

# RESOLUTION OF THE CITY COUNCIL

No. 66

*Approved* February 14, 2003

## RESOLVED, DECREED, AND ORDERED:

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064704 dated January 8, 2002."

VIZ: Wamsutta Place (portion of) as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters E-F-G-H-E, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment to Petitioner is specifically conditioned precedent upon the following:

1. The Petitioner agrees to tender the amount of Seven Thousand (\$7,000.00) Dollars in legal tender U.S. currency to the City of Providence.
2. The petitioner shall tender to the Providence Water Supply Board all costs and charges necessary and incidental to the abandonment and severance of the Wamsutta Place water distribution system, as the same is offered in a communication from the Providence Water Supply Board dated 30 January 2002.
3. The Petitioner shall convey an easement acceptable to Verizon which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.
4. The City of Providence shall retain for itself, its heirs, successors and assigns an easement on Wamsutta Place which will permit the City to pass and repass either on foot or with necessary vehicles so as to maintain its realty located at the termination of the abandoned portion of Wamsutta Place. Said easement shall run with the land.

IN CITY COUNCIL  
DEC 20 2001  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS

Michael R. Clement  
ans

From the Clerk's Desk

IN CITY COUNCIL  
OCT 17 2002

And Referred Back  
To The Committee on

*Public Works*

Michael R. Clement CLERK

THE COMMITTEE ON

Public Works

Recommendations -

*Set up Public Hearing*  
Clair E. Bestwick  
CLERK

2-6-02

3-7-02 BAP - P. Hryhoriuk

THE COMMITTEE ON

Public Works

Recommendations -

*Be Continued*

Ann M. Stetson  
11-7-02 CLERK

The Committee on  
PUBLIC WORKS

Approves

The Within Resolution

Ann M. Stetson  
10-3-02 Clerk

THE COMMITTEE ON  
PUBLIC WORKS

Approves Resolution

The Within Resolution

Ann M. Stetson  
1-27-03 C

5. Neither permanent nor temporary barriers, in any way limiting public safety access, shall be permitted and, further, the petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Division dated 30 April 2002 which states as follows: " provided permanent barriers are not constructed that would prevent access for fire department personnel using ground ladders and other firefighting equipment along Wamsutta Place. This access is required so that firefighters can raise ladders for rescue or ventilation operations should there be a fire incident in the buildings that border Wamsutta Place."

6. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

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  
FEB 6 2003  
READ AND PASSED

*Balbereth Young*  
PRES. PRO TEMPORE  
*Michael R. Clement*  
CLERK

APPROVED: FEBRUARY 14, 2003

*[Signature]*  
MAYOR

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

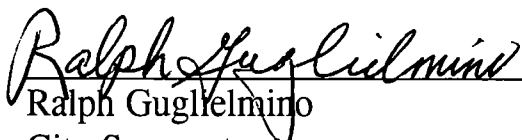
**THIS IS TO CERTIFY**, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

**PETITION TO ABANDON A PORTION WAMSUTTA PLACE**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
29	123	JALI Realty Company 765 Westminster Street Providence, RI 02903
29	124	JALI Realty Company 765 Westminster Street Providence, RI 02903
29	488	JALI Realty Company 765 Westminster Street Providence, RI 02903
29	134	Providence Building Authority City of Providence

**PETITIONER**

Gary N. Licht  
Licht Properties  
765 Westminster Street  
Providence, RI 02903

  
\_\_\_\_\_  
Ralph Guglielmino  
City Sergeant

\_\_\_\_\_  
Council President John J. Lombardi  
Ward 13

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

124  
WHEREAS, the undersigned JALI Realty <sup>Company</sup> Corp., is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123, and 488 for the City of Providence; and

LOTS 124 AND 488 ABOUT  
WHEREAS, ~~the aforesaid parcels are separated by~~ that certain public way designated and known as Wamsutta Place as the same appears on the copy of Assessor's Plat 29 attached hereto; and

WHEREAS, ~~the opposite side of~~ Wamsutta Place is bordered by <sup>LOT 134</sup> ~~property~~ owned by the Public Building Authority of the City of Providence; and

WHEREAS, said Wamsutta Place terminates in a deed end at the junction of the parcels owned by the undersigned and identified herein; and

WHEREAS, said Wamsutta Place no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Wamsutta Place are the undersigned abutting owner; and

WHEREAS, JALI Realty <sup>Company</sup> Corp., is desirous of developing the area known as Wamsutta Place by landscaping, planting trees and providing parking for itself.

