

RESOLUTION OF THE CITY COUNCIL

No. 728

Approved November 14, 2003

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. 064716 dated July 9, 2002."

VIZ:

FALES STREET, (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) The City Plan Commission of the City of Providence shall indicate its approval of the within abandonment by letter to the Office of the City Clerk, City of Providence. (2) Petitioner shall tender the amount of Six Thousand Dollars (\$6,000.00) in legal tender U.S. to the City of Providence. 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.

IN CITY COUNCIL
NOV 15 2003
READ AND PASSED
PRES.
Michael B. Ceenert
CLERK

APPROVED
MAYOR 11/14/03

IN CITY COUNCIL
JUN 6 2002
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement
CLERK
ams

THE COMMITTEE ON
Public Works
Recommendation

Ann M. Steln
CLERK

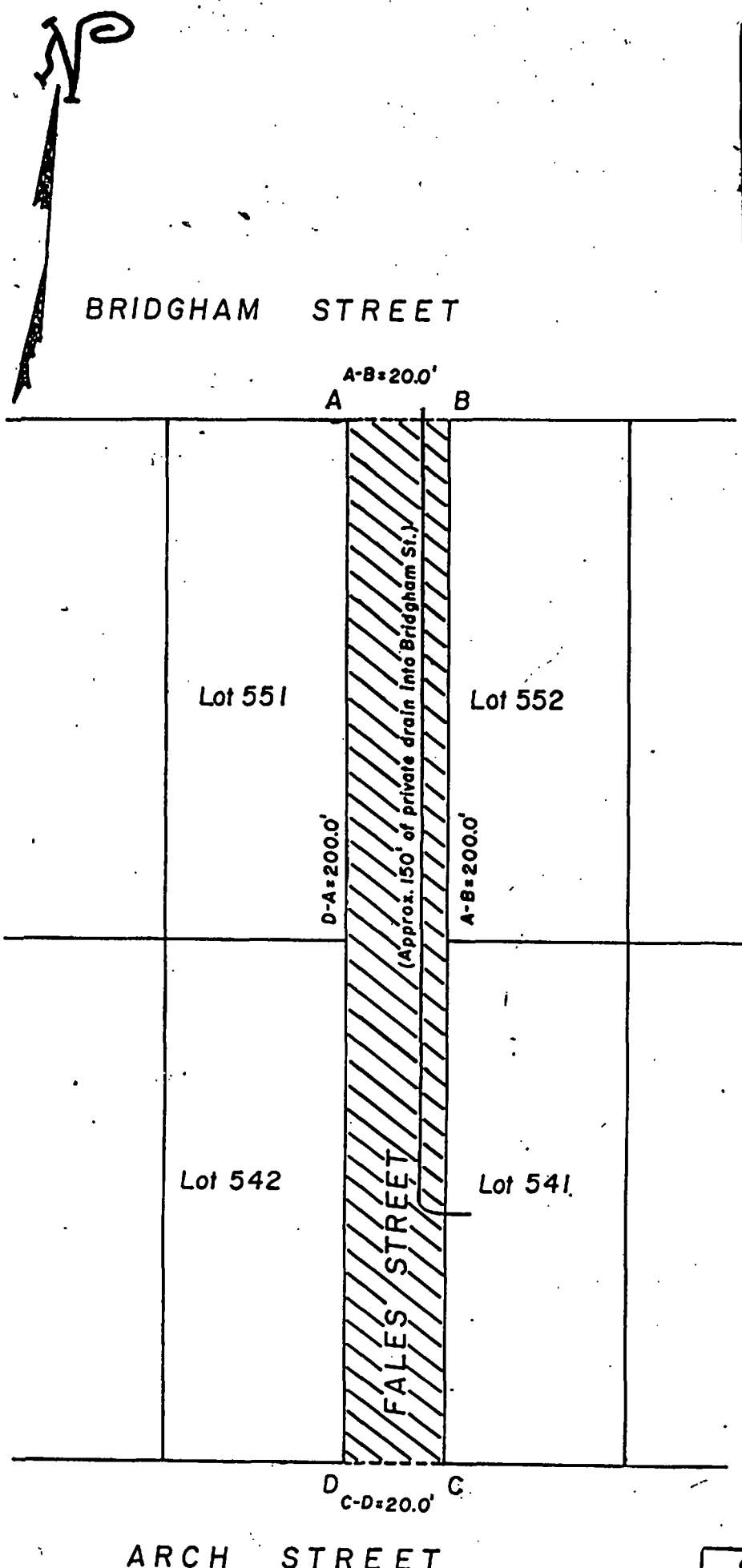
1-27-03 Schedule P. Hrg
2-25-03 - Public Hearing held

THE COMMITTEE ON
PUBLIC WORKS
Approved for
The Mayor

Ann M. Steln
CLERK
3-12-03

From the Clerk's Desk

PROVIDENCE, R. I.
 DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064716
 Date July 9, 2002



CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of
Fales Street
 Drawn by A. Zisades Checked by gjc
 Scale 1" = 30' Date 7-9-2002
 Correct James A. Martin Associate Engr.
 Approved: [Signature] CHIEF ENGINEER

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
 Total square footage = 4,000' ±

Lot numbers taken from A.P. 30.

