

RESOLUTION OF THE CITY COUNCIL

No. 503

Approved October 23, 1990

RESOLVED, DECREED AND ORDERED

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, Rhode Island, Department of Public Works - Engineering Office, Street Line Section Plan No. 064480 dated December 27, 1989",

VIZ:

LAKE STREET, shown as cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D-A), having ceased to be useful to the public and the same is proposed to be abandoned as a public highway, provided that the Water Supply Board be granted a perpetual and permanent right and easement over, along, under and above that certain parcel of land for the purpose of the Grantee herein installing, maintaining, operating, inspecting, repairing, replacing or renewing water pipes, conduits, mains, valves, blowoffs, miscellaneous devices or the like, including any and all appurtenances thereto, necessary for or used in connection therewith and the right and privilege at such time as in its sole discretion and without notice as it deems necessary for said City, its successors, assigns, agents, servants and employees, to enter upon, over, along, under and above said premises with vehicles, apparatus, personnel, equipment and appliances to dig and excavate the pavement and soil about said pipes, mains, services and the like as may be necessary therefore but in any of such entry to refill and repair any such excavation, carry away any surplus material and leave said premises in as good condition as it was prior to the making of any such excavation, at its sole expense, but not for the replacement, if any, of any out of the ordinary material places thereon by the Grantor herein. And for the consideration received, the Grantor, its successors and assigns, covenants and agrees that it will not build or erect a structure of any kind, in, over, above, or on the herein-described parcel, nor shall it store or allow to accumulate any material on said parcel, and said Grantor shall maintain and be responsible for the normal repair of the surface of the herein-described parcel, and the damage to the abutters is appraised at nothing and so awarded, and it is further

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.

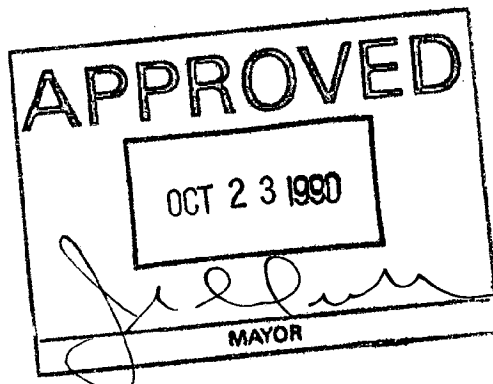
IN CITY COUNCIL

OCT 18 1990

READ AND PASSED


PRES.


CLERK



THE COMMITTEE ON
PUBLIC WORKS

Approves Passage of
The Within Resolution

Remondaren
Clerk Chairman

October 3, 1890



Department of Planning and Development

"Building Pride In Providence"

April 20, 1990

Mr. Michael Clement
Deputy City Clerk
Office of the Clerk
City Hall
Providence, RI 02903

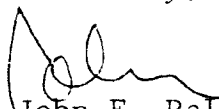
Dear ~~Mr. Clement~~ ^{Mr. Clement}:

I am forwarding to your attention a copy of a memorandum sent to me by William Floriani of my office, listing the appraised value for the following proposed street abandonments:

Myrtle Street
Somerset Street
Gangway off Hospital Street
Lake Street
Oakwood Street
Fricker Street

Please be aware that it is not common practice to charge non-profit corporations for street abandonments when those abandonments are integral to a housing development. Also, no appraisal value is forwarded for Garnet Street, as this Department can in no way support abandoning such a vital street. If you have any questions please do not hesitate to contact me at the Department.

Sincerely,


John F. Palmieri
Deputy Director

JFP/dmd

MEMORANDUM

DATE : April 17, 1990
TO : Thomas V. Moses, Director
FROM : William G. Floriani, Assistant Director *WGF*
THRU : Thomas F. O'Connor, Jr., Associate Director *TF*
RE : Street Abandonment (Appraisals)

Pursuant to Mr. Michael Clement and Planning's request I have completed appraisals on the following street abandonments:

Loc: Myrtle St. (portion) AP 23
Petitioner: R.I. Indian Council
Zone: R-4
Area: 627 sq.ft.
Value: Not Applicable

Loc: Somerset St. (portion) AP 23
Petitioner: R.I. Indian Council
Zone: R-4
Area: 1,322 sq.ft.
Value: Not Applicable

Loc.: Gangway off Hospital St. AP 22
Petitioner: Diversified Products, Inc.
Zone: M-1
Area: 888 sq.ft.
Value: \$4,000.

Loc: Lake St. AP 22
Petitioner: Diversified Products, Inc.
Zone: M-1
Area: 6,800 sq. ft.
Value: \$34,000.

Loc.: Oakwood St. (portion) AP 94
Petitioner: William Piacitelli
Zone: R-2
Area: 12,640 sq. ft.
Value: \$25,300.

Loc: Fricker St. AP 29
Petitioner: City of Prov.
Zone: R-4
Area: 36,450 sq. ft.
Value: \$164,000.



New England Telephone

A **NYNEX** Company

85 High Street
Pawtucket, Rhode Island 02860
401-727-9514

Paula A. Parquette
Manager - Right of Way

April 24, 1990

Committee on Public Works
Providence City Council
City Hall
Providence, Rhode Island 02903

RE: PETITION FOR THE ABANDONMENT OF A PORTION OF LAKE STREET

Dear Sirs,

New England Telephone and Telegraph Company presently has pole, cable and service wires in said Lake Street. These facilities serve this 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 and Telegraph Company which will permit retention of our facilities in existing location, together 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.

David A. Graham
Director of Operations/C.S.

FILED

APR 24 1 50 PM '90

DEPT. OF LIC. CLERK
PROVIDENCE, R.I.



April 27, 1990

Councilman James Petrosinelli
City of Providence
Providence City Hall
Providence, RI 02903
Attn: Rose M. Mendonca

Dear Sir;

The Providence Gas Company requests easements for its mains in the following proposed abandonments:

- ✓ Lake Street, westerly from Parsonage approximately 60'
- Oakwood Avenue
- Fricker Street
- Garnet Street, between Weybosset and Pine Streets
- Myrtle Street
- Somerset Street

Should you have any questions concerning these streets, please feel free to contact me.

Very truly yours,

A handwritten signature in dark ink, which appears to read "Robert C. Barker, Jr.", is written over a horizontal line.

Robert C. Barker, Jr.
Manager of Engineering

RCB/cr

FILED

MAY 1 10 03 AM '90

DEPT. OF CITY CLERK
PROVIDENCE, R.I.



Department of Planning and Development

"Building Pride In Providence"

July 24, 1990

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

Attention: Rose M. Mendonca, City Clerk

Subject: Referral No. 3009 - Abandonment of Lake Street

Gentlemen:

At its January 14, 1990 meeting, the City Plan Commission reviewed and evaluated the proposed abandonment of Lake Street. The petitioner is Mr. Edward Marandola, President of Diversified Products, Inc., which claims to own the abutting property including Lots 144, 326 and 333 on Assessor's Plat 21.

A field inspection revealed that Lake Street is a paved public right-of-way running between Hospital Street and Parsonage Street. The adjacent Lots 333 and 326 are vacant; Lot 144 contains several industrial buildings and a large, fenced and paved parking lot. The surrounding properties are mostly industrial or commercial in use.

The present Commission members agree to advise the Committee on Public Works that no objection is offered to this petition under the following stipulations:

- all abutting land owners along Parsonage Street agree to the proposed abandonment.
- that the Traffic Engineer and the Fire Department offer no objection to the limitation of traffic circulation and accessibility to properties in case of fire.

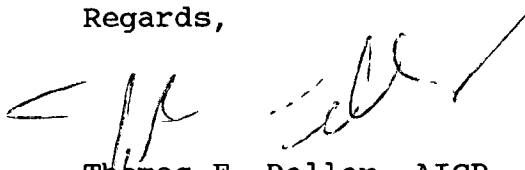
COMMITTEE ON PUBLIC WORKS
CPC REFERRAL NO. 3009
PAGE 2
JULY 24, 1990

- that proper easement be granted for utilities (if any) located within the subject right-of-way to be abandoned.

We have reviewed the requested abandonment and have found that the property owners along Parsonage Street will have other means of access.

The stipulation requiring the agreement of the abutting land owners is only applicable if the abutter has no other access. Therefore this stipulation is not applicable to this request.

Regards,



Thomas E. Deller, AICP
Associate Director of Planning

TED/bms
GJT

cc: Councilwoman Balbina Young
Thomas V. Moses, Esq., Director

FILED

JUL 24 3 08 PM '90

DEPT. OF CITY CLERK
PROVIDENCE, R. I.

200 DYER STREET
PROVIDENCE, RHODE ISLAND 02903-3993
401 331-6400
CABLE ADDRESS: TAX COUNSEL

JOSEPH J. RODIO
DAVID R. URSILLO
JEFFREY M. GIBSON
FRED T. POLACEK (ALSO ADMITTED IN MA)

RICHARD O. LESSARD (ALSO ADMITTED IN MA)
DANIEL P. CARTER (ALSO ADMITTED IN NY)
MICHAEL K. MARRAN
PHILIP G. PARSONS (ALSO ADMITTED IN MA, CT & DC)
CHARLES S. KIRWAN (ALSO ADMITTED IN NJ & DC)

FAX: 401 941-5300

RODIO & URSILLO, LTD.

