

RESOLUTION OF THE CITY COUNCIL

No. 352

Approved June 2, 1961

~~Resolved~~

~~That~~

WHEREAS, an accident hazard of potentially serious proportions exists at the northeast corner of the intersection of Cole and Rochambeau Avenues in the City of Providence. This potential accident hazard is created primarily by the following two conditions:

1. The center line of Rochambeau Avenue changes direction by approximately 30 degrees at or near the extension of the easterly curb line of Cole Avenue.
2. The existence of a stone wall approximately five feet in height along the Rochambeau Avenue property line of the Estate of Clara R. Brigham.

NOW THEREFORE, His Honor the Mayor of the City of Providence is authorized to enter into an Agreement with the Trustee under the Will of Clara Rust Brigham and Mr. William E. Brigham for the relocation of said wall and to enter into a contract for services required in relocation of said wall in accordance with the terms of the attached agreement, the contract price for said work not to exceed the sum of THIRTY-FIVE HUNDRED (\$3500) DOLLARS.

IN CITY COUNCIL

JUN 1 - 1961

READ and PASSED

Everett Wilson
President
Clerk

APPROVED

JUN 2 - 1961

William E. Brigham
MAYOR

RESOLUTION PERMITTING THE CITY OF PROVIDENCE TO RELOCATE WALL AT THE CORNER OF COLE AND ROCHAMBEAU AVENUES, IN ORDER TO IMPROVE SIGHT DISTANCE AVAILABLE TO MOTORISTS, AND AUTHORIZING HIS HONOR THE MAYOR OF THE CITY OF PROVIDENCE TO ENTER INTO AN AGREEMENT FOR THE RELOCATION OF SAID WALL, IN ACCORDANCE WITH CONTRACT ATTACHED AND MADE A PART OF THIS RESOLUTION.

IN CITY COUNCIL

APR 6 - 1961

FIRST READING

REFERRED TO COMMITTEE ON PUBLIC AFFAIRS

Waverly CLERK

Mr. Wexler by request

FILED
MAY 31 12 08 PM '61
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

AGREEMENT BETWEEN THE CITY OF PROVIDENCE AND THE
TRUSTEES UNDER THE WILL OF CLARA RUST BRIGHAM AND MR.
WILLIAM E. BRIGHAM

WHEREAS, an accident hazard of potentially serious proportions exists at the northeast corner of the intersection of Cole and Recharbeau Avenues in the City of Providence. This potential accident hazard is created primarily by the following two conditions:

1. The center line of Recharbeau Avenue changes direction by approximately 30 degrees at or near the extension of the easterly curb line of Cole Avenue.
2. The existence of a stone wall approximately five feet in height along the Recharbeau Avenue property line of the Estate of Clara R. Brigham and

WHEREAS, the effect of these two conditions is a serious reduction in the sight distance available to motorists traveling south on Cole Avenue approaching Recharbeau Avenue or of motorists traveling west on Recharbeau Avenue approaching Cole Avenue. This intersection sight distance can be substantially improved by relocating a portion of the existing stone wall.

Now, Therefore, it is agreed as follows:

1. The trustees under the Will of Clara Rust Brigham and Mr. William E. Brigham hereby agree with the City of Providence to allow the City of Providence to relocate the portion of the existing stone wall, and the City of Providence hereby agrees with the trustees under the Will of Clara Rust Brigham and Mr. William E. Brigham to relocate the portion of the existing stone wall as described in this agreement and in accordance with the terms and conditions made a part of this agreement.

2. Description of Wall Section to be Relocated

The portion of existing fence and wall to be relocated is that portion which stands along the Cole Avenue and Recharbeau

Avenue property lines of the Estate of Clara R. Brigham, starting at the intersection of the property lines at the northeast corner of the intersection of Cole and Rochambeau Avenues in the City of Providence and extending easterly along the Rochambeau Avenue property line--a distance of thirty-eight (38) feet--and extending northerly along the Cole Avenue property line--a distance of twenty (20) feet.

The stone wall is to be reconstructed with the face of the reconstructed wall to be on the line joining the point thirty-eight feet east of the above property line intersection on Rochambeau Avenue with the point twenty feet north of the property line intersection on Cole Avenue.

3. Terms and Conditions.

1. The attached specifications are made a part of this agreement.
2. The City of Providence shall pay all construction costs involved in performing the work included and in accordance with the specifications.
3. The masonry work shall be performed by the same mason who has been hired by Mr. Brigham to work on this wall on previous occasions.
4. The mason shall act as the general contractor in obtaining the services of other qualified subcontractors as the project may require.
5. Since there is to be no transfer of land ownership and since the City of Providence is to pay all construction costs, the trustee and Mr. William E. Brigham agree that there shall be no claims of any kind against the City of Providence by the trustee or by any successor trustee and Mr. William E. Brigham hereunder, for allowing the City of Providence to relocate the portion of the stone wall in accordance with the attached specifications.

6. The trustee and Mr. William E. Brigham agree to maintain the triangular area between the property lines and the relocated section of wall in a manner such that the visibility by motorists across this area will not be impaired by vegetation or structures of any kind for the duration of the present trusteeship.

IN WITNESS WHEREOF, the parties hereto have signed and executed these presents, the CITY OF PROVIDENCE by Walter H. Reynolds, the Mayor thereof, herunto duly authorized, at said Providence, on the _____ day of _____ A. D. 1961.

CITY OF PROVIDENCE

Signed in the presence of:

By _____ MAYOR

TRUSTEE UNDER THE WILL OF
CLARA RUST BRIGHAM

WILLIAM E. BRIGHAM

RELOCATIONS

Specifications for the proposed relocation of a portion of the stone wall on the property of the Estate of Clara R. Brigham at the northeast corner of the intersection of Cole and Recharbeau Avenues in Providence, Rhode Island:

The contractor shall provide all labor, including all required subcontractors, and materials necessary to accomplish the work outlined below:

1) Remove the existing wall along the north side of Recharbeau Avenue, starting at the east side of Cole Avenue and extending to a point 36 feet east of Cole Avenue, the measurement being made along the property line.