PETITION TO THE CITY COUNCIL

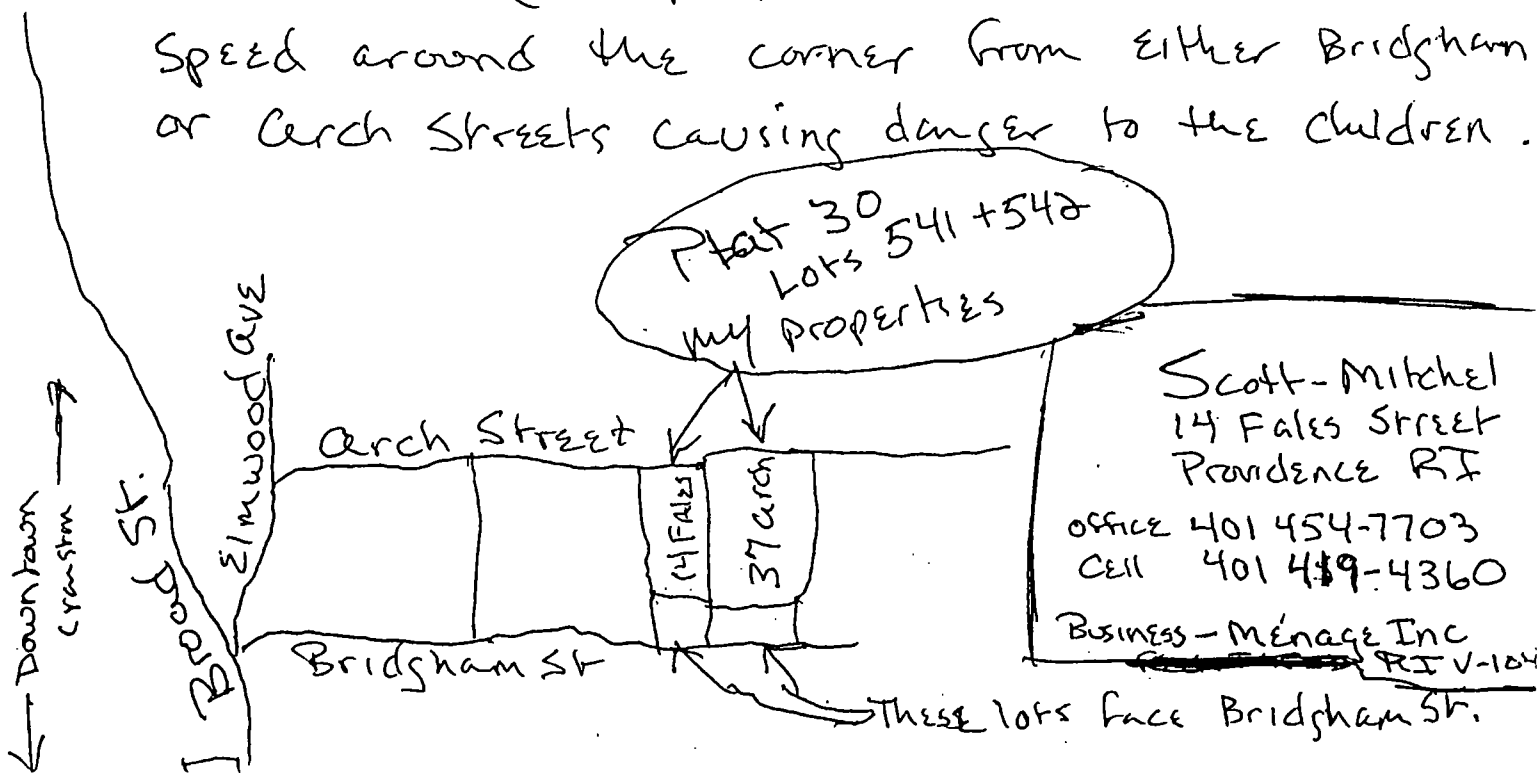
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Petition for Abandonment of Fales St.
Providence, RI.

I recently purchased the properties
on both sides of the street. My home
& business (14 Fales Street) is the
streets only address.

Reasons include minimalizing drug
traffic in and out of the neighborhood.
Limiting access to my lot which
frequently is littered w/ abandoned,
stolen cars. The neighborhood is full
of small children and the cars coming
in and out (not people from the neighborhood)
speed around the corner from either Bridgham
or Arch Streets causing danger to the children.



EDWARD C DUNCAN
120 ONLEY ST APT 3
PROVIDENCE, RI 02906

57-12/115
05

200

Date 10-20-03

Pay to the
Order of THE CITY OF PROVIDENCE \$6,000.00

SIX THOUSAND AND 9/100 Dollars



CITIZENS BANK
Rhode Island

For PALES ST.

⑆0⑆1⑆500⑆20⑆1082 867 2⑆0⑆0200

©Clarke American

GUARDIAN® SAFETY BLUE WBL

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

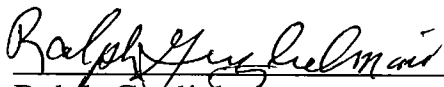
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF FALES STREET

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
30	541	Scott Mitchell 14 Fales Street Providence, RI 02907
30	542	Jared Mitchell 14 Fales Street Providence, RI 02907
30	551	Historic West End 861-A Broad Street Providence, RI 02907
30	552	Historic West End 861-A Broad Street Providence, RI 02907

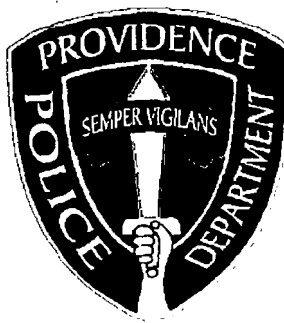
PETITIONER

Scott Mitchell
14 Fales Street
Providence, RI 02907



Ralph Guglielmino
City Sergeant 2/14/03

Councilwoman Balbina A. Young
Ward 11



**PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU**

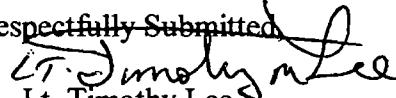
Lieutenant Timothy Lee, Commanding

February 26, 2003

TO: Colonel Dean Esserman, Chief of Police
FROM: Lieutenant Timothy Lee, Commanding Traffic Bureau
SUBJECT: Proposed abandonment of Fales Street.

Dear Sir,

I find no reason that the Police Department should oppose the abandonment of the proposed property on Fales St, providing that the City has no future plans for the parcel.

