

RESOLUTION OF THE CITY COUNCIL

No. 88

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. 064842, dated February 5, 2013."

VIZ: Huxley Avenue, 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 grant an easement to the City of Providence to allow maintenance, repair or replacement of the main sewer line and manholes located within Huxley Avenue, but not the catch basins, basin connections or any other drain.

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 acknowledge its agreement with the Providence Fire Department to provide fire and emergency access to and from Eaton Street via Huxley Avenue from Admiral Street.

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


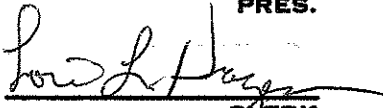
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner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

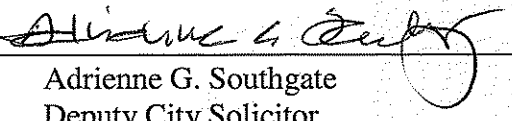
In support of this Petition, Petitioner respectfully represents to this Honorable City Council that the Street Areas are abutted on both sides by land owned by Petitioner and have ceased to be useful to the public.

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.

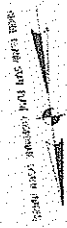
Respectfully Submitted,

PROVIDENCE CITY SOLICITOR'S OFFICE

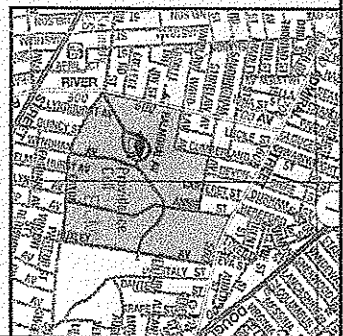
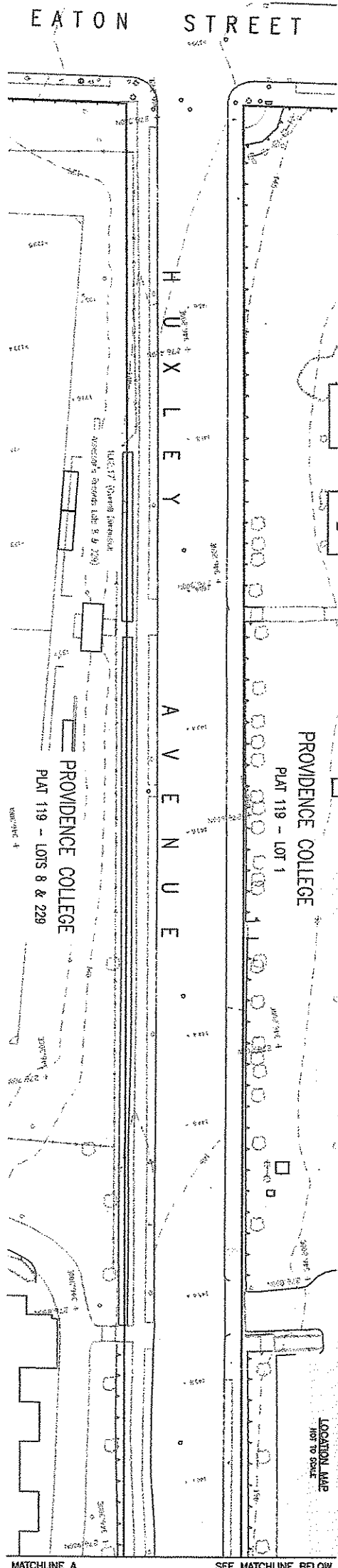
By: 
Adrienne G. Southgate
Deputy City Solicitor