Attorneys at Law

5

August 9, 1990

Michael R. Clement
First Deputy City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

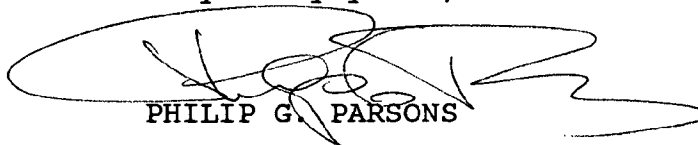
RE: Abandonment of Lake Street

Dear Mr. Clement:

Enclosed herein please find a letter from Providence Gas Company indicating their intention to abandon a sixty (60) foot main under Lake Street.

I am still working on releases and/or easements for New England Telephone, Narragansett Electric and the Providence Water Board. I will notify you as they are resolved.

Very truly yours,


PHILIP G. PARSONS

PGP:ljb

Enclosure

CC: Edward Marandola, Victory Polishing & Plating Co., Inc., 145
Globe Street, Providence, RI 02903



August 6, 1990

Mr. Philip Parsons, Esquire
Rodio and Ursillo, Ltd.
200 Dyer Street
Providence, RI 02903

Dear Mr. Parsons:

I have reviewed your request for abandonment of our 4" gas main on Lake Street, between Parsonage and Hospital Streets, in Providence. Our records indicate 60 feet of main that would have to be abandoned to allow for your client's construction of the parking lot.

Please be advised that we will proceed with our abandonment within the next two weeks. I understand that this schedule would not conflict with that of your client.

Should any other problems or questions arise, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Louis R. Schmitt". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Louis R. Schmitt, P.E.
Superintendent
Construction and Maintenance

LRS/cj

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 13, 1989

TO: *

SUBJECT: ABANDONMENTS - GANGWAY (SO CALLED) AND LAKE STREET

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and report back in writing to the above named committee, as soon as practical.

* Hans Bergey, Acting Chief of Water Supply Board
B. James Suzman, Traffic Engineer
Charles A. Pisaturo, Commissioner of Public Safety
Nancy L. Derrig, Superintendent of Parks
Thomas E. Deller, Associated Director of Planning

Michael R. Clement

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

D.P.W. - CK.
W.S.B. - DENIAL
T.E. - OK.
C.C.S. -
C.P. - EMERGENCY
P.D. - OK

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

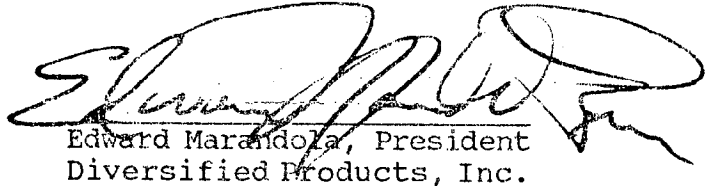
The undersigned respectfully petitions your honorable body

pursuant to §24-6-1 of the Rhode Island General Laws to abandon that street in the City of Providence known as Lake Street on Assessors Plat 21 (see Exhibit A attached), and sell said street to the sole abutting land owner, Diversified Products, Inc. at fair market value.

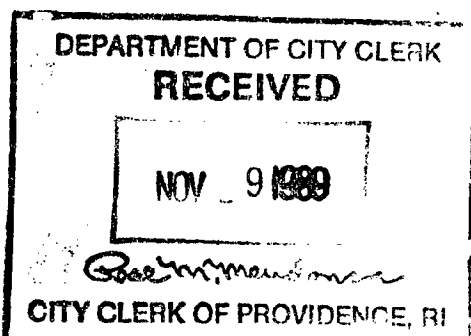
All property abutting this street is owned by Diversified Products, Inc. The area surrounding this street is industrial in nature. Abandonment of this street would permit Diversified Products to expand its operation in said area and place the property on the tax rolls of the city.

The street is not necessary to other businesses in the area and abandonment would not adversely affect the public convenience and welfare nor would the appropriate use of properties in the area be substantially or permanently impaired.

Respectfully yours,


Edward Marandola, President
Diversified Products, Inc.

NOVEMBER 9, 1989

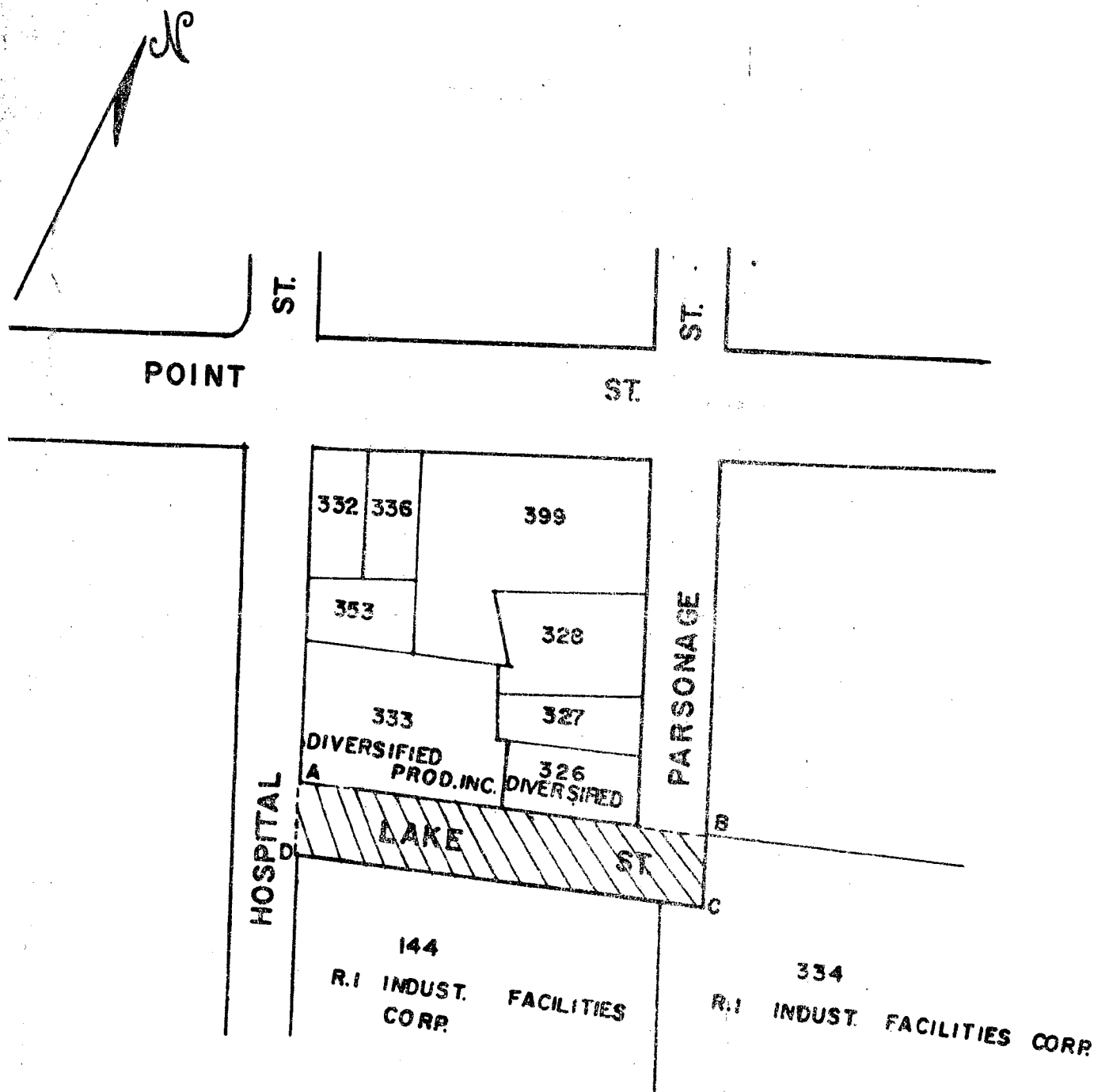


*Pd by Chk # 10499
amt. \$ 75.00*

PROVIDENCE R.I.
CITY PROPERTY SECTION
File No. 064480
Date 12-27-89

NOTE:

CROSS HATCHED AREA (A-B-C-D-A)
INDICATES PROPOSED ABANDONMENT



CITY OF PROVIDENCE R.I.
Public Works Dept. Engineering Office
Source: PROPOSED ABANDONMENT
LAKE STREET
Drawn by: E. PORRECA
Scale: NONE Date: 12-27-89
Checked by: [Signature]
Approved: [Signature] P.E.
JAMES BRONKHORST

PROVIDENCE FIRE DEPARTMENT

Providence, R. I. 21 Aug 90

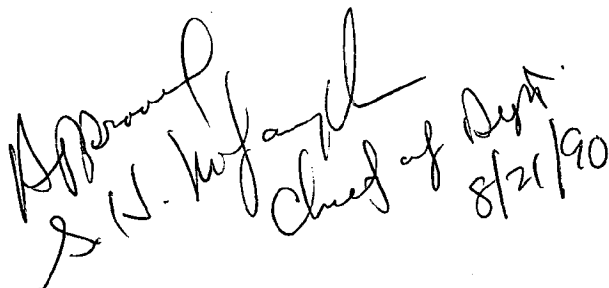
From: Alfred F. Bertoncini, Dep. Ass't. Chief, Grp. "B"

To: The Chief of Department

Subject: Street abandonment:

Sir: The request to abandon Lake St. will pose no problems or obstructions for the Providence Fire Department.


