

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 446

Approved September 11, 1973

RESOLVED, DECREED, and ORDERED,

That that portion of Clara Street, from Smith Street to its northeasterly termination, as shown on cross-hatched area and designated by the letters A-B-C-D-E-F-A, on accompanying Plan No. 063588, date: November 29, 1972, has ceased to be useful to the public and is hereby abandoned as a public highway and the damage to the abutters is appraised at nothing and so awarded, and subject to that agreement dated 16th August, A. D., 1973, between Alice and Berch Stepanian and Angelo and Donata Giarusso, all of Providence, a copy of which is hereto attached, and it is further

ORDERED, That the Director of Public Works, be and he is hereby directed to cause a sign to be placed on the portion of Clara Street, from Smith Street to its northeasterly 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 Clara Street, from Smith Street to its northeasterly termination, which has been abandoned, who is known to reside within this State.

IN CITY COUNCIL
READ AND PASSED
Robert J. Taylor
Clerk

APPROVED

Joseph A. Barley
SEP 11 1973

SEP 6 1973

THE COMMITTEE ON
Public Works
Approves Passage of
The Within Resolution

Unanimous Passage
August 22, 1913 Read

READ AND PASSED
IN CITY COUNCIL

RECORDED
INDEXED

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

20

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

To abandon as a Public Highway Clara Street, from Smith Street
to its northeasterly termination.

** Angelo Giarusso*
** Donata Giarusso*

Angelo Giarusso
Donata Giarusso

Alice Stepanian
Berch Stepanian

Alice Stepanian
Berch Stepanian

The above petitioners are represented by Hodosh, Spinella, Hodosh,
& Angelone, 808 Union Trust Building, Providence, Rhode Island.

DEPARTMENT OF CITY CLERK
RECEIVED

NOV 13 1972

PROVIDENCE, R. I.

Vincent Pospisil

CITY CLERK OF PROVIDENCE

Pd by ch # 1038
amt \$35.00

IN CITY
COUNCIL

NOV 16 1972

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Wm. J. Veppa
CLERK

THE COMMITTEE ON

.....PUBLIC WORKS.....

Recommends *Be Continued*

.....
Clerk

MAR 20 1973

FILED
NOV 13 9 46 AM '72
DEPT. OF VITALS
PROVIDENCE, R.I.

*Councilman Ahern
and Councilman Crowley, by request*

HODOSH, SPINELLA, HODOSH & ANGELONE
ATTORNEYS AT LAW
808 UNION TRUST BUILDING
PROVIDENCE, RHODE ISLAND
02903

SAUL HODOSH
PETER SPINELLA
MARVIN R. HODOSH
THOMAS C. ANGELONE
JAMES D. LEVITT

AREA CODE (401)
274-0200

November 10, 1972

City Clerk
City Hall
Providence, Rhode Island

Dear Sir:

Enclosed please find original and copy of Petition
to the City Council together with my check in the amount of Thirty-
Five (\$35.00) Dollars to cover cost of filing same. Would you
kindly put this on the next docket.

Very truly yours,

HODOSH, SPINELLA, HODOSH & ANGELONE



Peter Spine

PS/jag

Enclosures

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: November 17, 1972

TO: Director Library, Director National, Chief Engineer and
Reports, Commissioner Goldstein and Traffic Engineer Tibaldi.

SUBJECT: CEARA LEBRON - ADMINISTRATION.

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached is copy of petition on above subject for study
and report.

Vernon Vesper

City Clerk

JOHN A. DOHERTY, CHAIRMAN
EARL H. ASHLEY
UGO RICCIO
JOHN J. TIERNEY
RAYMOND COLA
THOMAS L. PAYNE
VINCENT T. IZZO, EX-OFFICIO

WATER SUPPLY BOARD
CITY OF PROVIDENCE, R. I. 02908
552 ACADEMY AVENUE

JOHN E. ROGERS
CHIEF ENGINEER
JAMES P. RYAN
DEPUTY CHIEF ENGINEER
JOHN T. WALSH
LEGAL ADVISOR
AUSTIN B. McMANUS
SECRETARY

November 20, 1972

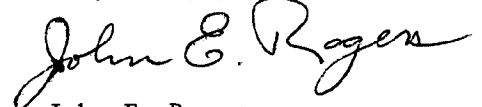
Councilman Thomas Payne, Chairman
Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island

Dear Councilman Payne:

On November 17, we received a memorandum from the City Clerk's Office with regard to a petition requesting the abandonment of Clara Street from Smith Street to its northeasterly termination.