Respectfully Submitted,

Lt. Timothy Lee

A handwritten mark, possibly initials, consisting of a large 'G' and a checkmark-like symbol.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

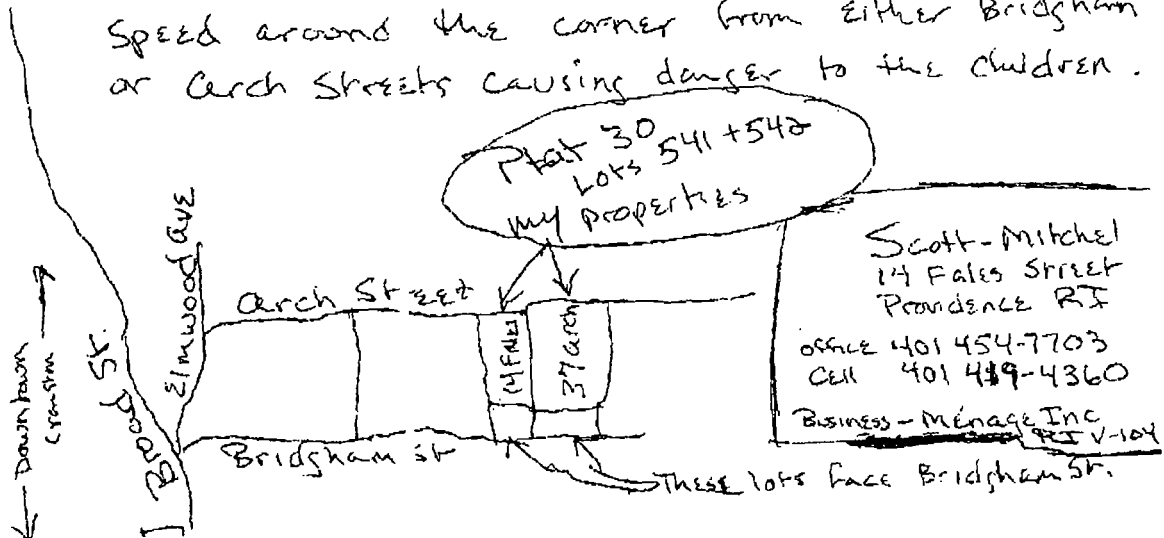
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

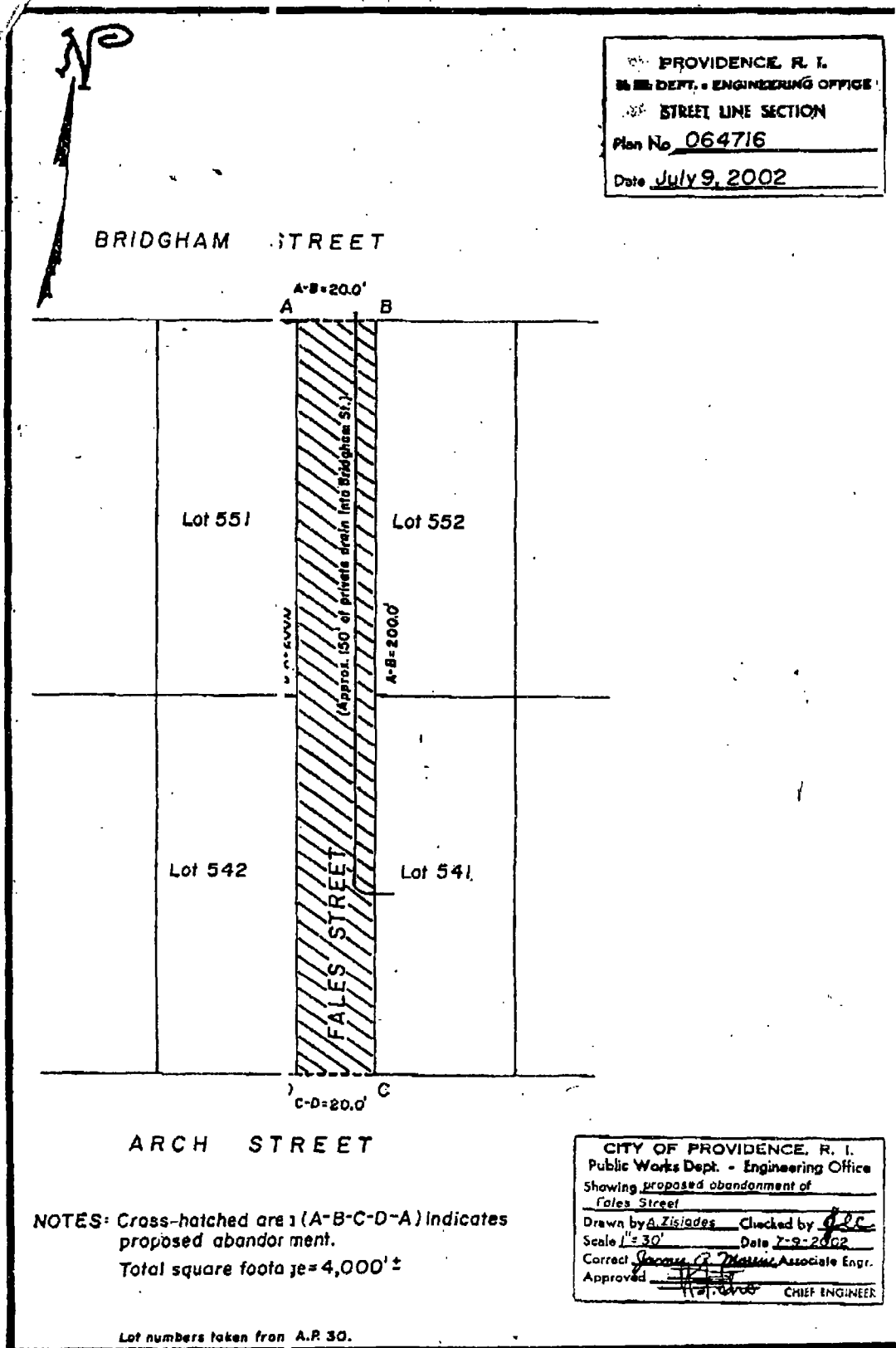
The undersigned respectfully petitions your honorable body

*Petition for Abandonment of Fales St.
Providence, R.I.*

I recently purchased the properties on both sides of the street. My home & business (14 Fales Street) is the streets only address.