NOW THEREFORE, ~~the aforementioned parties~~ <sup>JALI REALTY COMPANY</sup> respectfully petition the Honorable City Council to take all necessary action to abandon the said Wamsutta Place and transfer all rights, title and interest to ~~the abutting landowner~~ <sup>JALI REALTY COMPANY</sup> upon such terms and conditions as this Council deems appropriate.

Petition to abandon a portion of  
Wamsutta Place  
Jali Realty Company  
Citizens Bank  
Check #1722  
\$75.00


<sup>Company</sup>  
JALI Realty, Corp.

By:

Gary Licht

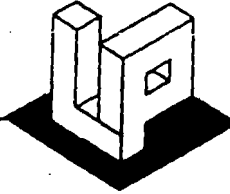
DEPARTMENT OF CITY CLERK  
RECEIVED

DEC 17 2001

  
CITY CLERK OF PROVIDENCE, RI

*Notify*  
**LICHT  
PROPERTIES**

Robert M. Feinberg  
Property Manager



765 WESTMINSTER STREET, PROVIDENCE, R.I. 02903  
(401) 331-4000 Fax: (401) 274-0782  
e-mail: bobm@jacoblicht.com

PROVIDENCE CITY CLERK

12-17-2001 #0

ABANDON 75.00  
CHECK 75.00

3298 16:49TM

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

WHEREAS, the undersigned JALI Realty Corp.,<sup>124</sup> <sup>company</sup> is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123, and 488 for the City of Providence; and

WHEREAS, ~~the aforesaid parcels are separated by~~ <sup>LOTS 124 AND 488</sup> <sup>ABUT</sup> that certain public way designated and known as Wamsutta Place as the same appears on the copy of Assessor's Plat 29 attached hereto; and

WHEREAS, ~~the opposite side of~~ <sup>LOT 134</sup> Wamsutta Place is bordered by ~~property~~ owned by the Public Building Authority of the City of Providence; and

WHEREAS, said Wamsutta Place terminates in a deed and at the junction of the parcels owned by the undersigned and identified herein; and

WHEREAS, said Wamsutta Place no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Wamsutta Place are the undersigned abutting owner; and

WHEREAS, JALI Realty Corp.,<sup>Company</sup> is desirous of developing the area known as Wamsutta Place by landscaping, planting trees and providing parking for itself.

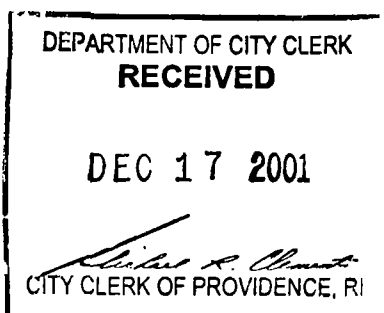
NOW THEREFORE, ~~the aforementioned parties~~ <sup>JALI REALTY COMPANY</sup> respectfully petition the Honorable City Council to take all necessary action to abandon the said Wamsutta Place and transfer all rights, title and interest to the ~~abutting landowner~~ <sup>JALI REALTY COMPANY</sup> upon such terms and conditions as this Council deems appropriate.