January 3, 2012

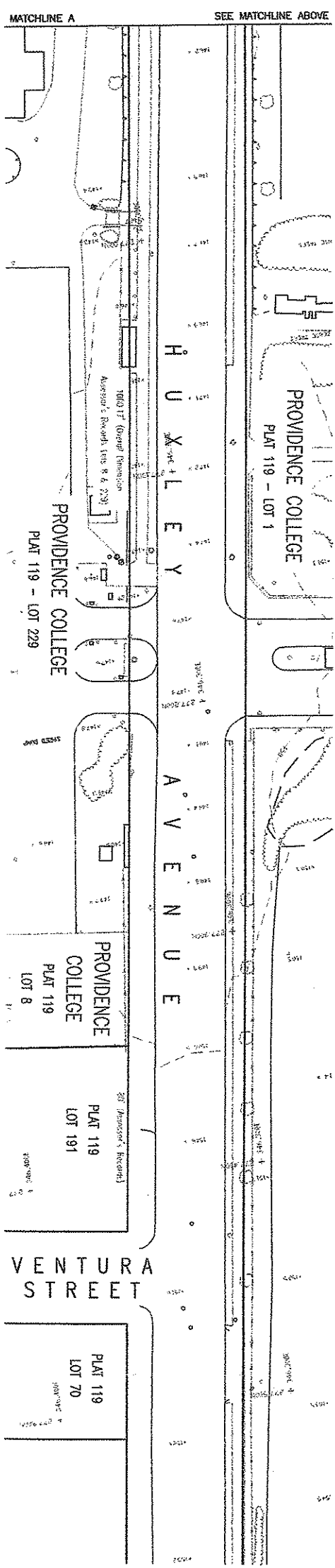
EXHIBIT A



N



NOTES:
THE ABOVE MAP IS THE BEST AVAILABLE AND SHOWN FROM AERIAL PHOTOGRAPHY TAKEN IN
DECEMBER 1, 1950 BY C. L. LEE, JR. THE MAP SHOWS THE BEST AVAILABLE PHOTO OF THE CAMPUS
AND SHOULD BE USED FOR PLANNING PURPOSES.
THE PROJECT IS SUBMITTED IN ACCORDANCE WITH THE STATE PLANNING ACT, CHAPTER 100, SECTION 100.01
AND THE AMERICAN BUREAU OF LAND SURVEYING AND VERIFICATION TO THE SOUTH AMERICAN BUREAU OF LAND
(1950).



SCALE 1"=20'

THIS MAP AND PLAN PREPARED BY THE SURVEYING CLASS
OF PROVIDENCE COLLEGE, PROVIDENCE, RHODE ISLAND
AND THE PROFESSIONAL LAND SURVEYOR, PROVIDENCE
REVISIONS & REVISIONS - CLASS 10

PROVIDENCE COLLEGE LAND SURVEYOR DATE

AERIAL MAPPING OF PROVIDENCE COLLEGE CAMPUS PROVIDENCE, RHODE ISLAND	
CAPUTO AND WICK LTD. 120 PROVIDENCE AVENUE PROVIDENCE, R.I. 02916 401-431-6860	DATE NOV. 26, 1952 SHEET 1 OF 1

EXHIBIT B

Providence College

Cumberland Street

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





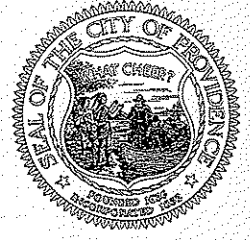
PROVIDENCE POLICE DEPARTMENT

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 | Paul J. Thompson, Director

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. (±)
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

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

H
U
X
L
E
Y

A
V
E
N
U
E

A.P. 81
LOT 1

1056.96'

1060.17'

