

RESOLUTION OF THE CITY COUNCIL

No. 250

Approved April 24, 2012

RESOLVED, DECREED, AND ORDERED:

That the following-named street on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 640832, dated April 17, 2012."

VIZ: Read Street, portion of, shown as the cross-hatched areas on the accompanying map and designated by the letters A-B-C-D-A, having ceased to be useful to the public, 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 two hundred seventy-five thousand six hundred dollars (\$275,600.00) in legal tender U.S. currency to the City of Providence.

2. Petitioner shall either grant as easement, satisfactory to Petitioner, 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 the Petitioner that any such facilities need be relocated or disconnected in order to comply with an intended use, the Petitioner shall assume all costs of relocation or disconnection.

3. Petitioner 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.

4. The Petitioner 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.

IN CITY COUNCIL

APR 19 2012

READ AND PASSED

[Signature]
PRES.

[Signature]
ACTING CLERK

I HEREBY APPROVE.

[Signature]
Mayor

Date: 4/24/12



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

Apr. 17, 2012

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

RE: Proposed Abandonment of Read Street

Dear Councilman Hassett:

This department has no objection to the proposed abandonment on Read St. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064832. Area of abandonment is designated as (A-B-C-D-E-F-A) on the accompanying plan.

No sewer easement required.
Total square footage equals 4,220 square feet. (±)
See accompanying plan for plat and lot numbers.

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

Very truly yours,
William C. Bombard

William C. Bombard
Acting Director

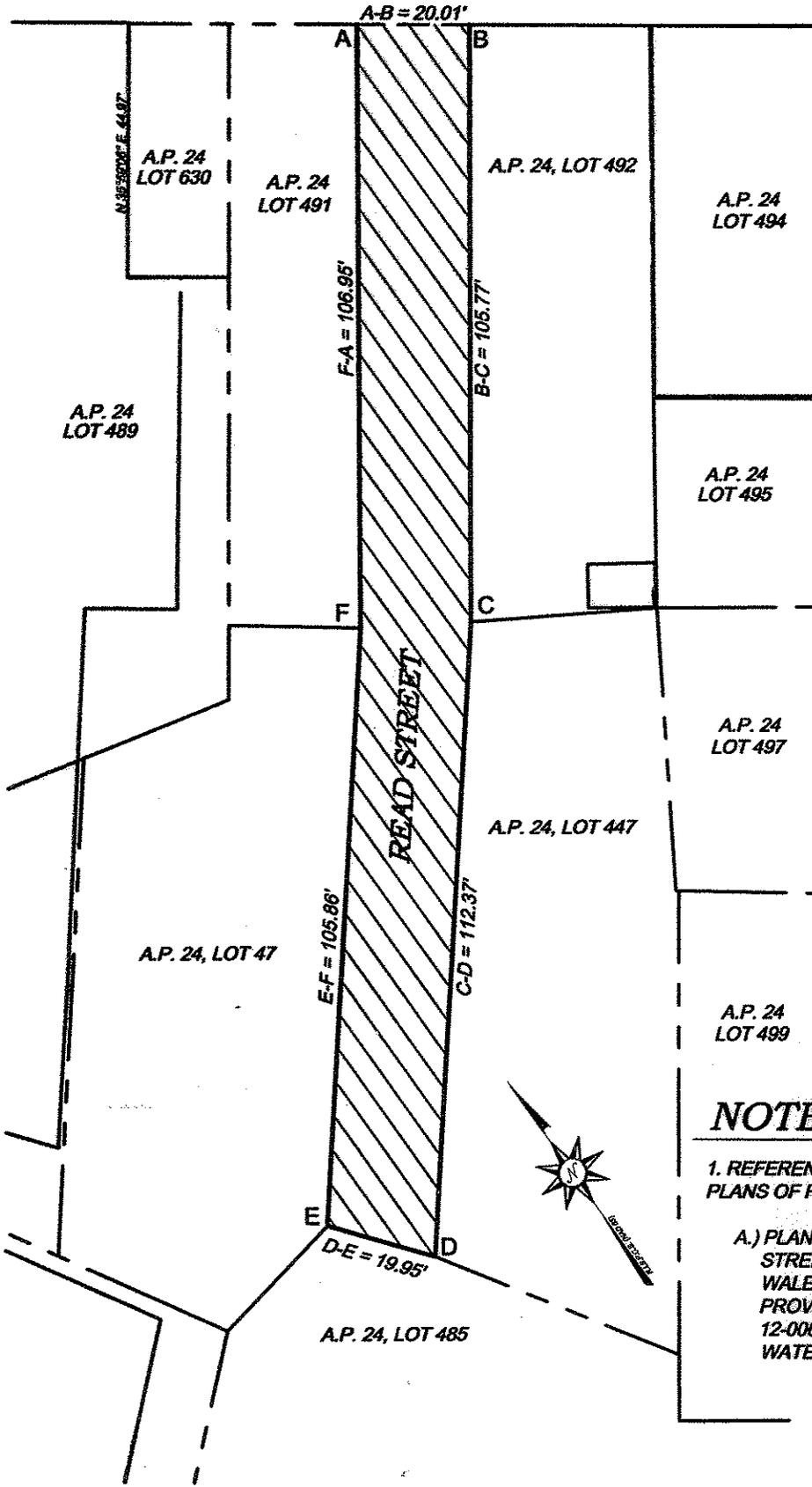
cc: Ann Stetson-City Clerk
BB, AZ-DPW
A. Southgate, Esq.- Law Dept.
D. Quinn- Tax Assessors
J. Bennett-Planning

PROVIDENCE THE CREATIVE CAPITAL

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

PROVIDENCE, R.I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064832
 Date APRIL 17, 2012

RICHMOND STREET



NOTES / REFERENCES

1. REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD;

A.) PLAN ENTITLED "ABANDONMENT PLAN READ STREET PROVIDENCE, RHODE ISLAND JOHNSON & WALES UNIVERSITY & ABBOTT PARK PLACE PROVIDENCE, RHODE ISLAND 02903 PROJECT No. 12-006 SCALE: 1" = 10' DATE: 3/23/12 BY WATERMAN ENGINEERING CO.

NOTES: CROSS-HATCHED AREA (A-B-C-D-E-F-A) INDICATES PROPOSED ABANDONMENT.

TOTAL SQUARE FOOTAGE = 4,220 S.F. (0.097 AC.) +/-

CITY OF PROVIDENCE, R.I.
 Public Works Dept. - Engineering Office
 Showing **PROPOSED ABANDONMENT OF READ STREET**
 Drawn by JND/BLT Checked by RSL
 Scale 1" = 30' Date 4/17/12
 Correct Approved William C. [Signature] Associate Eng.
 CHIEF ENGINEER

RESOLUTION OF THE CITY COUNCIL

No. 251

Approved April 24, 2012

RESOLVED, DECREED, AND ORDERED:

That the following-named street on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No.064831, dated April 17, 2012."

VIZ: Shipyard Street, portion of, shown as the cross-hatched 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 six hundred forty-nine thousand one hundred ninety-four dollars (\$649,194.00) in legal tender U.S. currency to the City of Providence.
2. Petitioner shall either grant as easement, satisfactory to the Petitioner, 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 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. Petitioner shall either grant an easement, satisfactory to the Petitioner, in favor of the Bristol County Water Authority, 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 to be relocated in order to comply with an intended use, then Petitioner shall assume all costs of relocation.
4. Petitioner shall either grant an easement, satisfactory to the Petitioner, 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 the Petitioner that any such facilities need to be relocated in order to comply with an intended use, then Petitioner shall assume all costs of relocation.

5. Petitioner shall either grant a sewer easement , satisfactory to the Petitioner, in favor of the City of Providence, Department of Public Works, 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 to be relocated in order to comply with an intended use, then Petitioner shall assume all costs of relocation.