Petition to abandon a portion of  
Wamsutta Place  
Jali Realty Company  
Citizens Bank  
Check #1722  
\$75.00

JALI Realty, Corp.<sup>Company</sup>

By:

Gary Licht



IN CITY COUNCIL  
DEC 20 2001  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS

*Michael S. Clement*

THE COMMITTEE ON

*Public Works*  
Recommends *Set Public Hearing*  
*Cecilia B. Buxton*  
CLERK  
Feb. 6, 2002

THE COMMITTEE ON  
PUBLIC WORKS  
Approves *Set Public Hearing*  
The Within Recommendation

*Ann M. Steen*  
10-3-02 Clerk

THE COMMITTEE ON

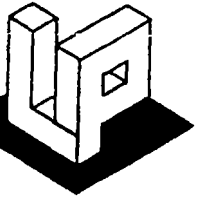
*Public Works*  
Recommends *J. H. Hill*  
*Brian A. Corbin*  
CLERK  
3/7/02

*From The Clerk's Desk*



*Notify*  
**LICHT  
PROPERTIES**

Robert M. Feinberg  
Property Manager



765 WESTMINSTER STREET, PROVIDENCE, R.I. 02903  
(401) 331-4000 Fax: (401) 274-0782  
email: bobm@jacoblcht.com

PROVIDENCE CITY CLERK

12-17-2001 #0

ABANDON	75.00
CHECK	75.00

3298 16:49TM

**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**

WHEREAS, the undersigned JALI Realty Corp., is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123 and 488 for the City of Providence; and

WHEREAS, the aforesaid parcels are separated by that certain public way designated and known as Wamsutta Place as the same appears on the copy of Assessor's Plat 29 attached hereto; and

WHEREAS, the opposite side of Wamsutta Place is bordered by property owned by the Public Building Authority of the City of Providence; and

WHEREAS, said Wamsutta Place terminates in a deed end at the junction of the parcels owned by the undersigned and identified herein; and

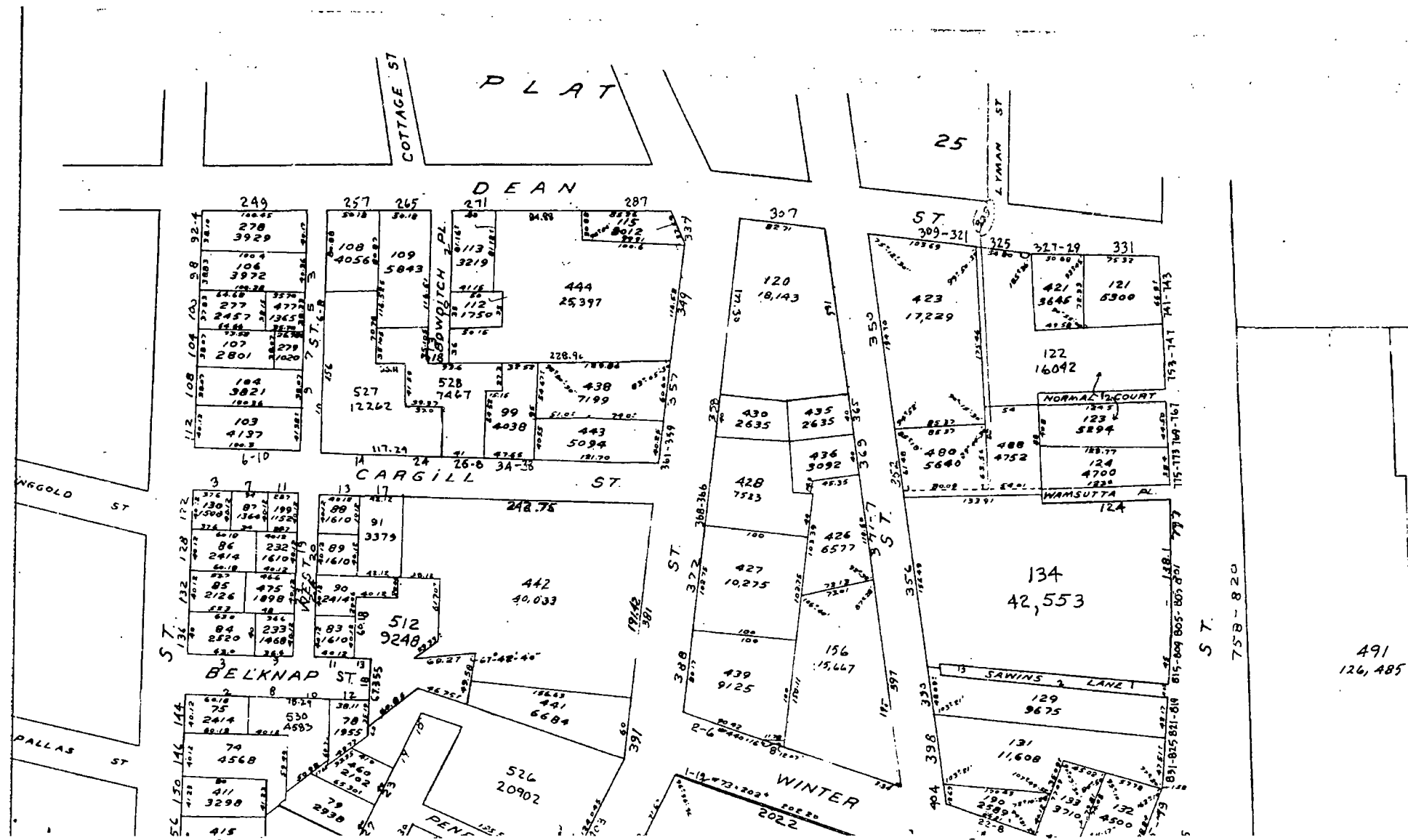
WHEREAS, said Wamsutta Place no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Wamsutta Place are the undersigned abutting owner; and

