

Presented by
Re. 605
Sept. 15, 2000

RESOLUTION OF THE CITY COUNCIL

No. 643

Approved November 22, 1996

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works-Engineering Office, Street Line Section Plan No. 064547 dated April 11, 1996.

VIZ:

BRUSH HILL ROAD, (portions of), shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public and is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned precedent upon the following: (1) Petitioner shall tender the amount of Five Thousand Dollars (\$5,000.00) in legal tender U.S. to the City of Providence, (2) The Petitioner shall convey an easement acceptable to NYNEX 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 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) Any construction that might be undertaken on the premises shall be done in accordance with existing rule, regulation and law, (4) The Petitioner fully understands (and manifests that understanding by taking any affirmative action with respect to the abandoned area) that the extension of any utilities shall be at his or her own expense, (5) Petitioner shall make a reasonable effort to secure the approval of the owner(s) of lots 238 and 239 in accordance with the vote of the City Plan Commission. And it is further

ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place 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

IN CITY COUNCIL

Nov. 21, 1996
FIRST READING

REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement CLERK

THE COMMITTEE ON

Public Works

Recommends *P.H.*

Richard A. Quinn

Clerk

P.H. Lee

7/2/96

THE COMMITTEE ON
PUBLIC WORKS

Approves Passage of
The Within Resolution

Richard A. Quinn

Clerk

10/10/96

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
 NOV 21 1996
 READ AND PASSED
Evelyn V. Fargnoli
 PRES.
Michael S. Clement
 CLERK

APPROVED
 NOV 22 1996
Vincent A. Lanni
 MAYOR

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:

TO ABANDON A PORTION OF BRUSH HILL ROAD

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
94	233	Orlando Passaretta 200 Ortoleva Drive Providence, RI 02908
94	234	Dino Passaretta 200 Ortoleva Drive Providence, RI 02908
94	235	Roberto D. Passaretta 200 Ortoleva Drive Providence, RI 02908
94	237	Orlando Passaretta 200 Ortoleva Drive Providence, RI 02908
94	238	Steven & Yvonne DeNuccio 10 Hillview Avenue Providence, RI 02908
94	240	Orlando & Teresa Passaretta 200 Ortoleva Drive Providence, RI 02908
94	241	Orlando & Teresa Passaretta 200 Ortoleva Drive Providence, RI 02908
94	242	Orlando & Teresa Passaretta 200 Ortoleva Drive Providence, RI 02908
94	243	Amelia E. DiJesser 1344 Luna Vista Drive Pacific Palisades, CA 90272
94	244	Four Per Cent Realty, Inc. 1481 Atwood Avenue Johnston, RI 02919

City Sergeant

Ralph E. Guglielmino

Date

6/13/96

Councilman Joseph DeLuca
Ward 6

PROPOSED ABANDONMENT OF A PORTION OF
BRUSH HILL ROAD
PLAT 94

LOT 233 ORLANDO PASSARETTA 200 ORTOLEVA DR. PROV. 02908

LOT 234 DINO PASSARETTA 200 ORTOLEVA DR. PROV. 02908

LOT 235 ROBERTO D. PASSARETTA 200 ORTOLEVA DR. PROV. 02908

LOT 237 ORLANDO PASSARETTA 200 ORTOLEVA DR. PROV. 02908

LOT 238 STEVEN & YVONNE DE NUCCIO 10 HILLVIEW AVE. PROV. 02908

LOT 240 ORLANDO & TERESA PASSARETTA 200 ORTOLEVA DR. PROV.

LOT 241 ORLANDO & TERESA PASSARETTA 200 ORTOLEVA DR. PROV. 02908

LOT 242 ORLANDO & TERESA PASSARETTA 200 ORTOLEVA DR. PROV. 02908

LOT 243 AMELIA E. DIJESER 1344 LUNA VISTA DR.

PACIFIC PALISADES, CALIFORNIA 90272

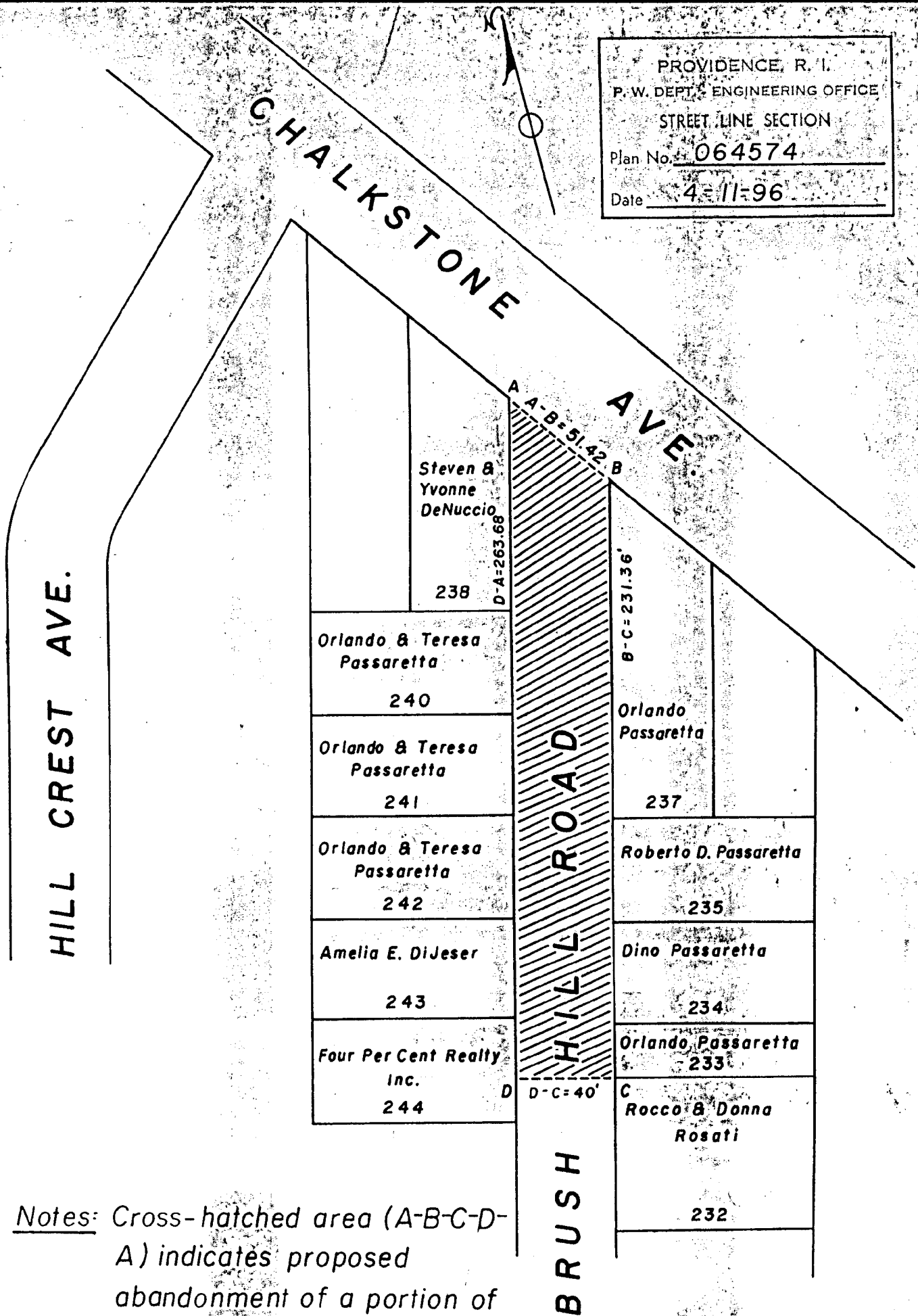
LOT 244 FOUR PER CENT REALTY INC. 1481 ATWOOD AVE.

JOHNSTON, R. I. 02919

Plat 94 - Lot -

De Luca

PROVIDENCE, R. I.
P. W. DEPT. ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064574
Date 4-11-96



Notes: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment of a portion of Brush Hill Road.

Total square footage = 9,900.80 ft.

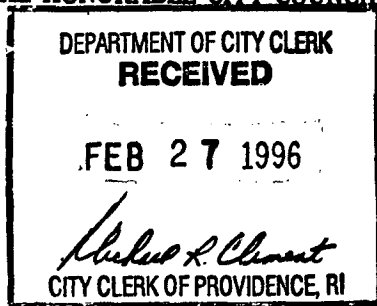
Lot Numbers Taken From A.P. 94

CITY OF PROVIDENCE, R. I.
Public Works Dept. Engineering Office
Showing Proposed abandonment of a portion of Brush Hill Road.
Drawn by AZisades Checked by J.T.M.
Scale 1" = 50' Date 4-11-96
Correct Roger T. Mon Associate Engr.
Approved GERALD FLORIO
ACTING DIRECTOR

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:



The undersigned respectfully petitions your honorable body

I, ORLANDO PASSARETTA, of 200 ORTOLEVA Drive Providence, RI would like to petition the City Council to close off one, Brush Hill Road, which is contained in plat #94. This road at the present, is considered a paper road and is not being kept up by the City of Providence. I am a landowner, that would like to develop the lots that I have which are situated on Brush Hill road. With the City Councils approval, I will set out to develop a portion of Brush Hill Road and the lots surrounded it. I am looking to get the Portion of Brush Hill Road closed from Chalkstone Ave to approximately 250 feet inward.

Petition to abandon Brush Hill Road
Check #1694 - \$75.00
Hospital Trust Bank
Orlando M. Passaretta
331-8854

Thank You,

Orlando Passaretta

FILED

FEB 27 10 08 AM '96

DEPT. OF PUBLIC WORKS
PROVIDENCE, R.I.

IN CITY COUNCIL
MAR 21 1996
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement
CLERK

THE COMMITTEE ON

Frankie Stokes
Recommends *P.H.*
Barbara O. Gaisner
Clerk

P.H. Lee
7/2/96

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution

Barbara O. Gaisner
10/16/96 Clerk

Plt. 94²³

R 2

Colombo Parcel 92

244	243	242 ✓	241 ✓	240 ✓	2017 239 2
					238 1

BRUSH HILL ROAD

CHALKSTONE AVENUE

233 ✓	234 ✓	235 ✓	237
			236

185

ORTOLEVA DRIVE

JOHN J. PARTINGTON
COMMISSIONER

COLONEL URBANO PRIGNANO, JR.
CHIEF OF POLICE



VINCENT A. CIANCI, JR.
MAYOR

Department of Public Safety, Police Department

"Building Pride in Providence"

April 4, 1996

The Honorable Robert M. Clarkin
Chairman
Committee on Public Works
City Council Office
City Hall
Providence, RI 02903

Dear Councilman Clarkin:

Enclosed is a memorandum from Lieutenant Guido Laorenza, Commanding Officer, Traffic Bureau, regarding the abandonment of a portion of Brush Hill Road.