Reasons include minimizing drug traffic in and out of the neighborhood. Limiting access to my lot which frequently is littered w/ abandoned, stolen cars. The neighborhood is full of small children and the cars coming in and out (not people from the neighborhood) speed around the corner from either Bridgman or Arch Streets causing danger to the children.





James F. Rattigan
Chief of Department

David D. Costa
Fire Marshal



Vincent A. Cianci Jr.
Mayor

John J. Partington
Commissioner

PROVIDENCE FIRE PREVENTION BUREAU

"Smoke Detectors Save Lives"

July 5, 2002

Vice-Chairman Joseph DeLuca
Committee on Public Works
City Hall
Providence, RI 02903

Re: Petition to Abandon Fales Street

Dear Vice-Chairman DeLuca,

After review of the petition to abandon Fales Street (see attachment), the Fire Department has no objection provided that no permanent barriers are constructed that would prohibit access by Fire Department apparatus to the Fales Street side of the building. A locked gate that swings open to allow access by emergency vehicles would be acceptable.

A handwritten signature in black ink, appearing to read "Dad D Costa", written over a horizontal line.

David D. Costa
Fire Marshal

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: October 9, 2002

TO: Chief James Rattigan, Chief of Fire


SUBJECT: **PETITION TO ABANDON A PORTION OF FALES STREET**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilwoman Rita M. Williams, Chairwoman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical.

SECOND NOTICE


Second Deputy
City Clerk

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

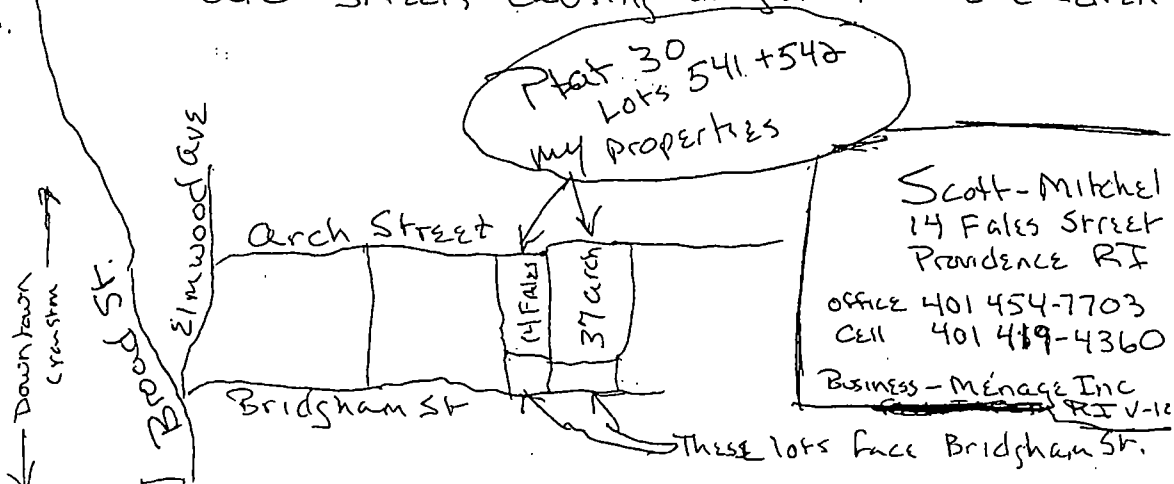
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frequently is littered w/ abandoned,
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in and out (not people from the neighborhood)
speed around the corner from either Bridgman
or Arch Streets causing danger to the children



FERDINAND C. IHENACHO, P.E., PTOE.
Director



VINCENT A. CIANCI, JR.
Mayor

Department of Public Works

"Building Pride in Providence"

July 9, 2002

Hon. Rita Williams
Chairwoman - Public Works Committee
Providence City Council -- City Hall
Providence, R.I. 02903

Dear Councilwoman Williams:

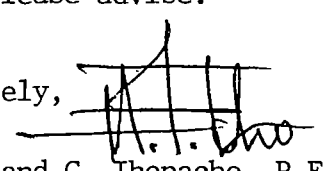
Re: Proposed Abandonment of Fales Street
From Arch St. to Bridgham St.

This Department has no objection to the proposed abandonment of Fales St., from Arch St. to Bridgham St., as shown on the accompanying plan entitled, "Providence, R.I., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064716, Date: July 9, 2002".

Portion of Fales St. is shown as cross-hatched area, designated as A-B-C-D-A on the accompanying plan. Note that there is approximately 150 ft. of private drain which flows into Bridgham St. sewer. Lot numbers for this plan were taken from City of Providence Assessor's Plat #30. There are approximately 4,000 + Square feet related to this proposed abandonment of Fales St. A list of abutting owners is attached herewith.