2) Remove the foundation of the wall in the same area as indicated in No. 1 above to a depth of two feet below the existing sidewalk grade, and backfill with loam.

3) Erect a new wall of the same type, height, width and character as that removed on a line the face of which shall extend from the point on the property line of Recharbeau Avenue 36 feet east of Cole Avenue indicated in No. 1 above, to a point on the Cole Avenue property line 20 feet north of Recharbeau Avenue. The contractor shall remove to the maximum extent possible the stones removed from the existing wall. Any new stones needed to complete the wall in the relocated position shall be of the same type, quality, and size as those comprising the existing wall. The foundation of the new wall shall be a minimum of 2 feet in depth below existing ground level, and shall be of concrete with the bottom course of stones embedded in the concrete.

4) The contractor shall remove and dispose of those trees, stumps, brush and bushes in the work area which are in the line

of the wall to be erected. All other trees, shrubs, bushes and plants are to be protected to prevent damage at all times throughout the duration of the work.

5) The existing chain link fence along the Cole Avenue property line shall be removed to the extent necessary to make the end of the fence join the relocated wall in a tight connection at the point 20 feet north of Recharbon Avenue on the Cole Avenue property line.

6) Install a single row of rounded stones along the 20 feet of Cole Avenue between the relocated wall and the corner of Recharbon Avenue and along the 30 feet of Recharbon Avenue between the corner of Cole Avenue and the existing wall. These stones are to form a tight edge along the property line to serve as a border to the planting area. The planting area is to be filled with loam to a height of six inches above the existing sidewalk grade.

7) Furnish and plant in the triangular planting bed indicated on the plan as (ASC) *Juniperus procumbens*. Plants are to be 12" to 18" diameter at time of planting. Plants are to be spaced approximately 3 feet on center and spaced uniformly over the entire area.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 353

Approved June 2, 1961

Resolved,

That the accompanying petition to change the name of Angelo Avenue, which runs from Leo Avenue to the City Line, to Shepard Avenue be and hereby ^{is (DEW)} granted.

IN CITY COUNCIL

JUN 1 - 1961

READ and PASSED

Alfred P. Murphy
President
Everett Chelaw
Clerk

APPROVED

JUN 2 - 1961

Walter H. Reynolds
Mayor

RESOLUTION
OF THE
CITY COUNCIL

PETITION TO THE CITY COUNCIL

. to ~~Sheep~~ Avenue.
~~Unlocated~~ ~~Sheep~~ ~~Sheep's~~ ~~a~~ Shepard Avenue

Mr. & Mrs. Edward Culli
Mr. & Mrs. Joseph De Falco
Mr. & Mrs. Ida Brito
Mr. & Mrs. John Orlando
Mr. & Mrs. Armand Bucci
Teresa Frigoli & Carmine
Mr. & Mrs. Harry Germani
Mr. & Mrs. Alfred Valpe

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CITY CLERK'S OFFICE
PROVIDENCE, R.I.

APR 17 9 17 AM '61
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PROVIDENCE, R.I.

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

RESOLUTION OF THE CITY COUNCIL

No. 354

Approved June 2, 1961

Resolved, DECREEED AND ORDERED,

That whatever interest the public may have in a private gangway between Eddy and Dorrance Streets, south of Friendship Street and north of Clifford Street, shown as shaded area on the accompanying plan entitled, "Providence, R.I., P.W. Department--Engineering Office, City Property Section, Plan No. 062221, Date May 26, 1961", is hereby abandoned and the damage to the abutters is appraised at nothing and so awarded and it is further,

ORDERED, That the Superintendent of Street Signs and Numbers be and he is hereby directed to cause a sign to be placed on a private gangway between Eddy and Dorrance Streets, south of Friendship Street and north of Clifford Street, 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 each week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting a private gangway between Eddy and Dorrance Streets, south of Friendship Street and north of Clifford Street which has been abandoned, who is known to reside within this State.

IN CITY COUNCIL

JUN 1 - 1961

READ and PASSED

Edward D. Angley
President
R. Everett Whelan
Clerk

APPROVED

JUN 2 - 1961

Walter F. Reynolds
MAYOR

RESOLUTION
OF THE
CITY COUNCIL.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

that it is the owner of land situated on the southwesterly side of Dorrance Street, northwesterly side of Clifford Street, northeasterly side of Eddy Street and southeasterly side of Friendship Street in the city of Providence, it being lots numbered 256, 258, 264 on assessor's plat number 20.

that the said premises is subject to a right of way or easement or gangway, so called, of record ten (10) feet in width which formerly extended from Dorrance Street to Eddy Street all as set forth and described in an Indenture made the first day of June A.D. 1889 by and between Edward Pearce et. al. and Amelia F. Palmer et. al. as abutting owners and found recorded in Providence registry of deeds in book 254 at page 372.

354

that the Indenture aforesaid creating said gangway, so called, of record sets forth the following:

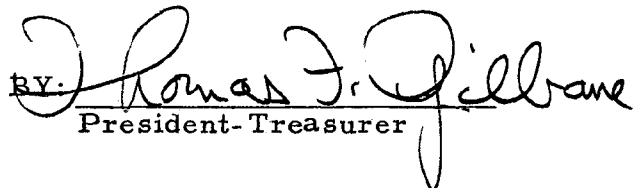
"And it is mutually agreed by and between said parties each with the others and with each of the others for themselves and for their respective heirs and assigns that said gangway shall be forever hereafter kept open and unobstructed from said Dorrance Street to said Eddy Street for the mutual use and accommodation of said parties their respective heirs and assigns as appurtenant to their respective estates aforesaid adjoining the same provided however that the same may be closed by gates at each end thereof and that the eaves of buildings adjoining the same may be allowed to project over the same".

that the said gangway, so called, of record has ceased to be useful to the abutters for the reason that the entire tract of land has been held in common ownership for over twenty (20) years and that there has been a merger of the subservient and dominant tenements respecting said gangway by said ownership in common.

that the said gangway, so called, of record has ceased to be useful to the public if indeed the public ever had any right, title or interest therein.