As you can see, this information is self-explanatory, and the Lieutenant does not see a problem with your request.

If you require further discussion on this matter, please do not hesitate to contact Lieutenant Laorenza at 272-3121, ext. 2133.

Sincerely,

A handwritten signature in black ink, which appears to read 'Colonel Prignano', is written over the typed name.

URBANO PRIGNANO, JR.
Colonel
Chief of Police

UP:lmi

Enclosure

PROVIDENCE POLICE DEPARTMENT

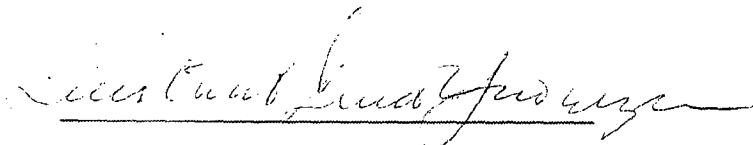
TRAFFIC BUREAU

TO: COLONEL URBANO PRIGNANO, CHIEF OF POLICE
FROM: LT. GUIDO A. LAORENZA, TRAFFIC BUREAU
SUBJECT: ABANDONMENT OF PORTION OF BRUSH HILL RD.

APRIL 4, 1996

SIR: I dispatched Ptlm. Joseph Galucci to inspect and evaluate the petition to abandon a portion of Brush Hill Road. He reported that the site in question is presently overgrown with vegetation and is not being used as a street. We feel that the petition should be granted.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Lieutenant Guido A. Laorenza", written over a horizontal line.

Lieutenant Guido A. Laorenza
Director
Traffic Bureau

James F. Rattigan
Chief of Department

David D. Costa
Act. Fire Marshal



**PROVIDENCE FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

"Smoke Detectors Save Lives"

April 1, 1996

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

Chairman Clarkin,

After review of the proposal to abandon a portion of Brush Hill Road, the Fire Department has no objection.

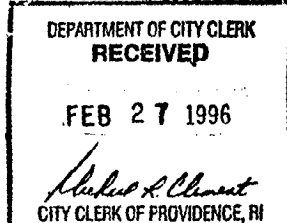
Yours truly,

David D. Costa
Act. Fire Marshal

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:



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With the City Councils approval, I will
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I am looking to get the Portion of Brush
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Petition to abandon Brush Hill Road
Check #1694 - \$75.00
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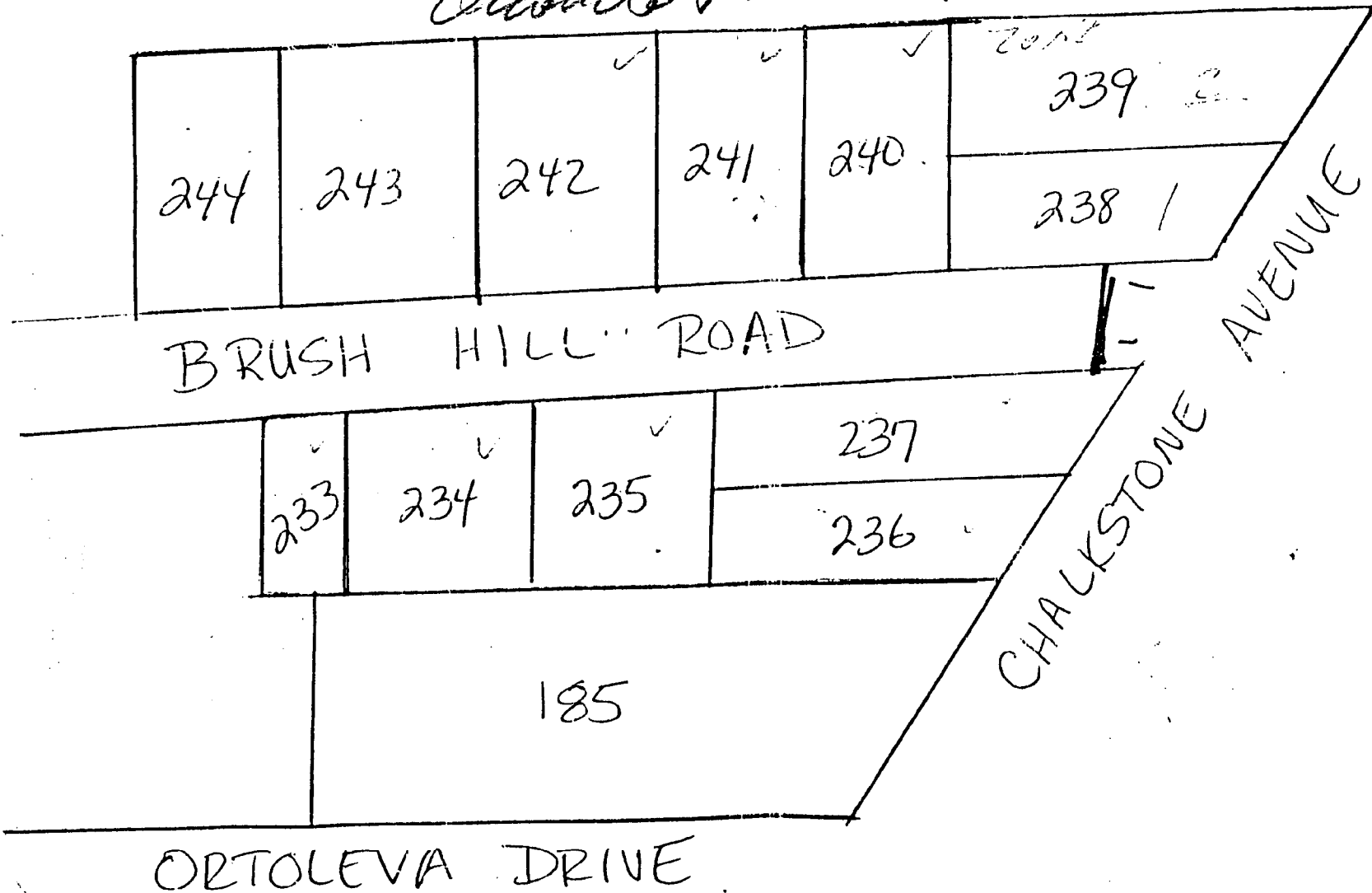
Thank You,

Orlando Passaretta

Plot 94²³

R 2

Alberto P. P. P.



Gerald Florio
~~James S. Szymon~~
Acting
Director



M. Clement

VINCENT A. CIANCI, JR.
Mayor

Department of Public Works *
"Building Pride In Providence"

A p r i l 22, 1996

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

Re: Portion Abandonment
Brush Hill Road

Dear Councilman Clarkin:

This department has reviewed that proposed "portion" abandonment of Brush Hill road, and finds no objection to said request. Proposed portion abandonment, shown as cross-hatched area on plan entitled, "Providence, R.I., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064574, Dated 4/11/96". Said abandonment shown as A-B-C-D-A, on the accompanying plan, contains 9,900.80 square feet.

Also enclosed find a list of abutting property owners affected by said proposed-portion abandonment of Brush Hill Road; lot numbers were taken from City of Providence Assessors Plat No. 94. Note that there are no easements connected with this proposed abandonment. If we can further assist you in this regard, please advise.

Very truly yours,
Gerald Florio
Gerald Florio
Acting Director

CC: M. Clement - City Clerk ✓
G.F.
JTM
JLC
SZ

PROPOSED ABANDONMENT OF A PORTION OF
BRUSH HILL ROAD
PLAT 94

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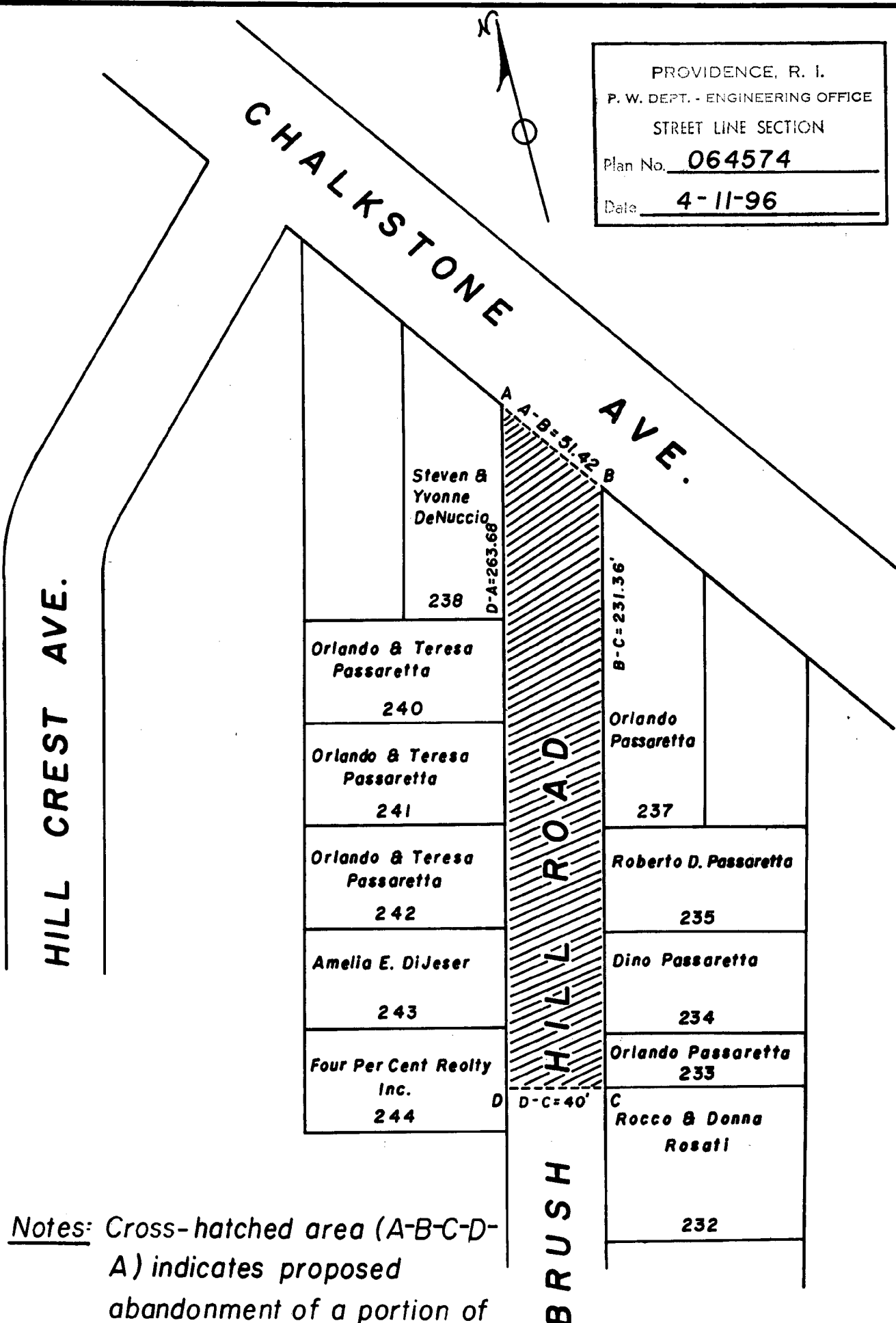
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LOT 243 AMELIA E. DIJESER 1344 LUNA VISTA DR.
PACIFIC PALISADES, CALIFORNIA 90272

LOT 244 FOUR PER CENT REALTY INC. 1481 ATWOOD AVE.
JOHNSTON, R. I. 02919

9



PROVIDENCE, R. I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064574
Date 4-11-96

Notes: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment of a portion of Brush Hill Road.