6. Petitioner shall acknowledge its agreement with the Providence Fire Department to provide fire and emergency access to and from the Port of Providence.

7. Petitioner will continue to allow existing access to Drummond Field from dawn to dusk for a period of one year from passage of this Resolution, and thereafter will provide pedestrian access from dawn to dusk for activities that have been officially permitted by the Providence Parks Department, such access to be from Michigan Avenue over areas reasonably directed by Petitioner until alternative reasonable access is available from New York Avenue. Petitioner may, at its option, grade, pave or improve such portion of New York Avenue from Shipyard Street to Drummond Field to provide such alternative reasonable access.

8. Petitioner 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.

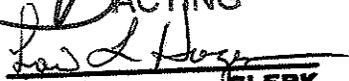
9. The Petitioner shall comply with all conditions contained herein within sixty (60) days from the date of passage.

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

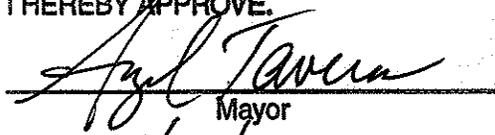
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

IN CITY COUNCIL

APR 19 2012
READ AND PASSED

PRES.
ACTING

CLERK
ACTING

I HEREBY APPROVE.


Mayor
Date: 4/24/12



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

Apr. 17, 2012

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 Shipyard Street

Dear Councilman Hassett:

This department has no objection to the proposed abandonment on Shipyard St. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064831. Area of abandonment is designated as (A-B-C-D-E-F-G-H-I-J-A) on the accompanying plan.

Full sewer easement required.
Total square footage equals 92,742 square feet. (±)
See accompanying plan for plat and lot numbers.

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

Very truly yours,
William C. Bombard

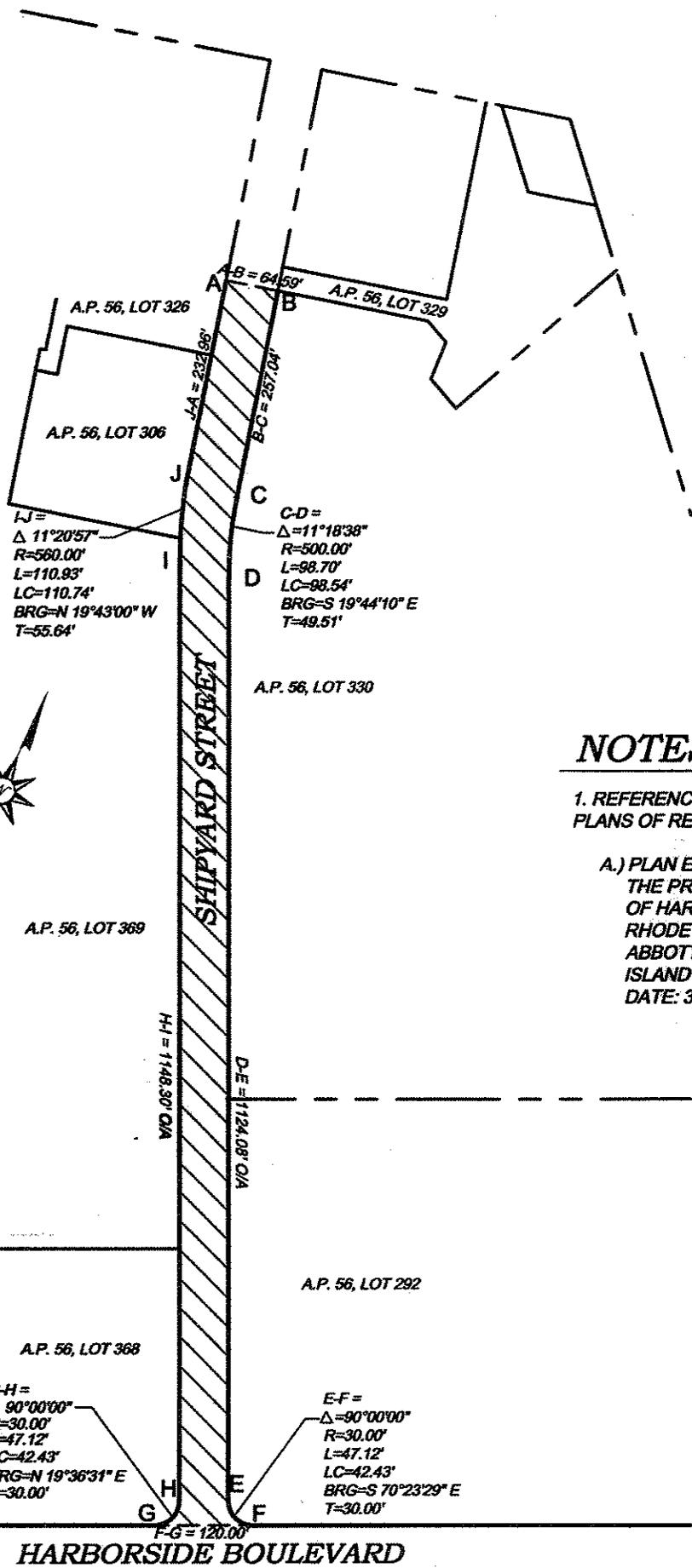
William C. Bombard
Acting Director

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 7350 OFFICE | 401 941 2567 FAX
www.providenceri.com

PROVIDENCE, R.I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064831
 Date APRIL 17, 2012



NOTES / REFERENCES

1. REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
- A.) PLAN ENTITLED "BOUNDARY SURVEY SHOWING THE PROPOSED ABANDONMENT OF A PORTION OF HARBORSIDE BOULEVARD PROVIDENCE, RHODE ISLAND JOHNSON & WALES UNIVERSITY 8 ABBOTT PARK PLACE PROVIDENCE, RHODE ISLAND 02903 PROJECT No. 03-039 SCALE: 1" = 60' DATE: 3/28/12 BY WATERMAN ENGINEERING CO.

NOTES: CROSS-HATCHED AREA (A-B-C-D-E-F-G-H-I-J-A) INDICATES PROPOSED ABANDONMENT.
 FULL SEWER EASEMENT REQUIRED.
 TOTAL SQUARE FOOTAGE = 92,742 S.F. (2.129 AC.) +/-

CITY OF PROVIDENCE, R.I.
 Public Works Dept. - Engineering Office
 Showing **PROPOSED ABANDONMENT OF A PORTION OF SHIPYARD STREET**
 Drawn by JND/BLT Checked by RSL
 Scale 1" = 200' Date 4/17/12
 Correct William J. Farnsworth Associate Engr.
 Approved William J. Farnsworth CHIEF ENGINEER

RESOLUTION OF THE CITY COUNCIL

No. 252

Approved April 24, 2012

RESOLVED, DECREED, AND ORDERED:

That the following-named street on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064830, dated April 17, 2012."

VIZ: Harborside Boulevard, portion of, shown as the cross-hatched 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 seven hundred seventy four thousand four hundred eighty seven dollars (\$774,487.00) in legal tender U.S. currency to the City of Providence.

2. Petitioner shall either grant as easement, satisfactory to the Petitioner, 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 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. Petitioner shall either grant an easement, satisfactory to the Petitioner, in favor of the Bristol County Water Authority, 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 to be relocated in order to comply with an intended use, then Petitioner shall assume all costs of relocation.

4. Petitioner shall either grant an easement, satisfactory to the Petitioner, 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 the Petitioner that any such facilities need to be relocated in order to comply with an intended use, then Petitioner shall assume all costs of relocation.

5. Petitioner shall either grant a sewer easement, satisfactory to the Petitioner, in favor of the City of Providence, Department of Public Works, 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 to be relocated in order to comply with an intended use, then Petitioner shall assume all costs of relocation.

6. Petitioner shall acknowledge its agreement with the Providence Fire Department to provide fire and emergency access to and from the Port of Providence.