A.P. 119
LOT 229



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

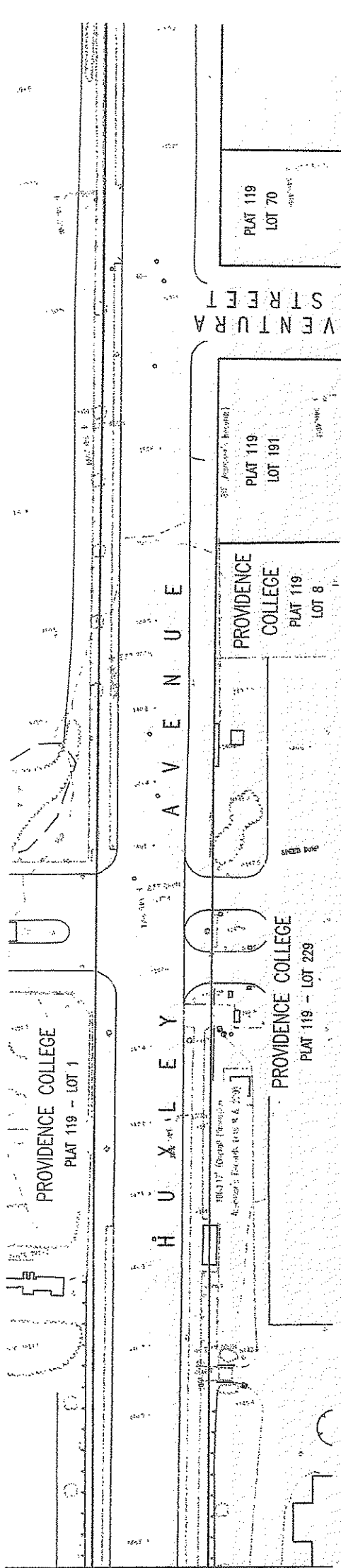
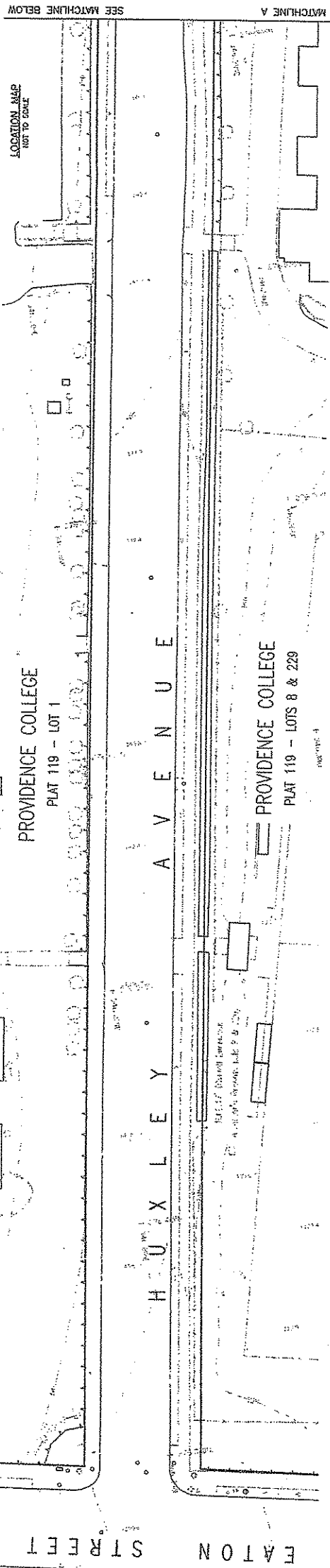
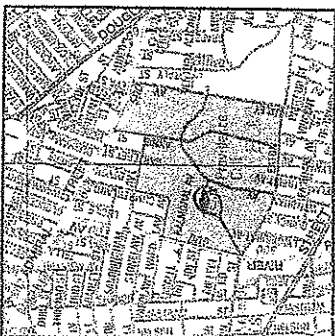
Correct

Approved *William C. Berman* Associate Engr.
Chief Engineer

NOTES:

THE MAPS SHOWN IN THE PLAN AREA COPIED AND DERIVED FROM AERIAL PHOTOGRAPHY TAKEN ON
SEPTEMBER 1, 1964, BY THE U.S. AIR FORCE. THIS MAPS HAS NOT BEEN FIELD CHECKED OR VERIFIED AND SHOULD
NOT BE USED FOR PLANNING PURPOSES.
THE PROJECT IS REFERENCED HEREIN TO THE RIGHT HAND SIDE PLANE COORDINATE SYSTEM HAVING
THE ORIGIN POINT OF 1000 (EAST) AND 1000 (NORTH) TO THE RIGHT HAND SIDE PLANE OF 1000
(EAST)

N



THE PROJECT IS REFERENCED TO THE RIGHT HAND SIDE PLANE COORDINATE SYSTEM HAVING THE ORIGIN POINT OF 1000 (EAST) AND 1000 (NORTH) TO THE RIGHT HAND SIDE PLANE OF 1000 (EAST)



SCALE 1"=50'

AERIAL MAPPING	
PROVIDENCE COLLEGE	DATE
CAMPUS	NOV. 20, 1964
PROPOSED BASE MAP	SHEET
CAPUTO AND WICK LTD.	1 OF 1
1100 BENTLEY AVE.	
NUMERO, N.A. 02416	
401-451-9880	