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Lot Numbers Taken From A.P. 94

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Public Works Dept. - ~~Engineering~~ Office
Showing Proposed abandonment of a portion of Brush Hill Road.
Drawn by AZisiades Checked by J.T.W.
Scale 1" = 50' Date 4-11-96
Correct James T. Moran Associate Engr.
Approved GERALD FLORIO
ACTING DIRECTOR

Gerald Florio
~~B. JAMES SUZMAN~~
Acting
Director



VINCENT A. CIANCI, JR.
Mayor

Department of Public Works
"Building Pride In Providence"

A p r i l 22, 1996

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

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Very truly yours,

Gerald Florio
Gerald Florio
Acting Director

CC: M. Clement - City Clerk
G.F.
JIM
JLC
SZ

PROPOSED ABANDONMENT OF A PORTION OF
BRUSH HILL ROAD
PLAT 94

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LOT 244 FOUR PER CENT REALTY INC. 1481 ATWOOD AVE.

JOHNSTON, R.I. 02919

9

Michael R. Clement
City Clerk

Clerk of Council



Jean M. Angelone
First Deputy

Barbara A. Poirier
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL
MEMORANDUM

DATE: March 28, 1996

TO: Mr. Gerald Florio - Acting Director of Public Works

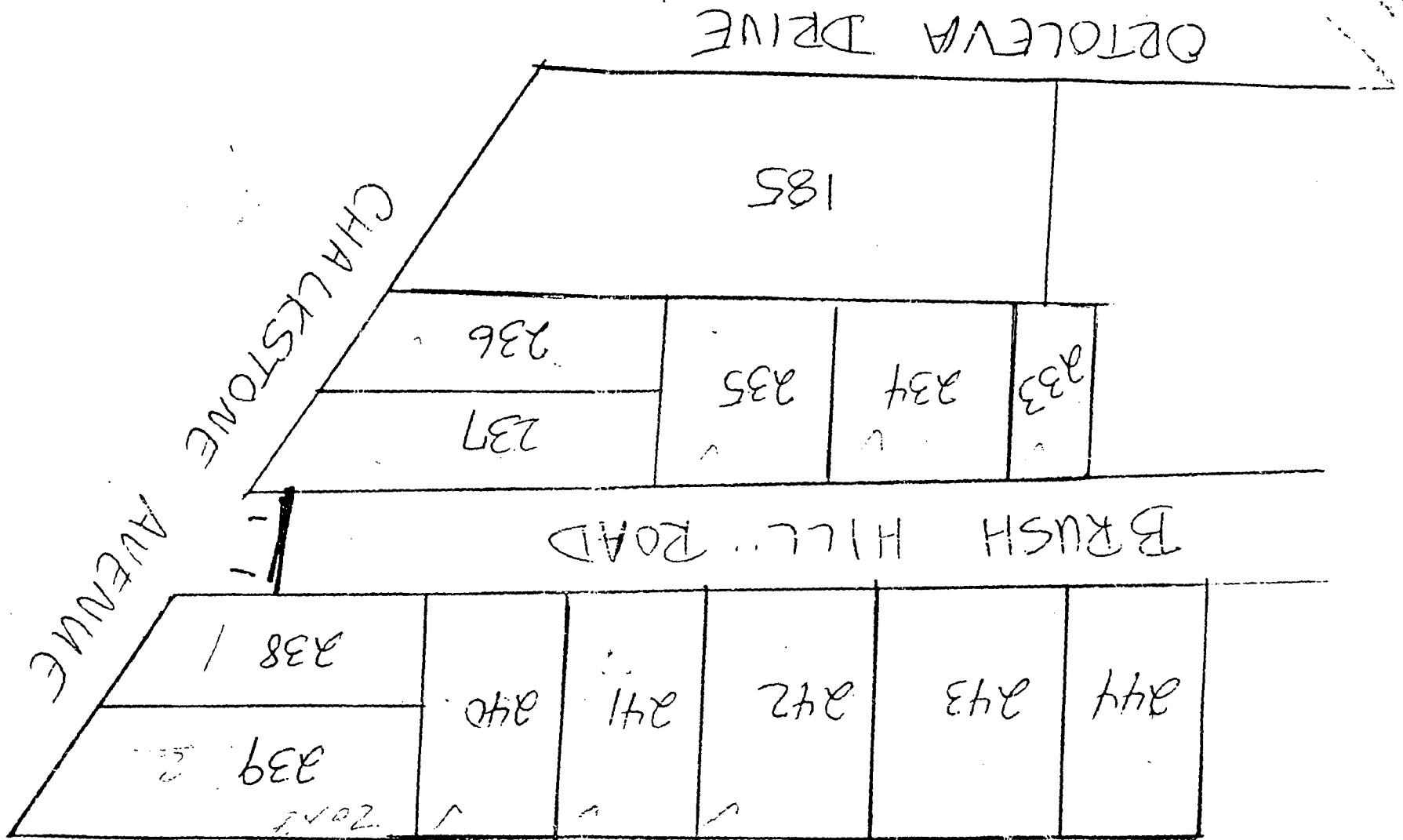
SUBJECT: PETITION TO ABANDON A PORTION OF BRUSH HILL ROAD

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

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

A handwritten signature in cursive script, reading "Barbara A. Poirier".

Second Deputy City Clerk



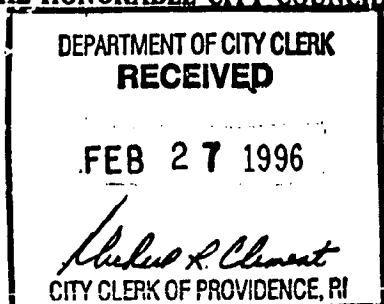
Robert J. Fennell

Lot 244

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:



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Petition to abandon Brush Hill Road
Check #1694 - \$75.00
Hospital Trust Bank
Orlando M. Passaretta
331-8854

Thank You,

Orlando Passaretta

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

JAMES LOMBARDI
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 DI RUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOYCE TESSERIS
Member

August 29, 1996

Mr. Michael Clement
City Clerk
City Hall
25 Dorrance Street
Providence, Rhode Island 02903

SUBJECT: Petition for Street Abandonment
Portion of Brush Hill Road
Providence, Rhode Island

Dear Mr. Clement:

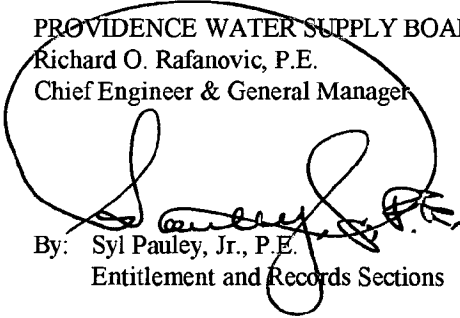
We have reviewed the referenced Petition for impact on the Providence Water Supply Board (PWSB) system. Our records indicate that the portion of the subject street does not have any PWSB water services, mains or appurtenances installed therein. Accordingly, the PWSB has no objection to the Petitioner's request to abandon a 250± foot portion at the Chalkstone Avenue end of the Brush Hill Road right-of-way.

The petitioner states that he intends to improve the remaining undeveloped Brush Hill Road right-of-way to City of Providence standards in order to develop his abutting lots. Accordingly, he will be required to install a water main in accordance with PWSB standards. Main extensions must be approved by PWSB prior to commencement of construction of the same.

If you have any questions, please feel free to contact me at (401) 521-6300 EXT 170.

Respectfully,

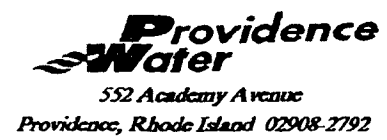
PROVIDENCE WATER SUPPLY BOARD
Richard O. Rafanovic, P.E.
Chief Engineer & General Manager


By: Syl Pauley, Jr., P.E.
Entitlement and Records Sections

SP/s

cc: P. Gadoury, P.E.
O. Passaretta, Petitioner
File

ABNLTR18.SAM



Mr. Michael Clement
City Clerk
City Hall
25 Dorrance Street
Providence, Rhode Island 02903

FILED

AUG 30 1 39 PM '96

DEPT. OF JUSTICE
PROVIDENCE, R. I.

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

JAMES LOMBARDI
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 DI RUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOYCE TESSERIS
Member

June 6, 1996

Mr. Orlando Passaretta
200 Ortoleva Drive
Providence, Rhode Island

SUBJECT: Petition for Street Abandonment
Portion of Brush Hill Road
Providence, Rhode Island

Dear Mr. Passaretta:

We have received a copy of a Petition to the City Council for the abandonment of a portion of the referenced street—from the intersection of Chalkstone Avenue to approximately two hundred fifty (250) feet to the south—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 your payment.**

If you have any questions, please do not hesitate to contact me at (401) 521-6300 EXT 170.

Very truly yours,

PROVIDENCE WATER SUPPLY BOARD
Richard O. Rafanovic, P.E.
Chief Engineer & General Manager

By: Syl Pauley, Jr., P.E.
Entitlement & Records Sections

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

FEECOL53.SAM

SECOND NOTICE

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

JAMES LOMBARDI
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 DI RUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOYCE TESSERIS
Member

April 8, 1996

Mr. Orlando Passaretta
200 Ortoleva Drive
Providence, Rhode Island

SUBJECT: Petition for Street Abandonment
Portion of Brush Hill Road
Providence, Rhode Island

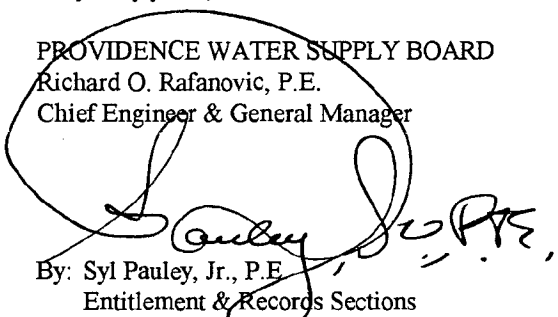
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PROVIDENCE WATER SUPPLY BOARD
Richard O. Rafanovic, P.E.
Chief Engineer & General Manager

A large, stylized handwritten signature in black ink, likely belonging to Syl Pauley, Jr., is written over the typed name and title.
By: Syl Pauley, Jr., P.E.
Entitlement & Records Sections

SP/s

cc: P. Gadoury, P.E.