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

Sincerely,


Ferdinand C. Ihenacho, P.E.
Director

CC: M. Clement - City Clerk ✓
J.D'Amico, Esq.
G. Florio
S.Z.
J.L.C.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

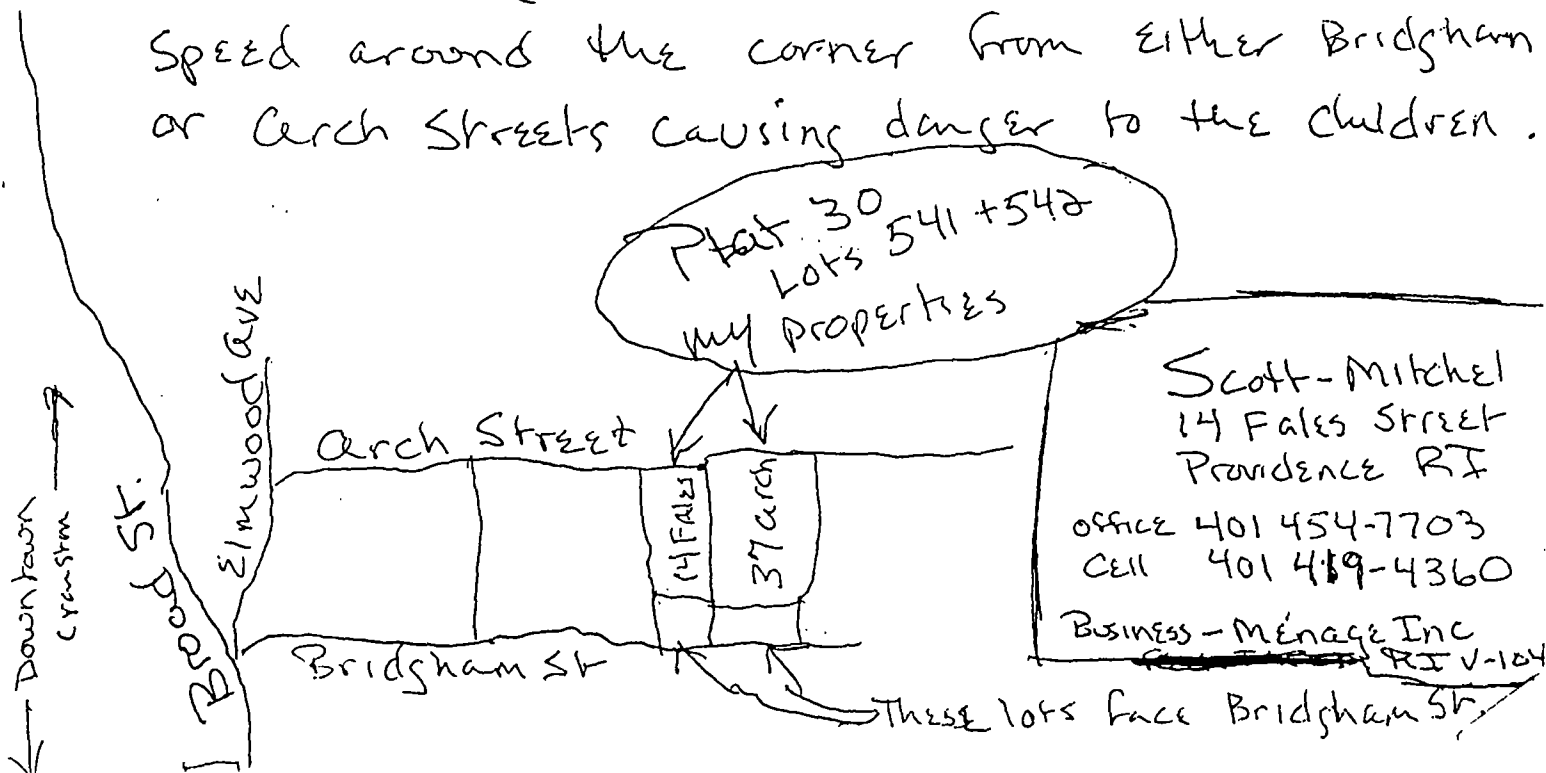
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

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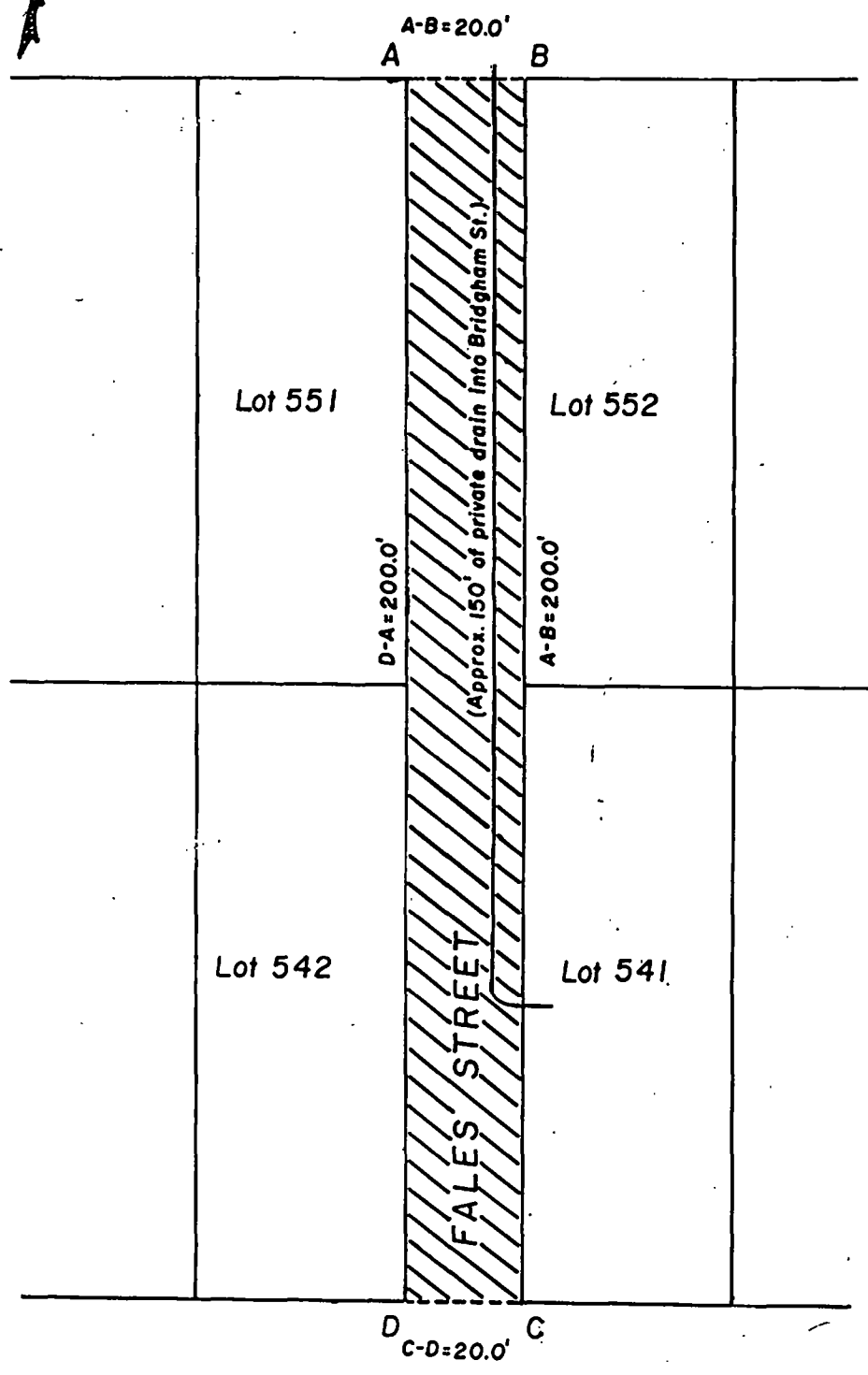
Reasons include minimalizing drug
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PROVIDENCE, R. I.
 DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064716
 Date July 9, 2002