We have reviewed our distribution plans and find that we do not have facilities in this area of the proposed abandonment. We, therefore, offer no objection to the petition.

Very truly yours,



John E. Rogers
Chief Engineer

kam

HARRY GOLDSTEIN
COMMISSIONER



LEONARD W. REILLY
ADMINISTRATIVE
ASSISTANT

COMMISSIONER OF PUBLIC SAFETY
209 FOUNTAIN ST., PROVIDENCE, RHODE ISLAND 02903

November 24, 1972

The Honorable City Council
City Hall
Providence, Rhode Island

Att: Committee on
Public Works

Gentlemen:

This office does not have any objection to the
abandonment as a public highway Clara Street, from
Smith Street to its northeasterly termination.

Respectfully submitted,


Commissioner of
Public Safety

lr

HARRY GOLDSTEIN
COMMISSIONER



LEONARD W. REILLY
ADMINISTRATIVE
ASSISTANT

COMMISSIONER OF PUBLIC SAFETY
209 FOUNTAIN ST., PROVIDENCE, RHODE ISLAND 02903

November 24, 1972

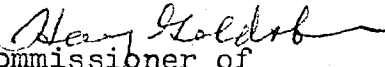
The Honorable City Council
City Hall
Providence, Rhode Island

Att: Committee on
Public Works

Gentlemen:

This office does not have any objection to the abandonment as a public highway Clara Street, from Smith Street to its northeasterly termination.

Respectfully submitted,


Commissioner of
Public Safety

lr

HARRY GOLDSTEIN
COMMISSIONER



LEONARD W. REILLY
ADMINISTRATIVE
ASSISTANT

COMMISSIONER OF PUBLIC SAFETY
209 FOUNTAIN ST., PROVIDENCE, RHODE ISLAND 02903

November 24, 1972

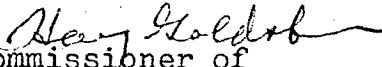
The Honorable City Council
City Hall
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Gentlemen:

This office does not have any objection to the
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Respectfully submitted,


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HARRY GOLDSTEIN
COMMISSIONER



LEONARD W. REILLY
ADMINISTRATIVE
ASSISTANT

COMMISSIONER OF PUBLIC SAFETY
209 FOUNTAIN ST., PROVIDENCE, RHODE ISLAND 02903

November 24, 1972

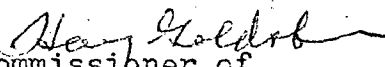
The Honorable City Council
City Hall
Providence, Rhode Island

Att: Committee on
Public Works

Gentlemen:

This office does not have any objection to the
abandonment as a public highway Clara Street, from
Smith Street to its northeasterly termination.

Respectfully submitted,


Commissioner of
Public Safety

lr

VINCENT PALLOZZI
DIRECTOR



JOSEPH A. DOORLEY, JR.
MAYOR

DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT
40 FOUNTAIN ST. • PROVIDENCE, R. I. 02903 • TEL. 401-831-6550

February 22, 1973

Committee on Public Works
City Hall
Providence, Rhode Island 02903

SUBJECT: Referral No. 1858 - ABANDONMENT OF CLARA STREET

Gentlemen:

This petition from the Committee on Public Works is a request for the abandonment as a Public Highway of Clara Street which runs from 503 Smith Street (Plat 69) in a northeasterly direction for approximately 150 feet to a dead end.

Inspection revealed that Clara Street is uncurbed and terminates at the lot line of the Camden Avenue school property which drops off abruptly to a grade 16 ft. lower in elevation. The street is flanked by a gasoline station on the east, a 2-1/2 story frame dwelling on the left and is fenced off at the "dead end" drop off.

Since this street serves no essential function, either for travel or access, no objection is offered by this department to its abandonment provided that existing utility and/or drainage lines (if any) be protected by the necessary easements.

The Commission

VOTED: To offer no objection to the abandonment of Clara Street as a public highway.