Wherefore your petitioner respectfully prays that said gangway, so called, of record be abandoned as a public highway and that the damage to the abutters or the public be appraised at nothing.

GILBANE BUILDING COMPANY

BY: 
President-Treasurer

Charles F. Rogers
162 Main Street
Woonsocket, Rhode Island
Attorney for Petitioner

IN CITY
COUNCIL

APR 20 1961

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Devereux Mahan CLERK

Mr. Boyle, by request

FILED
APR 17 2 43 PM '61
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

The City of Providence — Legislative Department
CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., April 28, 1961

TO: Deputy Director of Public Works

SUBJECT: Abandonment of Gang-way between Dorrance Street and Eddy Street

CONSIDERED BY: Committee on Public Works

ACTION TAKEN: Voted to refer for study, report and recommendation
attached petition on above subject matter.

Devereaux Whelan
City Clerk

The City of Providence — Legislative Department
CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., April 21, 1961

TO: City Plan Director

SUBJECT: Abandonment of Gang-way between Dorrance Street and Eddy Street

CONSIDERED BY: Committee on Public Works

ACTION TAKEN: Voted to refer for study, report and recommendation
attached petition on above subject matter.

Devereaux Thelan
City Clerk

The City of Providence — Legislative Department
CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., ~~April 21, 1961~~

TO: Chief Engineer Water Supply Board

SUBJECT: Abandonment of Gang-Way between Dorrance Street and Eddy Street

CONSIDERED BY: Committee on Public Works

ACTION TAKEN: Voted to refer for study, report and recommendation
attached petition on above subject matter.

Devereux Kelan

City Clerk



CITY OF PROVIDENCE - RHODE ISLAND - Walter H. Reynolds, Mayor

DEPARTMENT OF PUBLIC WORKS

Charles F. McElroy
Director
John E. Meade
Deputy Director

CITY HALL

April 24, 1961

Mr. Ralph Matera, Chairman
Committee on Public Works,
City Hall,
Providence, R.I.

RE: Proposed abandonment of a gangway
between Dorrance Street and Eddy Street.

Dear Sir:

Records in the office of the Recorder of Deeds show that in 1889 the area bounded by Dorrance, Friendship, Eddy and Clifford streets was divided into two parcels under the ownership of Edward Pearce et al and Amelia F. Palmer et al.

On June 1, 1889, both owners entered into an agreement whereby a strip of land five (5) feet in width on each side of the common property line would be used as a gangway, thereby creating a gangway ten (10) feet wide and extending from Dorrance Street to Eddy Street.

The recorded agreement includes the following:

"And it is mutually agreed by and between said parties each with the others and with each of the others for themselves and for their respective heirs and assigns that said gangway shall be forever hereafter kept open and unobstructed from said Dorrance street to said Eddy street for the mutual use and accomodation of said parties their respective heirs and assigns as appurtenant to their respective estates aforesaid adjoining the same provided however that the same may be closed by gates at each end thereof".

Since the agreement provided that the gangway was for the mutual use and accomodation of the abutting owners, their respective heirs and assigns, and could be closed by gates at both ends, it appears that the gangway was for private use.

Our Engineering Office does not have any record of this gangway ever having been platted, dedicated or deeded for public use nor any record of the public acquiring any rights therein.

Very truly yours,

John E. Meade
Deputy Director of Public Works

JEM:k

THE CITY OF PROVIDENCE

WATER SUPPLY BOARD

JOHN A. DOHERTY, CHAIRMAN
EARL H. ASHLEY
UGO RICCIO
JOHN J. TIERNEY
DAVID R. MCGOVERN, EX-OFFICIO

552 ACADEMY AVENUE
PROVIDENCE 8, R. I.

PHILIP J. HOLTON, JR.
CHIEF ENGINEER
WILLIAM I. McDONALD
DEPUTY CHIEF ENGINEER
JOHN T. WALSH
LEGAL ADVISOR
JOHN J. DEARY
SECRETARY

April 25, 1961

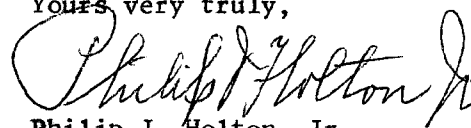
Councilman Ralph Matera, Chairman
Public Works Committee
City Clerk's Office
City Hall
Providence, Rhode Island

Dear Councilman Matera:

We have been notified by the Office of the City Clerk that your Committee is considering the abandonment of the Gang-Way between Dorrance Street and Eddy Street.

As we have no facilities in the above Gang-Way proposed to be abandoned, there is no objection to the abandonment as far as the Water Supply Board is concerned.

Yours very truly,



Philip J. Holton, Jr.
Chief Engineer

PJH:kam

cc: W. P. Ingham, Division Engineer

FILED

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CITY CLERK'S OFFICE
PROVIDENCE, R. I.

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: A GANGWAY, so called, between Dorrance Street and Eddy Street, also north of Clifford Street and south of Friendship Street, be abandoned.

Plat 20

Lots	Name	Address
264	Darius Realty Corp.	550 Pawtucket Ave. Pawtucket, R.I.
256	" "	" "
257	Dorrance Clifford Corp.	169 Dorrance Street
258	same as 264	

Date

5/15/61

Signature

Harry Ackerman

Dep City Sergeant

This is to certify that I have caused a true copy of the attached Resolution to be served upon the above named persons, firms and/or corporations, as the case may be, by handing to each said person, firm and/or corporation, as the case may be, or by leaving at their last and usual place of abode in this state, a true copy.