Dep. Ass't. Chief, "B"


S. H. W. J. Chief of Dept.
8/21/90

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

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PROVIDENCE FIRE DEPARTMENT

Providence, R. I. 21 Aug 90

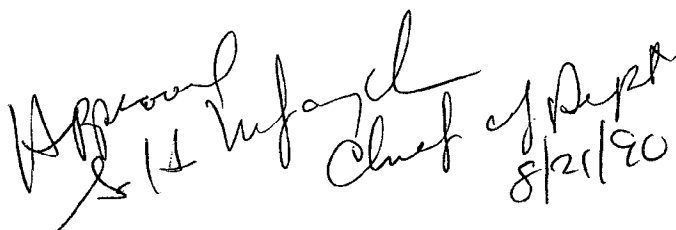
From: Alfred F. Bertoncini, Dep. Ass't. Chief, Grp. "B"

To: The Chief of Department

Subject: Street abandonment:

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Dep. Ass't. Chief, "B"


Chief of Dept
8/21/90

FILED

AUG 21 3 14 PM '90

DEPT. OF CITY CLERK
PROVIDENCE, R. I.

200 DYER STREET
PROVIDENCE, RHODE ISLAND 02903-3993
401 331-6400
CABLE ADDRESS: TAX COUNSEL

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CHARLES S. KIRWAN (ALSO ADMITTED IN NJ & DC)

FAX: 401 941-5300

RODIO & URSILLO, LTD.

Attorneys at Law

5

September 13, 1990

Michael R. Clement
First Deputy City Clerk
City of Providence
City Hall
25 Dorrance Street
Providence, RI 02903

RE: Abandonment of Lake Street, Providence, RI

Dear Michael:

Enclosed herein please find a letter from the Narragansett Electric Company authorizing the removal of all electric facilities that now exist on Lake Street.

All other requirements for the abandonment of Lake Street have been or are nearly met. I will notify you once they are. In the meantime, if you have any questions or concerns, please feel free to contact me.

Very truly yours,


PHILIP G. PARSONS

PGP:ljb

Enclosure

CC: Edward Marandola, Victory Polishing & Plating Co., Inc.



The Narragansett Electric Company
280 Melrose Street
P.O. Box 1438
Providence, Rhode Island 02901-1438

September 7, 1990

Phillip G. Parsons, Esq.
200 Dyer Street
Providence, R.I. 02903

Re: Abandonment of Lake Street, Providence, R.I.

Dear Mr. Parsons:

This letter is to advise you that The Narragansett Electric Company will remove all electric facilities that now exist in that portion of abandoned Lake Street in Providence, R.I., providing that the City of Providence sends us a letter authorizing us to remove the street lights on Poles 2 and 3 Lake Street.

Sincerely,

R. W. Burgess, Dist. Supv.
Field Engineering Dept.

EDWARD F. BURKE
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
SECRETARY
JOHN E. MARTINELLI
LEGAL ADVISOR
JEROME I. BARON
EX-OFFICIO



Water Supply Board
"Building Pride In Providence"

JOSEPH R. PAOLINO, JR.
MAYOR
RICHARD O. RAFANOVIC
CHIEF ENGR./GENERAL MANAGER
RAYMOND COLA
CITY COUNCILMAN
ANDREW J. ANNALDO
CITY COUNCILMAN
MARY A. NOCERA
MEMBER
DANIEL J. SCHATZ
MEMBER

August 9, 1990

Philip G. Parsons
Rodio & Ursillo, Ltd.
200 Dyer Street
Providence, R.I. 02903

Re: Abandonment of Lake Street

Dear Mr. Parsons:

Enclosed is a copy of one of our atlas sheets and a proposed main construction drawing showing how the Providence Water Supply Board (PWSB) would propose to remedy the dead-end water line on Parsonage Street.

PWSB will, at its own expense, construct the water system facilities in a 15 foot easement along the borders of your clients property between Parsonage and Marengo Streets.

PWSB will consent to the abandonment of Lake Street and will not require an easement within Lake Street if the above indicated easement between Parsonage and Marengo Streets is granted.

It would be your client's responsibility to prepare the easement document consistent with the enclosed standard form, have it recorded and delivered to us prior to the finalization of the abandonment of Lake Street. We need to review the easement documents prior to recording.

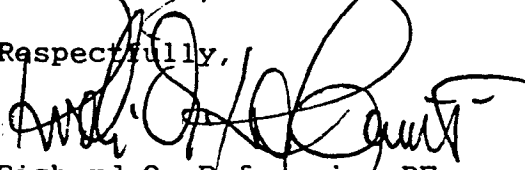
To accommodate your request, and in anticipation of your willingness to grant the easement, we have included the water main for construction in a project scheduled for this fall.

LAKEST.ESM

Construction of these facilities is contingent upon having an executed and recorded easement in hand in advance of authorizing work. I trust this will assist your client and, in our opinion, would maximize the use of the existing parcel.

If there are any questions, please contact Mr. Steven Santaniello at 521-6300, Ext. 30.

Respectfully,



Richard O. Rafanovic, PE
Chief Engineer & General Manager

ROR/mtd
Enclosure

cc: Councilman Petrosinelli,
Chairman Public Works Committee
Steven Santaniello

EDWARD F. BURKE
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
SECRETARY
JOHN E. MARTINELLI
LEGAL ADVISOR
JEROME I. BARON
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JOSEPH R. PAOLINO, JR.
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CITY COUNCILMAN
MARY A. NOCERA
MEMBER
DANIEL J. SCHATZ
MEMBER

Water Supply Board

"Building Pride In Providence"

M E M O R A N D U M

TO: Ms. Rose Mendonca, City Clerk

FROM: Richard O. Rafanovic, PE

DATE: September 19, 1990

RE: Abandonment of Lake Street and Compliance with Utility Requirements

[Handwritten signature: ROR]

Providence Water Supply Board reviewed the request for abandonment of Lake Street and have negotiated a substitute easement for water system facilities. Providence Water Supply Board consents to the abandonment of Lake Street contingent on satisfactory execution and recording of the alternate easement, copy is attached.

Please notify our office when documents are recorded and instruct applicant to provide Providence Water Supply Board with Recorded Easement Document.

ROR/SS/mtd

cc: Councilman James Petrosinelli
Steven Santaniello
Philip G. Parsons, Rodio & Ursillo, Ltd.
file

FILED

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DEPT. OF CITY CLERK
PROVIDENCE, R.I.

EASEMENT

RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION, a public corporation and governmental agency of the State of Rhode Island, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged to it paid, does hereby grant and convey to the CITY OF PROVIDENCE, a municipal corporation created by the General Assembly of the State of Rhode Island, its successors and assigns, the perpetual and permanent right and easement over, along, under, and above that certain parcel of land located in the City of Providence, County of Providence, State of Rhode Island, bounded and described in Exhibit "A" attached hereto and made a part hereof.

The easement and right granted herein is for the purpose of the Grantee herein installing, maintaining, operating, inspecting, repairing, replacing or renewing water pipes, conduits, mains, valves, blowoffs, miscellaneous devices or the like, including any and all appurtenances thereto, necessary for or used in connection therewith.

Together with the right and privilege at such time as it in its sole discretion and without notice as it deems necessary for said City of Providence, its successors, assigns, agents, servants and employees, to enter upon, over, along, under, and above said premises with vehicles, apparatus, personnel, equipment and appliances to dig and excavate the pavement and soil about said

pipes, mains, services and the like as may be necessary therefor but in any of such entry to refill and repair any such excavation, carry away and surplus material and leave said premises in as good condition as it was prior to the making of any such excavation, at its sole expense, but not for the replacement, if any, of any out of the ordinary material placed thereon by the Grantor herein.

And for the consideration received, the Grantor, its successors and assigns, covenants and agrees that it will not build or erect a structure of any kind, in, over, above, or on the herein-described parcel, nor shall it store or allow to accumulate any material on said parcel.

The Grantor further agrees for itself, successors and assigns, that it will maintain and be responsible for the normal repair of the surface of the herein-described parcel.

IN WITNESS WHEREOF, Rhode Island Industrial Facilities Corporation has caused its hand and seal to be affixed this ____ day of September, 1990.

RHODE ISLAND INDUSTRIAL
FACILITIES CORPORATION

By: _____

IN THE PRESENCE OF:

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In Providence, on the ____ day of September, 1990, before me personally appeared _____ in his capacity as _____ of RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION and he/she acknowledged said instrument, by him/her executed, to be his/her free act and deed and the free act and deed of RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION.