ALBERTA PROFESSIONAL LAND SURVEYOR DATE



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

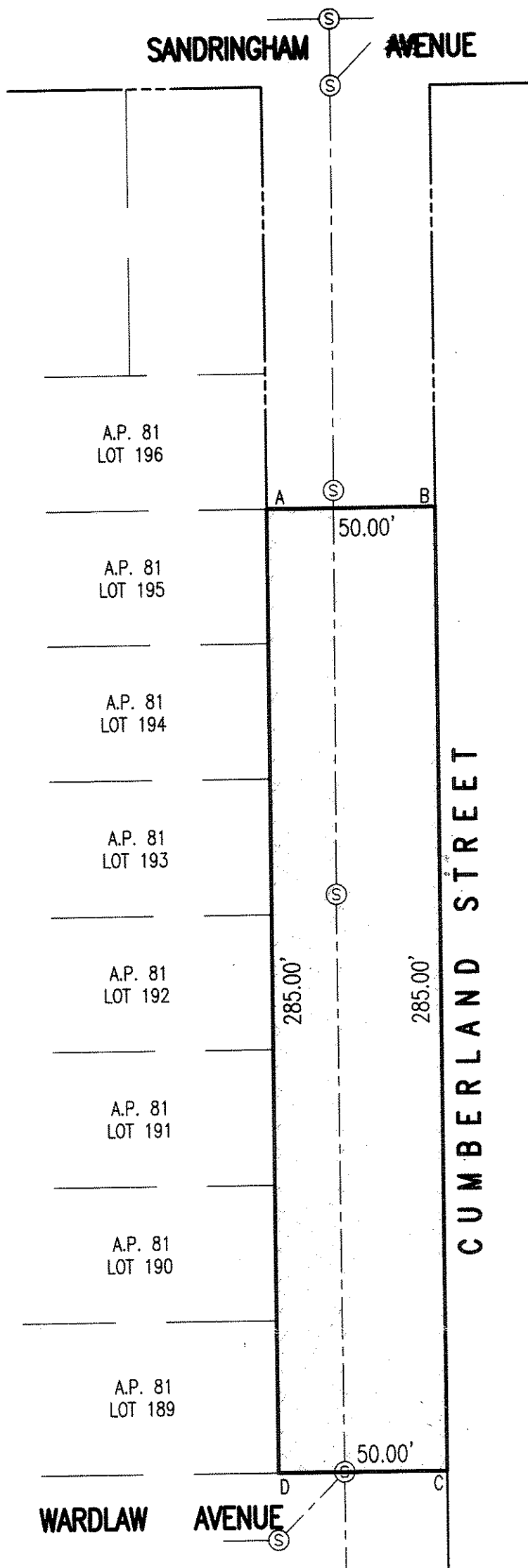
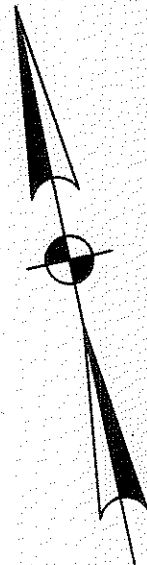
700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX
www.providenceri.com

PROVIDENCE, RI
P.W.DEP'T. - ENGINEERING OFFICE
STREET LINE SECTION

Plan No. 064840

Date FEBRUARY 5, 2013

N.



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.

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. Barbour*
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

700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX
William C. Bombard PE, Chief Engineer | David E. Blum PE, Deputy 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

PROVIDENCE, RI

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

Plan No. 064841

Date FEBRUARY 5, 2013

N.

LUCILE STREET

WARDLAW AVENUE

A.P. 81
LOT 309

A.P. 81
LOT 186

A.P. 81
LOT 188

A.P. 81
LOT 189

A.P. 81
LOT 309

CUMBERLAND STREET

Ⓢ

SEWER MANHOLE

SEWER LINE

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 C. Bland* 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

The Hon. Angel Taveras
Mayor

Boyce Spinelli
General Manager

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

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

January 22, 2013

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

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

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

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

2013 JAN 23 P 3:13

FILED



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 1:30

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 SQUARE FEET X \$35.00/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