R. Kilduff, P.E.

M. Clement, City Clerk

File

FEECOL50.SAM

NANCY L. DERRIG
SUPERINTENDENT OF PARKS



VINCENT A. CIANCI, JR.
MAYOR

Department of Public Parks
"Building Pride In Providence"

April 2, 1996

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

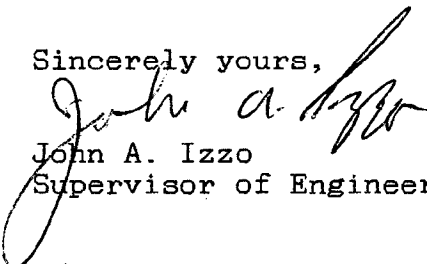
RE: Abandonment of a portion of Brush Hill Road.

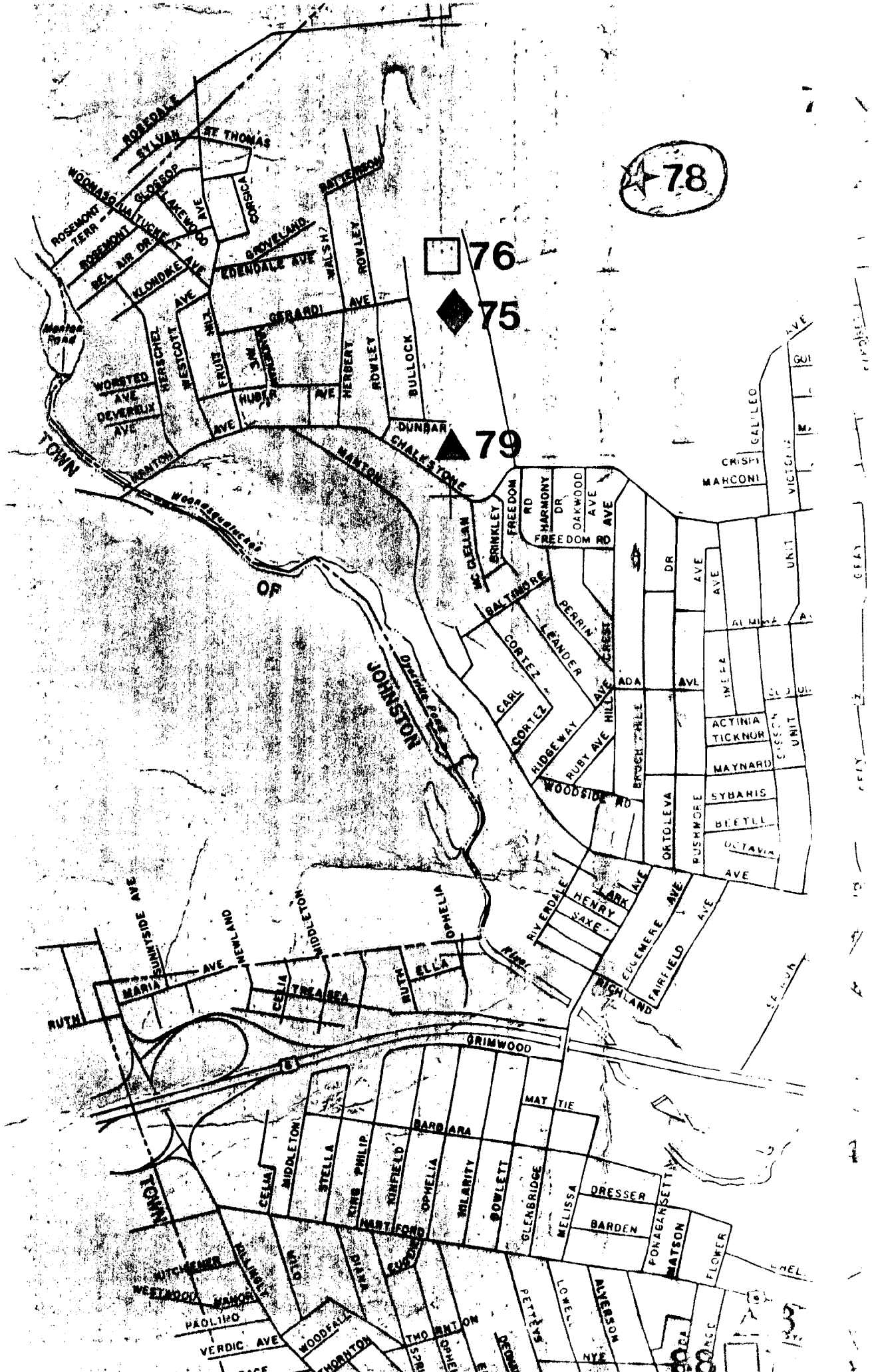
Dear Mr. Clement:

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 Brush Hill Road, will in no way effect any Parks Department existing facility, and or future plans for that area.

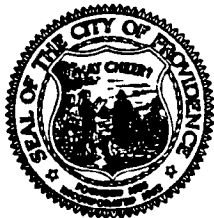
Enclosed is a map indicating the street in question marked in RED, and the nearest Department of Public Parks facility marked in GREEN.

Sincerely yours,


John A. Izzo
Supervisor of Engineering & Planning



JR.
LESLIE A. GARDNER
Vice Chairman
ROBERT A. PITASSI
ALBERT E. CARRINGTON
MICHAEL A. SOLOMON
Members
JOHN H. ROLLINS
RONALD W. ALLEN
Councilmen
JOHN F. PALMIERI
Executive Director
THOMAS E. DELLER, AICP
Secretary



MAYOR VINCENT A. CIANCI, JR.

PROVIDENCE REDEVELOPMENT AGENCY

"Building Pride In Providence"

MEMORANDUM

DATE: September 16, 1996

TO : Michael Clement, City Clerk

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

RE : BRUSH HILL ROAD

Pursuant to your request I have completed an appraisal of the above referenced property. This property is located on a steep bank and it would be difficult to develop as an individual parcel, but sold to abutting property owners makes it easier to develop. The abandonment in question contains 9,900 s.f. of land zoned R-2.

The value for this parcel is as follows:

9,900 s.f. @ \$1.50 per ft = \$14,850.00



PROVIDENCE, R. I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064574
Date 4-11-96

HILL CREST AVE.

CHALKSTONE AVE.

Steven & Yvonne DeNuccio
238
D-A=263.68'

Orlando & Teresa Passaretta
240

Orlando & Teresa Passaretta
241

Orlando & Teresa Passaretta
242

Amelia E. DiJeser
243

Four Per Cent Realty Inc.
244
D

A
A-B=51.42'
B
B-C=231.36'
HILL ROAD
D
D-C=40'

Orlando Passaretta
237

Roberto D. Passaretta
235

Dino Passaretta
234

Orlando Passaretta
233

C
Rocco & Donna Rosati
232

Notes: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment of a portion of Brush Hill Road.

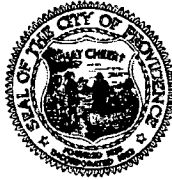
Total square footage = 9,900.80 ft.

Lot Numbers Taken From A.P. 94

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing Proposed abandonment of a portion of Brush Hill Road.
Drawn by AZisiades Checked by J.T.W.
Scale 1" = 50' Date 4-11-96
Correct Rocco T. Rosati Associate Engr.
Approved GERALD FLORIO
ACTING DIRECTOR

GEORGE CALCAGNI

Chair



VINCENT A. CIANCI, JR.

Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

June 12, 1996

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

Attention: Mr. Michael R. Clement, City Clerk

Subject: CPC Referral No. 3095 - Petition to abandon a portion of Brush Hill Road at Chalkstone Avenue on A.P. 94.

Dear Councilman ^{Bob}~~Clarkin~~:

The City Plan Commission at its regular meeting on April 18, 1996, reviewed and evaluated the subject referral to abandon a portion of Brush Hill Road at Chalkstone Avenue, on Assessor's Plat 94.

There had been an earlier request. On December 7, 1983, the Commission recommended to the Committee on Public Works to deny the abandonment of a northern portion of Brush Hill Road. Then on June 28, 1995, a communication was received from Attorney F. Monroe Allen, representing Mr. Orlando Passaretta who owns property adjacent to Brush Hill Road. At that time Mr. Passaretta had requested the abandonment of a portion of Brush Hill Road. The Department of Planning and Development could not make a recommendation because the extent of abandonment was not known.


The latest communication was received from the Committee on Public Works dated March 28, 1996 requesting the abandonment of at least 250 feet of Brush Hill Road, facing Chalkstone Avenue. The petitioner is Orlando Passaretta of 200 Ortoleva Drive, Providence, Rhode Island, who claims to own lots 185, 233, 234, 235, 236, 237, 240, 241, and 242 on Assessor's Plat 94.

CPC Referral No. 3095
Committee on Public Works
June 14, 1996

Mr. Passaretta presented his reasons to abandon this portion of Brush Hill Road. Brush Hill Road is a paper street running through an area that has very steep slopes; a street can never be built because of the topography. However, in the first petition it was not clear how much of the area was to be abandoned. At this time the petitioner has requested the abandonment of two hundred and fifty feet (250) into the paper street. Mr. Passaretta claims he is the owner of lots on both sides of the proposed right-of-way, except for lots 238 and 239.

The Commission voted to advise the Committee on Public Works that this petition for an abandonment of a portion of Brush Hill Road be approved on condition the owner of lots 238 and 239 agrees to the abandonment.