Notary Public
My Commission Expires:

Assented to as to Form:

Legal Advisor
City of Providence Water
Supply Board

EXHIBIT A

That certain parcel of land with all improvements thereon bounded by Marengo Street, Parsonage Street and Lake Street in the City of Providence, Providence County, State of Rhode Island, is described as follows:

Beginning at a point at the most southwest corner of Marengo Street. Said point being two hundred seventeen and 25/100 (217.25) feet along the southern line of Marengo Street from the intersection of the westerly line of Eddy Street and the southerly line of Marengo Street.

Thence running northerly, bounded easterly by land owned now or formerly of Coletta Realty Association a distance of one hundred fifty and 12/100 (150.12) feet to a point;

Thence turning an interior angle of 89° 59' 10" and running westerly bounded northerly by land now or formerly of Coletta Realty Association a distance of one hundred seventy and 83/100 (170.83) feet to a point;

Thence turning an interior angle of 90° 00' 50" and running southerly bounded westerly by Parsonage Street a distance of fifteen and 00/100 (15.00) feet to a point;

Thence turning an interior angle of 89° 59' 10" and running easterly through land now or formerly of Rhode Island Industrial Facilities Corporation a distance of one hundred fifty five and 83/100 (155.83) feet to a point;

Thence turning an interior angle of 270° 00' 50" and running southerly through land now or formerly of Rhode Island Industrial Facilities Corporation a distance of one hundred thirty five and 12/100 (135.12) feet to a point;

Thence turning an interior angle of 90° 00' 50" and running easterly bounded southerly by land now or formerly of Rhode Island Industrial Facilities Corporation a distance of fifteen and 00/100 (15.00) feet to a point and place of beginning. Said last course forming an interior angle of 89° 59' 10" with the first mentioned course and containing 4589.20 square feet. Said parcel or easement is further described on that plan entitled "Easement For Water Main Extension - Marengo Street, Providence, Rhode Island, Scale 1 = 40', 23 August 1990, Drawing No. 9052, Triangle Engineering.

EDWARD F. BURKE
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
SECRETARY
JOHN E. MARTINELLI
LEGAL ADVISOR
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MEMBER
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MEMBER

Water Supply Board

"Building Pride In Providence"

M E M O R A N D U M

TO: Ms. Rose Mendonca, City Clerk

FROM: Richard O. Rafanovic, PE

DATE: September 19, 1990

RE: Abandonment of Lake Street and Compliance with Utility Requirements

Providence Water Supply Board reviewed the request for abandonment of Lake Street and have negotiated a substitute easement for water system facilities. Providence Water Supply Board consents to the abandonment of Lake Street contingent on satisfactory execution and recording of the alternate easement, copy is attached.

Please notify our office when documents are recorded and instruct applicant to provide Providence Water Supply Board with Recorded Easement Document.

ROR/SS/mtd

cc: Councilman James Petrosinelli
Steven Santaniello
Philip G. Parsons, Rodio & Ursillo, Ltd.
file

200 DYER STREET
PROVIDENCE, RHODE ISLAND 02903-3993
401 331-6400
CABLE ADDRESS: TAX COUNSEL

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FRED T. POLACEK (ALSO ADMITTED IN MA)

RICHARD O. LESSARD (ALSO ADMITTED IN MA)
DANIEL P. CARTER (ALSO ADMITTED IN NY)
MICHAEL K. MARRAN
PHILIP G. PARSONS (ALSO ADMITTED IN MA, CT & DC)
CHARLES S. KIRWAN (ALSO ADMITTED IN NJ & DC)

FAX: 401 941-5300

RODIO & URSILLO, LTD.

Attorneys at Law

5

October 2, 1990

Michael R. Clement
First Deputy City Clerk
City of Providence
City Hall
25 Dorrance Street
Providence, RI 02903

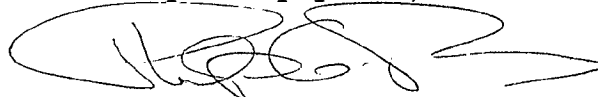
RE: Abandonment of Lake Street, Providence, RI

Dear Michael:

Enclosed herein please find a letter from Providence Police Department consenting to the abandonment and a copy of the proposed easement to the Water Supply Board.

Upon obtaining an authorized signature from RIIFC on the enclosed easement, we will forward a bank/certified check in the amount of \$34,000.00 to the City of Providence.

Very truly yours,



PHILIP G. PARSONS

PGP:ljb

Enclosure

CC: Edward Marandola, Victory Polishing & Plating Co., Inc.



Department of Public Safety, Police Department

"Building Pride In Providence"

September 6, 1990

Councilman James Petrosinelli,
Chairman
Committee on Public Works
City Hall
Providence, RI 02903

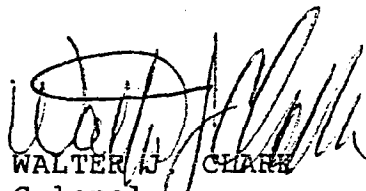
Dear Councilman Petrosinelli:

RE: ABANDONMENT OF LAKE STREET

Reference is made to a Petition dated November 29, 1989, to abandon Lake Street in the City of Providence.

This Department has reviewed the matter and finds no objection to the proposed abandonment, so long as there are no objections by the abutting property owners.

Very truly yours,


WALTER J. CLARK
Colonel
Chief of Police

EASEMENT

RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION, a public corporation and governmental agency of the State of Rhode Island, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged to it paid, does hereby grant and convey to the CITY OF PROVIDENCE, a municipal corporation created by the General Assembly of the State of Rhode Island, its successors and assigns, the perpetual and permanent right and easement over, along, under, and above that certain parcel of land located in the City of Providence, County of Providence, State of Rhode Island, bounded and described in Exhibit "A" attached hereto and made a part hereof.

The easement and right granted herein is for the purpose of the Grantee herein installing, maintaining, operating, inspecting, repairing, replacing or renewing water pipes, conduits, mains, valves, blowoffs, miscellaneous devices or the like, including any and all appurtenances thereto, necessary for or used in connection therewith.

Together with the right and privilege at such time as it in its sole discretion and without notice as it deems necessary for said City of Providence, its successors, assigns, agents, servants and employees, to enter upon, over, along, under, and above said premises with vehicles, apparatus, personnel, equipment and appliances to dig and excavate the pavement and soil about said

pipes, mains, services and the like as may be necessary therefor but in any of such entry to refill and repair any such excavation, carry away and surplus material and leave said premises in as good condition as it was prior to the making of any such excavation, at its sole expense, but not for the replacement, if any, of any out of the ordinary material placed thereon by the Grantor herein.

And for the consideration received, the Grantor, its successors and assigns, covenants and agrees that it will not build or erect a structure of any kind, in, over, above, or on the herein-described parcel, nor shall it store or allow to accumulate any material on said parcel.

The Grantor further agrees for itself, successors and assigns, that it will maintain and be responsible for the normal repair of the surface of the herein-described parcel.

IN WITNESS WHEREOF, Rhode Island Industrial Facilities Corporation has caused its hand and seal to be affixed this ____ day of September, 1990.

RHODE ISLAND INDUSTRIAL
FACILITIES CORPORATION

By: _____

IN THE PRESENCE OF:

EXHIBIT A

That certain parcel of land with all improvements thereon bounded by Marengo Street, Parsonage Street and Lake Street in the City of Providence, Providence County, State of Rhode Island, is described as follows:

Beginning at a point at the most southwest corner of Marengo Street. Said point being two hundred seventeen and 25/100 (217.25) feet along the southern line of Marengo Street from the intersection of the westerly line of Eddy Street and the southerly line of Marengo Street.

Thence running northerly, bounded easterly by land owned now or formerly of Coletta Realty Association a distance of one hundred fifty and 12/100 (150.12) feet to a point;