BRIDGHAM STREET



ARCH STREET

NOTES: Cross-hatched area (A-B-C-D-A) indicates
 proposed abandonment.
 Total square footage = 4,000' ±

Lot numbers taken from A.P. 30.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of
Fales Street
 Drawn by A. Zisiades Checked by dec
 Scale 1" = 30' Date 7-9-2002
 Correct James A. Martin Associate Engr.
 Approved: [Signature] CHIEF ENGINEER

LIST OF ABUTTING OWNERS
PROPOSED ABANDONMENT OF
FALES ST.

A.P. 30 LOT 541 - 12 FALES ST.

SCOTT MITCHELL 14 FALES ST.

PROV. R.I. 02907

LOT 542 - 37 ARCH ST.

JARED MITCHELL 14 FALES ST.

PROV. R.I. 02907

LOT 551 - 52 BRIDGHAM ST.

HISTORIC WEST END 861A BROAD ST.

PROV. R.I. 02907

LOT 552 - 48 BRIDGHAM ST.

HISTORIC WEST END 861A BROAD ST.

PROV. R.I. 02907

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: June 19, 2002

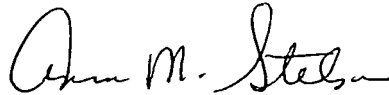
TO: Ferdinand Ihenacho, Director of Public Works

SUBJECT: **SEE ATTACHED PETITIONS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Joseph DeLuca, Vice-Chairman, Committee on Public Works to refer to you the accompanying petitions for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical.


Second Deputy City Clerk

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

CARISSA R. RICHARD
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

ALEXANDER D. PRIGNANO
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

ROBERT J. KILDUFF, ESQ., P.E.
General Manager and Chief Engineer

JOSEPH DE LUCA
City Councilman

RITA M. WILLIAMS
City Councilwoman

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

July 15, 2002

Councilman Joseph DeLuca, Vice Chairman
Committee on Public Works
25 Dorrance Street
Providence, Rhode Island 02903

SUBJECT: Petition for Street Abandonment
Fales Street
Providence, Rhode Island

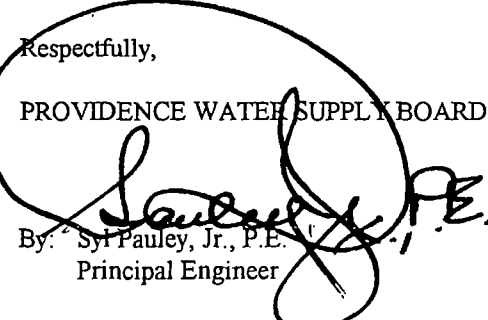
Dear Councilman DeLuca:

The referenced Petition to the City Council, which relates to the abandonment of Fales Street, between Arch Street and Bridgman Street, has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records do not indicate any water system related infrastructure within the limits of the subject street. Accordingly, PW does not oppose this abandonment.

If you have any questions, please feel free to contact me at (401) 521-6300 EXT 7241.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

By:  P.E.
Principal Engineer

SP/s

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

ABNLTR60.WPD

www.provwater.com

552 ACADEMY AVENUE • PROVIDENCE, RHODE ISLAND • 02908 • (401) 521-6300 • FAX (401) 331-5081 • TDD (401) 751-0203

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

June 26, 2002

Ms. Anna M. Stetson
Second Deputy City Clerk
City Hall
Providence, RI 02903

RE: Abandonment of portion of Stanhope Street, Syracuse Street, and Fales Street.

The Department of Public Parks has reviewed the proposed abandonment's of the above named streets, and has no objection to the proposed abandonment.

Sincerely yours,

A handwritten signature in cursive script that reads "John A. Izzo".

John A. Izzo
Supervisor of Engineering & Planning

IRENE J. TESTA
Director



DAVID N. CICILLINE
Mayor

Department of Traffic Engineering
"Building Pride In Providence"

MEMORANDUM

TO: Committee on Public Works
FROM: Irene J. Testa *Irene J. Testa*
DATE: 1/27/03
RE: PENDING MATTER

Request: To abandon a portion of Fales Street.

Disposition: No objection to said abandonment.