Date

6/7/61

Signature

Harry Ackerman

The City of Providence
PUBLIC HEARING

Relative to:
Abandonment as Public Highways;
Change of Grade;
Defining of Grades;
Declaring and Establishing as Public Highways;
Bringing to the Established or Defined Grades at the expense of the abutting owners;
Setting of Curbstones at the expense of the abutting owners;
Construction of a Main Drain or Common Sewer at the expense of the abutting owners.

City Clerk's Office
May 10, 1961

ORDERED, that all those owners of land abutting on those portions of the following streets be notified to appear before the Committee on Public Works of the City Council on THURSDAY, MAY 25, 1961 at 4:00 o'clock p.m. (E.D.S.T.) in the Council Chamber, City Hall and be heard for or against the above propositions.

CLAY STREET, from Borden Street to Lockwood Street, be abandoned.

A GANGWAY, so called, situated between Dorrance Street and Eddy Street and also north of Clifford Street and south of Friendship Street, be abandoned.

TUXEDO AVENUE, from a point 200 feet south of Amherst Street for a distance of 125 feet to its southerly termination, be abandoned.

BERKSHIRE STREET, from Salina Street to Cornwall Street: grade be changed.

CANONCHET STREET, from Winthrop Avenue to Standish Avenue: grade be defined; establish as a public highway; bring to the established or defined grade at the expense of the abutting owners; curbing to be set at the expense of the abutting owners.

DORA STREET, from Atwood Street to Cumerford Street: grade be defined; declare and establish as a public highway; bring to the established or defined grade at the expense of the abutting owners; curbing to be set at the expense of the abutting owners.

EUGENE STREET, from Springfield Street to Ophelia Street: grade be defined; establish as a public highway; bring to the established or defined grade at the expense of the abutting owners; curbing to be set at the expense of the abutting owners.

HASWELL STREET, from approximately 300 feet east of Eddy Street to Eddy Street: main drain or common sewer be constructed at the expense of the abutting owners.

Information relative to the above may be obtained prior to said hearing in the Office of the City Engineer, City Hall.

By Order of the Committee on Public Works.

RALPH MATERA,
Chairman
D. EVERETT WHELAN,
City Clerk

Attached legal advertisement inserted in Providence Journal editions of May 10, 17 and 24, 1961.

The City of Providence
STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS

RESOLUTION OF THE
CITY COUNCIL

NO. 354

Approved June 2, 1961

RESOLVED, DECREED AND OR-
DERED,

That whatever interest the public may have in a private gangway between Eddy and Dorrance Streets, south of Friendship Street and north of Clifford Street, shown as shaded area on the accompanying plan entitled, "Providence, R.I. P. W. Department—Engineering Office, City Property Section, Plan No. 062221, Date May 26, 1961", is hereby abandoned and the damage to the abutters is appraised at nothing and so awarded and it is further,

ORDERED, That the Superintendent of Street Signs and Numbers be and he is hereby directed to cause a sign to be placed on a private gangway between Eddy and Dorrance Streets, south of Friendship Street and north of Clifford Street, 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 each week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting a private gangway between Eddy and Dorrance Streets, south of Friendship Street and north of Clifford Street which has been abandoned, who is known to reside within this State.

A true copy

Attest:

D. EVERETT WHELAN,
City Clerk.

Attached legal advertisement
advertisiement of Resolution No. 354
approved June 2, 1961 inserted
in Providence Journal editions of
June 9, 16, and 23, 1961.



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*
RAYMOND J. NOTTAGE HARRY PINKERSON

FRANK H. MALLEY, *Director*
DIETER HAMMERSCHLAG, *Chief Planner*

**Suite 103, City Hall,
Providence 3, Rhode Island**

May 10, 1961

Committee on Public Works
City Hall
Providence, Rhode Island

SUBJECT: Referral No. 1203 - ABANDONMENT OF GANGWAY BETWEEN DOR-
RANCE STREET AND EDDY STREET

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, May 9, 1961.

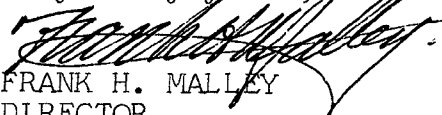
This referral is a request for a study, report and recommendation on the proposed abandonment of a gangway between Dorrance and Eddy Streets on City Assessor's Plat 20, said gangway, or right of way being situated on property bounded by Friendship and Clifford Streets.

On an inspection and photographic survey it was determined that said gangway is surrounded by and used for a public parking lot.

The Commission

VOTED: To lay this referral on the table for further consideration and study.

Very truly yours,


FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman Russell J. Boyle
Councilman James J. Corry

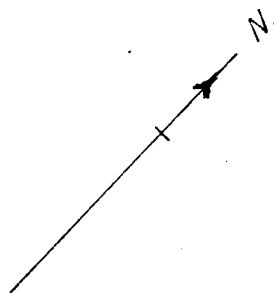
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MAY 19 4 26 PM '61