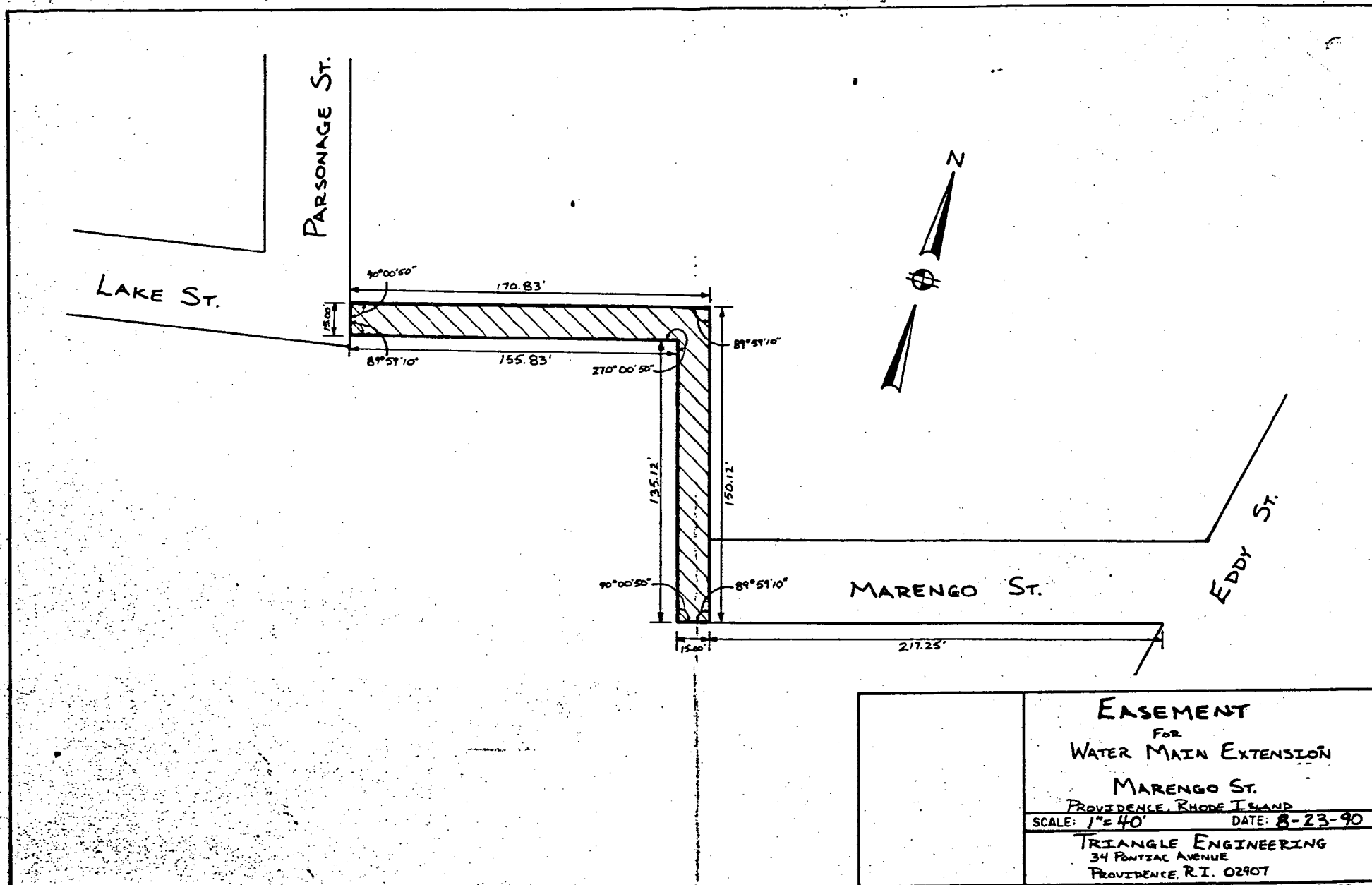
Thence turning an interior angle of 89° 59' 10" and running westerly bounded northerly by land now or formerly of Coletta Realty Association a distance of one hundred seventy and 83/100 (170.83) feet to a point;

Thence turning an interior angle of 90° 00' 50" and running southerly bounded westerly by Parsonage Street a distance of fifteen and 00/100 (15.00) feet to a point;

Thence turning an interior angle of 89° 59' 10" and running easterly through land now or formerly of Rhode Island Industrial Facilities Corporation a distance of one hundred fifty five and 83/100 (155.83) feet to a point;

Thence turning an interior angle of 270° 00' 50" and running southerly through land now or formerly of Rhode Island Industrial Facilities Corporation a distance of one hundred thirty five and 12/100 (135.12) feet to a point;

Thence turning an interior angle of 90° 00' 50" and running easterly bounded southerly by land now or formerly of Rhode Island Industrial Facilities Corporation a distance of fifteen and 00/100 (15.00) feet to a point and place of beginning. Said last course forming an interior angle of 89° 59' 10" with the first mentioned course and containing 4589.20 square feet. Said parcel or easement is further described on that plan entitled "Easement For Water Main Extension - Marengo Street, Providence, Rhode Island, Scale 1 = 40', 23 August 1990, Drawing No. 9052, Triangle Engineering.



JOB NO. 9052

DWG. NO. 9052

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

D.P.W. - OK.
W.S.B. - DENIAL
T.E. - OK.
C.G.S. - OK.
C.P. - EASEMENT
P.D. - OK
34, 111.12
EASEMENT

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

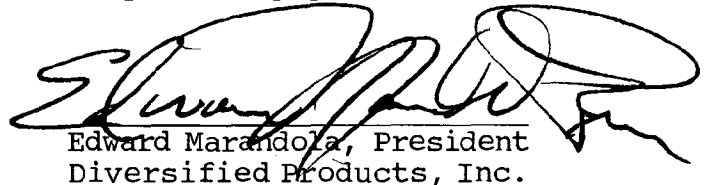
The undersigned respectfully petitions your honorable body

pursuant to §24-6-1 of the Rhode Island General Laws to abandon that street in the City of Providence known as Lake Street on Assessors Plat 21 (see Exhibit A attached), and sell said street to the sole abutting land owner, Diversified Products, Inc. at fair market value.

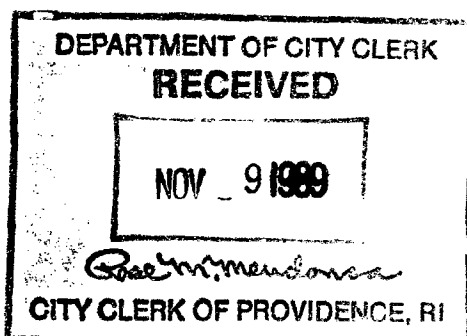
All property abutting this street is owned by Diversified Products, Inc. The area surrounding this street is industrial in nature. Abandonment of this street would permit Diversified Products to expand its operation in said area and place the property on the tax rolls of the city.

The street is not necessary to other businesses in the area and abandonment would not adversely affect the public convenience and welfare nor would the appropriate use of properties in the area be substantially or permanently impaired.

Respectfully yours,


Edward Marandola, President
Diversified Products, Inc.

NOVEMBER 9, 1989



*Pd by Chd # 10499
Amt. \$ 75.00*

FILED

Nov 9 2 36 PM '89

DEPT. OF PUBLIC WORKS
PROVIDENCE, R.I.

38

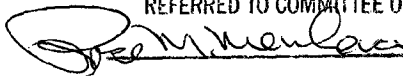
IN CITY COUNCIL

DEC 7 1989

FIRST READING

REFERRED TO COMMITTEE ON

PUBLIC WORKS

 CLERK

From the Clerk's Desk

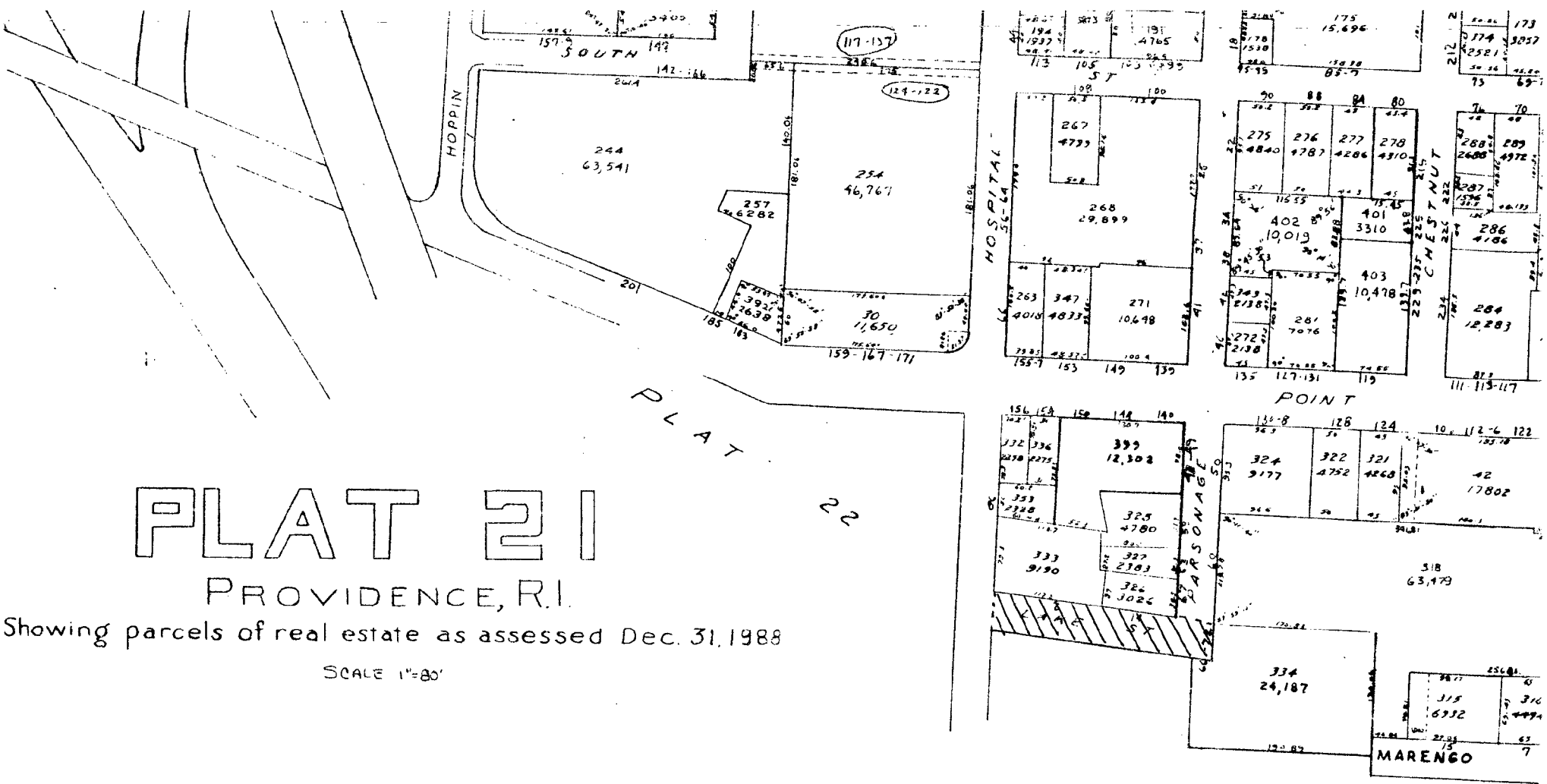
PLAT 21

PROVIDENCE, R.I.