Regards,



Thomas E. Deller, AICP
Deputy Director

cc: G. Calcagni, Chair
Orlando and Teresa Passaretta, petitioner

3095let.3msw

CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No.: 3095 Subject: Street Abandonment
 Plat No.: 94 Lot No. _____
 Lot Area: 40' x 250'

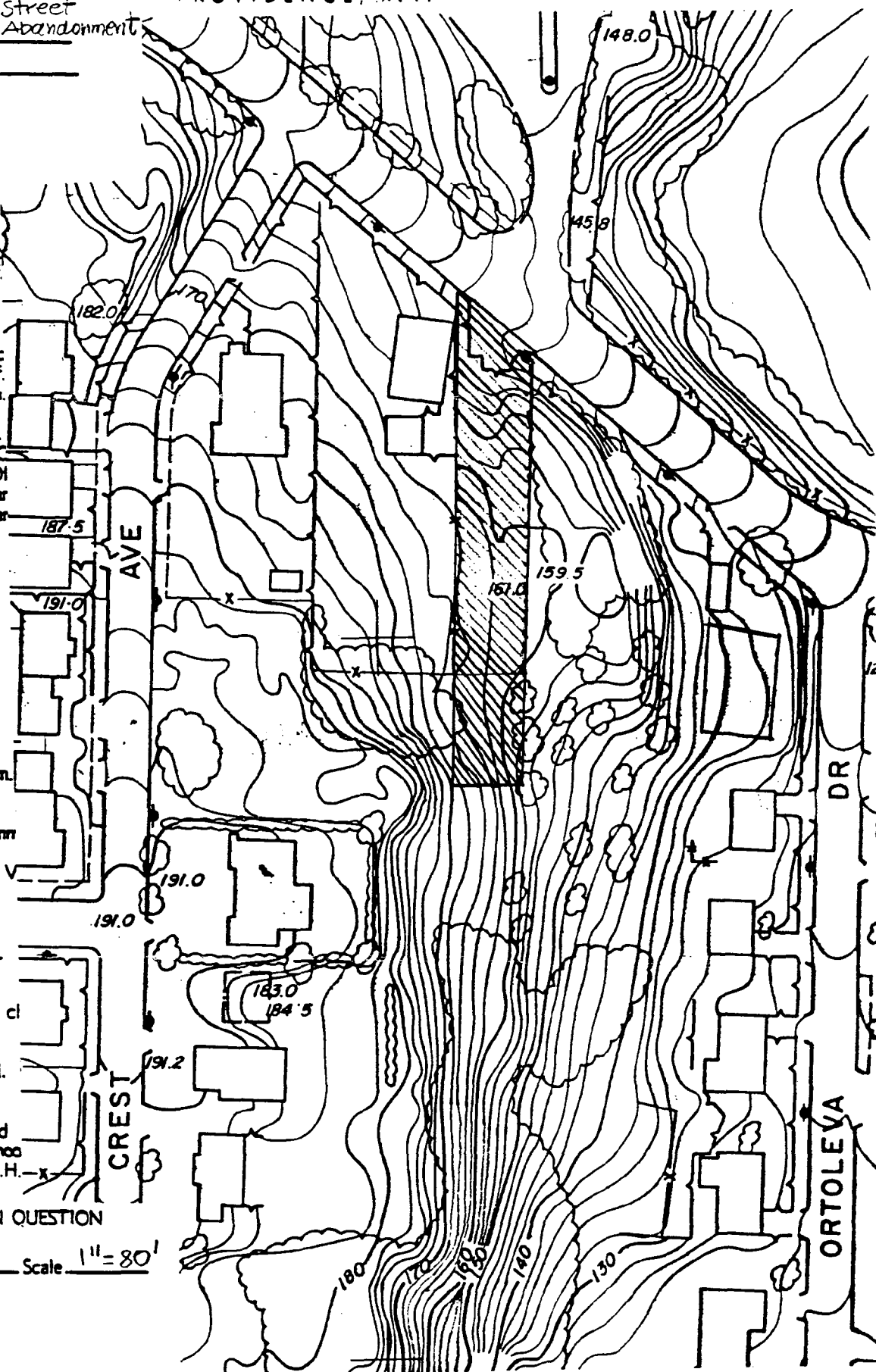
LAND USE LEGEND

- 00 Vac. Land
- 10 One Fam.
- 11 One Fam. & Nonres.
- 12 One Fam. & Home Oc
- 13 One Fam. & Prof. Off.
- 15 Auxiliary to Res.
- 20 Two Fam.
- 21 Two Fam. & Nonres.
- 22 Two Fam. & Home Oc
- 23 Two Fam. & Prof. Off.
- 25 Two Fam. & One Fam.
- 30 Three Fam.
- 31 Three Fam. & Nonres.
- 32 Three Fam. & Home
- 33 Three Fam. & Prof. Of
- 35 Three Fam. & One Far
- 36 Three Fam. & Two Far
- 40 Apt. 4 Fam. or More
- 41 Apt. & Nonres.
- 42 Apt. & Home Occ.
- 43 Apt. & Prof. Off.
- 45 Apt. & One Fam.
- 46 Apt. & Two Fam.
- 47 Apt. & Three Fam.
- 48 Lodging House
- 49 Fraternity
- 51 Limited Comm.
- 52 Parking Lot
- 53 Gen. Comm.
- 54 Nonstruct. Gen. Comm.
- 55 Parking Gar.
- 56 Heavy Comm.
- 57 Nonstruct. Heavy Comm
- 58 Auto. Service Sta.
- 59 Stor. Gar. for Comm. V
- 64 Gen. Ind.
- 65 Nonstruct. Gen. Ind.
- 67 Heavy Ind.
- 68 Nonstruct. Heavy Ind.
- 71 Utility
- 75 Railroad
- 81 Instit. (not elsewhere cl
- 82 Parochial School
- 83 Church
- 84 Private School or Coll.
- 85 Cemetery
- 91 Park, Golf Course
- 92 Playground & Playfield
- 95 Public Bldg. (exc. schoo
- 96 Public School (E.S., J.H.)



AREA IN QUESTION

Date: 4/17/96 By: DP Scale: 1" = 80'



CPC REFERRAL NO. 3095 - ABANDONMENT OF A PORTION OF BRUSH HILL ROAD

A communication was received from the Committee on Public Works dated March 29, 1996 regarding the abandonment of 250 feet of Brush Hill Road, facing Chalkstone Avenue and adjacent to lots 234, 235, 237, 238, 240, 241, 242, and 243 on Assessors Plat 94.

The petitioner is Orlando Passaretta of 200 Ortoleva Drive, Providence, Rhode Island, who owns lots 185, 233, 237, 240, 241 and 242 on Assessors Plat 94. Referral records revealed a subsequent petition CPC Referral No. 2113 had been denied on December 7, 1983 by the City Plan Commission.

Research revealed various ownerships of the lots abutting that portion of Brush Hill Road. Again the same condition was discovered from ownership research seven different owners of easterly and westerly side of the paper street. Office research revealed the ownership of lots abutting the paper street varies although the land remains unused and vacant as in 1983. These lots would be landlocked if Brush Hill Road were to be abandoned and render their properties worthless if they lost the legal right-of-way.

No reason to abandon was given by the petitioner therefore this Department recommends that the Commission advise the Committee on Public Works that this petition be denied.

Parcels Abutting Brush Hill Road

232	R. Roasati	Vacant
233	O. Pasaretta	Vacant
234	D. Pasaretta	Vacant
235	R. Passaretta	Vacant
236	D. Passaretta	Vacant
237	O. Passaretta	Vacant
238	S. Denuccio	Two-family
239	S. Denuccio	Vacant
240	O. Passaretta	Vacant
241	O. Passaretta	Vacant
242	O. Passaretta	Vacant
243	A. Dijesser	Vacant
244	Four Percent Realty	Vacant

245	S. Tancredi	Vacant
-----	-------------	--------

CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3095 Subject: Abandonment of a portion of Brush Hill Road.