HENRY E. KATES
Chairman

LESLIE A. GARDNER
Vice Chairwoman

ROBERT H. MONTECALVO
JOSE V. MONTEIRO
MICHAEL A. SOLOMON
Members

RONALD W. ALLEN
LUIS A. APONTE
Councilmen

SAMUEL J. SHAMOON
Executive Director

SAMUEL J. SHAMOON
Secretary



JOHN J. LOMBARDI
Mayor

PROVIDENCE REDEVELOPMENT AGENCY

"Building Pride in Providence"

MEMORANDUM

DATE: **October 16, 2002**

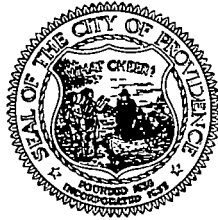
TO : **Michael Clement, City Clerk**
 John D'Amico, Law Dept.
 Anna Stetson, Deputy City Clerk

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

RE : **Fales Street Abandonment**

Pursuant to your request I have visited the site referenced above. The purpose of this visit was to determine Fair Market Value. The site contains 4,000 sq. Ft. and is zoned residential (R-3). The site will require an easement for a private drainage line as depicted on the map provided by the Public Works Department. The easement would preclude any building construction on the site. Therefore it would reduce the actual value by 50%.

4,000 sq. ft. @ 1.50 per ft. = \$6,000.00



PROVIDENCE CITY PLAN COMMISSION

"Planning The Future of Providence"

July 17, 2002

Chair
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

Re: CPC REFERRAL NO. 3195: Proposed Abandonment of Fales Street

Dear Committee Chair:

The City Plan Commission at its regular meeting on Tuesday, July 17, 2002 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of Fales Street.

The Commission 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.*

This abandonment would not be detrimental to the public interest. Traffic patterns would not be adversely impacted.

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

No negative impacts from this abandonment are anticipated.

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

The petitioner, Mr. Scott Mitchell owns property on either side of part of Fales Street, fronting on Arch Street (Plat 30, Lots 541 and 542). Another owner, a company named "Historic West End 2" owns the two other lots that abut Fales Street and front on Bridgham Street (Plat 30, Lots 551 and 552). The other owner would have to agree to the proposed abandonment and would have the right to acquire the portion abutting his property.

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

No access will be denied to surrounding areas.

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.*

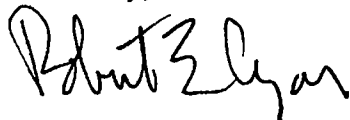
It is not known whether public services or facilities need to be protected, provided, or maintained within the right-of-way. The petitioner would need to grant easements if necessary.

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.*

A petition and plan have been provided. This proposal is consistent with the Zoning Ordinance and Comprehensive Plan.

The Commission voted to recommend to the Committee on Public Works that it approve the subject abandonment with the condition that any necessary easements be granted.

Sincerely,



Robert E. Azar
Administrative Officer

cc: Scott Mitchell, for Petitioner

Narragansett Electric

A National Grid Company



October 17, 2002

Anna M. Stetson
City Clerk's Office
Providence City Hall
Providence, RI

Re: Petition to Abandon a Portion of Fales Street

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has overhead facilities situated in the area of Fales Street proposed for abandonment.

NECO has no objection to the abandonment provided that, in the event, the street is abandoned, an easement, approved by NECO, for our facilities is granted to NECO.

Please call me if you have any questions.

Very truly yours,

Mindy C. Montecalvo
Real Estate Consultant
(401) 784-7512
(401) 784-7316 (fax)

Right of Way



85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

June 28, 2002

Claire Bestwick
2nd Deputy/City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Ms. Claire Bestwick

RE: PETITION TO ABANDON A PORTION OF ~~FALES~~-STREET

Dear Ms. Bestwick:

Upon investigation by our in house Engineer, Craig Richards, it has been determined that Verizon currently has no facilities on the proposed site to be abandoned.

Very truly yours,

A handwritten signature in black ink that reads "Mary C. Hanley".

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

7/30/02

Ms. Anna M. Stetson
Second Deputy City Clerk
Department of City Clerk
City of Providence
Providence, RI 02903

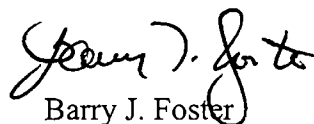
Re: Petition to Abandon Fales Street, Providence

Dear Ms. Stetson:

New England Gas Company does not own nor maintain gas facilities within above-mentioned petition therefore, we have no objections to this petition.

In the future, would you please address any further correspondents to me instead of Michael McGuire. Michael has taken on new responsibilities and I have taken on this area. If you have any further questions please feel free to call me at (401) 272-5040 ext. 5669.

Sincerely,



Barry J. Foster
Engineering Design Supervisor

BJF/



401 **941-2900**
FAX 941-3570

July 16, 2002

Scott Mitchell
14 Sales Street
Providence, RI 02907

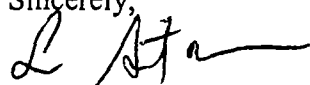
RE: Abandonment of Fales Street, Providence

Dear Mr. Mitchell:

Women's Development Corporation is the sponsor/Owner of the housing owned by Historic West End II, LP at 48 and 56 Bridgham Street. We have discussed with you, your request for the abandonment of Fales Street in Providence. We support the City's effort to abandon this street and are aware that it will effect our property at 48 and 56 Bridgham Street. The abandonment of Fales will give us more control of that land which will be a benefit for our housing at 48 and 56 Bridgham Street. We support your efforts to control the adjacent land on Arch Street (Plat 30 and lots 541 & 542).

I am available to answer any questions.

Sincerely,



Susan Aitcheson
Vice President

RESOLUTION OF THE CITY COUNCIL

No. 728

Approved November 14, 2003

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. 064716 dated July 9, 2002."