Img	Chg	Type	Name/Corporation	Volume	Page	Type	Rec Date	Rec Time	Ref	Document #
Flg									Flg	
00	2		PROVIDENCE COLLEGE	07231	214	DEED WARRANTY	04/22/2005	12:26 PM		2005-72310214
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00	1		PROVIDENCE COLLEGE	07266	1	LIEN MECHANICS	05/06/2005	11:13 AM		2005-72660001
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00	1		PROVIDENCE COLLEGE	08075	239	MORTGAGE	05/31/2006	8:58 AM		2006-00140610
00	1		PROVIDENCE COLLEGE	08109	127	BIN	06/15/2006	9:28 AM	✓	2006-00142942
00	2		PROVIDENCE COLLEGE	08126	273	DEED WARRANTY	06/23/2006	11:33 AM		2006-00144088
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00	2		PROVIDENCE COLLEGE	08356	254	DEED WARRANTY	10/25/2006	2:35 PM		2006-00158482
00	2		PROVIDENCE COLLEGE	08356	256	DEED WARRANTY	10/25/2006	2:36 PM	✓	2006-00158483
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00	2		PROVIDENCE COLLEGE	08356	260	DEED WARRANTY	10/25/2006	2:37 PM		2006-00158485
00	2		PROVIDENCE COLLEGE	08356	262	DEED WARRANTY	10/25/2006	2:37 PM		2006-00158486
00	1		PROVIDENCE COLLEGE	08709	94	LIEN MECHANICS	06/05/2007	2:03 PM		2007-00184453
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00	✓ 1		PROVIDENCE COLLEGE	08821	84	BIN DISCHARGE	08/22/2007	2:15 PM	✓	2007-00192704
00	1		PROVIDENCE COLLEGE	08900	103	NOTICE OF VIOLATION	10/31/2007	2:32 PM		2007-00199319
00	2		PROVIDENCE COLLEGE	08947	208	DEED WARRANTY	12/14/2007	1:39 PM		2007-00203029
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00	1		PROVIDENCE COLLEGE	08950	335	RELEASE AGREEMENT	04/30/2008	9:23 AM	✓	2008-00010245
00	1		PROVIDENCE COLLEGE	09084	82	MORTGAGE AMENDMENT	04/30/2008	9:24 AM	✓	2008-00010246
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00	1		PROVIDENCE COLLEGE	09356	51	BIN DISCHARGE	03/05/2009	12:17 PM	✓	2009-00005437
00	2		PROVIDENCE COLLEGE	09386	338	DEED WARRANTY	04/10/2009	12:38 PM		2009-00006636
00	2		PROVIDENCE COLLEGE	09410	49	LIEN R I TAX DISCHAR	05/08/2009	10:50 AM		2009-00011007
00	1		PROVIDENCE COLLEGE	09493	291	LEASE MEMO	08/06/2009	12:44 PM		2009-00019324
00	2		PROVIDENCE COLLEGE	09607	249	MORTGAGE DISCHARGE	12/23/2009	11:02 AM	✓	2009-00031521
00	1		PROVIDENCE COLLEGE	09637	165	RESOLUTION	01/29/2010	12:46 PM		2010-00002357
00	2		PROVIDENCE COLLEGE	09700	35	AGREEMENT	04/26/2010	2:39 PM	✓	2010-00008813
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00	1		PROVIDENCE COLLEGE	10113	75	RESOLUTION CITY COUN	10/26/2011	3:14 PM		2011-00022002
00	1		PROVIDENCE COLLEGE	10179	142	MORTGAGE AMENDMENT	01/25/2012	10:37 AM	✓	2012-00028553
00	1		PROVIDENCE COLLEGE	10244	225	LEASE TERMINATION	04/20/2012	1:31 PM	✓	2012-00035168
00	2		PROVIDENCE COLLEGE	10311	234	DEED WARRANTY	07/05/2012	8:48 AM		2012-00041524
00	2		PROVIDENCE COLLEGE	10311	237	DEED WARRANTY	07/05/2012	8:52 AM		2012-00041526