7. Petitioner shall grant an easement to the City of Providence Department of Public Works, acceptable to the Petitioner, for access to and maintenance of Save the Bay Road.

8. The abandonment is subject to a continuing easement in favor of the public to access the "Designated Easement Area" as that term is defined in that certain Consent Judgment recorded in Providence at Book 7837, Page 186 and in Cranston at Book 3268 Page 189 for the purpose of public shoreline access (the "Prior Public Access Easement") subject to the terms and conditions set forth in said Prior Public Access Easement and subject to enforcement by the Rhode Island Department of Environmental Management as provided in the Prior Public Access Easement.

9. Petitioner 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.

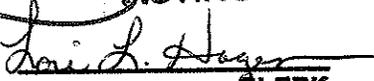
10. The Petitioner shall comply with all conditions contained herein within sixty (60) days from the date of passage.

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.

IN CITY COUNCIL

APR 19 2012
READ AND PASSED

ACTING PRES.

CLERK
ACTING

I HEREBY APPROVE.



Mayor
Date: 4/24/12



Department of Public Works
Engineering Division

William C. Bombard PE, Chief Engineer

Apr. 17, 2012

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 Harborside Blvd.

Dear Councilman Hassett:

This department has no objection to the proposed abandonment on Harborside Blvd. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064830. Area of abandonment is designated as (A-B-C-D-E-A) on the accompanying plan.

Full sewer easement required.
Total square footage equals 110,641 square feet. (±)
See accompanying plan for plat and lot numbers.

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

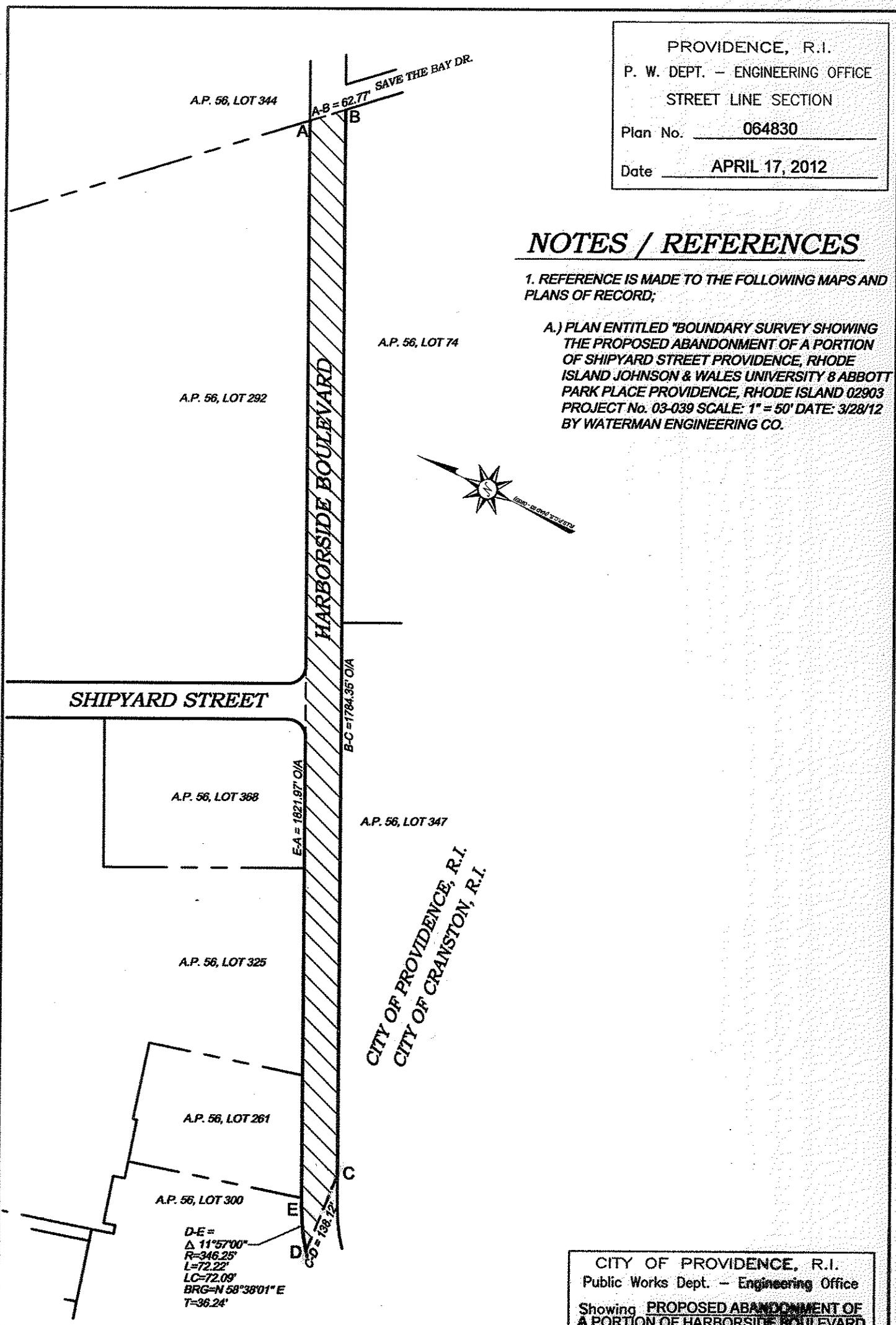
700 Allens Avenue | Providence, Rhode Island 02905 | 401 467 7950 OFFICE | 401 941 2567 FAX
www.providenceri.com

PROVIDENCE, R.I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064830
 Date APRIL 17, 2012

NOTES / REFERENCES

1. REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD;

A.) PLAN ENTITLED "BOUNDARY SURVEY SHOWING THE PROPOSED ABANDONMENT OF A PORTION OF SHIPYARD STREET PROVIDENCE, RHODE ISLAND JOHNSON & WALES UNIVERSITY & ABBOTT PARK PLACE PROVIDENCE, RHODE ISLAND 02903 PROJECT No. 03-039 SCALE: 1" = 50' DATE: 3/28/12 BY WATERMAN ENGINEERING CO.



NOTES: CROSS-HATCHED AREA (A-B-C-D-E-A) INDICATES PROPOSED ABANDONMENT.

FULL SEWER EASEMENT REQUIRED.

TOTAL SQUARE FOOTAGE = 110,641S.F. (2.540 AC.) +/-

CITY OF PROVIDENCE, R.I.
 Public Works Dept. - Engineering Office
 Showing PROPOSED ABANDONMENT OF A PORTION OF HARBORSIDE BOULEVARD
 Drawn by JND/BLT Checked by RSL
 Scale 1" = 200' Date 4/17/12
 Correct _____ Associate Engr.
 Approved *William C. [Signature]* CHIEF ENGINEER

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 undersigned respectfully petitions your honorable body for the abandonment pursuant to RIGL 24-6-1 of those public ways located in 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 the undersigned that has executed by both the undersigned and on behalf of the City by the Hon. Angel Taveras, Mayor, and which has been presented to this honorable body for its review, approval and passage.

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

- 1) The "Read Street Area" – An area approximately 225 feet long by 8 feet wide (1800 sq. feet), formerly known as Read Street (the "Read Street Area"); and
- 2) The "Shipyards Street Area" – A portion of Shipyards Street approximately 1,426 feet long by 60 feet wide (85,560 sq. feet) from the southwest corner of Plat 56, Lot 260 to the terminus at Harborside Boulevard; and
- 3) The "Harborside Boulevard Area" – A portion of Harborside Boulevard approximately 1,850 feet long by 60 feet wide (111,000 sq. feet) from the City line south to the intersection with Save the Bay Drive.

The Street Areas are shown on Exhibit A-1, Exhibit A-2 and Exhibit A-3 attached hereto and will be more particularly described in surveys and by metes and bounds descriptions to be provided by the undersigned to the Council prior to the completion of the abandonment requested in this Petition.