Very truly yours,


Vincent Pallozzi
Director

VP:ee

c.c. Councilman Timothy J. Ahern
Councilman Francis Crowley

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: ABANDONMENT - CLARA STREET, FROM SMITH STREET TO ITS NORTHEASTERLY TERMINATION.

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
69	148	Robert A. D'Amico and Robert Resnick 451 Smith Street
69	149	Angelo Giarrusso and wf. Donata 507 Smith Street
69	180	Berch Stepanian and wf. Alice 22 Murray Street, North Providence

This is to certify that I have caused a true copy of the attached Resolution to be served upon the above named person, 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 usual place of abode in this state, a true copy.

Date

3/14/73

Edward J. Dunningen
Dep. City Sergeant

This is to certify that I have caused a true copy of attached Resolution of the City Council No. _____ Approved _____ to be served upon the above person, firms, and/or corporations, as the case may be, by handing to each of said person, firm, and/or corporation, as the case may be, or by leaving said copy at their usual place of abode or business located in the State of Rhode Island.

Date _____

HODOSH, SPINELLA, HODOSH & ANGELONE

ATTORNEYS AT LAW
808 UNION TRUST BUILDING
PROVIDENCE, RHODE ISLAND
02903

SAUL HODOSH
PETER SPINELLA
MARVIN R. HODOSH
THOMAS C. ANGELONE

JAMES D. LEVITT

AREA CODE (401)
274-0200

August 23, 1973

Mr. Vincent Vespia, City Clerk
City Hall
Providence, Rhode Island

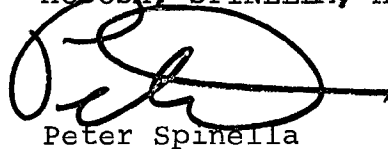
Dear Vin:

Enclosed please find photostatic copy of easement giving an easement from Stepanian and Giarusso to D'Amico Resnick Company, Inc. This is what you need to get this in front of the City Council so that Clara Street can be abandoned.

If there is anything else I must do, please notify me.

Very truly yours,

HODOSH, SPINELLA, HODOSH & ANGELONE



Peter Spinella

PS/eh
enclosure

This Agreement made and entered into this *16th* day of *August* A.D. 1973 by and between ALICE and BERCH STEPANIAN and ANGELO and DONATA GIARUSSO, all of the City and County of Providence, State of Rhode Island, parties of the first part, and D'AMICO RESNICK COMPANY, INC., a Rhode Island corporation, with its principal place of business in the City and County of Providence, State of Rhode Island, party of the second part,

WHEREAS, the parties of the first part own and have title to that real estate and real property located in the City of Providence, County of Providence, State of Rhode Island, described as follows:

That area formerly known as Clara Street, formerly a public highway from Smith Street to its northeasterly termination.

and

WHEREAS, the party of the second part desires the right to use as means of ingress and egress to and from the land they own situated at 515 Smith Street in the City of Providence and which abuts the former Clara Street, leading from said property owned by the party of the second part to Smith Street over the former Clara Street.

NOW, THEREFORE, it is hereby agreed as follows:

The parties of the first do hereby grant, assign and set over to the party of the second part and their agents, servants and clients, the right to use as means of ingress and egress to and from their land and that area formerly known as Clara Street, formerly a public highway from Smith Street to its northeasterly termination.

The parties of the first part shall fully use and enjoy the aforesaid premises, except as to the rights herein granted; and the party of the second part hereby agrees to hold and save the said parties of the first part harmless from any and all damage arising from their use of the right, easement and right of way herein granted.

The parties of the first part agree to maintain the right of way as to paving, clearing and any other necessary maintenance required to give the party of the second part full means of ingress and egress.

To have and to hold the said easement, right, and right of way unto the party of the second part, their successors or assigns indefinitely.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 16th day of August A.D. 1973.

