-HATCHED AREA (A-B-C-D-A)  
INDICATES PROPOSED ABANDONMENT OF A  
PORTION OF HUXLEY AVENUE.  
TOTAL SQUARE FOOTAGE = 52,928±.

PARTIAL SEWER EASEMENT REQUIRED.

EATON STREET

50.05'

CITY OF PROVIDENCE, RI  
Public Works Dept. - Engineering Office

Showing proposed abandonment of a portion  
of Huxley Avenue.

Drawn by C&W LTD. Checked by

Scale 1"=120' Date Feb. 5, 2013

Correct Associate Engr.

Approved William C. Barber Chief Engineer





Department of Public Works  
Engineering Division  
| William C. Bombard PE, Chief Engineer |

February 6, 2013

Honorable Terrence Hassett  
Chairman of the Public Works Committee  
Providence City Council-City Hall  
Providence, R.I. 02903

**RE: Proposed Abandonment of a portion of Cumberland Street**

Dear Councilman Hassett:

This department has no objection to the proposed abandonment of a portion of Cumberland St. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064840. Area of abandonment is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

No sewer easement required. The sewer located within the limits of the roadway to be abandoned only serves property of Providence College and shall become a private sewer up to, but not including the existing sewer manhole in the center of Cumberland St. at, or near, the property boundary between Lots 195 and 196, as shown on Plat Map 81.

Total square footage equals 14,250 square feet. (±)  
See accompanying plan for plat and lot numbers.

According to Informational Bulletin 2003.1 issued by 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, property licensed by said board.

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

Very truly yours,

William C. Bombard  
Acting Director

cc: Ann Stetson-City Clerk  
BB, AZ-DPW  
A. Southgate, Esq.- Law Dept.  
D. Quinn- Tax Assessors  
J. Bennett-Planning

PROVIDENCE THE CREATIVE CAPITAL

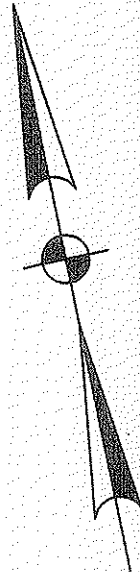
700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX  
[www.providenceri.com](http://www.providenceri.com)

PROVIDENCE, RI  
P.W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION

Plan No. 084840

Date FEBRUARY 5, 2013

N.



SANDRINGHAM AVENUE

A.P. 81  
LOT 196

A.P. 81  
LOT 195

A.P. 81  
LOT 194

A.P. 81  
LOT 193

A.P. 81  
LOT 192

A.P. 81  
LOT 191

A.P. 81  
LOT 190

A.P. 81  
LOT 189

A B  
50.00'

285.00'

285.00'

CUMBERLAND STREET

A.P. 81  
LOT 309

(S)

SEWER MANHOLE

SEWER LINE

NOTE:

CROSS-HATCHED AREA (A-B-C-D-A)  
INDICATES PROPOSED ABANDONMENT OF A  
PORTION OF CUMBERLAND STREET.  
TOTAL SQUARE FOOTAGE = 14,250±.

NO SEWER EASEMENT REQUIRED.

WARDLAW

AVENUE

50.00'

CITY OF PROVIDENCE, RI  
Public Works Dept. - Engineering Office

Showing proposed abandonment of a portion  
of Cumberland Street.

Drawn by C&W LTD. Checked by

Scale 1"=40' Date Feb. 5, 2013

Correct Associate Engr.

Approved *William C. [Signature]*  
Chief Engineer

# Providence College

## Cumberland Street

CAPUTO AND WICK LTD.  
1150 Pawtucket Avenue  
Rumford, Rhode Island 02916  
(401) 434-8880





Department of Public Works  
Engineering Division  
| William C. Bombard PE, Chief Engineer |

February 6, 2013

Honorable Terrence Hassett  
Chairman of the Public Works Committee  
Providence City Council-City Hall  
Providence, R.I. 02903

**RE: Proposed Abandonment of a portion of Wardlaw Avenue**

Dear Councilman Hassett:

This department has no objection to the proposed abandonment of a portion of Wardlaw Ave. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064841. Area of abandonment is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

No sewer easement required. The entire sewer located on Wardlaw Ave., between Lucille St. and Cumberland St., only serves property of Providence College and shall become a private sewer, no longer the responsibility of the City.

Total square footage equals 10,000 square feet. ( $\pm$ )  
See accompanying plan for plat and lot numbers.

According to Informational Bulletin 2003.1 issued by 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, property licensed by said board.

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

Very truly yours,

William C. Bombard  
Acting Director

cc: Ann Stetson-City Clerk  
BB, AZ-DPW  
A. Southgate, Esq.- Law Dept.  
D. Quinn- Tax Assessors  
J. Bennett-Planning

PROVIDENCE THE CREATIVE CAPITAL

700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX  
[www.providenceri.com](http://www.providenceri.com)

PROVIDENCE, RI

P.W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION

Plan No. 084941

Date FEBRUARY 5, 2013

N.