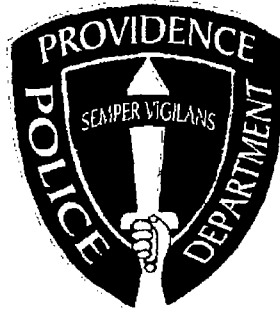
WHEREAS, JALI Realty Corp., is desirous of developing the area known as Wamsutta Place by landscaping, planting trees and providing parking for itself.

NOW THEREFORE, the aforementioned parties respectfully petition the Honorable City Council to take all necessary action to abandon the said Wamsutta Place and transfer all rights, title and interest to the abutting landowner upon such terms and conditions as this Council deems appropriate.

JALI Realty, Corp.

By: \_\_\_\_\_





**PROVIDENCE POLICE DEPARTMENT  
TRAFFIC BUREAU**

*Lieutenant Timothy Lee, Commanding*

*January 7, 2002*

**TO:** Colonel Richard Sullivan, Chief of Police

**FROM:** Lieutenant Timothy M. Lee, Commanding Traffic Bureau

**SUBJECT:** Street abandonment request

Dear Sir,

I find no reason that the police department should object to the abandonment of this area, however the adjacent property is owned by the City of Providence.

Respectfully Submitted:

  
Lt. Timothy Lee

*ht lee*



Rhode Island

RECEIVED  
CHIEF'S OFFICE  
02 JAN -2 PM 2:10

## Department of City Clerk

### MEMORANDUM

DATE: December 28, 2001

TO: Colonel Richard T. Sullivan, Chief of Police

SUBJECT: **PETITION TO ABANDON A PORTION OF  
WAMSUTTA PLACE**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman,  
Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study,  
report and recommendation and report back in writing to  
the above-named committee as soon as practical.

*Claire E. Bunting*  
Second Deputy 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 petitions your honorable body

WHEREAS, the undersigned JALI Realty Corp., is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123 and 488 for the City of Providence; and

WHEREAS, the aforesaid parcels are separated by that certain public way designated and known as Wamsutta Place as the same appears on the copy of Assessor's Plat 29 attached hereto; and

WHEREAS, the opposite side of Wamsutta Place is bordered by property owned by the Public Building Authority of the City of Providence; and

WHEREAS, said Wamsutta Place terminates in a deed end at the junction of the parcels owned by the undersigned and identified herein; and

WHEREAS, said Wamsutta Place no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Wamsutta Place are the undersigned abutting owner; and

WHEREAS, JALI Realty Corp., is desirous of developing the area known as Wamsutta Place by landscaping, planting trees and providing parking for itself.