Showing parcels of real estate as assessed Dec. 31, 1988

SCALE 1"=80'

"EXHIBIT A"



City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 13, 1989

TO: B. James Suzman, Director of Public Works

SUBJECT: ABANDONMENTS - GANGWAY (SO CALLED) AND LAKE STREET ✓

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject Petitions for your study and report back in writing to the above named committee.

It is also requested that you provide the committee with a list of abutting property owners and a tracing of the area.

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 13, 1989

TO: *

SUBJECT: ABANDONMENTS - GANGWAY (SO CALLED) AND LAKE STREET

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and report back in writing to the above named committee, as soon as practical.

* Hans Bergey, Acting Chief of Water Supply Board
B. James Suzman, Traffic Engineer
Charles A. Pisaturo, Commissioner of Public Safety
Nancy L. Derrig, Superintendent of Parks
Thomas E. Deller, Associated Director of Planning

Michael R. Clement
First Deputy City Clerk

NANCY L. DERRIG
SUPERINTENDENT OF PARKS



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Parks

"Building Pride In Providence"

January 8, 1990

Mr. Michael Clement
First Deputy City Clerk
Office of the City Clerk
City Hall
Prov., R.I.

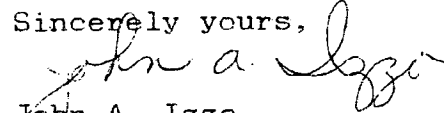
RE: Abandonments of Gangway & Lake St., Portions of Myrtle & Somerset Sts.

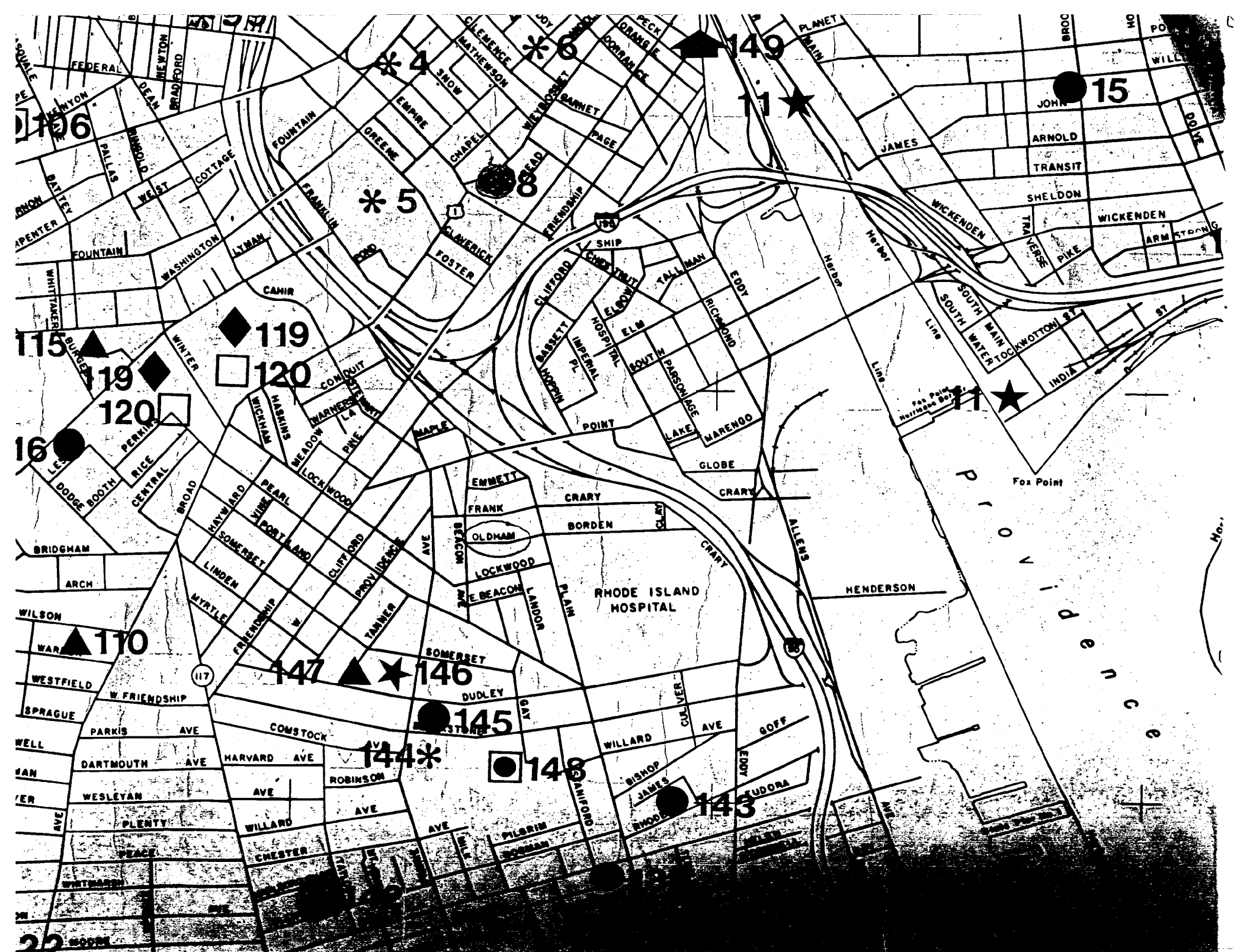
Dear Mr. Clement:

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 Myrtle & Somerset Sts., and a so called Gangway and Lake St., will in no way effect any Park 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 Park Department facility marked in GREEN.

Sincerely yours,


John A. Izzo
Supervisor of Engineering & Planning




JOSEPH R. PAOLINO, JR.
MAYOR

Department of Traffic Engineering
"Building Pride In Providence"

MEMORANDUM

TO: COMMITTEE ON PUBLIC WORKS

FROM: IRENE J. TESTA 

DATE: JANUARY 10, 1990

RE: ABANDONMENTS - GANGWAY (SO CALLED) AND LAKE STREET

✓ Request: To abandon a portion of Lake Street from Hospital Street to Parsonage Street.

Disposition: No objection.

Request: To abandon a portion of a Gangway (so called) located on Plat Card No. 856 located off of Hospital Street.

Disposition: No objection.

ROCCO A. DeLUCA
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Works

"Building Pride In Providence"

January 17, 1990

Councilman James Petrosinelli
Chairman of the Public Works Committee
Providence City Council
City Clerk's Office
City Hall - Prov., R.I. 02903

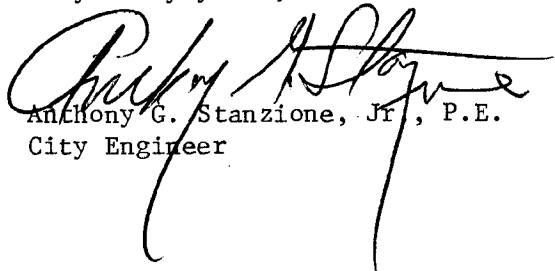
Re: Proposed Abandonment - Lake Street

Dear Councilman Petrosinelli:

The Department of Public Works has no objections to the abandonment of Lake Street, shown as cross-hatched area on the Plan Entitled: Providence, R.I., P.W. Dept. Engineering Office - City Property Section, Plan No. 064480, Date: 12/27/90.

If we can further assist you in your decision regarding this abandonment, please contact this office.