LUCILE STREET

WARDLAW AVENUE

A.P. 81  
LOT 309

A.P. 81  
LOT 186

CHAIN LINK FENCE

A.P. 81  
LOT 188

A.P. 81  
LOT 189

CUMBERLAND STREET

(S)

SEWER MANHOLE

SEWER LINE

40.00'

D

C

A.P. 81  
LOT 309

**NOTE:**

CROSS-HATCHED AREA (A-B-C-D-A)  
INDICATES PROPOSED ABANDONMENT OF A  
PORTION OF WARDLAW AVENUE.  
TOTAL SQUARE FOOTAGE = 10,000±.

NO SEWER EASEMENT REQUIRED.

CITY OF PROVIDENCE, RI

Public Works Dept. - Engineering Office

Showing proposed abandonment of a portion  
of Wardlaw Avenue.

Drawn by C&W LTD. Checked by

Scale 1"=30' Date Feb. 5, 2013

Correct Associate Engr

Approved *William Chaband* Chief Engineer

# Providence College

## Cumberland Street

CAPUTO AND WICK LTD.  
 1150 Pawtucket Avenue  
 Rumford, Rhode Island 02916  
 (401) 434-8880





552 Academy Avenue  
Providence, RI 02908

401-521-6300

[www.provwater.com](http://www.provwater.com)

January 22, 2013

Councilman Terrence M. Hassett  
Providence City Council  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

DEPT. OF CITY CLERK  
PROVIDENCE, RI.

2013 JAN 23 P 3:13

FILED

The Hon. Angel Taveras  
*Mayor*

Boyce Spinelli  
*General Manager*

Subject: Petition for Street Abandonments  
Huxley Avenue, Cumberland Street and Wardlaw Avenue  
Providence, RI

BOARD OF DIRECTORS

Brett P. Smiley  
*Chairman*

Joseph D. Cataldi  
*Vice Chairman*

Michael L. Pearis  
*Ex-Officio*

Michael A. Solomon  
*City Council President*

Michael J. Correia  
*City Councilman*

Andy M. Andujar  
*Member*

Joan S. Badway  
*Member*

Carissa R. Richard  
*Secretary*

William E. O'Gara, Esq.  
*Legal Advisor*

Dear Councilman Hassett:

The referenced Huxley Avenue, Cumberland Street and Wardlaw Avenue Abandonment 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 indicate that active 6-inch water mains run throughout Cumberland Street and Wardlaw Avenue along with an active 12-inch water main also being utilized on Wardlaw Avenue servicing the surrounding neighborhoods. We also have an 8-inch water main running along the Huxley Avenue requested site. On all three above named locations there are active fire hydrants and several water services. Accordingly, these mains, services and hydrants must remain active.

PW has no objection to the street abandonment provided that the Petitioner grants a full utility easement to PW to maintain, construct, repair, etc. the existing water main and its appurtenances and that no permanent construction, whatsoever, be allowed within the easement. The easement shall comprise the entire existing right of way of these public roadways. Actual dimensions and wording of the easement shall be subject to review by PW as to form and content.

If you have any further questions, please feel free to contact me at (401) 521-6300, extension 7215.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

  
Peter J. Pallozzi

Manager – Planning & Development

cc: P. LePage  
J. Brosco  
A. Pion  
A. Stetson, City Clerk  
File

Member  
Rhode Island Water Works Assn.  
New England Water Works Assn.  
American Water Works Assn.  
Water Research Foundation

An EPA WaterSense Partner

Only Tap Water Delivers



**Providence Parks Department**

*"Building Pride in Providence"*

**MEMORANDUM**

**TO:** ANNA STETSON, CITY CLERK  
**FROM:** ROBERT F. MCMAHON, SUPERINTENDENT OF PARKS  
**DATE:** JANUARY 7, 2013  
**RE:** HUXLEY AVENUE AREA ABANDONMENT

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

2013 JAN - 8 P 1:31

FILED

Robert F. McMahon

The Parks Department has no objection to the abandonment of the Huxley Avenue Area from Lot 229 to Lot 8 in Plat 119; the Cumberland Street Area from Lot 189 to lot 195 in Plat 81 and the Wardlaw Avenue area from lot 186 to lot 189 in Plat 81.



**Finance Department**  
**Office of Tax Assessor**  
*"Building Pride In Providence"*

September 13, 2012

Mr. Michael D'Amico  
Chief of Staff  
Director of Administration  
Providence City Hall – Mayor's Office  
25 Dorrance Street  
Providence, RI 02903

***RE: Providence College Abandonment – Huxley, Cumberland & Wardlaw***

Mr. D'Amico –

Pursuant to your request, we have physically inspected the above captioned streets for the purpose of reporting to you our opinion of value in the event of a possible abandonment.

Market value is typically defined as "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently and knowledgeably, and assuming that the price is not affected by undue stimulus".

As requested, we have reviewed several valuation methodologies by which to provide a reasonable and adequately supported value conclusion.