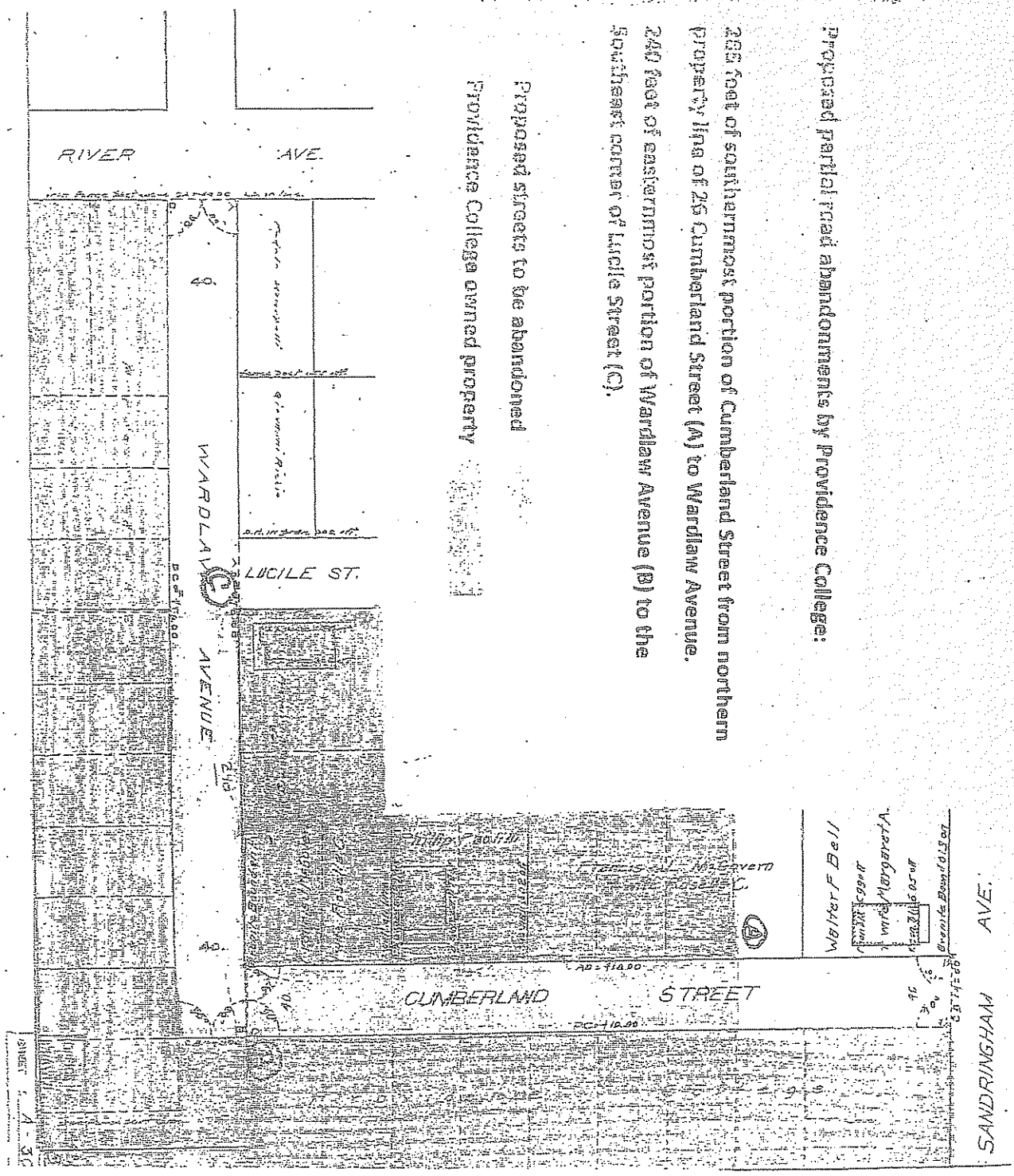
RECENT "MARKET" ACQUISITIONS BY PROVIDENCE COLLEGE

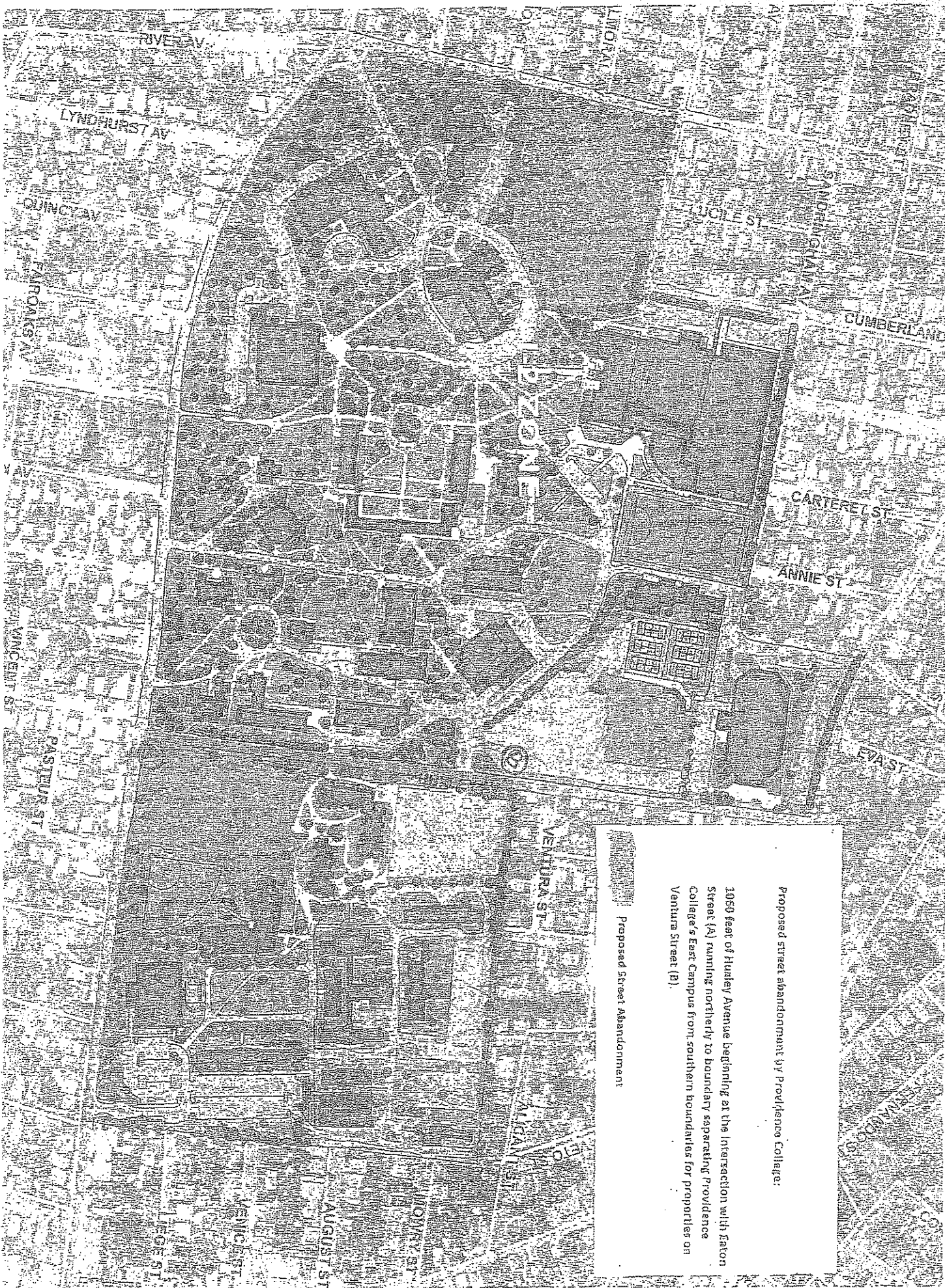
LOCATION	PLAY/LOT	S. PRICE	SALE DATE	DB/PAGE	LOT SIZE	ZONING	PRICE/SF
1 Mowry St.	119/92	\$115,000	7/05/12	10311/237	4,188 sf	Residential 2	\$27.46
43 August St.	119/109	\$ 15,000	7/05/12	10311/234	4,188 sf	Residential 2	\$ 3.58
26 Ventura St.	119/201	\$118,000	9/13/11	10079/174	3,200 sf	Residential 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:

265 foot of southernmost portion of Cumberland Street from northern property line of 25 Cumberland Street (A) to Wardlaw Avenue.
240 foot 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:

1060 feet of Hurley 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 Ventura 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)