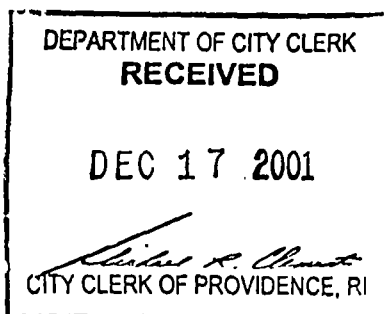
NOW THEREFORE, the aforementioned parties respectfully petition the Honorable City Council to take all necessary action to abandon the said Wamsutta Place and transfer all rights, title and interest to the abutting landowner upon such terms and conditions as this Council deems appropriate.

Petition to abandon a portion of  
Wamsutta Place  
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Citizens Bank  
Check #1722  
\$75.00

JALI Realty, Corp.

By: \_\_\_\_\_

Gary Licht



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**

WHEREAS, the undersigned JALI Realty Corp., is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123 and 488 for the City of Providence; and

WHEREAS, the aforesaid parcels are separated by that certain public way designated and known as Wamsutta Place as the same appears on the copy of Assessor's Plat 29 attached hereto; and

WHEREAS, the opposite side of Wamsutta Place is bordered by property owned by the Public Building Authority of the City of Providence; and

WHEREAS, said Wamsutta Place terminates in a deed end at the junction of the parcels owned by the undersigned and identified herein; and

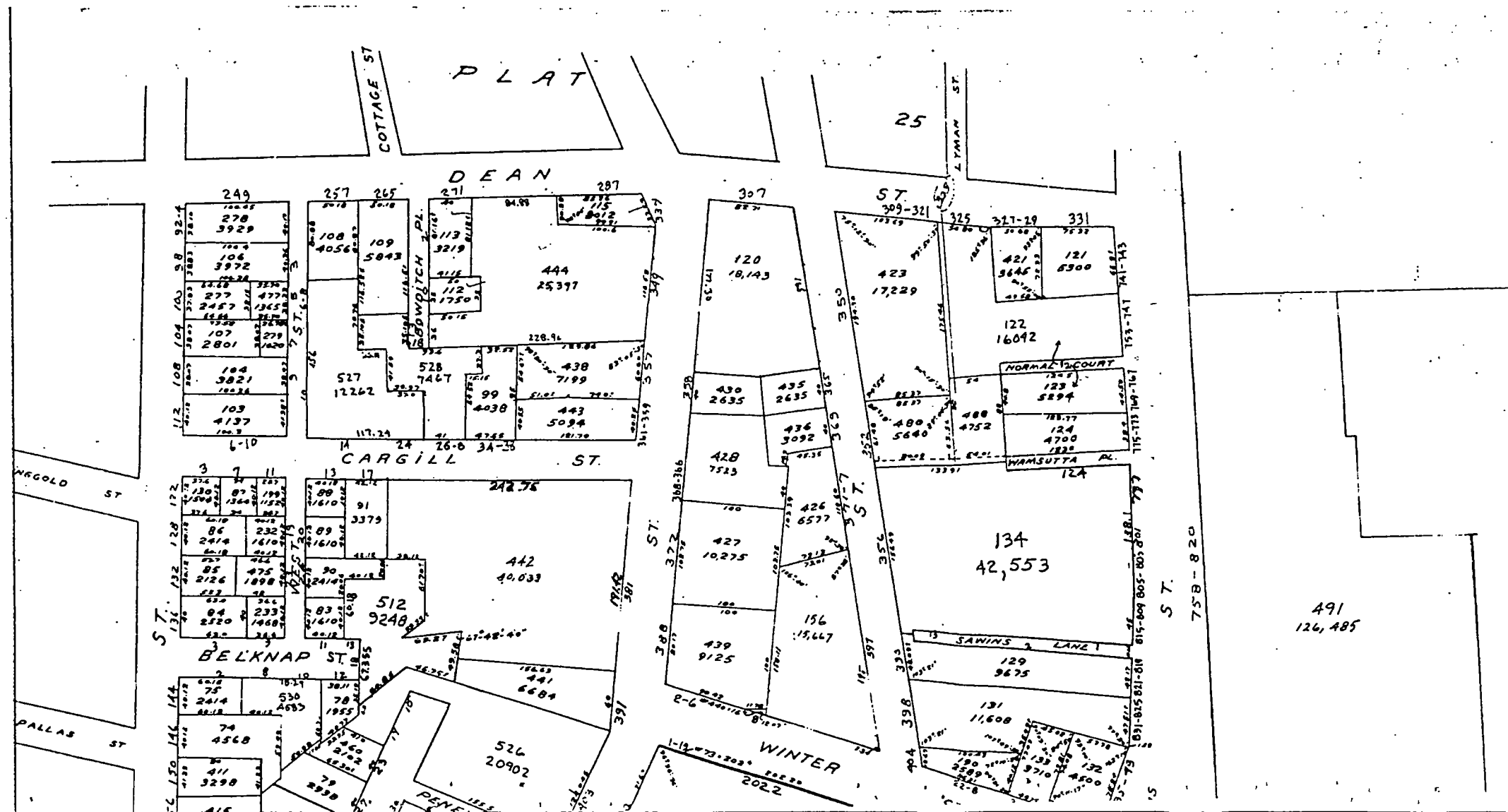
WHEREAS, said Wamsutta Place no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Wamsutta Place are the undersigned abutting owner; and