**METHOD #1**

Various recent abandonments within the City of Providence have been researched. They include but are noted limited to the following:

- Briggs Street
- Bond Street
- Shipyard Street
- Harborside Boulevard

The above mentioned abandonments were considered but were not deemed comparable or qualified for a variety of reasons. We did consider the following abandonment as "worthy of mention", but placed limited emphasis on its result:

Read Street was abandoned in 2012 and acquired by Johnson and Wales for \$275,600, or \$65.31/sf.

**City Assessor's Office**  
**25 Dorrance St, Room 208**  
**Providence, Rhode Island 02903**

**(401) 421-7740**

David L. Quinn, II  
City Tax Assessor



Angel Taveras  
Mayor

Finance Department

Office of Tax Assessor  
*"Building Pride In Providence"*

**METHOD 2**

During our research, it was realized that Providence College has acquired approximately sixteen (16) residential properties dating back to 2005. Said properties, hereby attached as "exhibits", are located on either Plat 81 or Plat 119, and are considered "strategically" significant to Providence College. These acquisitions are considered quite valuable on the College's behalf, as they are providing additional parking. Because residential dwellings were razed, at a cost which has been considered, it is reasonable to assume that the price paid was for vacant land.

Based upon these noted transactions, it has been interpolated that \$35.00/SF is reasonable for the abandonments. Thus,

HUXLEY AVENUE	1,060' X 40' = 42,400 SQUARE FEET
WARDLAW AVE NUE	240' X 40' = 9,600 SQUARE FEET
CUMBERLAND STREET	<u>285' X 40' = 11,400 SQUARE FEET</u>
	63,400 SQUARE FEET

$$63,400 \text{ SQUARE FEET} \times \$35.00/\text{SQUARE FOOT} = \$2,219,000$$

TWO MILLION TWO HUNDRED & NINETEEN THOUSAND DOLLARS

\$2,219,000

Sincerely,

David L. Quinn, II  
City Tax Assessor

City Assessor's Office  
25 Dorrance St, Room 208  
Providence, Rhode Island 02903

(401) 421-7740

September 13, 2012

Michael D'Amico  
Chief of Staff  
Director of Administration  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island

RE: PROVIDENCE COLLEGE ABANDONMENT  
HUXLEY, CUMBERLAND & WARDLAW

Mike,

Pursuant to your request, we have physically inspected the above captioned streets for the purpose of reporting to you our opinion of value in the event of a possible abandonment.

Market value is typically defined as "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently and knowledgeably, and assuming that the price is not affected by undue stimulus".

However, in the case of many abandonments, the value sought is not actually "market value", rather "value in use". Inherent in this term is the value as perceived by a specific user, typically an abutter.

As requested, we have reviewed several valuation methodologies by which to provide a reasonable and adequately supported value conclusion.

#### **METHOD #1**

Various recent abandonments within the City of Providence have been researched. They include but are not limited to the following:

- Briggs Street
- Bond Street
- Shipyard Street
- Harborside Boulevard

The above mentioned abandonments were considered but were not deemed reliable or qualified for a variety of reasons.

We did consider the following abandonment as "worthy of mention", but placed limited emphasis on its result:

Read Street was abandoned in 2012 and acquired by Johnson and Wales for \$275,600, or \$65.31/sf.

**METHOD 2**

During our research, it was realized that Providence College has acquired approximately sixteen (16) residential properties dating back to 2005. Said properties, hereby attached as "exhibits", are located on either Plat 81 or Plat 119, and are considered "strategically" significant to Providence College. While said acquisitions are considered quite "speculative" on the college's behalf, several have already proven valuable as providing additional parking. Because residential dwellings were razed, at a cost which has been considered, it is reasonable to assume that the price paid was for vacant land.

Based upon these noted transaction, it has been interpolated that \$35.00/SF is reasonable for the abandonments. Thus,

HUXLEY AVENUE	1,060'	X	40'	=	42,400 SQUARE FEET
WARDLAW AVE NUE	240'	X	40'	=	9,600 SQUARE FEET
CUMBERLAND STREET	285'	X	40'	=	<u>11,400 SQUARE FEET</u>
					63,400 SQUARE FEET