In support of this Petition, the undersigned respectfully represents to this Honorable City Council that the Street Areas have ceased to be useful to the public and that the Street Areas are abutted on both sides by land owned by Johnson & Wales University or its wholly owned subsidiary, Griffin Realty Enterprises, Inc.

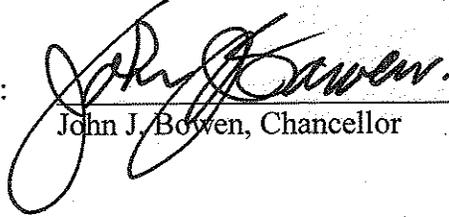
In the event the undersigned acquires title to the Street Areas as petitioned and as proposed in the proposed 2012 MOA, the undersigned agrees to pay to the City, the fair market value of the Street Areas and agrees that the final calculation of the area of the Street Areas from which said fair market value will be calculated shall be determined by means of surveys that comply with the requirements of this honorable body and which shall be provided to this honorable body at the expense of the undersigned. However, if it is determined by this honorable body that the fair market value of the Street Areas exceeds the greater of (i) \$1,400,000.00, or (ii) an amount equal

to Sixty Five Dollars (\$65.00) per square foot times the area of the Read Street Area plus Seven Dollars (\$7.00) per square foot times the area of the Harborside Boulevard and Shipyard Street Areas, the undersigned reserves the right to withdraw this Petition.

Respectfully Submitted,

JOHNSON & WALES UNIVERSITY

By:



John J. Bowen, Chancellor

March 16, 2012

Mailing Address of Petitioner:

Johnson & Wales University
8 Abbott Park Place
Providence, Rhode Island 02903

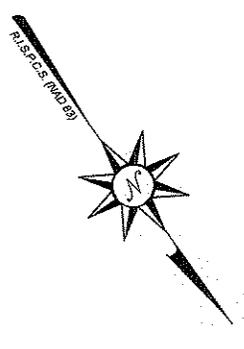
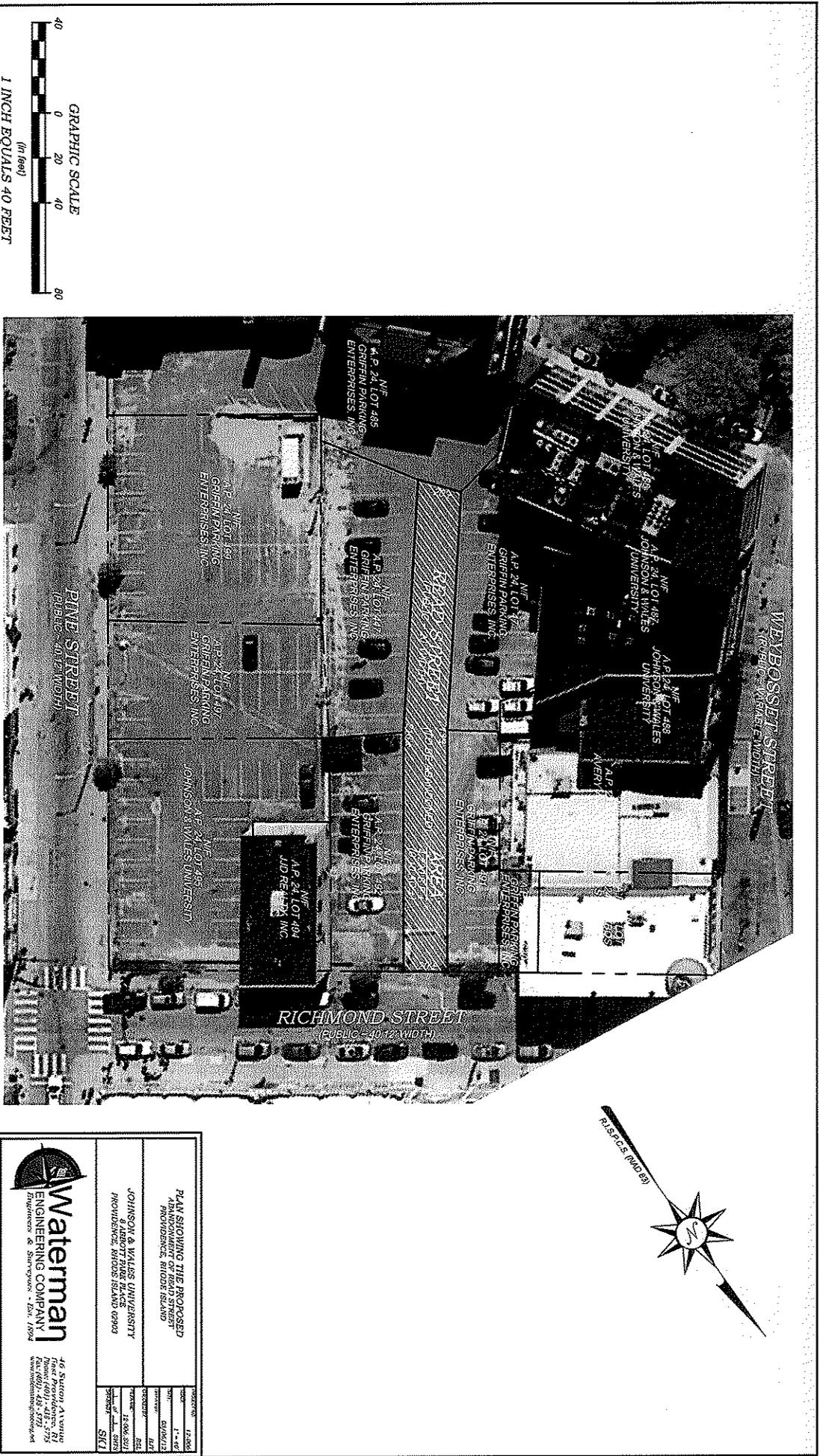
Attention: Merlin A. DeConti, Jr., Sr. V.P. of Facilities
Attention: Barbara L. Bennett, Sr. Vice President of Law and Policy

The Petitioner is represented in this matter by:

Mark T. Ryan, Esquire
Moses & Afonso, Ltd.
160 Westminster Street, Suite 400
Providence, Rhode Island 02903

EXHIBIT A-1

EXHIBIT A-2

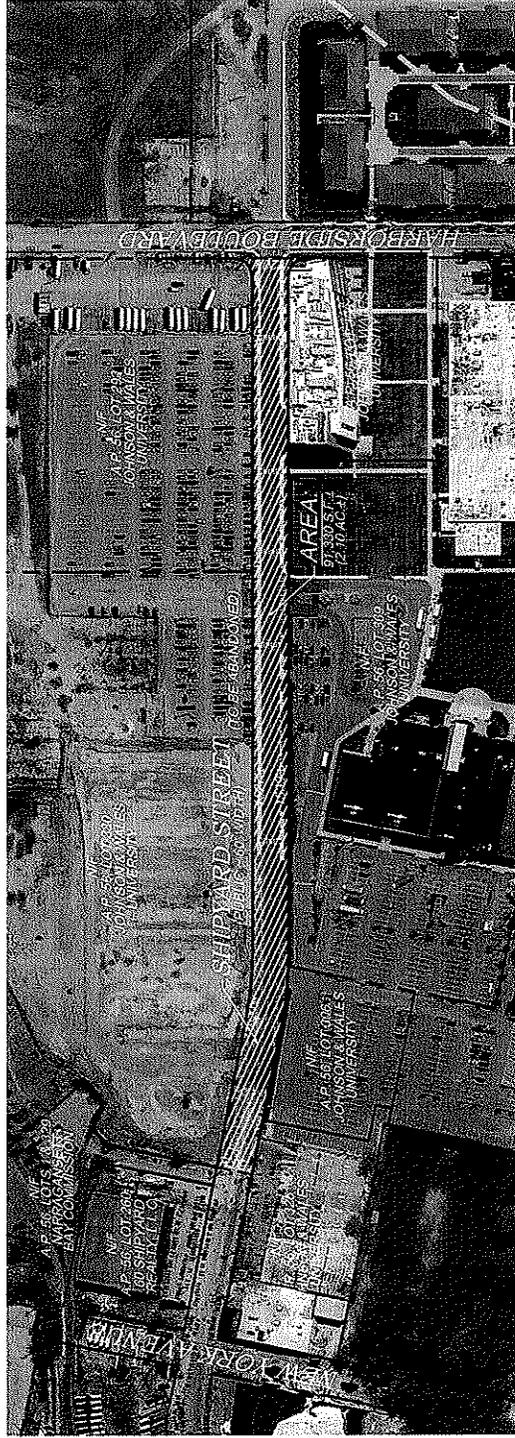


PLAN SHOWING THE PROPOSED A.P. 24 LOTS 486-494 PROVIDENCE, RHODE ISLAND	
PREPARED BY JOHNSON & WALKES UNIVERSITY 9 ARBORTOWN SQUARE PROVIDENCE, RHODE ISLAND 02903	PROJECT NO. 15-004-S71
DATE 05/20/15	SHEET NO. 517