Plat No. 14 Lot No. _____

Lot Area: _____

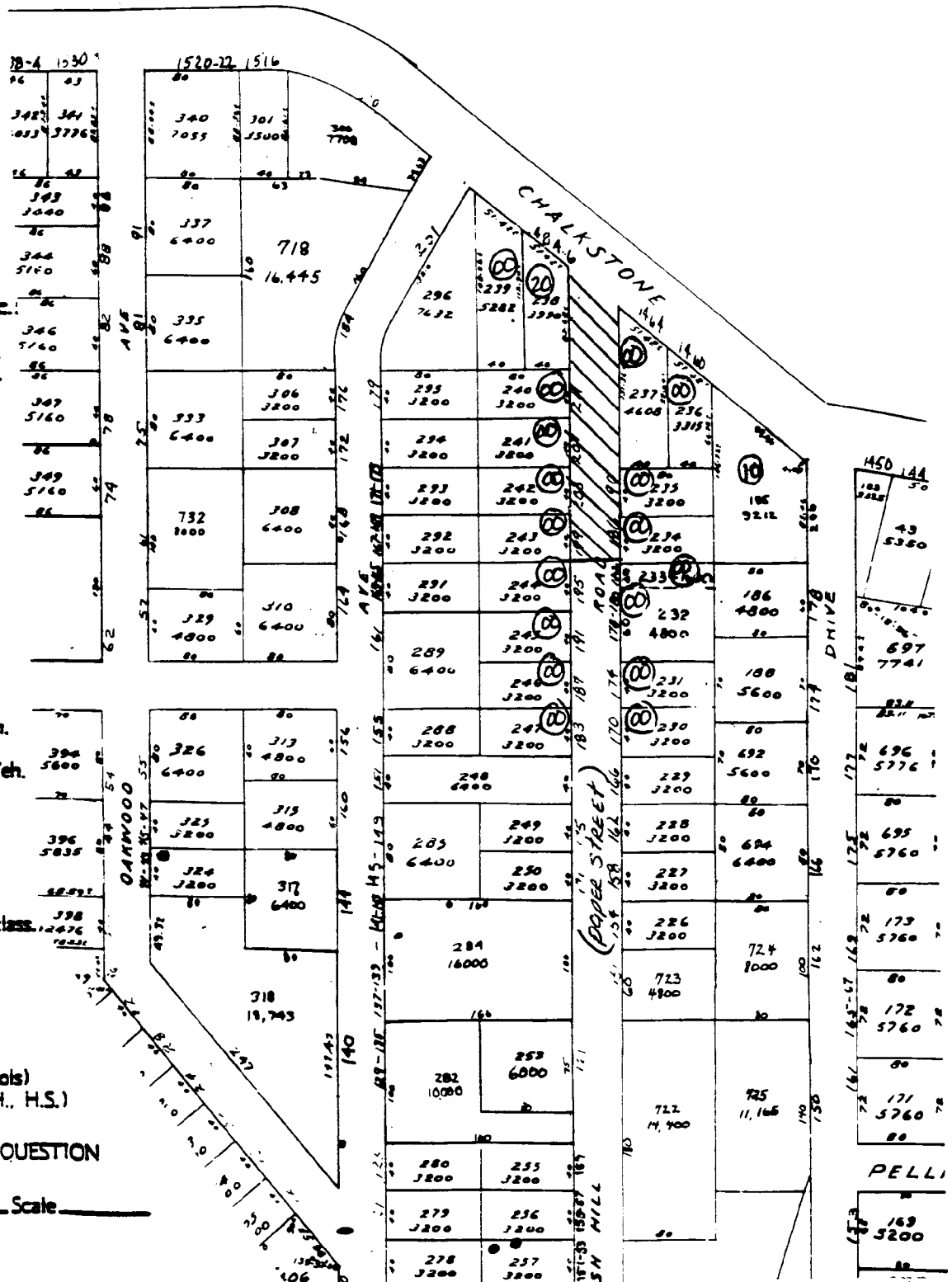
LAND USE LEGEND

- 00 Vac. Land
- 10 One Fam.
- 11 One Fam. & Nonres.
- 12 One Fam. & Home Occ.
- 13 One Fam. & Prof. Off.
- 15 Auxiliary to Res.
- 20 Two Fam.
- 21 Two Fam. & Nonres.
- 22 Two Fam. & Home Occ.
- 23 Two Fam. & Prof. Off.
- 25 Two Fam. & One Fam.
- 30 Three Fam.
- 31 Three Fam. & Nonres.
- 32 Three Fam. & Home Occ.
- 33 Three Fam. & Prof. Off.
- 35 Three Fam. & One Fam.
- 36 Three Fam. & Two Fam.
- 40 Apt. 4 Fam. or More
- 41 Apt. & Nonres.
- 42 Apt. & Home Occ.
- 43 Apt. & Prof. Off.
- 45 Apt. & One Fam.
- 46 Apt. & Two Fam.
- 47 Apt. & Three Fam.
- 48 Lodging House
- 49 Fraternity
- 51 Limited Comm.
- 52 Parking Lot
- 53 Gen. Comm.
- 54 Nonstruct. Gen. Comm.
- 55 Parking Gar.
- 56 Heavy Comm.
- 57 Nonstruct. Heavy Comm.
- 58 Auto. Service Sta.
- 59 Stor. Gar. for Comm. Veh.
- 64 Gen. Ind.
- 65 Nonstruct. Gen. Ind.
- 67 Heavy Ind.
- 68 Nonstruct. Heavy Ind.
- 71 Utility
- 75 Railroad
- 81 Instit. (not elsewhere class.)
- 82 Parochial School
- 83 Church
- 84 Private School or Coll.
- 85 Cemetery
- 91 Park, Golf Course
- 92 Playground & Playfield
- 95 Public Bldg. (exc. schools)
- 96 Public School (E.S., J.H., H.S.)



AREA IN QUESTION

Date: 4/16/66 by: DP Scale: _____



JOHN F. PALMIERI

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Planning and Development

"Building Pride In Providence"

June 30, 1995

Mr. F. Monroe Allen
Attorney at Law
130 Broadway
Pawtucket, RI 02860

Dear Mr. Allen:

This office is in receipt of your letter dated June 26, 1995.

In order to make a determination as to whether Brush Hill Road should be abandoned, we need to know the exact location of your client's property. We will need street address and/or plat and lot. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Deller", is written over a large, loopy, oval-shaped scribble.

Thomas E. Deller, AICP
Deputy Director

TED:mj
SS

CPC REFERRAL NO. 2113 - ABANDONMENT OF NORTHERN PORTION OF BRUSH HILL
ROAD

A communication was received from the Committee on Public Works dated November 22, 1983 regarding the abandonment of that northern portion of Brush Hill Road, facing Chalkstone Avenue and adjacent to Lots 238, 240, 241 and 242 on its westerly side and Lots 237 and 235 on its easterly side on A.P. 94.

The petitioner is John Garabedian of 1486 Chalkstone Avenue, Providence, Rhode Island, who owns aforesaid lots 238, 239, 240, 241 and 242 on A.P. 94.

The field inspection revealed that Brush Hill Road from Ada Avenue to Chalkstone Avenue is a paper street. The street and surrounding lots are composed of rock out-croppings and ledge with steep slopes of up to 45°. All vacant areas are overgrown with heavy brush and woods, and are covered with rocks. The surrounding streets: Hill Crest Avenue and Ortoleva Drive, contain mostly one-family residential structures.

The office research revealed that Lots 235, 236 and 237 on A.P. 94 are owned by Amelia E. DiJeser of 1156 Las Pulgas Place, Pacific Palisades, Ca. This person also owns Lots 243, 228, 227, 226 and 225 on A.P. 94.

Further research revealed ten different ownerships of the lots abutting that portion of Brush Hill Road from Chalkstone Avenue to Carvel Street (also a paper street).

Some of those lots would be landlocked if Brush Hill Road were to be abandoned. Even though there is little likelihood of paving the subject street, property owners would lose a legal right-of-way and render their land worthless.

Therefore, this Department recommends that the Commission advise the Committee on Public Works that this petition be denied.

The City Plan Commission

December 13, 1983

Committee on Public Works
c/o City Clerk
City Hall
Providence, Rhode Island 02903

Attention: Rose M. Mendonca, City Clerk

Subject: Referral No. 2113 - Abandonment of Northern Portion of
Brush Hill Road

Gentlemen:

The subject referral was presented to the City Plan Commission at its December 7, 1983 meeting.

The City Plan Commission did not vote on this referral due to lack of a quorum, however this Department has reviewed the subject referral.

A communication was received from the Committee on Public Works dated November 22, 1983 regarding the abandonment of that northern portion of Brush Hill Road, facing Chalkstone Avenue and adjacent to Lots 238, 240, 241 and 242 on its westerly side and Lots 237 and 235 on its easterly side on A.P. 94.

The petitioner is John Garabedian of 1486 Chalkstone Avenue, Providence, R.I., who owns aforesaid lots 238, 239, 240, 241 and 242 on AP 94

The field inspection revealed that Brush Hill Road from Ada Avenue to Chalkstone Avenue is a paper street. The street and surrounding lots are composed of rock out-croppings and ledge with steep slopes of up to 45°. All vacant areas are overgrown with heavy brush and woods, and are covered with rocks. The surrounding streets: Hillcrest Avenue and Ortole Drive, contain mostly one-family residential structures.

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Further research revealed ten different ownerships of the lots abutting that portion of Brush Hill Road from Chalkstone Avenue to Carvel Street (also a paper street).

Some of those lots would be landlocked if Brush Hill Road were to be abandoned. Even though there is little likelihood of paving the subject street, property owners would lose a legal right-of-way and render their land worthless.

~~Therefore, this Department recommends to the Committee on Public Works that this petition be denied.~~

page 2 Referral No. 2113 Abandonment of Northern Portion of
Brush Hill Road

Sincerely yours,


Stanley Bernstein
Director

SB/cd

cc: Councilman Raymond Cola

F. MONROE ALLEN
ATTORNEY AT LAW
130 BROADWAY
PAWTUCKET, R. I. 02860
PHONE (401) 722-8500
FAX (401) 722-8582

SAM
fleschman
George reuven +
commit - ASAP
GREENVILLE OFFICE:
EAST GATE ROAD
GREENVILLE, R. I. 02828
(401) 949-0975

Thon

June 26, 1995

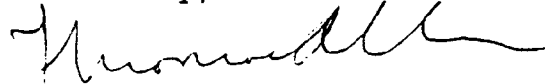
Division of Planning and Redevelopment
400 Westminster Street
Providence, RI 02903

Gentlemen:

Please be advised that I represent Orlando Passaretta who owns property adjacent to Brush Hill Road in the City of Providence. The road has been recorded, however, there is no actual road leading in from Chalkstone Avenue. Mr. Passaretta is interested in seeing whether or not it would be feasible to abandon Brush Hill Road.

Could you please give me a call to discuss this possibility.

Yours truly,



F. Monroe Allen

FMA/dav



GEORGE CALCAGNI
Chair

VINCENT A. CIANCI, JR.
Mayor

PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

April 23, 1996

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

Attention: Mr. Michael R. Clement, City Clerk

Subject: CPC referral No. 3095 - Petition to abandon a portion of Brush Hill Road at Chalkstone Avenue on A.P. 94.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on April 16, 1996, reviewed and evaluated the subject referral to abandon a portion of Brush Hill Road at Chalkstone Avenue, on Assessor's Plat 94.

There had been an earlier request. On December 7, 1983, the Commission recommended to the Committee on Public Works to deny the abandonment of a northern portion of Brush Hill Road. Then on June 28, 1995, a communication was received from Attorney F. Monroe Allen, representing Mr. Orlando Passaretta who owns property adjacent to Brush Hill Road. At that time Mr. Passaretta had requested the abandonment of a portion of Brush Hill Road. The Department of Planning and Development could not make a recommendation because the extent of abandonment was not known.

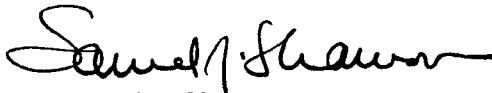
The latest communication was received from the Committee on Public Works dated March 28, 1996 requesting the abandonment of at least 250 feet of Brush Hill Road, facing Chalkstone Avenue. The petitioner is Orlando Passaretta of 200 Ortoleva Drive, Providence, Rhode Island, who owns lots 185, 233, 234, 235, 236, 237, 240, 241, and 242 on Assessors Plat 94.

Mr. Passaretta presented his reasons to abandon this portion of Brush Hill Road.

Brush Hill Road is a paper street running through an area that have very steep slopes; a street can never be built because of the topography. However, in the first petition it was not clear how much of the area was to be abandoned. At this time the petitioner has requested the abandonment of two hundred and fifty feet (250) into the paper street. Mr. Passeretta is the owner of lots on both sides of the street, except lots 238 and 239.

The Commission voted to advise the Committee on Public Works that this petition for an abandonment of a portion of Bush Hill Road be approved on condition the owner of Lot 238 on Assessor's Plat 94 agrees to the abandonment.

Regards,

A handwritten signature in black ink, appearing to read "Samuel J. Shamon", with a stylized, flowing script.

Samuel J. Shamon
Associate Director
Planning Division

cc: Orlando and Teresa Passaretta, petitioners

CPC REFERRAL NO. 3095 - ABANDONMENT OF A PORTION OF BRUSH HILL ROAD

A communication was received from the Committee on Public Works dated March 29, 1996 regarding the abandonment of 250 feet of Brush Hill Road, facing Chalkstone Avenue and adjacent to lots 234, 235, 237, 238, 240, 241, 242, and 243 on Assessors Plat 94.

The petitioner is Orlando Passaretta of 200 Ortoleva Drive, Providence, Rhode Island, who owns lots 185, 233, 237, 240, 241 and 242 on Assessors Plat 94. Referral records revealed a subsequent petition CPC Referral No. 2113 had been denied on December 7, 1983 by the City Plan Commission.

Research revealed various ownerships of the lots abutting that portion of Brush Hill Road. Again the same condition was discovered from ownership research seven different owners of easterly and westerly side of the paper street. Office research revealed the ownership of lots abutting the paper street varies although the land remains unused and vacant as in 1983. These lots would be landlocked if Brush Hill Road were to be abandoned and render their properties worthless if they lost the legal right-of-way.