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

MAY 19 4 26 PM '61
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

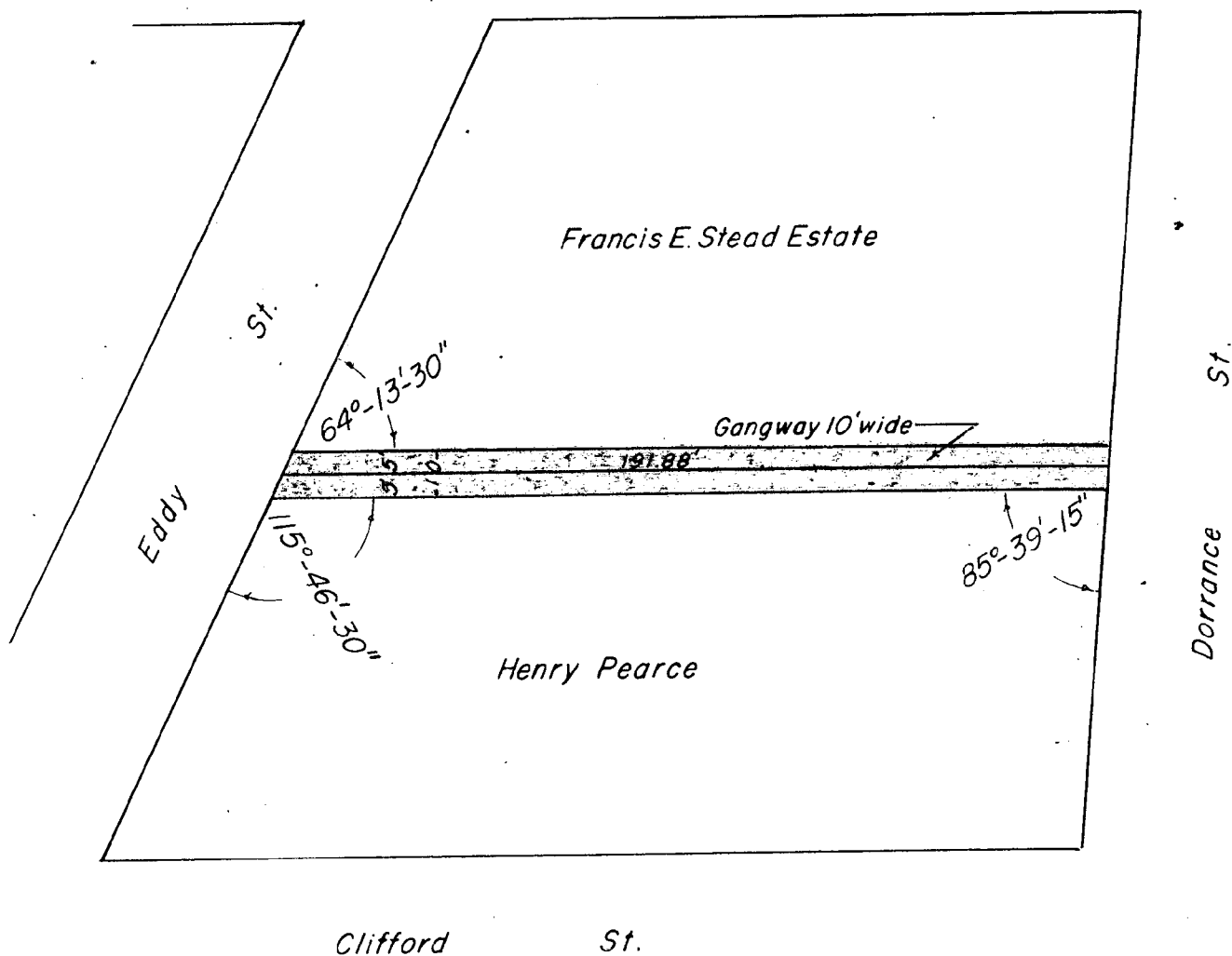
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062221

May 26, 1961

Friendship St.



Shaded area to be abandoned as shown on that certain plat entitled "Petition Plat In Equity Suit No. 4450 William B. Pearce vs. Henry Pearce, et al. Appellate Division of the Supreme Court, by J. A. Latham, April 1897." and shown on plat card 733 in the office of the Recorder of Deeds.

CITY OF PROVIDENCE, R.I.
Planning Department
Drawing Proposed Abandonment of
Private Gangway.
Drawn by E.A.K. Checked by L.P.R.
Scale 1" = 40' Date May 29, 1961
J.B. Regan
John Regan

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 355

Approved June 2, 1961

Resolved, DECREEED AND ORDERED,

That

the portion of Tuxedo Avenue from a point 200 feet south of Amherst Street, southerly 125 feet to its southerly termination, shown as shaded area and designated by the letters A-B-C-D on the accompanying plan entitled, "Providence, R.I., P.W. Dept.--Engineering Office, City Property Section, Plan No. 060407, Date September 18, 1951", has ceased to be useful to the public and the same is abandoned as a public highway and the damage to the abutters is appraised at nothing and so awarded and it is further

ORDERED, That the Superintendent of Street Signs and Numbers be and he is hereby directed to cause a sign to be placed on the portion of Tuxedo Avenue from a point 200 feet south of Amherst Street, southerly 125 feet to its southerly termination, 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 each 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 portion of Tuxedo Avenue from a point 200 feet south of Amherst Street, southerly 125 feet to its southerly termination which has been abandoned, who is known to reside within this State.

IN CITY COUNCIL

JUN 1 - 1961

READ and PASSED

Everett H. Clark
President
Everett H. Clark
Clerk

APPROVED

JUN 2 - 1961

Walter H. Reynolds
MAYOR

RESOLUTION
OF THE
CITY COUNCIL

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

to abandon as a Public Highway portion of Tuxedo Avenue from a point
200 feet south of Amherst Street for a distance of 125 feet to its
southerly termination.

Angelo Antognino
✓

IN CITY
COUNCIL

APR 6 - 1961

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Devereux Hallam CLERK

from the Clerk's Desk

FILED

APR 4 8 53 AM '61

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

The City of Providence — Legislative Department
CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., April 7, 1961

TO: John E. Meade, Deputy Director of Public Works.

SUBJECT: Abandonment of portion of Tuxedo Avenue.

CONSIDERED BY: Committee on Public Works.

ACTION TAKEN: To refer attached petition for study, report and recommendation.

Theresa M. Tholan
City Clerk

The City of Providence — Legislative Department

CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

April 7, 1961

Providence, R. I.,

TO: City Plan Commission

SUBJECT: Abandonment of portion of Tuxedo Avenue.

CONSIDERED BY: Committee on Public Works.

ACTION TAKEN: To refer attached petition for study, report and recommendation.

City Clerk

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body
to abandon as a Public Highway portion of Tuxedo Avenue from a point
200 feet south of Amherst Street for a distance of 125 feet to its
southerly termination.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

**to abandon as a Public Highway portion of Tuxedo Avenue from a point
200 feet south of Amherst Street for a distance of 125 feet to its
southerly termination.**

March 29, 1961

Mr. Angelo Antignano
International Wrecking Co.,
73 Tuxedo Avenue
Providence, Rhode Island.