Waterman
ENGINEERING COMPANY
Established in 1899

76 SHELTON AVENUE
PROVIDENCE, RHODE ISLAND 02903
PHONE: (401) 418-3775
FAX: (401) 418-3777
WWW.WATERMANENG.COM

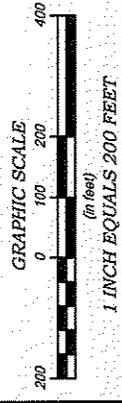
EXHIBIT A-3



PROJECT NO.	02-030
	1-200
DATE	02/21/12
PROJECT	PROVIDENCE, RHODE ISLAND
DESIGNED BY	ELZ
PERMITTED BY	ELZ
DATE OF PERMIT	02/21/12
SCALE	AS SHOWN

JOHNSON & WALES UNIVERSITY & ABBOTT PARK PLACE PROVIDENCE, RHODE ISLAND 02903

 Waterman ENGINEERING COMPANY Providence, Rhode Island, Est. 1894	46 Stross Avenue First Providence, RI 02903 Tel: (401) 435-5773 www.watermanengineering.com
---	---

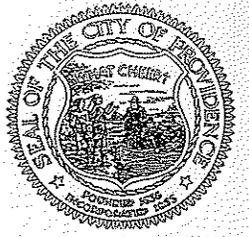




PROVIDENCE POLICE DEPARTMENT

TRAFFIC SERVICES

Sgt. Paul Zienowicz, Commanding



3-19-12

To: Anna Stetson, City Clerk
From: Sgt. Paul Zienowicz
Subject: Johnson & Wales Petition

Dear Ms Stetson,

I have received all the information regarding the proposed abandonment of the three portions of roadway named in the petition as the Read St. Area, the Shipyard St. Area, and the Harborside Boulevard Area.

After a review of these specific areas, and the surrounding area traffic flow, The Providence Police Department has no objection to the proposed abandonment of these properties as currently constituted in the plans provided and listed as exhibit A-1, exhibit A-2 and Exhibit A-3.

If I can be of any further service in the matter do not hesitate to contact me.

Sincerely,

Sgt. Paul Zienowicz

MICHAEL J. DILLON
Acting Chief of Department

PAUL J. THOMAS
Acting Assistant Chief
of Department



ANGEL TAVERAS
MAYOR

STEVEN M. PARE
Commissioner of
Public Safety

Department of Public Safety, Fire Department
"Building Pride in Providence"

March 20, 2012

Ms. Anna Stetson
Providence City Clerk
25 Dorrance Street
Providence, RI 02903

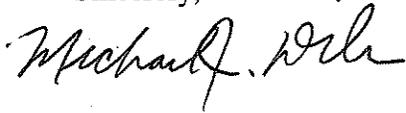
Dear Ms. Stetson:

The Providence Fire Department is in receipt of your correspondence from the City Clerk dated March 19, 2012. The Providence Fire Department has no objections to the abandonment of Read Street. The Providence Fire Department has several concerns regarding the abandonment of Shipyard Street and Harborside Boulevard.

1. Harborside Boulevard and Terminal Road are the only means of egress and access to the port in the event of a disaster either natural or man made. Should Terminal Rd become unusable for whatever reason the only other escape route from the port would be Harborside Boulevard. The chief hazards in this area are the Liquefied Natural Gas facility owned by National Grid and located on Terminal Rd, the Liquefied Petroleum Gas facility owned by Teppco and located on Fields Point Drive and a chemical manufacturing facility owned by Univar located on Harborside Boulevard
2. From a public safety standpoint, with Harborside Boulevard closed the only approach to the chemical facility at Univar would be from the north via Fields Point Drive. The first rule of hazardous material response is to approach the incident from up hill and up wind. The prevailing winds in the summer are from the south. Firefighters and apparatus would have to approach from the north possibly exposing them to toxic gases or chemicals should there be a release at this facility
3. The abandonment of Shipyard Street would deprive the Fire Department of access to the rail line from the west. The same approach rule would apply in this instance. Should the wind direction be from the west or north west firefighters may become exposed to toxic gases or chemicals if forced to approach an incident on the rail line from the north or east.

The Providence Fire Department has no objections to the abandonment of Shipyard Street and Harborside Boulevard in so far as public safety access is maintained to the railroad spur and access and egress is maintained east west along the axis of Harborside Blvd

Sincerely,

A handwritten signature in black ink that reads "Michael J. Dillon". The signature is written in a cursive style with a large initial "M".

MICHAEL J. DILLON
Acting Chief of Department

MJD/kb



CITY OF PROVIDENCE
Angel Taveras, Mayor

Memo

To: Councilman John J. Iglizzi, Committee on City Property
From: William C. Bombard, PE, City Engineer
CC: Paul J. Thomas, Director of Public Works
Date: March 19, 2012
Re: **Petition to Abandon City Streets**

In response to a petition to abandon certain streets in the City, Please note the following:

- Read Street does not presently function as part of the street network, nor is there a City sewer within the right-of-way. The abandonment will technically result in Abbott Place becoming a dead-end street, but, in reality, there is a way through Abbott Park, on private land, which allows for suitable egress from Abbott Place. Therefore, this office has no objection to this abandonment.
- Shipyard Street is part of an existing street network and contains a public sewer. Any abandonment must be subject to a permanent full sewer easement to allow for maintenance and repairs to this sewer. Since Johnson and Wales University so generously resurfaced Shipyard Street in the very recent past, there is doubt that their intention is to remove this surface in the near future, but any future improvements to this area must recognize the City's responsibility for sewer maintenance. Provide the appropriate easements are reserved at the conveyance of the title, this office has no objection to this abandonment.
- Harborside Boulevard is also part of an existing street network and contains a public storm sewer, as well as the pressure sewer from the Save the Bay facility. Also, Save the Bay Road, the access way that connects the parcel of land of Save the Bay to Harborside Boulevard is a public street. Abandonment of Harborside Boulevard will necessitate a permanent access easement for maintenance of Save the Bay Road. Provide the appropriate easements are reserved at the conveyance of the title, this office has no objection to this abandonment.