Alice Stepanian
ALICE STEPANIAN

Berch Stepanian
BERCH STEPANIAN

Angelo Giarusso
ANGELO GIARUSSO

Donata Giarusso
DONATA GIARUSSO

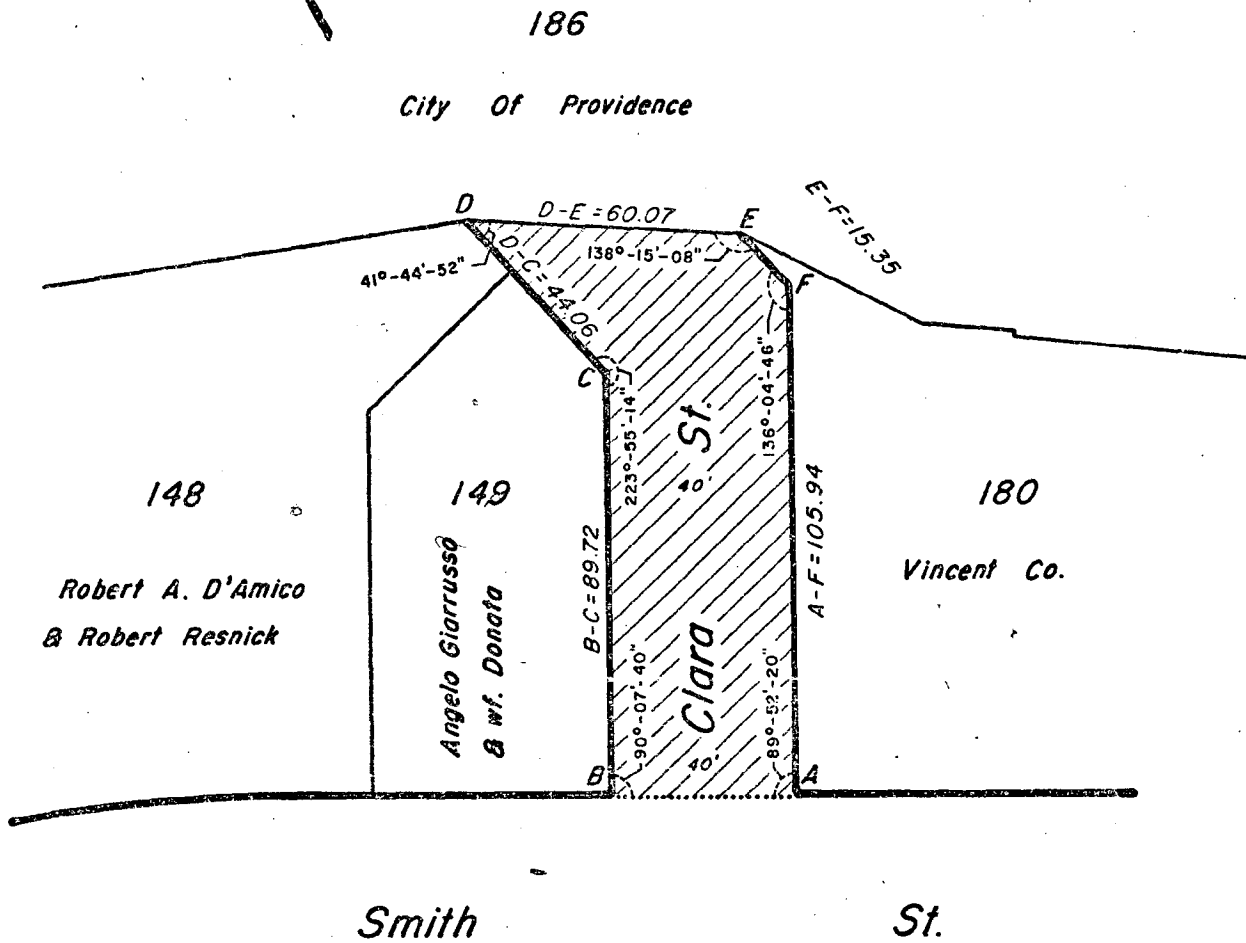
D'AMICO RESNICK COMPANY, INC.

By William A. D'Amico, President

Subscribed and sworn to before me this 16th day of August
A.D. 1973.

Robert Biell
Notary Public

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 063588
 Date November 29, 1972



Note:

Cross-Hatched Area (A-B-C-D-E-F-A) Indicates Proposed Abandonment.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Abandonment
 Drawn by Petruska Checked by A.A.S.
 Scale 1" = 40' Date Nov. 29, 1972
 Correct Joseph J. Camp Associate Engr.
 Approved Joseph J. Camp CHIEF ENGINEER

Lot Numbers From Assessor's Plat 69