Dear Mr. Antignano:

Enclosed is petition for abandonment of a portion of Tuxedo Avenue, in accordance with your request this day about same in the office of the City Clerk.

The petition should be signed by the owner or owners of all property abutting on this portion of Tuxedo Avenue and returned to this office for filing and introducing to the City Council.

Very truly yours,

Vincent Vespia
First Deputy City Clerk

VV:cel
Incl.



CITY OF PROVIDENCE - RHODE ISLAND - Walter H. Reynolds, Mayor

OFFICE OF THE CITY CLERK

CITY HALL

D. Everett Whelan
City Clerk

Vincent Vespia
First Deputy
William E. McWilliams
Second Deputy

March 29, 1961

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Vincent Vespia
First Deputy City Clerk

Angelo Antignano

VV:cel
Incl.

unl-2481



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUCL, *Vice Chairman*
RAYMOND J. NUTTAGE HARRY PINKERSON

FRANK H. MALLEY, *Director*
DIETER HAMMERSCHLAG, *Chief Planner*

*Suite 103, City Hall,
Providence 3, Rhode Island*

April 26, 1961

Committee on Public Works
City Hall
Providence, Rhode Island

SUBJECT: REFERRAL NO. 1202 - ABANDONMENT OF PORTION OF TUXEDO AVENUE

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, April 25, 1961.

This referral is a request to abandon a portion of Tuxedo Avenue from a point 200 feet south of Amherst Street for a distance of 125 feet to its southerly termination.

On an inspection and photographic survey it was determined that Tuxedo Avenue is a dead-end street bounded on both sides of its termination by a wrecking company.

Since that area proposed for abandonment is used only by the wrecking company, and since Tuxedo Avenue is not a through street,

The Commission

VOTED: To offer no objection to the granting of this petition.

Very truly yours,

FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman Jerry Lorenzo
Councilman Thomas S. Luongo



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*
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April 26, 1961

Committee on Public Works
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FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman John F. Brock
Councilman Anthony B. Sciarretta



CITY OF PROVIDENCE - RHODE ISLAND - Walter H. Reynolds, Mayor

DEPARTMENT OF PUBLIC WORKS

Charles F. McElroy
Director
John E. Meade
Deputy Director

CITY HALL

April 27, 1961

Mr. Ralph Matera, Chairman
Committee on Public Works,
City Hall, Providence, R.I.

RE: Petition to abandon as a Public Highway
the portion of Tuxedo Avenue from a point
200 feet south of Amherst street for a
distance of 125 feet to its southerly termination.

Dear Sir:

In the section of Tuxedo Avenue proposed for abandonment a 12" sewer was constructed in 1938 and six 6" drains to the curb line, abutting upon six lots, were constructed at the same time. Also, the street was curbed and built in 1948. The total cost of the sewer and highway work was approximately \$4,500.00

At a later date an individual acquired title to the lots abutting upon the street and established a second hand lumber yard thereon and a wire fence across the public highway was erected.

By the abandonment of this section of Tuxedo Avenue, the abutting owner will acquire 5,000 square feet of land for private use and the public will lose their rights in the street. There is no assurance that the abutting property will be used as a second hand lumber yard permanently and it is possible that this property may be subdivided at a later date and the sewer and highway facilities will be required.

The abandonment of a highway required for the development of public or semi-public facilities appears to be in the public interest, but the abandonment of a highway for the development of a private business certainly is not.

If this section of Tuxedo Avenue is abandoned, the sewer should be bulkheaded and a manhole constructed in the street north of the area to be abandoned, at a cost of approximately \$500.00, which should be paid by the petitioner.

A petition to abandon this same section of Tuxedo Avenue was considered by the Public Works Committee in 1951 and denied.

Very truly yours,
John E. Meade
Deputy Director of Public Works.

FILED

APR 27 4 56 PM '61

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to
addressee

☐ Show address where
delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

5/11/61

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300



INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO. 78568	NAME OF SENDER The City Clerk
CERTIFIED NO.	STREET AND NO. OR P. O. BOX City Hall
INSURED NO.	CITY, ZONE AND STATE PROVIDENCE, R.I.

POD Form 3811 Jan. 1958

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: TUXEDO AVENUE, from a point 200 feet south of Amherst Street for a distance of 125 feet to its southerly termination, be abandoned.

Plat 33

Lot	Name	Address
613	Angelo Antignano	202 Central Avenue Johnston, R. I.

Date 5/15/61

Harry A. Corman
Signature

Dep. City Sergeant

This is to certify that I have caused a true copy of the attached Resolution to be served upon the above named persons, firms and/or corporations, as the case may be, by handing to each said person, firm/ and/or corporation, as the case may be, or by leaving at their last and usual place of abode in this state, a true copy.

Date 6/7/61

Harry A. Corman
Signature

Attached legal advertisement
inserted in Providence Journal
editions of May 10, 17 and 24,
1961.

The City of Providence
PUBLIC HEARING

Relative to:
Abandonment as Public Highways;
Change of Grade;
Defining of Grades;
Declaring and Establishing as Public Highways;
Bringing to the Established or Defined Grades at the expense of the abutting owners;
Setting of Curbstones at the expense of the abutting owners;
Construction of a Main Drain or Common Sewer at the expense of the abutting owners.

City Clerk's Office
May 10, 1961

ORDERED, that all those owners of land abutting on those portions of the following streets be notified to appear before the Committee on Public Works of the City Council on THURSDAY, MAY 25, 1961 at 4:00 o'clock p.m. (E.D.S.T.) in the Council Chamber, City Hall and be heard for or against the above propositions.

CLAY STREET, from Borden Street to Lockwood Street, be abandoned.