DEPARTMENT OF PUBLIC WORKS

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



552 Academy Avenue
Providence, RI 02908

401-521-6300

www.provwater.com

March 21, 2012

Hon. Michael A Solomon
President
Providence City Council
Providence City Hall
25 Dorrance Street
Providence, RI 02903

The Hon. Angel Taveras
Mayor

Boyce Spinelli
Acting General Manager

Subject: Petition for Street Abandonments
Shipyards Street, Harborside Boulevard, and Read Street
Providence, RI

BOARD OF DIRECTORS

Brett P. Smiley
Chairman

Joseph D. Cataldi
Vice Chairman

Michael L. Pearis
Ex-Officio

Michael A. Solomon
City Council President

Michael J. Correia
City Councilman

Andy M. Andujar
Member

Joan S. Badway
Member

Carissa R. Richard
Secretary

William E. O'Gara, Esq.
Legal Advisor

Dear Council President Solomon:

The referenced Petition to the City Council to abandon Shipyards Street, Harborside Boulevard, and Read Street has been reviewed for any impact upon the Providence Water distribution system. Our findings are as follows:

Shipyards Street and Harborside Boulevard

Providence Water (PW) has a 12-inch ductile iron water main running the entire length of the proposed abandonment areas in Shipyards Street and Harborside Boulevard. There are numerous water services along with hydrants and valves located along these mains. In addition to PW mains, there is a 30-inch ductile iron water main located on both Shipyards Street and Harborside Boulevard that is owned and operated by the Bristol County Water Authority which serves as their wholesale water supply line from us.

Based on our existing facilities within these streets, Providence Water opposes the abandonment of Shipyards Street and Harborside Boulevard as requested. Should the abandonment take place, it would be essential that the Petitioner grant to PW a full easement to own and operate, and for access to maintain, construct, repair, etc. the existing water mains, valves, hydrants, and water services within the proposed abandonment areas, with the extent and terms of such easements subject to review and approval by Providence Water.

Read Street

PW has a 6-inch cast iron water main running the entire length of the proposed abandonment of Read Street, including a valve and some existing water service connections, all of which could be abandoned and which would need to be disconnected from the system should Read Street be abandoned. All costs associated

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

RECEIVED
MAY 1 11 57 AM '12

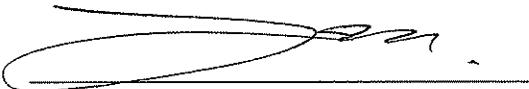
with the severing and disconnection of this section of water main from Richmond Street to Abbott Park Place would be the responsibility of the Petitioner.

Please be advised that the subject petition for street abandonment also needs be sent to the Bristol County Water Authority for review, as PW does not have jurisdiction over its 30-inch water main in Shipyard Street and Harborside Boulevard.

If there are any questions regarding this issue, please contact Frank Healy at Providence Water at (401) 521-6300 extension 7261.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD



Frank Healy

Manager

cc: P. Gadoury, P.E.
P. LePage
J. Brosco
P. Pallozzi
A. Stetson, City Clerk ✓
File



Providence Parks Department

"Building Pride in Providence"

MEMORANDUM

TO: LORI HAGEN, SECOND DEPUTY CITY CLERK
FROM: ROBERT F. MCMAHON, SUPERINTENDENT OF PARKS
DATE: MARCH 19, 2012

Robert F. McMahon

The Parks Department has no objection nor foresees any conflict with the Petition of Johnson & Wales University dated March 16, 2012 to abandon the areas specified in said Petition, namely, the "Read Street Area", the "Shipyard Street Area", and the "Harborside Boulevard Area."

FILED
2012 MAR 21 A 11:51
DEPT. OF CITY CLERK
PROVIDENCE, RI



City Plan Commission
Angel Taveras, Mayor

April 17, 2012

Councilman Michael Solomon
Council President
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Anna Stetson

Re: Referral 3345 - Petition to abandon Read Street and portions of Shipyard Street and Harborside Boulevard

Petitioner: Johnson and Wales University

Dear Councilman Solomon:

At a special meeting held on April 16, 2012, the City Plan Commission (CPC) considered the proposal by the petitioner, Johnson and Wales University, to abandon Read Street and portions of Shipyard Street and Harborside Boulevard, and a recommendation was made to the City Council.

FINDINGS OF FACT

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.*

Read Street: Read Street is a dead end street located off Richmond Street. Read Street is adjacent to a parking lot owned by the applicant and is not used for public access. The

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

Commission found that abandonment of the street would allow for development of the lot and would not be contrary to the public interest.

Shipyards Street and Harborside Boulevard: The applicant owns all the parcels abutting the portions of Shipyards Street and Harborside Boulevard proposed for abandonment. The applicant has stated that it will provide access to the Save the Bay property, emergency access to the port, and to the shoreline for public and recreational use. The Commission found that if such access would not be impeded, the abandonments were not 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 Commission found that no negative impacts were to be expected.

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

The Commission did not receive any objections from landowners.

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

Abandonment of Read Street: The Commission found that physical access to property would not be denied as the applicant owns the land surrounding the street. The Commission determined that physical or legal access would not be impeded as a result of the abandonment.

Abandonment of Shipyards Street and Harborside Boulevard: The applicant owns the parcels abutting the right of way and the applicant has stated that access to the Save the Bay property, emergency access to the port and to the shoreline for public and recreational use would not be impeded. The Commission determined that physical or legal access would not be denied as a result of the abandonment.

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.*

The petitioner stated that any necessary easements would be granted.

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 plans were provided. As the applicant has indicated, public waterfront access would be preserved and any required easements would be granted. The Commission found the abandonment to be in conformance with *Providence Tomorrow: The Interim Comprehensive Plan* and the Zoning Ordinance.

RECOMMENDATION

The City Plan Commission voted to advise the City Council that the petition be approved subject to the following conditions:

1. The petitioner shall grant any necessary easements.
2. Public access to the waterfront shall not be impeded.
3. The abandonment of the street area shall be subject to the memorandum of agreement entered into between the petitioner and the City

Sincerely,



Christopher J. Ise
Administrative Officer

cc: Providence City Council
John Garrahy, Moses and Afonso
Wayne Kezirian, Johnson and Wales University
Anna Stetson, City Clerk

SEARCHED
SERIALIZED
MAY 18 10 10 AM '12
ED



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

April 9, 2012

Mr. David Quinn
Tax Assessor
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Proposed Full Abandonment of Read Street

Dear Mr. Quinn

Pursuant to your request, we have personally inspected the real estate located on Read Street, as located on Assessor's Plat 24 as it intersects with the westerly side of Richmond Street midway between Weybosset and Pine Streets.

The proposed abandonment contains approximately 4,240 square feet and is zoned D1-100. The area in general measures 20 feet by approximately 211 feet in length along the center line of Read Street. Please note that the City's Department of Public Works has not made a decision yes on this request, and most likely they will require a Class 1 survey for recording purposes prior to any contemplated conveyance.

We have taken into account a number of factors in arriving at the "as is" fee simple market value of the site. This abandonment will create the potential for a large project as stated in the petitioner's (Johnson & Wales University) request, as they will gain full use of the site for commercial development purposes, a parking garage, whereas at this time the localized area is used by them for asphalt paved parking purposes.

As such, the highest and best use of the parcel would be commercial given its close proximity to the downtown commercial district, the Knowledge District, and the University's Downcity campus.

Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a fee value of \$62.00 per square foot is hereby estimated. However, this valuation is subject to change should new information arise from the Department of Public Works or from the petitioner which indicates any legal encumbrances (existing or proposed) which could limit the subject's fee bundle of rights.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. David Quinn
Page 2
April 9, 2012

Therefore, 4,240 square feet x \$62.00 per square foot = \$262,880
estimated "as is" fee simple market value of the subject abandonment as of
April 9, 2012.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani (FAD)

William G. Floriani
Certified Residential Appraiser

Thomas S. Andolfo, MAI

Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING

216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

April 9, 2012

Mr. David Quinn
Tax Assessor
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Proposed Partial Abandonment of Shipyard Street

Dear Mr. Quinn:

Pursuant to your request, we have personally inspected the real estate located on Shipyard Street, otherwise designated as Assessor's Plat 56 as it intersects with Harborside Boulevard in the Washington Park/Port of Providence neighborhood of the city.

The proposed abandonment contains 92,742 square feet and is zoned W-3. The area in general measures approximately 65 feet by approximately 1,124 feet in length along the center line of the street. Please note that the City's Department of Public Works has not reviewed this request as of yet and they will require a Class 1 survey for recording purposes prior to the conveyance to the petitioner, Johnson & Wales University.