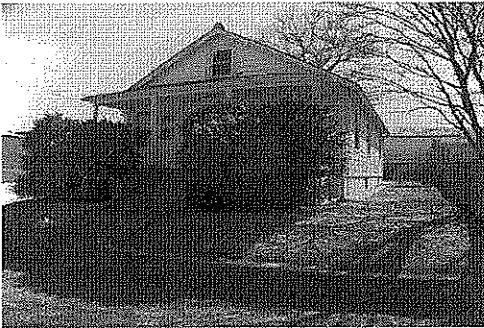
Vacant Residential



26 Cumberland St. (Wardlaw/Cumberland Acquisition)

Residential Single Family

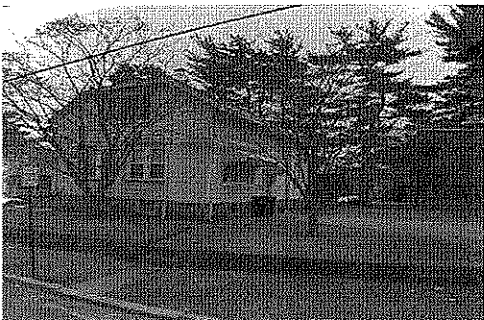
House has been removed no Vacant Lot



64 Sandringham St.

Single Family Residential

Rental Property

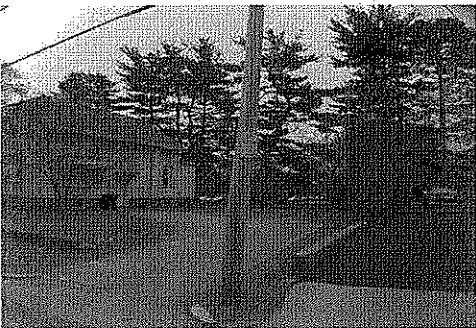


2 Ventura St.

Single Residential

Rental Property (Vacant)

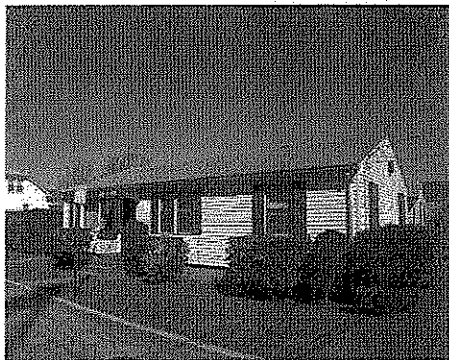
Demolition Request Filed



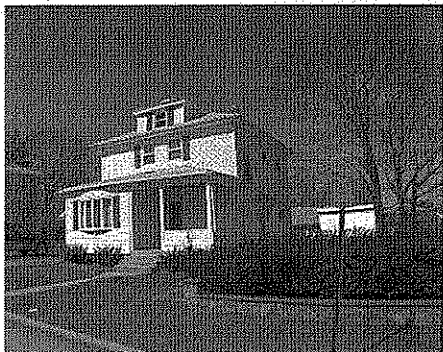
6 Ventura St.

Vacant Residential

Recent "Market" Acquisitions By Providence College



1 Sandringham St.
Single Family Residential
Rental Property



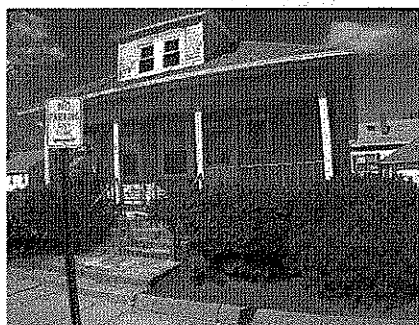
71 Sandringham St.
Single Family Residential
Rental Property (Randall Chair House)



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

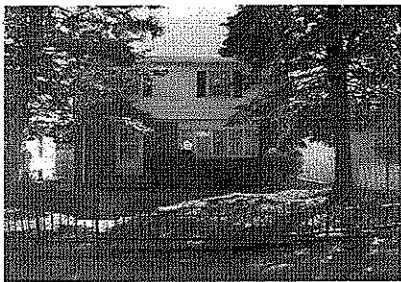


47 Cumberland St.
Residential Single Family
Rental Property



62 Wardlaw St.
Residential
Rental Property

Recent “Market” Acquisitions By Providence College



1 Mowry St.
Residential Single Family
Rental Property



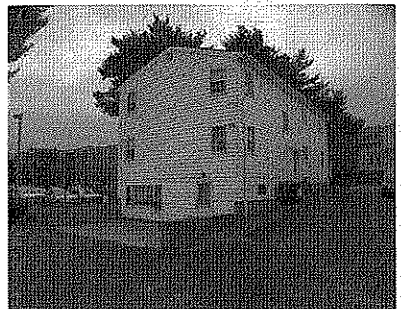
43 August St.
Residential Lot with garage for 1 Mowry St.



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
444 Westminster Street, Providence, Rhode Island 02903
401-680-6400 ext. 1, 401-680-8492 fax
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.*

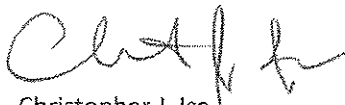
Petitions and plans have been provided. The CPC found that the abandonments and the memorandum of agreement are in conformance with *Providence Tomorrow: The Comprehensive Plan* and the Zoning Ordinance

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.

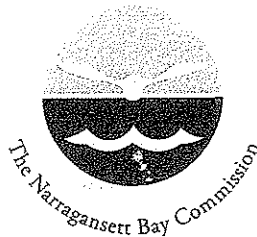
Verizon will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with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