Very truly yours,


Anthony G. Stanzione, Jr., P.E.
City Engineer

AGS

CC: M. Clement - 1st. Dep. City Clerk

BJS

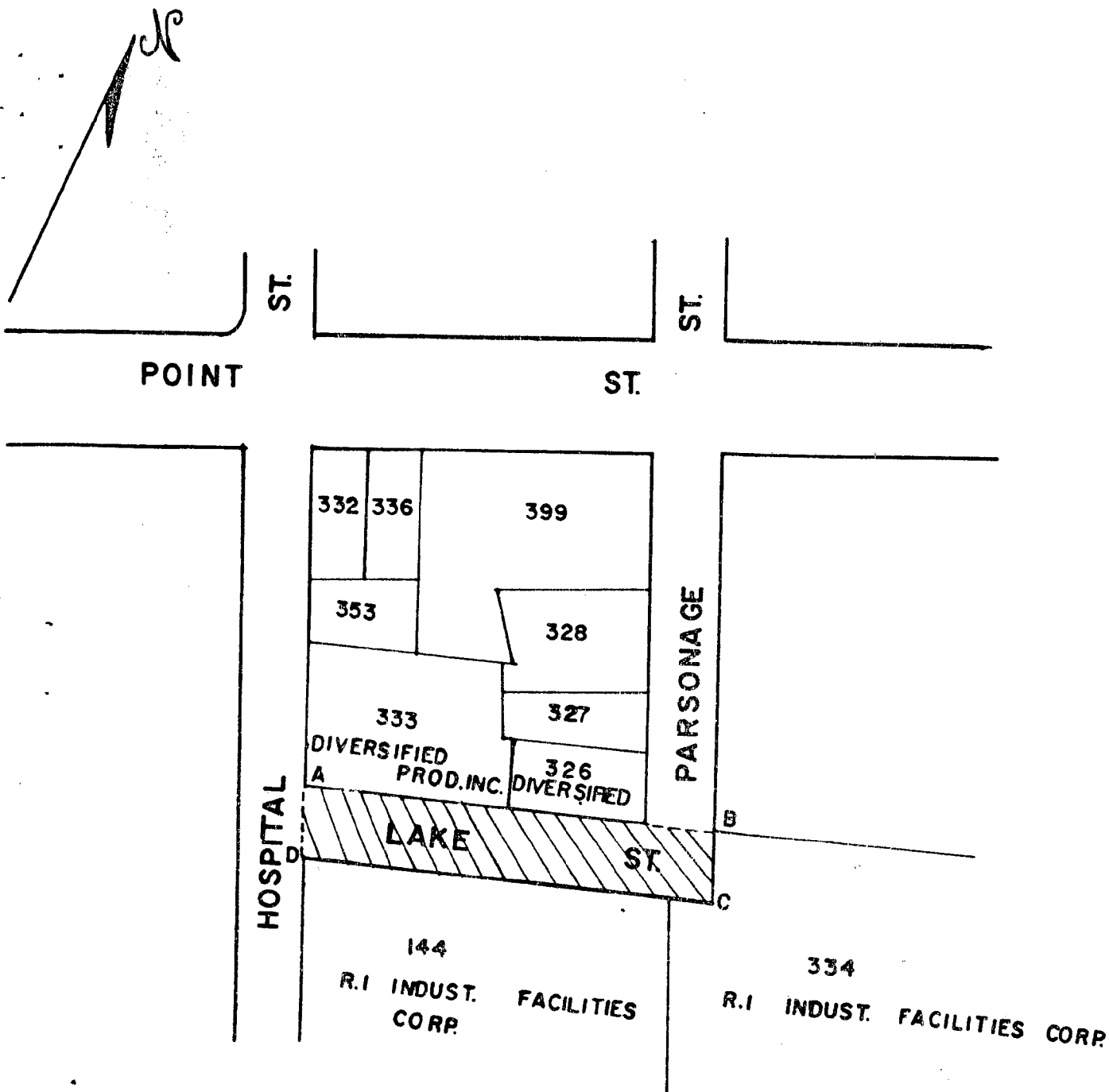
JTM

JLC

PROVIDENCE R.I.
 CITY RECORDS SECTION
 Map No. 064480
 Date 12-27-89

NOTE:

CROSS HATCHED AREA (A-B-C-D-A)
 INDICATES PROPOSED ABANDONMENT



CITY OF PROVIDENCE R.I.
 Public Works Dept. Engineering Office
 Source: PROPOSED ABANDONMENT
LAKE STREET
 Drawn by E. PORRECA Checked by [Signature]
 Scale: NONE Date: 12-27-89
 Created by [Signature] Associate Eng.
 Approved A. B. Stenzione P.E.
 20000 0000000000

LOT NUMBERS FROM A.P. 21822

PROPOSED ABANDONMENT: LAKE ST

AP 21

LOT 326

DIVERSIFIED PRODUCTS INC

LOT 333

SAME AS LOT 326

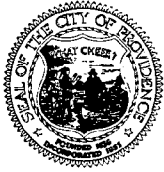
AP 22

LOT 144

R. I. INDUSTRIAL FACILITIES CORP.

LOT 334

SAME AS LOT 144.



The City Plan Commission

44 WASHINGTON STREET

PROVIDENCE, RHODE ISLAND 02903

February 7, 1990

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

Attention: Rose M. Mendonca, City Clerk

Subject: Referral No. 3009 - Abandonment of Lake Street

Gentlemen:

The City Plan Commission at its January 16, 1990 regular monthly meeting reviewed and evaluated the proposed abandonment of Lake Street.

The petitioner is Mr. Edward Marandola, President of Diversified Products, Inc., which company claims to own all abutting property including Lots 144, 326 and 333 on Assessor's Plat 21.

A field inspection revealed that subject street is a paved public right-of-way running between Hospital Street and Parsonage Street. The adjacent Lots 333 and 326 are vacant; Lot 144 contains several industrial buildings and a large, fenced and paved parking lot. The surrounding properties are mostly industrial or commercial in use.

The proposed abandonment would convert Parsonage Street to a dead end street and may adversely affect the convenience of access to adjacent properties: Lot 334 and Lot 318.

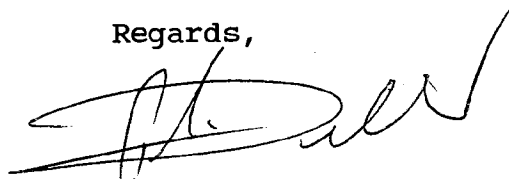
The present Commission members agree to advise the Committee on Public Works that no objection is offered to this petition under the following stipulations:

- all abutting land owners along Parsonage Street agree to the proposed abandonment.

COMMITTEE ON PUBLIC WORKS
CPC REFERRAL NO. 3009
PAGE 2
FEBRUARY 7, 1990

- that the Traffic Engineer and the Fire Department offer no objection to the limitation of traffic circulation and accessibility to properties in case of fire.
- that proper easement be granted for utilities (if any) located within the subject right-of-way to be abandoned.

Regards,

A handwritten signature in black ink, appearing to read 'T. Deller', written over a horizontal line.

Thomas E. Deller, AICP
Associate Director of Planning

TED/bms
GJT

cc: Councilwoman Balbina Young
Thomas V. Moses, Esq., Director

CITY PLAN COMMISSION PROVIDENCE, R. I.

Ref. No. 3009 Subject: ABANDONMENT OF LAKE STREET

Plat No. 21 Lot No. _____

Lot Area: _____

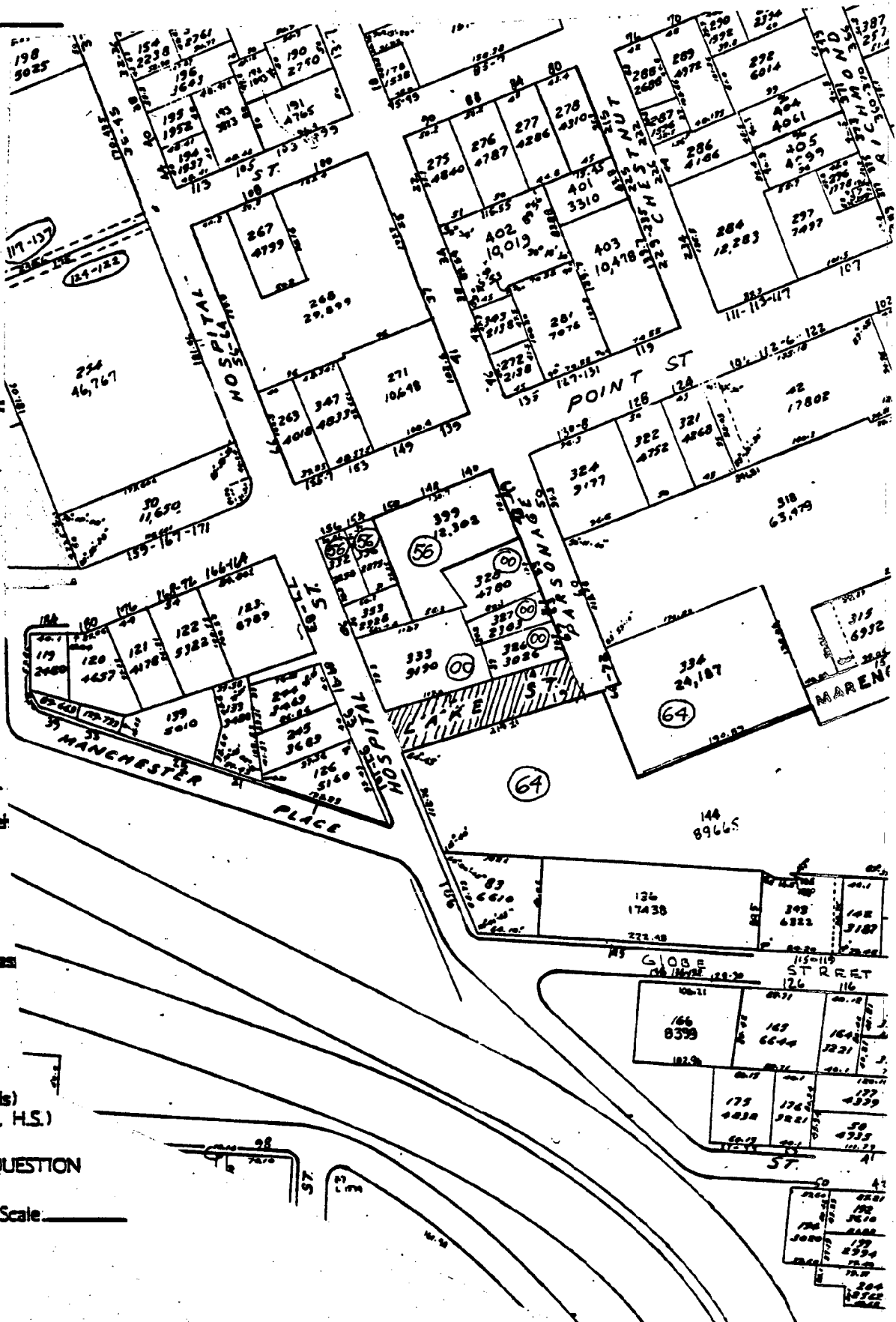
LAND USE LEGEND

- 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: 01/08/90 By: GT Scale: _____