63,400 SQUARE FEET X \$35.00/SQUARE FOOT. = \$2,219,000
---

**TWO MILLION TWO HUNDRED & NINETEEN THOUSAND DOLLARS**

**\$2,219,000**

Img	Chg Type	Name/Corporation	Volume	Page	Type	Rec Date	Rec Time	Ref	Document #
2	PROVIDENCE COLLEGE	07231	214	DEED WARRANTY	04/22/2005	12:26 PM	2005-72310214		
2	PROVIDENCE COLLEGE	07231	217	DEED WARRANTY	04/22/2005	12:29 PM	2005-72310217		
1	PROVIDENCE COLLEGE	07266	1	LIEN MECHANICS	05/06/2005	11:13 AM	2005-72660001		
2	PROVIDENCE COLLEGE	07283	292	DEED EXECUTOR	05/16/2005	12:04 PM	2005-72830292		
2	PROVIDENCE COLLEGE	07481	158	DEED WARRANTY	08/12/2005	11:23 AM	2005-00101688		
1	PROVIDENCE COLLEGE	07507	315	AGREEMENT	08/24/2005	2:59 PM	2005-00103228		
1	PROVIDENCE COLLEGE	08075	239	MORTGAGE	05/31/2006	8:58 AM	2006-00140818		
1	PROVIDENCE COLLEGE	08109	127	BIN	06/15/2006	9:28 AM	2006-00142942		
2	PROVIDENCE COLLEGE	08126	273	DEED WARRANTY	06/23/2006	11:33 AM	2006-00144089		
2	PROVIDENCE COLLEGE	08209	107	AGREEMENT	08/04/2006	1:20 PM	2006-00149488		
2	PROVIDENCE COLLEGE	08356	254	DEED WARRANTY	10/25/2006	2:35 PM	2006-00159482		
2	PROVIDENCE COLLEGE	08356	256	DEED WARRANTY	10/25/2006	2:36 PM	2006-00159483		
2	PROVIDENCE COLLEGE	08356	258	DEED WARRANTY	10/25/2006	2:36 PM	2006-00159484		
2	PROVIDENCE COLLEGE	08356	260	DEED WARRANTY	10/25/2006	2:37 PM	2006-00159485		
2	PROVIDENCE COLLEGE	08356	262	DEED WARRANTY	10/25/2006	2:37 PM	2006-00159486		
1	PROVIDENCE COLLEGE	08709	94	LIEN MECHANICS	06/05/2007	2:03 PM	2007-00184453		
1	PROVIDENCE COLLEGE	08821	80	BIN	08/22/2007	2:09 PM	2007-00192700		
1	PROVIDENCE COLLEGE	08821	84	BIN DISCHARGE	08/22/2007	2:15 PM	2007-00192704		
1	PROVIDENCE COLLEGE	08900	103	NOTICE OF VIOLATION	10/31/2007	2:32 PM	2007-00199319		
2	PROVIDENCE COLLEGE	08947	208	DEED WARRANTY	12/14/2007	1:39 PM	2007-00203286		
1	PROVIDENCE COLLEGE	08950	334	NOTICE OF VIOLATION	12/18/2007	9:51 AM	2007-00203287		
1	PROVIDENCE COLLEGE	08950	335	NOTICE VIOLATION NON	12/18/2007	9:58 AM	2007-00203287		
1	PROVIDENCE COLLEGE	09084	82	RELEASE AGREEMENT	04/30/2008	9:23 AM	2008-00010245		
1	PROVIDENCE COLLEGE	09084	102	MORTGAGE AMENDMENT	04/30/2008	9:24 AM	2008-00010246		
2	PROVIDENCE COLLEGE	09285	133	DEED WARRANTY	12/11/2008	12:22 PM	2008-00029758		
1	PROVIDENCE COLLEGE	09356	51	BIN DISCHARGE	03/05/2009	12:17 PM	2009-00005437		
2	PROVIDENCE COLLEGE	09386	338	DEED WARRANTY	04/10/2009	12:38 PM	2009-00005536		
2	PROVIDENCE COLLEGE	09410	49	LIEN R I TAX DISCHAR	05/08/2009	10:50 AM	2009-00011007		
1	PROVIDENCE COLLEGE	09493	291	LEASE MEMO	08/06/2009	12:44 PM	2009-00019324		
2	PROVIDENCE COLLEGE	09607	249	MORTGAGE DISCHARGE	12/23/2009	11:02 AM	2009-00031621		
1	PROVIDENCE COLLEGE	09637	165	RESOLUTION	01/29/2010	12:46 PM	2010-00002357		
2	PROVIDENCE COLLEGE	09700	35	AGREEMENT	04/26/2010	2:39 PM	2010-00008813		
1	PROVIDENCE COLLEGE	09712	113	RESOLUTION	05/12/2010	11:33 AM	2010-00010063		
2	PROVIDENCE COLLEGE	10079	174	DEED WARRANTY	09/13/2011	8:56 AM	2011-00018625		
1	PROVIDENCE COLLEGE	10113	75	RESOLUTION CITY COUN	10/26/2011	3:14 PM	2011-00022002		
1	PROVIDENCE COLLEGE	10179	142	MORTGAGE AMENDMENT	01/25/2012	10:37 AM	2012-00028553		
1	PROVIDENCE COLLEGE	10244	226	LEASE TERMINATION	04/20/2012	1:31 PM	2012-00035160		
2	PROVIDENCE COLLEGE	10311	234	DEED WARRANTY	07/05/2012	8:48 AM	2012-00041524		
2	PROVIDENCE COLLEGE	10311	237	DEED WARRANTY	07/05/2012	8:52 AM	2012-00041525		