VIZ:

FALES STREET, (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) The City Plan Commission of the City of Providence shall indicate its approval of the within abandonment by letter to the Office of the City Clerk, City of Providence. (2) Petitioner shall tender the amount of Six Thousand Dollars (\$6,000.00) in legal tender U.S. to the City of Providence. And it is further

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IN CITY COUNCIL
READ AND PASSED

PRES.

Michael R. Clement
CLERK

A true copy

Attest

Michael R. Clement
Michael R. Clement
City Clerk

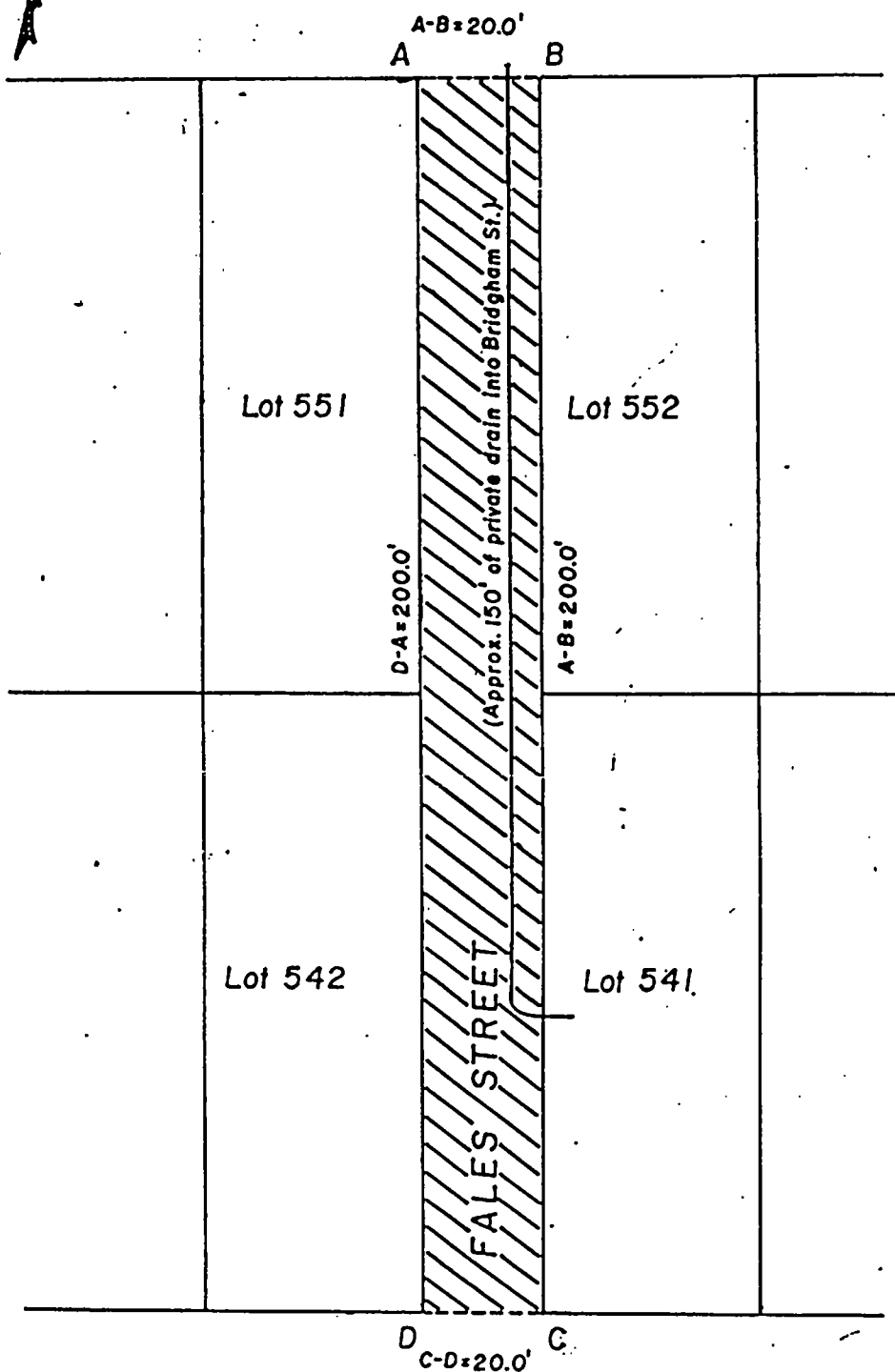
APPROVED

[Signature]
MAYOR 11/14/03

BK 6200PG 103

PROVIDENCE, R. I.
 DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064716
 Date July 9, 2002

BRIDGHAM STREET



ARCH STREET

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.

Total square footage = 4,000' ±

Lot numbers taken from A.P. 30.

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 Public Works Dept. - Engineering Office
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 Drawn by A. Zisiades Checked by JLC
 Scale 1" = 30' Date 7-9-2002
 Correct Jimmy A. Mallin Associate Engr.
 Approved: [Signature] CHIEF ENGINEER

CITY SERGEANT'S OFFICE

THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON A PORTION OF FALES STREET

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
30	541	Scott Mitchell 14 Fales Street Providence, RI 02907
30	542	Jared Mitchell 14 Fales Street Providence, RI 02907
30	551	Historic West End 861-A Broad Street Providence, RI 02907
30	552	Historic West End 861-A Broad Street Providence, RI 02907

PETITIONER

Scott Mitchell
14 Fales Street
Providence, RI 02907

Ralph Guglielmino
Ralph Guglielmino
City Sergeant 2/14/03

Councilwoman Balbina A. Young
Ward 11

PROVIDENCE, RI
RECORD
2003 NOV 25 PM 3:08
BACCH
ACTING RECORDER OF DEEDS
Hondan, R.

6200/102-104

PROVIDENCE, RI
RECORD

2003 NOV 25 PM 3:08

ACTING RECORDER OF DEEDS



26078