EDWARD F. BURKE
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
SECRETARY
JOHN E. MARTINELLI
LEGAL ADVISOR
JEROME I. BARON
EX-OFFICIO



JOSEPH R. PAOLINO, JR.
MAYOR
HANS T. BERGEY
ACTING GENERAL MANAGER
RAYMOND COLA
CITY COUNCILMAN
ANDREW J. ANNALDO
CITY COUNCILMAN
MARY A. NOCERA
MEMBER
LOUIS ORABONA
MEMBER

Water Supply Board

"Building Pride In Providence"

February 13, 1990

Councilman James Petrosinelli, Chairman
Committee on Public Works
City Hall
Providence, Rhode Island

Re: Abandonment of Lake Street, Providence

Dear Councilman Petrosinelli:

Reference is made to a Petition dated November 29, 1989 to abandon Lake Street in the city of Providence.

The Water Supply Board has several concerns which relate to this proposed abandonment:

- 1) Abandonment would prevent future looping of the water main which currently dead-ends on Parsonage Street. We would be therefore limited in efforts to correct water quality problems which could develop on the dead-ended main.
- 2) Flows to the hydrant at the corner of Parsonage and Lake Street will not meet future requirements for fire protection particularly if any significant industrial or commercial growth occurs in the immediate area. Again, looping of the main through Lake Street would improve pressure and flows.

Based on the above considerations, the Water Supply Board recommends denial of the petition.

Very truly yours,

Hans T. Bergey
Acting General Manager

HTB/mtd

cc: Steven Santaniello
Paul Gadoury
Michael Russo

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 Lake Street

<u>Plat</u>	<u>Lot</u>	<u>Name and Address</u>
21	326	Diversified Products Inc. ✓ 106 Hospital Street Providence, Rhode Island 02903
"	333	" "
22	144	R. I. Industrial Facilities Corp. ✓ 145 Globe Street Providence, Rhode Island 02903
"	334	" "

Councilwoman Balbina A. Young ✓

Ward 11

City Sergeant

Date

3/29/80

Ralph Guglielmino

200 DYER STREET
PROVIDENCE, RHODE ISLAND 02903-3993
401 331-6400
CABLE ADDRESS: TAX COUNSEL

JOSEPH J. RODIO
DAVID R. URSILLO
JEFFREY M. GIBSON
FRED T. POLACEK (ALSO ADMITTED IN MA)

RICHARD O. LESSARD (ALSO ADMITTED IN MA)
DANIEL P. CARTER (ALSO ADMITTED IN NY)
MICHAEL K. MARRAN
PHILIP G. PARSONS (ALSO ADMITTED IN MA, CT & DC)
CHARLES S. KIRWAN (ALSO ADMITTED IN NJ & DC)

FAX: 401 941-5300

RODIO & URSILLO, LTD.

Attorneys at Law

5

October 16, 1990

Mike Clement
Deputy Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

RE: Abandonment of Lake Street

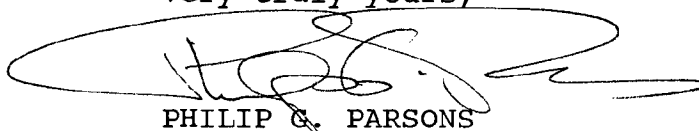
Dear Mike:

Enclosed herein, please find a copy of the executed easement for the above. I have the original and will record same with the land records office for the City of Providence upon final approval of the abandonment by the City Council.

Pursuant to our conversation of last week, this is the last item needed prior to Thursday's meeting of the City Council.

If you have any questions, feel free to contact me.

Very truly yours,



PHILIP G. PARSONS

PGP:ljb
Enclosure

FILED

OCT 17 1 27 PM '90

DEPT. OF CIV. CLERK
PROVIDENCE, R. I.

EASEMENT

RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION, a public corporation and governmental agency of the State of Rhode Island (the "Grantor"), for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged to it paid, does hereby grant and convey to the CITY OF PROVIDENCE, a municipal corporation created by the General Assembly of the State of Rhode Island, its successors and assigns (the "Grantee"), the perpetual and permanent right and easement over, along, under, and above that certain parcel of land located in the City of Providence, County of Providence, State of Rhode Island, bounded and described in Exhibit "A" attached hereto and made a part hereof.

The easement and right granted herein is for the purpose of the Grantee herein installing, maintaining, operating, inspecting, repairing, replacing or renewing water pipes, conduits, mains, valves, blowoffs, miscellaneous devices or the like, including any and all appurtenances thereto, necessary for or used in connection therewith.

Together with the right and privilege at such time as it in its sole discretion and without notice as it deems necessary for said City of Providence, its successors, assigns, agents, servants and employees, to enter upon, over, along, under, and above said premises with vehicles, apparatus, personnel, equipment and appliances to dig and excavate the pavement and soil about said pipes, mains, services and the like as may be necessary therefor

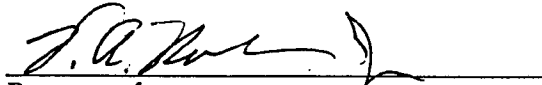
but in any of such entry to refill and repair any such excavation, carry away and surplus material and leave said premises in as good condition as it was prior to the making of any such excavation, at its sole expense, but not for the replacement, if any, of any out of the ordinary material placed thereon by the Grantor herein.

And for the consideration received, the Grantor and Victory Polishing & Plating Co., Inc., a Rhode Island corporation ("Victory"), their respective successors and assigns, covenant and agree that they will not build or erect a structure of any kind, in, over, above, or on the herein-described parcel, nor shall they store or allow to accumulate any material on said parcel.

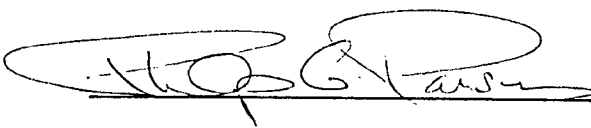
The Grantor and Victory further agree for themselves and their respective successors and assigns, that they will maintain and be responsible for the normal repair of the surface of the herein-described parcel.

IN WITNESS WHEREOF, Rhode Island Industrial Facilities Corporation and Victory Polishing & Plating Co., Inc. have caused their hands and seals to be affixed this 17th day of October, 1990.


RHODE ISLAND INDUSTRIAL
FACILITIES CORPORATION


By: Treasurer

IN THE PRESENCE OF:



VICTORY POLISHING & PLATING
CO., INC.


By: Edward Marangola, Jr.
President

FILED

OCT 17 1 27 PM '90

DEPT. OF CIV. CLERK
PROVIDENCE, R.I.

200 DYER STREET
PROVIDENCE, RHODE ISLAND 02903-3993
401 331-6400
CABLE ADDRESS: TAX COUNSEL

JOSEPH J. RODIO
DAVID R. URSILLO
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CHARLES S. KIRWAN (ALSO ADMITTED IN NJ & DC)

FAX: 401 941-5300

RODIO & URSILLO, LTD.

Attorneys at Law

5

October 10, 1990

Mike Clement
Deputy Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

RE: Abandonment of Lake Street

Dear Mike:

Enclosed herein please find a check in the amount of \$34,000.00 as requested for the purchase of Lake Street.

I will deliver copies of the signed easement by October 18th.

If you have any questions, feel free to contact me.

Very truly yours,


PHILIP G. PARSONS

PGP:ljb
Enclosure

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: November 5, 1990

TO: City Collector Carolyn F. Brassil

SUBJECT: DEPOSIT ON PROPERTY TO BE ABANDONED.

CONSIDERED BY: Rose M. Mendonca, City Clerk

DISPOSITION: Accompanying is Check No. 001625 with the Shawmut Bank of Rhode Island in the amount of Thirty-Four Thousand (\$34,000.00) Dollars submitted by petitioner Diversified Products, Inc., for property abandoned on Lake Street, to be deposited into the Mayor's Improvement Fund.

Carolyn F. Brassil
RECEIVED BY

CC: Dept. of P & D
Paul Harden

Rose M. Mendonca
City Clerk