A GANGWAY, so called, situated between Dorrance Street and Eddy Street and also north of Clifford Street and south of Friendship Street, be abandoned.

TUXEDO AVENUE, from a point 200 feet south of Amherst Street for a distance of 125 feet to its southerly termination, be abandoned.

BERKSHIRE STREET, from Salina Street to Cornwall Street: grade be changed.

CANONCHET STREET, from Winthrop Avenue to Standish Avenue: grade be defined; establish as a public highway; bring to the established or defined grade at the expense of the abutting owners; curbing to be set at the expense of the abutting owners.

DORA STREET, from Atwood Street to Cumerford Street: grade be defined; declare and establish as a public highway; bring to the established or defined grade at the expense of the abutting owners; curbing to be set at the expense of the abutting owners.

EUGENE STREET, from Springfield Street to Opelia Street: grade be defined; establish as a public highway; bring to the established or defined grade at the expense of the abutting owners; curbing to be set at the expense of the abutting owners.

HASWELL STREET, from approximately 300 feet east of Eddy Street to Eddy Street: main drain or common sewer be constructed at the expense of the abutting owners.

Information relative to the above may be obtained prior to said hearing in the Office of the City Engineer, City Hall.

By Order of the Committee on Public Works.

RALPH MATERA,
Chairman
D. EVERETT WHELAN,
City Clerk

The City of Providence
STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS
RESOLUTION OF THE
CITY COUNCIL

No. 355

Approved June 2, 1961

RESOLVED, DECREEED AND OR-

DERED:

That the portion of Tuxedo Avenue from a point 200 feet south of Amherst Street, southerly 125 feet to its southerly termination, shown as shaded area and designated by the letters A-B-C-D on the accompanying plan entitled, "Providence, R.I., P.W. Dept.—Engineering Office, City Property Section, Plan No. 060407, Date September 18, 1951," has ceased to be useful to the public and the same is abandoned as a public highway and the damage to the abutters is appraised at nothing and so awarded and it is further

ORDERED, That the Superintendent of Street Signs and Numbers be and he is hereby directed to cause a sign to be placed on the portion of Tuxedo Avenue from a point 200 feet south of Amherst Street, southerly 125 feet to its southerly termination, 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 each 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 portion of Tuxedo Avenue from a point 200 feet south of Amherst Street, southerly 125 feet to its southerly termination which has been abandoned, who is known to reside within this State.

A true copy,

Attest:

D. EVERETT WHELAN,
City Clerk

Attached legal advertisement of
Resolution No. 355 approved
June 2, 1961 inserted in Providence
Journal editions of June 9, 16
and 23, 1961.

THE CITY OF PROVIDENCE

WATER SUPPLY BOARD

JOHN A. DOHERTY, CHAIRMAN
EARL H. ASHLEY
UGO RICCIO
JOHN J. TIERNEY
DAVID R. MCGOVERN, EX-OFFICIO

552 ACADEMY AVENUE
PROVIDENCE 8, R. I.

PHILIP J. HOLTON, JR.
CHIEF ENGINEER
WILLIAM I. McDONALD
DEPUTY CHIEF ENGINEER
JOHN T. WALSH
LEGAL ADVISOR
JOHN J. DEARY
SECRETARY

May 26, 1961

Councilman Ralph Matera, Chairman
Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island

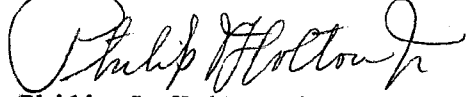
Dear Councilman Matera:

In our letter of April 25 we notified your Committee that if the Council decided to abandon Tuxedo Avenue from a point 200 feet south of Amherst Street for a distance of 125 feet to its southerly termination, this department would have to be compensated for the value of its facilities in the section to be abandoned.

It is our understanding that Mr. Antignono wants to continue to receive service to his property from this main and is willing to grant the department an easement or right-of-way. As a general rule, the department looks with disfavor upon easements or right-of-ways. However, in this particular case there are certain complications that present legal technicalities that we would prefer to avoid if possible for the present. For instance, in 1951 the petitioner paid the department a main extension charge to install the water main in that section of the street to be abandoned. This amounted to \$248 and covers only a portion of the actual cost of installing the main. What equity he has in this pipe is a matter that would have to be resolved by the Law Department.

Under the circumstances, we will agree to the easement or right-of-way provided he maintains a metal surface over the present highway that will provide us with ready access for repairs and other maintenance to the main as well as the service; will agree not to erect any building on the right-of-way or store any material that will hamper our operations in any manner whatsoever.