We have taken into account a number of factors in arriving at the "as is" fee simple market value of the site. Notably, the petitioner will gain use of the site for commercial use as part and parcel of its Harborside Campus. As such, the highest and best use of the parcel would be commercial given its close proximity to the Allens Avenue commercial district and Narragansett bay.

Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a fee value of \$9.00 per square foot is hereby estimated. However, should the Department of Public Works bring forth future information as to possible city easements for utilities, then the appraiser reserve the right to amend the final value estimate.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. David Quinn
Page 2
April 9, 2012

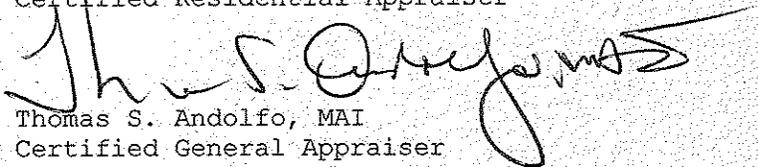
Therefore, 92,742 square feet x \$9.00 per square foot = \$834,678
estimated "as is" fee simple market value of the proposed subject property as
of April 9, 2012.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

April 9, 2012

Mr. David Quinn
Tax Assessor
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Proposed Partial Abandonment of Harborside Boulevard

Dear Mr. Quinn:

Pursuant to your request, we have personally inspected the real estate located on Harborside Boulevard, otherwise designated as Assessor's Plat 56 as it intersects with Save the Bay Drive in the Washington Park/Port of Providence neighborhood area of the city.

The proposed abandonment contains 110,624 square feet and is zoned W-2. The area in general measures approximately 67 feet by approximately 1,820 feet in length along the center line of the street. Please note that the City's Department of Public Works has not reviewed this request as of yet and they will require a Class 1 survey for recording purposes prior to any conveyance to the petitioner, Johnson & Wales University.

We have taken into account a number of factors in arriving at the "as is" fee simple market value of the site. Notably, the petitioner will gain use of the site for commercial use as part and parcel of its Harborside Campus. As such, the highest and best use of the parcel is waterfront commercial given its close proximity to the Allens Avenue commercial district and Narragansett Bay.

Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a fee value of \$9.00 per square foot is hereby estimated. However, should the Department of Public Works bring forth future information as to possible city easements for utilities, then the appraiser reserve the right to amend the final value estimate.

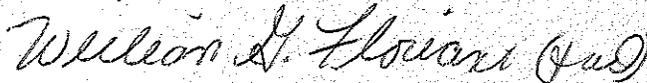
ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. David Quinn
Page 2
April 9, 2012

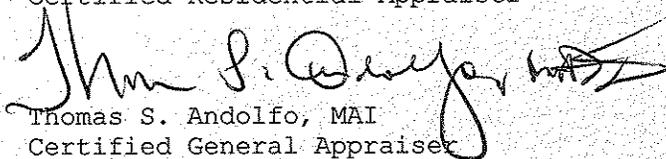
Therefore, 110,624 square feet x \$9.00 per square foot is \$995,616 estimated "as is" fee simple market value of the proposed subject property as of April 9, 2012.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.



William G. Floriani
Certified Residential Appraiser



Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad

Right of Way



85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

April 3, 2012

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

Attn: Ms. Lori L. Hagan

RE: PETITION TO ABANDON READ STREET, SHIPYARD STREET and
HARBORSIDE BOULEVARD

Upon investigation by our in house Engineer-Paul Troia it has been determined that Verizon presently has aerial facilities on said Shipyard Street and Harborside Boulevard to be abandoned.

These facilities include a pole line with cables and wires that provides service.

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.

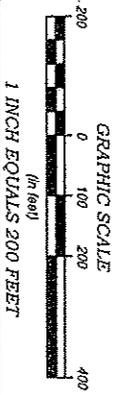
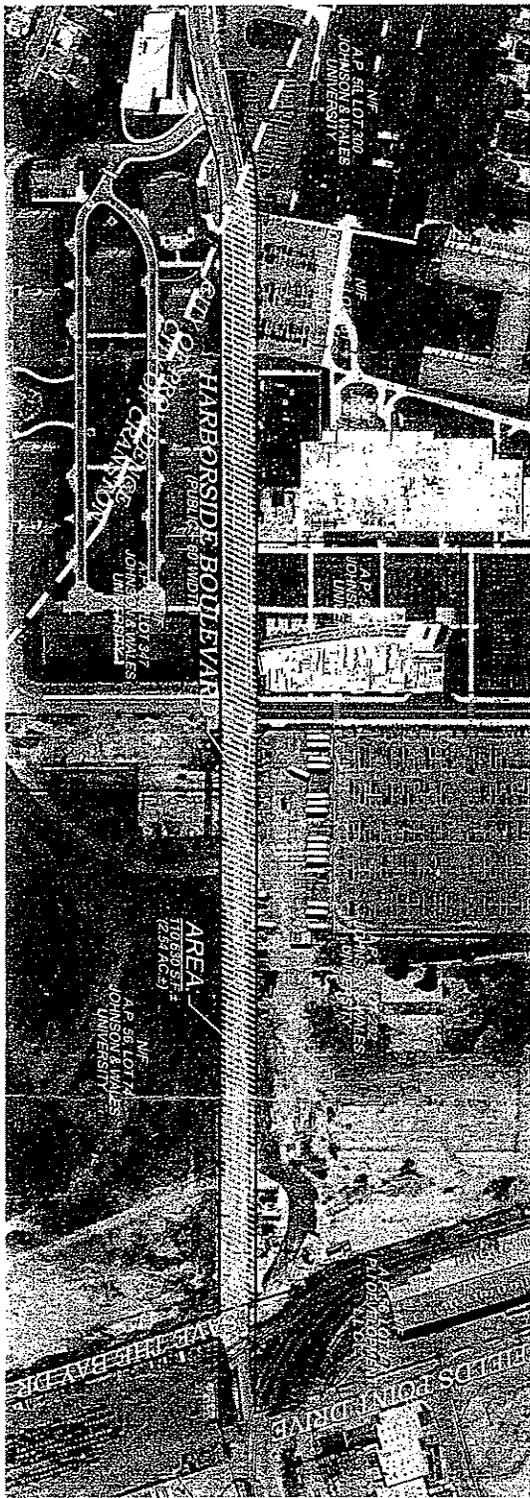
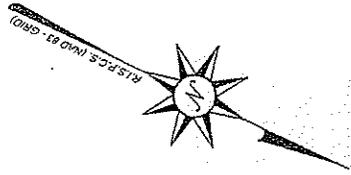
Very truly yours,


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

401 727-9555
401 725-7680

EXHIBIT A-1

Harborside Blvd.



<p>PLAN SHOWING THE PROPOSED ARRANGEMENT OF A PORTION OF HARBORSIDE BOULEVARD PROVIDENCE, RHODE ISLAND</p>	
<p>JOHNSON & WALES UNIVERSITY 8 ABBOTT PLACE PROVIDENCE, RHODE ISLAND 02903</p>	
<p>DATE OF 1-1-58</p>	<p>SCALE AS SHOWN</p>
<p>PROJECT LOT</p>	<p>DATE 1-1-58</p>
<p>BY S.W.</p>	<p>SCALE AS SHOWN</p>


Waterman
 ENGINEERING COMPANY
 Providence & Pawtucket, R.I.