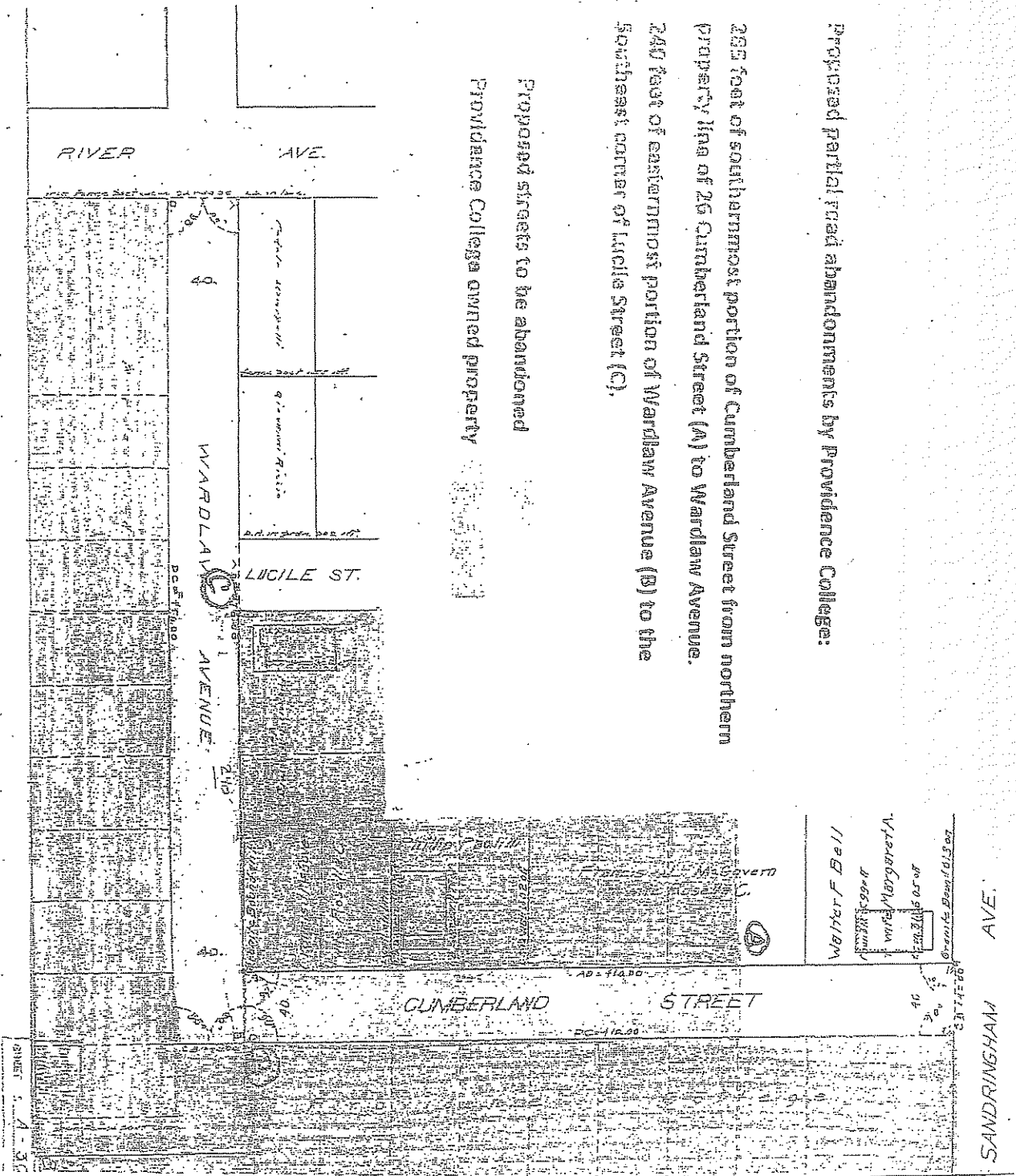
# RECENT "MARKET" ACQUISITIONS BY PROVIDENCE COLLEGE

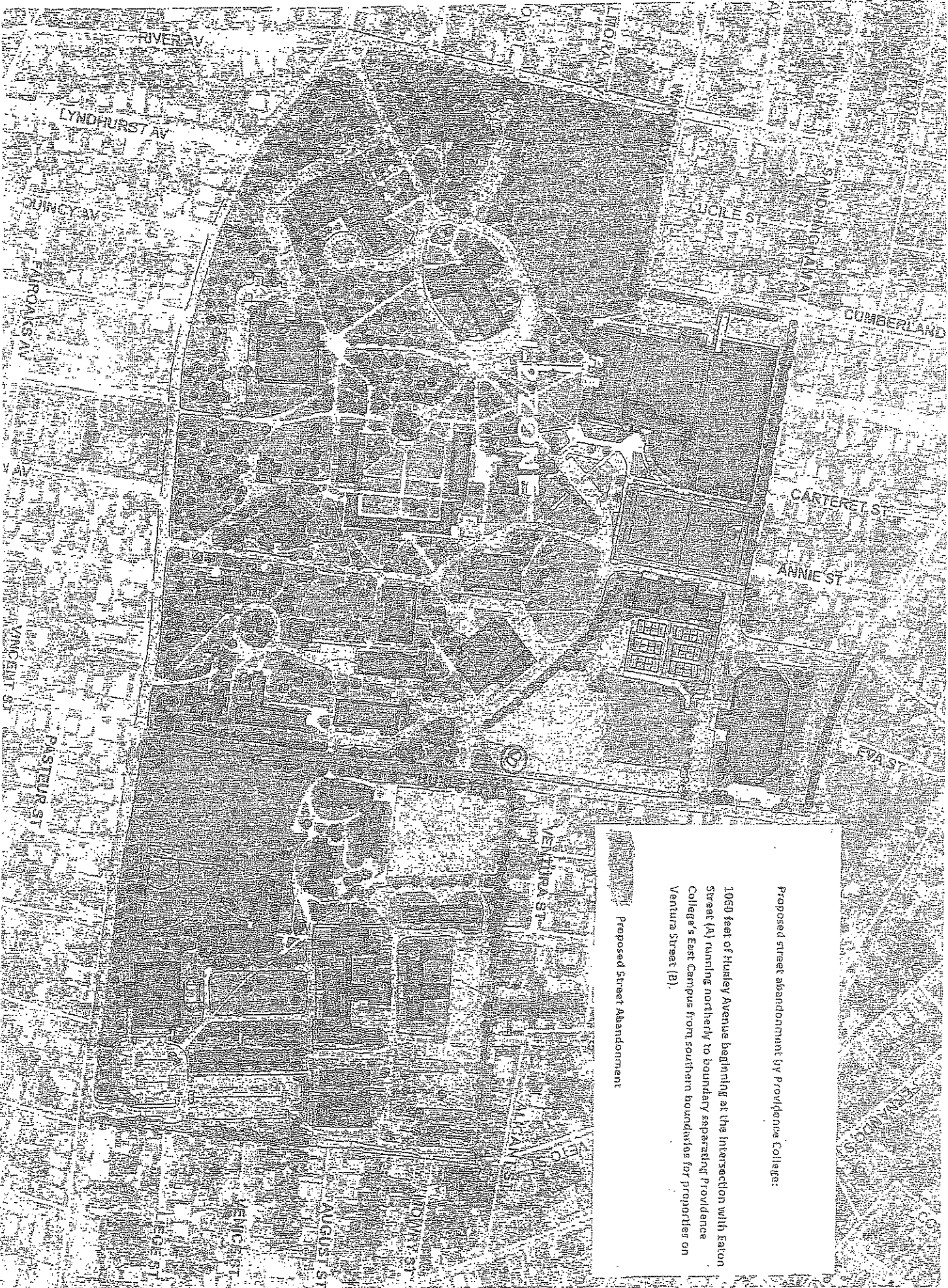
LOCATION	PLAT/LOT	S. PRICE	SALE DATE	DB/PAGE	LOT SIZE	ZONING	PRICE/SF
1 Mowry St.	119/92	\$115,000	7/05/12	10311/237	4,188 sf	Residential 2	\$27.46
43 August St.	119/109	\$ 15,000	7/05/12	10311/234	4,188 sf	Residential 2	\$ 3.58
26 Ventura St.	119/201	\$118,000	9/13/11	10079/174	3,200 sf	Residential 2	\$36.88
95 Dante St.	119/197	\$255,000	4/10/09	9386/338	6,400 sf	Residential 2	\$39.84
101 Dante St.	119/235	\$475,000	12/11/08	9285/133	12,800 sf	Residential 2	\$37.10
31 Annie St.	81/299	\$195,000	12/14/07	8947/3029	3,200 sf	Residential 2	\$60.93
1 Sandringham	81/300	\$235,000	6/23/06	8126/273	6,400 sf	Residential 2	\$36.72
71 Sandringham	81/147-148	\$275,000	8/02/05	7481/158	4,363 sf	Residential 2	\$63.03
58-60 Devonshire	81/140	\$275,000	4/22/05	7231/217	9,877 sf	Residential 2	\$27.74
47 Cumberland St.	81/94	\$250,000	4/22/05	7231/214	10,494 sf	Residential 2	\$23.96
62 Wardlaw Ave	81/186	\$240,000	5/16/05	7283/292	5,270 sf	Residential 2	\$45.54
Wardlaw/Cumb.	81/188-195	\$525,000	1/22/03	5549/064	31,730 sf	Residential 2	\$16.55

Proposed partial road abandonments by Providence College:

- 255 feet of southernmost portion of Cumberland Street from northern property line of 26 Cumberland Street (A) to Wardlaw Avenue.
- 240 feet of easternmost portion of Wardlaw Avenue (B) to the southeast corner of Lucile Street (C).

Proposed streets to be abandoned  
Providence College owned property





Proposed Street Abandonment

Proposed street abandonment by Providence College:

1069 feet of Husley Avenue beginning at the intersection with Eaton Street (A) running northerly to boundary separating Providence College's East Campus from southern boundaries for properties on Ventum Street (B).