Yours very truly,


Philip J. Holton, Jr.
Chief Engineer

PJH:kam

FILED

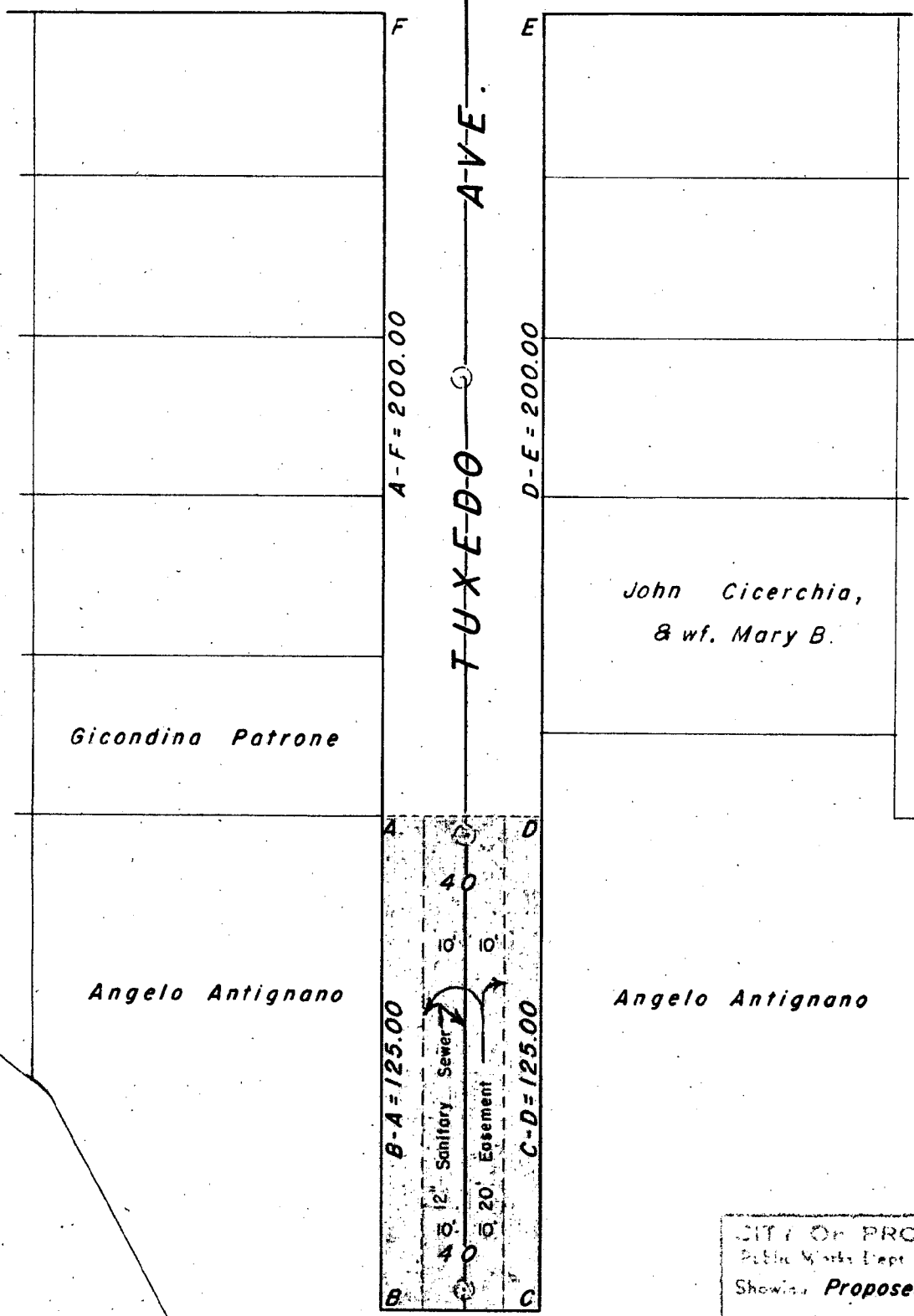
MAY 26 3 34 PM '61

CITY CLERK'S OFFICE
PROVIDENCE, R. I.

PROVIDENCE, R. I.
 CIV. DEPT. ENGINEERING OFFICE
 CITY PROPERTY SECTION
 File No. 060407
 Date Sept. 18, 1951

AMHERST

ST.



CITY OF PROVIDENCE, R. I.
 Public Works Dept. Engineering Office
 Showing **Proposed Abandonment**
 Drawn by *Reid* Checked by *W.L.B.*
 Scale 1" = 40' Date *Sept. 18, 1951*
 Corrected by *William L. Bagley* State Engr.
 Approved *Gilbert Small* CHIEF ENGINEER

Revised Mar. 29, 1961
 Revised May 31, 1961
 Shaded Area A-B-C-D Proposed To Be Abandoned As A Public Highway.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 356

Approved June 2, 1961

Resolved, Decreed and Ordered

That the grade of Berkshire Street from Salina Street to Cornwall Street be changed as indicated by the lines and figures in blue upon the plan and profile 023900 on file in the Engineering Office of the Public Works Department, and this day presented to the City Council.

IN CITY COUNCIL

JUN 1 - 1961

READ and PASSED

Edward P. Chisley
President
Everett Helaw
Clerk

APPROVED

JUN 2 - 1961

Walter H. Ryan
MAYOR

RESOLUTION
OF THE
CITY COUNCIL

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

that the grade of Berkshire Street, from Salina Street to Cornwall Street be changed as indicated by the lines and figures in blue upon the plan and profile 023900 on file in the Engineering Office of the Public Works Department.

James Lepore

*176 Berkshire St
Providence - R.I.*

IN CITY
COUNCIL

APR 6 - 1961

FIRST READING

REFERRED TO COMMITTEE ON

..... PUBLIC WORKS

Heavenly City CLERK

Mr. Quillo, by request

APR 3 11 45 AM '61
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

The City of Providence — Legislative Department
CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

TO: John E. Meade, Deputy Director of Public Works. Providence, R. I., April 7, 1961

SUBJECT: Change grade - Berkshire Street.

CONSIDERED BY: Committee on Public Works.

ACTION TAKEN: To refer attached petition for study, report and recommendation.

Devereux Halloran

City Clerk

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: **BERKSHIRE STREET**, from Salina Street to Cornwall Street:
grade be changed.

Plat 76

<u>Lot</u>	<u>Name</u>	<u>Address</u>
133	The Narragansett Electric Co.	15 Westminster Street
135	Clara C. Smith and Marion N. Malama	181 Berkshire Street
136	Louis J. Johnston	173 Berkshire Street
137	Lewis J. Johnston, Ellen J. Fugan and Mary C. Barr	173 Berkshire Street
138	Domenico S. DeCesare and wife Maria I.	47 Sussex Street
139	" "	" "
141	Petronilla and Anthony Catanese	73 Salina Street
142	Anthony V. Naturale and wife Julia	77 Salina Street
145	New England Milk Producers Assoc.	172 Berkshire Street
147	" "	" "
148	Angela Lepore	176 Berkshire Street
149	" "	" "
150	The Narragansett Electric Co.	15 Westminster Street

Date 5/15/61

Harry A. Keegan
Signature

Dep City Sergeant

Legal advertisement inserted in Providence Journal editions of
May 10, 17 and 24, 1961.