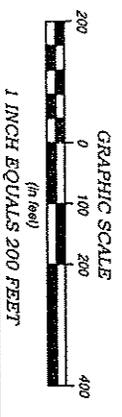
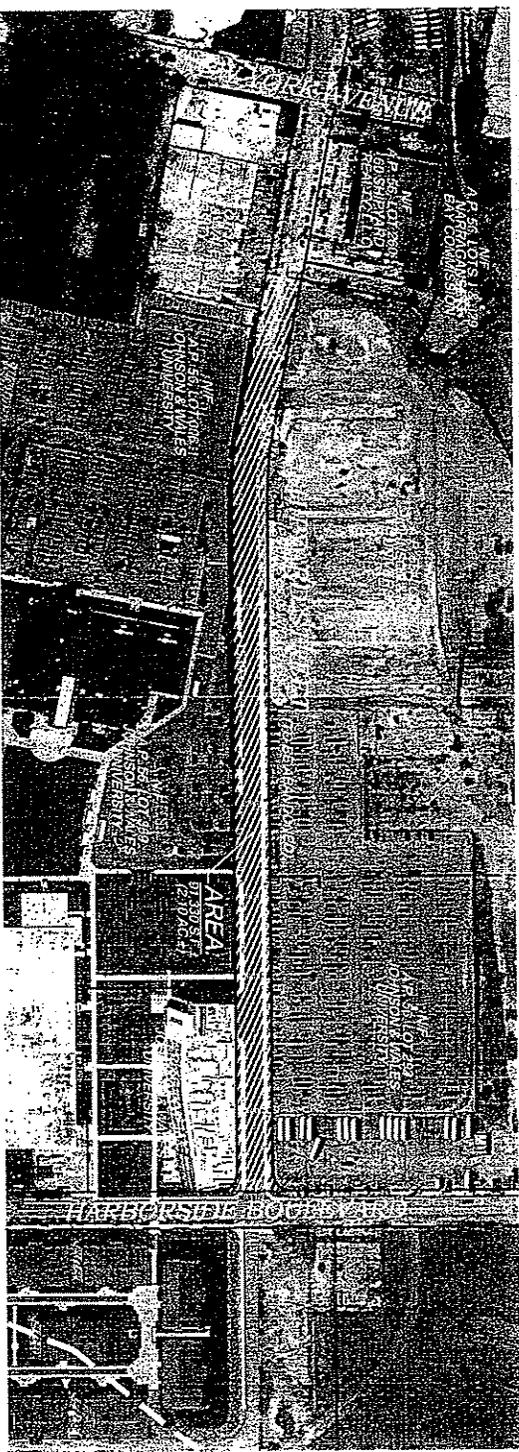
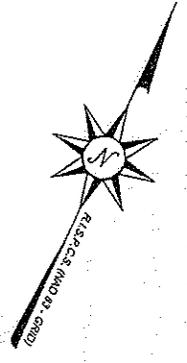
26 Stevens Avenue
 Pawtucket, R.I. 02861
 Telephone: 401-341-5121
 telex: 270000 (Waterman)

Order 7 thru 18 Requisite Comment

EXHIBIT A-2

Read Street

EXHIBIT A-3
Shipyard Street



PLAN SHOWING THE PROPOSED ABANDONMENT OF
WATERMAN ENGINEERING COMPANY
 400 NORTH ALABAMA
 MOBILE, ALABAMA 36682-1704

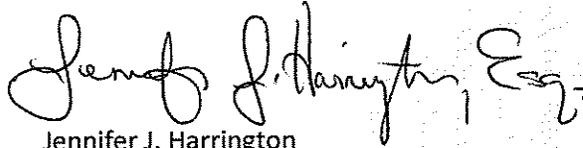
JOHNSON & WALES UNIVERSITY
 PROVIDENCE, RHODE ISLAND 02902

DATE	1.7.200
BY	8/20/2002
CHKD	MS
REVISED	MS
DATE	8/20/2002
BY	MS
CHKD	MS
PROJECT	SK2

City of Mobile 9/18/02 Request

Finally, due to the limited review time provided to the Narragansett Bay Commission, we are requesting additional time to gather more information regarding this proposed abandonment because it could severely hinder our ability to operate, maintain and manage our facilities.

Very Truly Yours,

A handwritten signature in black ink, reading "Jennifer J. Harrington, Esq.", written in a cursive style.

Jennifer J. Harrington
Chief Legal Counsel

CC: Stephen Curtis, ProvPort Inc.

March 22, 2012

Councilman Terrence M. Hassett, Chairman
Committee on Public Works
C/o Kathy Rossi, Executive Assistant
City Council Office
City of Providence, Rhode Island 02903

*RE: Johnson and Wales University Petition
For Abandonment of Portions of Shipyard Street,
Harborside Boulevard and
Read Street*

VIA E-MAIL AND HAND DELIVERY

Dear Councilman Terrence M. Hassett and members of the Public Works Committee:

ProvPort is voicing its strong opposition to the abandonment of portions of Shipyard Street, Harborside Boulevard and Read Street.

These three roads are critical to the operation and growth of the Port of Providence as well as a critical issue of public safety.

As you know, ProvPort and the City of Providence have been working for nearly three years on a funding structure to modernize and expand the Port. ProvPort has committed more than \$10 million in private financing and the federal government has committed \$10.5 in TIGER II funding for the purchase of new cranes and barges to expand operation and increase employment.

Closing these roads would close ProvPort's second egress and de facto would kill significant new initiatives. Providence has little industrial land and to further deplete development opportunities for another concession to a non-profit seems misguided.

Presently, we are in the midst of negotiating expansion of the existing auto export business. Closing of those roads would preclude us from entering into that contract and the hiring of 30 additional workers.

Most importantly, approval of this petition would be shortsighted and crippling to future job growth. The arrival of the cranes and expansion of the Port should be implemented in 2012. Many of the job growth opportunities tied to this expansion will not be possible without the use of these critical roads.

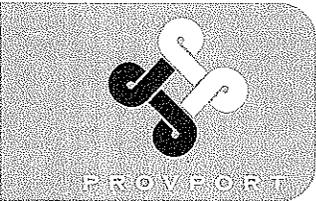
If Providence has any interest in job growth for the residents of Providence, then the Committee needs to reject this petition.

Very Truly Yours,

William G. Brody, Esq. (BMA)

William G. Brody
General Counsel
ProvPort, Inc.

CC: Mayor Angel Taveras
Anna Stetson, City Clerk ✓
Kathy Rossi, Executive Assistant, City Council



35 Terminal Road, Suite 200
Providence, Rhode Island
02905-5507

PHONE 401.781.4717
FAX 401.461.6240

WWW.PROVPORT.COM

Stetson, Anna

From: Pamela Marchand [pamelam6011@gmail.com]
Sent: Wednesday, April 11, 2012 4:14 PM
To: Stetson, Anna
Subject: Joahnsn & Wales Street Abandonment Request
Attachments: East Bay Pipeline Columbia-Park-to-Fields-Point[1].jpg

Hi Anna,

I am writing in response to the request by Johnson & Wales University pending before the Public Works Committee to abandon three (3) City of Providence streets. The Bristol County Water Authority has a 30" water transmission main, called the East Bay Pipeline, that runs down two (2) of the streets: Shipyard St. and Harborside Blvd.. Therefore the BCWA objects to the abandonment of these streets. At a minimum, a 60 foot rights-of-way would be needed for access to the water main for maintenance or repair.

Attached, please find a Google Earth aerial photo of the area that shows the location of the East Bay Pipeline superimposed on the two (2) streets that Johnson & Wales is looking to acquire. The path of the 30" pipeline is shown in yellow. It starts in Columbia park at Michigan Ave., crosses Michigan, enters Johnson & Wales property, skirts the outside of the parking lot, enters onto Shipyard Street, then continues south on Shipyard Street to Harborside Boulevard.

On Harborside it continues east to Save the Bay Drive; it continues south on Save the Bay Drive for approximately 600 feet, then it turns a 45 degree angle into the port of providence and continues across the providence river into East Providence.

As this pipeline is now the sole drinking water supply to the towns of Warren, Barrington, and Bristol, protection of this water main is critical.

Thank you for bringing this to our attention.

Sincerely,

Pam

Pamela M. Marchand, P.E.
Executive Director & Chief Engineer
Bristol County Water Authority

4/11/2012