Recent "Market" Acquisitions By Providence College



60 Wardlaw St. (Wardlaw/Cumberland Acquisition)  
Vacant Residential  
Used for parking



2 Cumberland St. (Wardlaw/Cumberland Acquisition)  
Vacant Residential  
Used for parking



10 Cumberland St. St. (Wardlaw/Cumberland Acquisition)  
Residential  
House has been removed  
Now vacant lot.



12 Cumberland St. (Wardlaw/Cumberland Acquisition)  
Vacant Residential



18 Cumberland St. (Wardlaw/Cumberland Acquisition)  
Vacant Residential

Recent "Market" Acquisitions By Providence College



20 Cumberland St. (Wardlaw/Cumberland Acquisition)  
Vacant Residential



26 Cumberland St. (Wardlaw/Cumberland Acquisition)  
Residential Single Family  
House has been removed no Vacant Lot



64 Sandringham St.  
Single Family Residential  
Rental Property

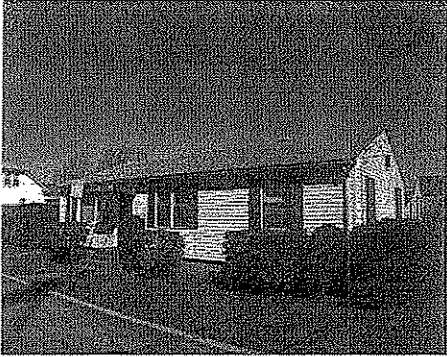


2 Ventura St.  
Single Residential  
Rental Property (Vacant)  
Demolition Request Filed



6 Ventura St.  
Vacant Residential

## Recent "Market" Acquisitions By Providence College



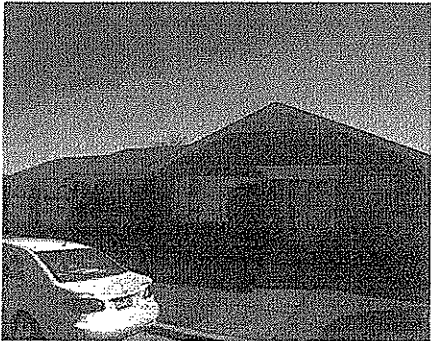
1 Sandringham St.  
Single Family Residential  
Rental Property



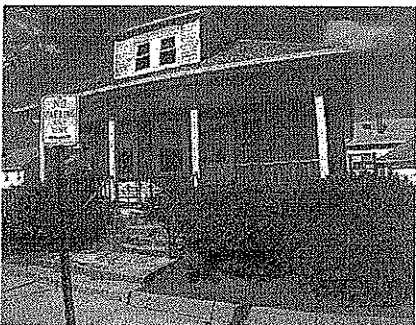
71 Sandringham St.  
Single Family Residential  
Rental Property (Randall Chair House)



58/60 Devonshire St.  
Multi- Family Residential  
Rental Property

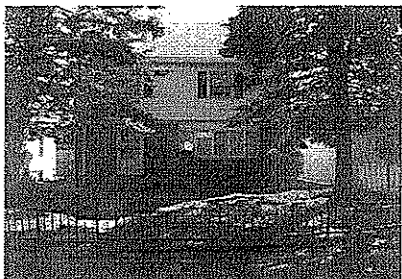


47 Cumberland St.  
Residential Single Family  
Rental Property

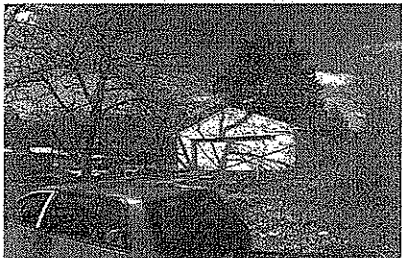


62 Wardlaw St.  
Residential  
Rental Property

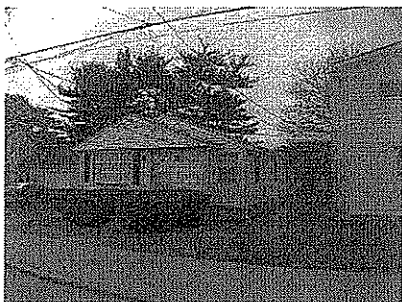
Recent “Market” Acquisitions By Providence College



1 Mowry St.  
Residential Single Family  
Rental Property



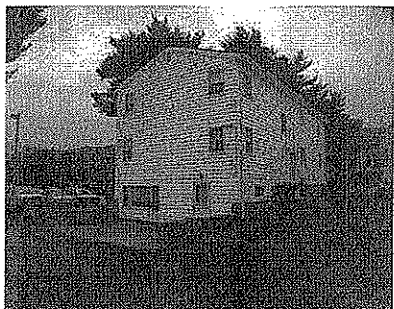
43 August St.  
Residential Lot with garage for 1 Mowry St.