No reason to abandon was given by the petitioner therefore this Department recommends that the Commission advise the Committee on Public Works that this petition be denied.

Parcels Abutting Brush Hill Road

232	R. Roasati	Vacant
233	O. Pasaretta	Vacant
234	D. Pasaretta	Vacant
235	R. Passaretta	Vacant
236	D. Passaretta	Vacant
237	O. Passaretta	Vacant
238	S. Denuccio	Two-family
239	S. Denuccio	Vacant
240	O. Passaretta	Vacant
241	O. Passaretta	Vacant
242	O. Passaretta	Vacant
243	A. Dijesser	Vacant
244	Four Percent Realty	Vacant

245	S. Tancredi	Vacant
-----	-------------	--------

CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3095 Subject: Abandonment of a portion of Brush Hill Road.

Plat No. 44 Lot No. _____

Lot Area: _____

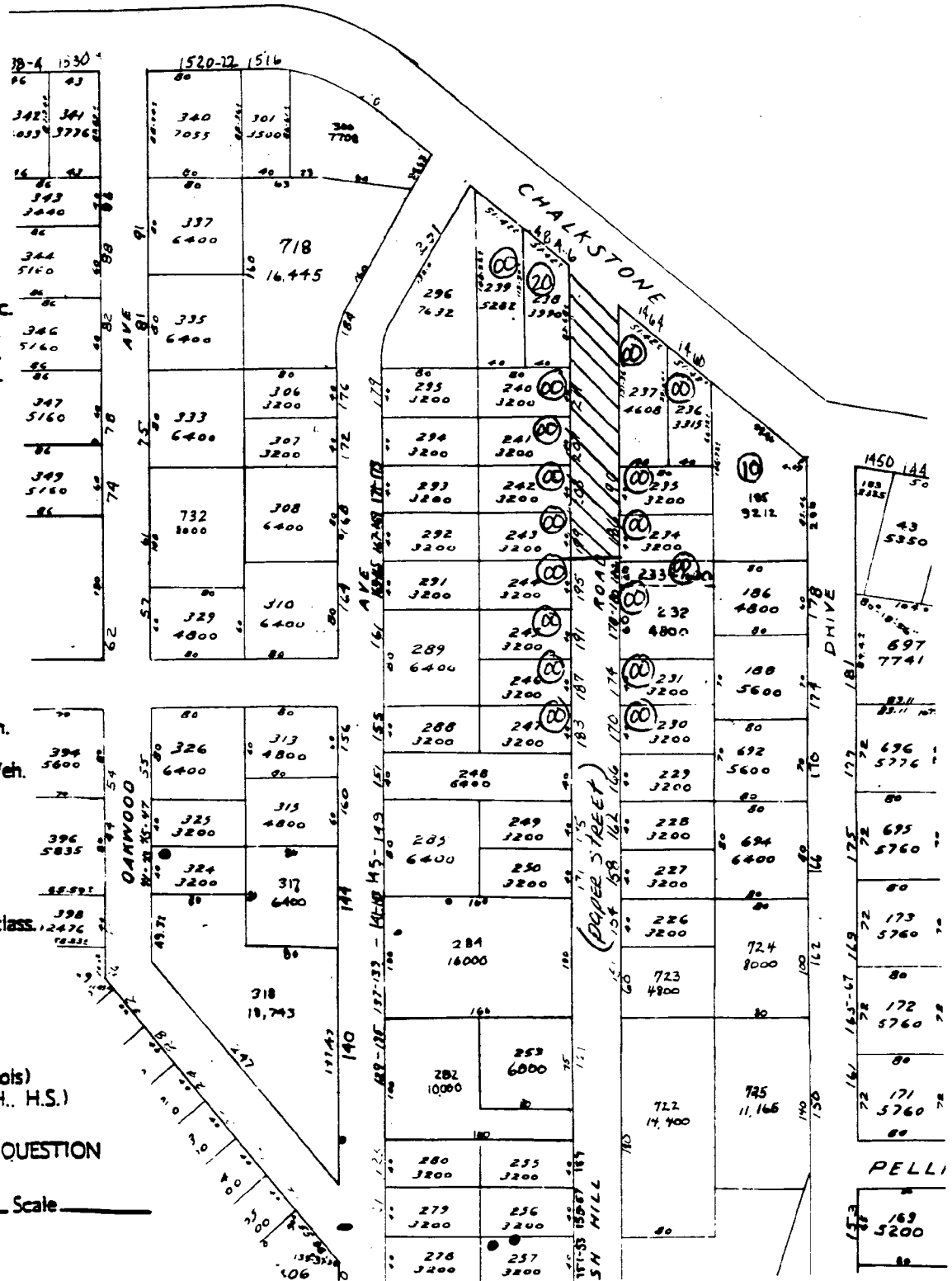
LAND USE LEGEND

- 00 Vac. Land
- 10 One Fam.
- 11 One Fam. & Nonres.
- 12 One Fam. & Home Occ.
- 13 One Fam. & Prof. Off.
- 15 Auxiliary to Res.
- 20 Two Fam.
- 21 Two Fam. & Nonres.
- 22 Two Fam. & Home Occ.
- 23 Two Fam. & Prof. Off.
- 25 Two Fam. & One Fam.
- 30 Three Fam.
- 31 Three Fam. & Nonres.
- 32 Three Fam. & Home Occ.
- 33 Three Fam. & Prof. Off.
- 35 Three Fam. & One Fam.
- 36 Three Fam. & Two Fam.
- 40 Apt. 4 Fam. or More
- 41 Apt. & Nonres.
- 42 Apt. & Home Occ.
- 43 Apt. & Prof. Off.
- 45 Apt. & One Fam.
- 46 Apt. & Two Fam.
- 47 Apt. & Three Fam.
- 48 Lodging House
- 49 Fraternity
- 51 Limited Comm.
- 52 Parking Lot
- 53 Gen. Comm.
- 54 Nonstruct. Gen. Comm.
- 55 Parking Gar.
- 56 Heavy Comm.
- 57 Nonstruct. Heavy Comm.
- 58 Auto. Service Sta.
- 59 Stor. Gar. for Comm. Veh.
- 64 Gen. Ind.
- 65 Nonstruct. Gen. Ind.
- 67 Heavy Ind.
- 68 Nonstruct. Heavy Ind.
- 71 Utility
- 75 Railroad
- 81 Instit. (not elsewhere class.)
- 82 Parochial School
- 83 Church
- 84 Private School or Coll.
- 85 Cemetery
- 91 Park, Golf Course
- 92 Playground & Playfield
- 95 Public Bldo. (exc. schools)
- 96 Public School (E.S., J.H., H.S.)



AREA IN QUESTION

Date: 4/16/64 by: DP Scale: _____



CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3095 Subject: Street Abandonment
 Plat No. 94 Lot No. _____
 Lot Area: 40' x 250'

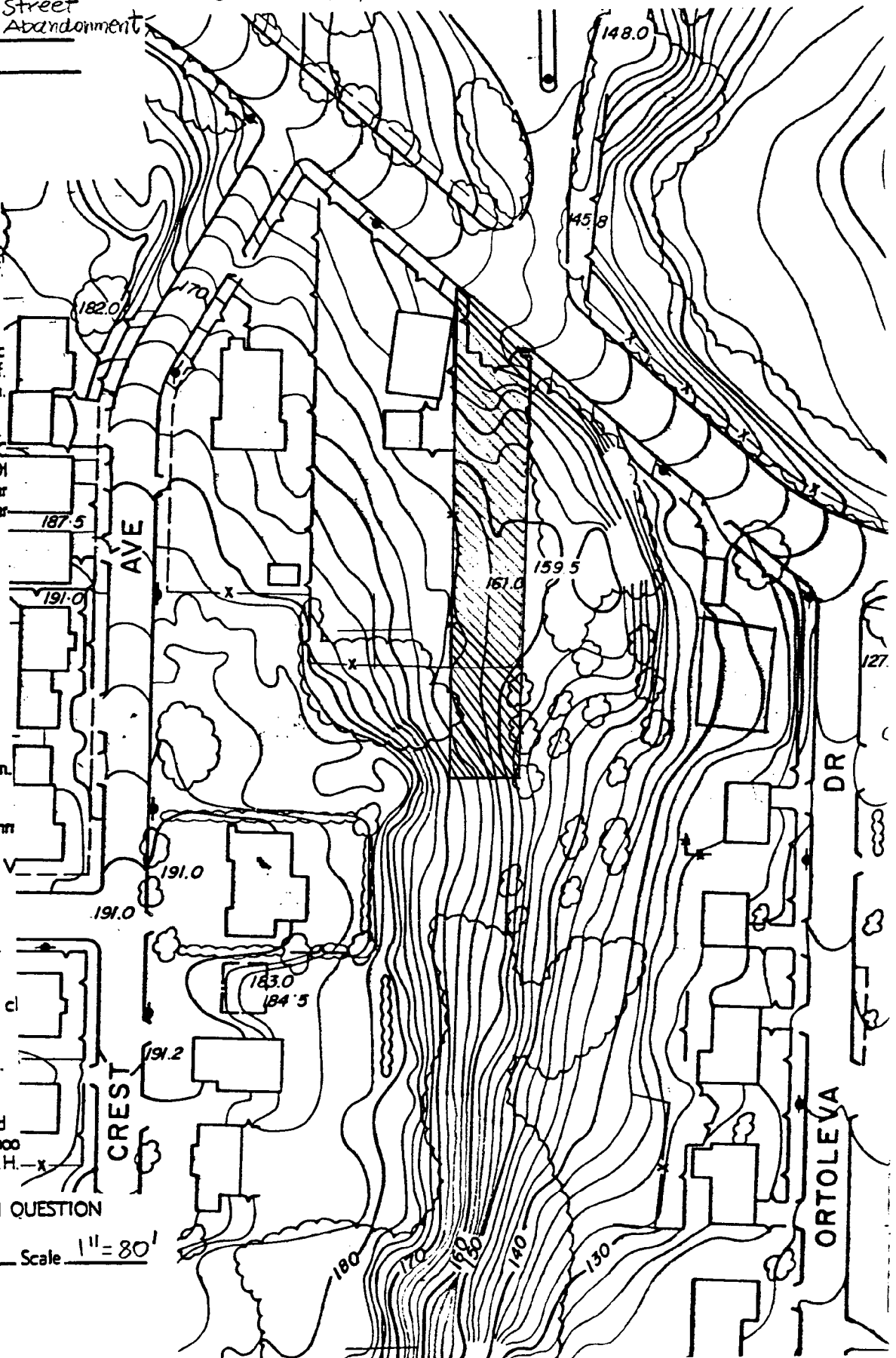
LAND USE LEGEND

- 00 Vac. Land
- 10 One Fam.
- 11 One Fam. & Nonres.
- 12 One Fam. & Home Occ.
- 13 One Fam. & Prof. Off.
- 15 Auxiliary to Res.
- 20 Two Fam.
- 21 Two Fam. & Nonres.
- 22 Two Fam. & Home Occ.
- 23 Two Fam. & Prof. Off.
- 25 Two Fam. & One Fam.
- 30 Three Fam.
- 31 Three Fam. & Nonres.
- 32 Three Fam. & Home Occ.
- 33 Three Fam. & Prof. Off.
- 35 Three Fam. & One Fam.
- 36 Three Fam. & Two Fam.
- 40 Apt. 4 Fam. or More
- 41 Apt. & Nonres.
- 42 Apt. & Home Occ.
- 43 Apt. & Prof. Off.
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- 59 Stor. Gar. for Comm. Veh.
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- 65 Nonstruct. Gen. Ind.
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- 92 Playground & Playfield
- 95 Public Bldg. (exc. school)
- 96 Public School (E.S., J.H.)