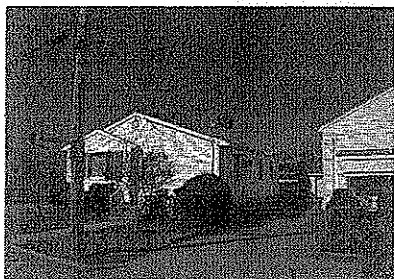
26 Ventura St. St.  
Single Family Residential  
Rental Property



101 Dante St.  
Multiple Family (6 units) Residential  
Rental Property



95 Dante St.  
Multi family Residential  
Rental Property



31 Annie St.  
Single Family Residential  
Rental Property



City Plan Commission  
Angel Taveras, Mayor

January 23, 2013

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

Attn: Anna Stetson

Re: Referral 3359 - Petition to abandon portions of Cumberland Street, Huxley Avenue  
and Wardlaw Avenue

Petitioner: Providence College

Dear Councilman Hassett:

At a regular meeting of the City Plan Commission (CPC) held on January 15, 2013, the CPC considered the proposal by the petitioner to abandon portions of Cumberland Street, Huxley Avenue and Wardlaw Avenue. The CPC made a positive recommendation as detailed below.

The applicant proposed that the City collectively abandon portions the following street areas:

- i. Huxley Avenue — The portion of Huxley Avenue adjacent to AP 119 lot 229 and lot 8
- ii. Cumberland Street — The portion of Cumberland Street adjacent to AP 81 lot 189 and lot 195
- iii. Wardlaw Avenue — The portion of Wardlaw Avenue adjacent to AP 81 lot 186 and Lot 189

Abandonment of the street areas is subject to the terms of the memorandum of agreement between the petitioner and the City. The fair value of the street area has been determined to be approximately \$3.8 million.

DEPARTMENT OF PLANNING AND DEVELOPMENT  
44- West Cumberland Street Providence, RI 02903  
P 1-800-841-0000 • 401-863-2490 fax  
[www.providenceri.com](http://www.providenceri.com)

## FINDINGS OF FACT

The CPC 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.*

Huxley Avenue: The portion of Huxley Avenue proposed for abandonment fronts the area between lots 229 and 8. The applicant owns property on both sides of the proposed abandonment area.

Cumberland Street and Wardlaw Avenue: The abandonment areas for Cumberland Street and Wardlaw Avenue are adjacent to each other. The proposed abandonment area for Cumberland Street is between lot 189 and 195. The abandonment area for Wardlaw Avenue lies between lots 186 to 189. The applicant owns property on both sides of the abandonment areas.

As the abandonment areas are adjacent to property owned by the applicant, the CPC found that provision of vehicular access and promotion of pedestrian activity in these areas could improve circulation around campus. The CPC found that if access to the streets was not impeded and walking was encouraged, the proposed abandonments would not be contrary to the public interest.

2. *No negative impact is evident on existing land uses, future plans, zoning, safety, health or welfare of the community by the proposed abandonment.*

The CPC found that no negative impacts are expected.

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

The applicant owns the land abutting the abandonment area.

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

The CPC found that access to neighboring properties would not be affected as the applicant owns all the property surrounding the abandonment area.

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.*

It is unknown whether public services or facilities need to be protected, provided or maintained within the right of way. The petitioner has stated that modifications to traffic patterns and reasonable, limited access to the abandonment area for the convenience of the neighborhood will be considered.

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.*

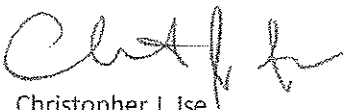
Petitions and plans have been provided. The CPC found that the abandonments and the memorandum of agreement are in conformance with *Providence Tomorrow: The Comprehensive Plan* and the Zoning Ordinance

#### RECOMMENDATION

The CPC voted to advise the Committee on public works that the petition be approved subject to the following conditions:

1. The petitioner shall comply with city ordinances pertaining to stormwater management, tree canopy, landscaping and lighting.
2. The petitioner shall carefully consider modifications to traffic patterns and consideration shall be given to reasonable, limited access for the convenience of the neighborhood.

Sincerely,



Christopher J. Ise  
Administrative Officer

cc: Anna Stetson, City Clerk  
Mark Rapoza, Providence College

February 7, 2013

Lori L. Hagan  
Second Deputy City Clerk  
25 Dorrance Street  
Providence, Rhode Island 02903

Attn: Ms. Lori L. Hagan

RE: PETITION TO ABANDON A PORTION OF HUXLEY AVENUE &  
CUMBERLAND STREET

Upon investigation by our in house Engineer-Juan Hernandez it has been determined that Verizon presently has aerial facilities on said Huxley Avenue & Cumberland Street to be abandoned.

These facilities include a pole line with cables and wires that provides service to the surrounding area.

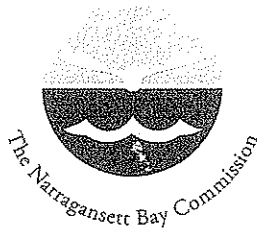
Verizon will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.


Very truly yours,

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

<http://www.narrabay.com>



Raymond J. Marshall, P.E.  
Executive Director

  
John Zuba  
Permits and Planning Manager

[illegible]