AREA IN QUESTION

Date: 4/17/96 By: DP Scale: 1" = 80'



~~RE JAMES TESTA~~
Traffic Engineer
IRENE J. TESTA
Director



VINCENT A. CIANCI, JR.
Mayor

Department of Traffic Engineering
"Building Pride In Providence"

M E M O R A N D U M

TO: ROBERT CLARKIN, CHAIRMAN
COMMITTEE ON PUBLIC WORKS

FROM: IRENE J. TESTA *IT* DIRECTOR

DATE: SEPTEMBER 25, 1996

RE: TRANSMITTAL OF COMMUNICATION TO COMMITTEE

REQUEST: To abandon a portion of Brush Hill Road.

DISPOSITION: No objection to said abandonment.



Narragansett Electric
A NEES company

June 17, 1996

Ms. Barbara A. Poirier
Department of City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Re: Petition to Abandon a Portion of Brush Hill Road, Providence

Dear Barbara:

The Narragansett Electric Company (NECo) presently has no facilities situated on the proposed abandoned portion of Brush Hill Road. Therefore, NECo has no objection to the proposed abandonment.

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

Sincerely,

Michael D. DiNezza
Senior Real Estate Representative

Enclosures

NYNEX
85 High Street, Pawtucket, RI 02860
Tel 401 727-9555
Fax 401 725-4060

NYNEX

April 11, 1996

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

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF BRUSH HILL ROAD

Dear Sir,

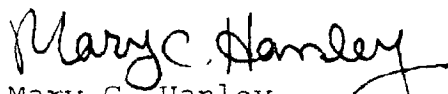
Upon investigation it has been determined that Nynex has facilities in the portion of Brush Hill Road to be abandoned.

These facilities include an anchor guy which holds the pole and wires on Chalkstone Avenue that provide service to residents and businesses in the area.

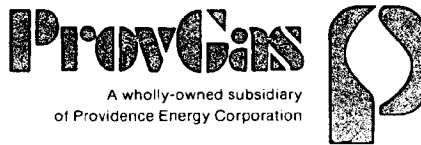
New England Telephone and Telegraph Company will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement acceptable to New England Telephone, which will permit retention of its facilities in existing locations with the right 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
E/P Manager - Right of Way



April 2, 1996

Ms. Barbara A. Poirier
Second Deputy City Clerk
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

RE: Abandonment of Brush Hill Road
from Chalkstone Avenue southerly

Dear Ms. Poirier:

Providence Gas Company does not object to the abandonment of Brush Hill Road southerly from Chalkstone Avenue. We do not have facilities within that area.

If I may be of further assistance, please call me at 272-5040, extension 521.

Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas P. Gavula". The signature is fluid and cursive, with a large, stylized "G" at the end.

Thomas P. Gavula, Director
Engineering & Project Management

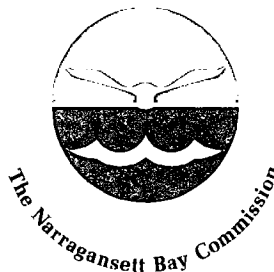
TPG/kg

cc: Emilie Benoit

The Foundry Corporate Office Center
235 Promenade Street — Suite 500
Providence, RI
02908-5739
401 • 277 • 6680
401 • 277 • 2584 Fax
401 • 277 • 6680 TDD

Rep. Vincent J. Mesolella
Chairman

Paul Pinault
Executive Director



May 31, 1996

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

SUBJECT: Abandonment of City-Owned Property

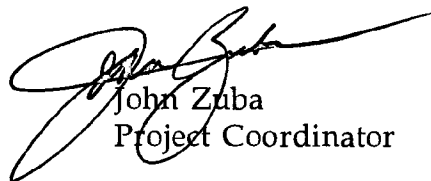
Dear Ms. Poirier:

We have reviewed your memoranda and documentation concerning the abandonment of Brush Hill Drive, between Chalkstone Avenue and Lot 233, Plat 94, Providence, RI.

The NBC does not own any facility in this street. Therefore, we do not have any objection to the abandonment of these properties.

We appreciate your notification of these abandonments and the opportunity to comment.

Sincerely,



John Zuba
Project Coordinator

JZ/amr
cc: Joe Filippone, NBC

RESOLUTION OF THE CITY COUNCIL

No. 643

Approved November 22, 1996

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works-Engineering Office, Street Line Section Plan No. 064547 dated April 11, 1996.

VIZ:


BRUSH HILL ROAD, (portions of), shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public and is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned precedent upon the following: (1) Petitioner shall tender the amount of Five Thousand Dollars (\$5,000.00) in legal tender U.S. to the City of Providence, (2) The Petitioner shall convey an easement acceptable to NYNEX 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 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) Any construction that might be undertaken on the premises shall be done in accordance with existing rule, regulation and law, (4) The Petitioner fully understands (and manifests that understanding by taking any affirmative action with respect to the abandoned area) that the extension of any utilities shall be at his or her own expense, (5) Petitioner shall make a reasonable effort to secure the approval of the owner(s) of lots 238 and 239 in accordance with the vote of the City Plan Commission. And it is further

ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place 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

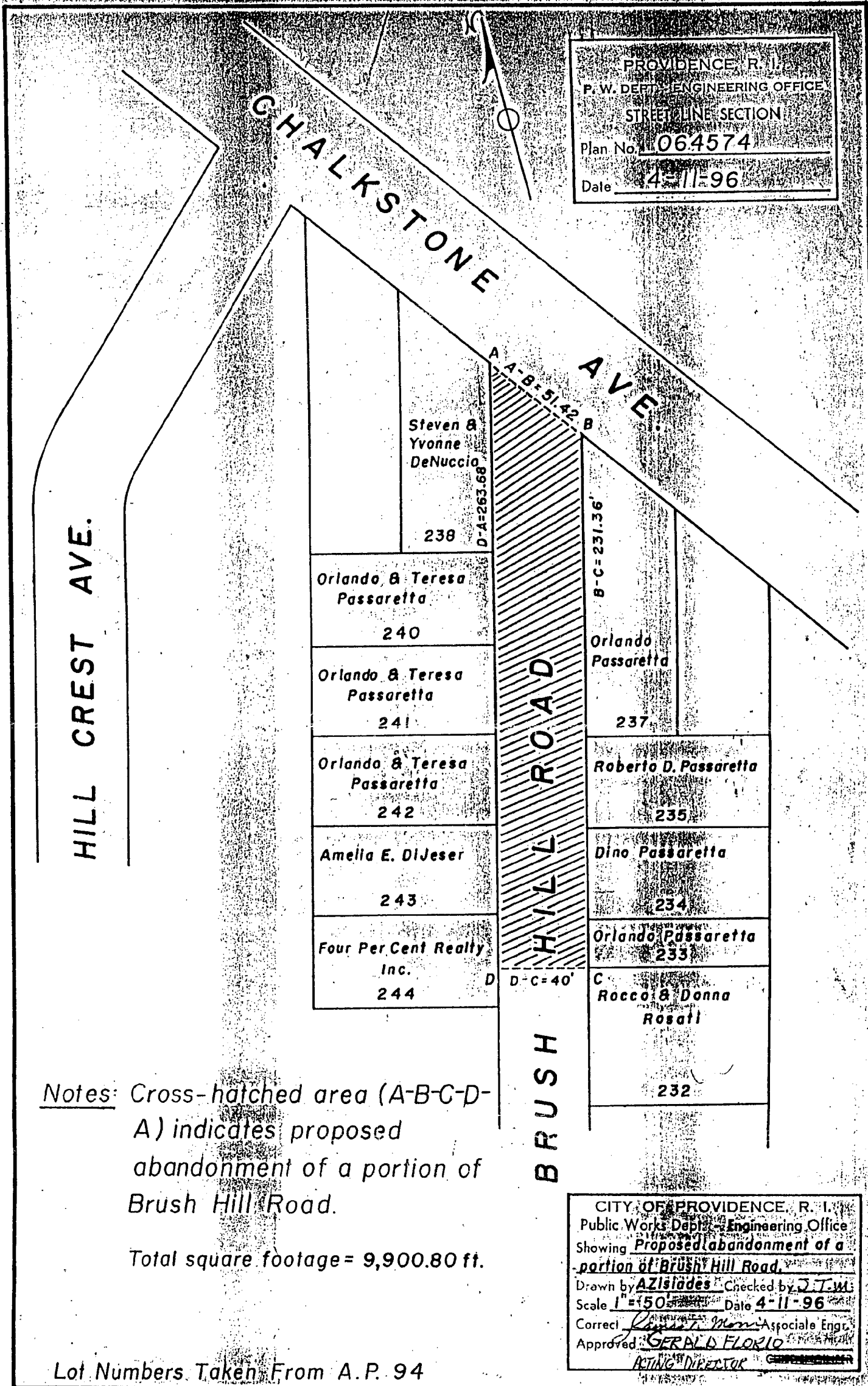
Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

A true copy,
Attest:



Michael R. Clement

Michael R. Clement
City Clerk



PROVIDENCE, R. I.
P. W. DEPT. ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064574
Date 4-11-96

CITY OF PROVIDENCE, R. I.
Public Works Dept. Engineering Office
Showing Proposed abandonment of a
portion of Brush Hill Road.
Drawn by AZI/slades Checked by J.T.W.
Scale 1"=50' Date 4-11-96
Corrected by [Signature] Associate Engr.
Approved: GERALD FLORIO
ACTING DIRECTOR

Received for Record at 12 o'clock 40 min P in
Recorder of Deeds

DEC 17 1996 Robert Z. Riccio

346-116-113

C

41942

RECEIVED FOR RECORD
at 12 o'clock 20 minutes P
and recorded in book.....page.....
of record of

DEC 1 1955

Providence, R.I.
Witness Robert L. Ricci
Recorder of Deeds
Fee.....