WHEREAS, JALI Realty Corp., is desirous of developing the area known as Wamsutta Place by landscaping, planting trees and providing parking for itself.

NOW THEREFORE, the aforementioned parties respectfully petition the Honorable City Council to take all necessary action to abandon the said Wamsutta Place and transfer all rights, title and interest to the abutting landowner upon such terms and conditions as this Council deems appropriate.

JALI Realty, Corp.

By: \_\_\_\_\_





James F. Rattigan  
Chief of Department

David D. Costa  
Fire Marshal



Vincent A. Cianci Jr.  
Mayor

John J. Partington  
Commissioner

## PROVIDENCE FIRE PREVENTION DIVISION

*"Smoke Detectors Save Lives"*

April 30, 2002

Chairman Robert M. Clarkin  
Committee on Public Works  
City Hall  
Providence, RI 02903

Re: Petition to Abandon a Portion of Wamsutta Place

Dear Chairman Clarkin,

After review of the proposal to abandon a portion of Wamsutta Place (see attached), the Fire Department has no objection provided permanent barriers are not constructed that would prevent access for fire department personnel using ground ladders and other firefighting equipment along Wamsutta Place. This access is required so that firefighters can raise ladders for rescue or ventilation operations should there be a fire incident in the buildings that border Wamsutta Place.

David D. Costa  
Fire Marshal

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

WHEREAS, the undersigned JALI Realty Corp., is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123 and 488 for the City of Providence; and

WHEREAS, the aforesaid parcels are separated by that certain public way designated and known as Wamsutta Place as the same appears on the copy of Assessor's Plat 29 attached hereto; and

WHEREAS, the opposite side of Wamsutta Place is bordered by property owned by the Public Building Authority of the City of Providence; and

WHEREAS, said Wamsutta Place terminates in a deed end at the junction of the parcels owned by the undersigned and identified herein; and

WHEREAS, said Wamsutta Place no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Wamsutta Place are the undersigned abutting owner; and

WHEREAS, JALI Realty Corp., is desirous of developing the area known as Wamsutta Place by landscaping, planting trees and providing parking for itself.

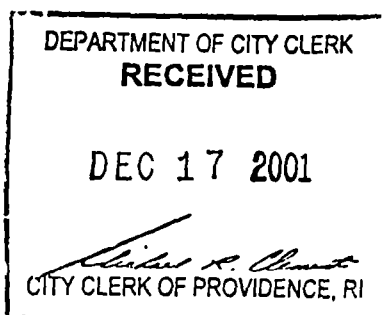
NOW THEREFORE, the aforementioned parties respectfully petition the Honorable City Council to take all necessary action to abandon the said Wamsutta Place and transfer all rights, title and interest to the abutting landowner upon such terms and conditions as this Council deems appropriate.

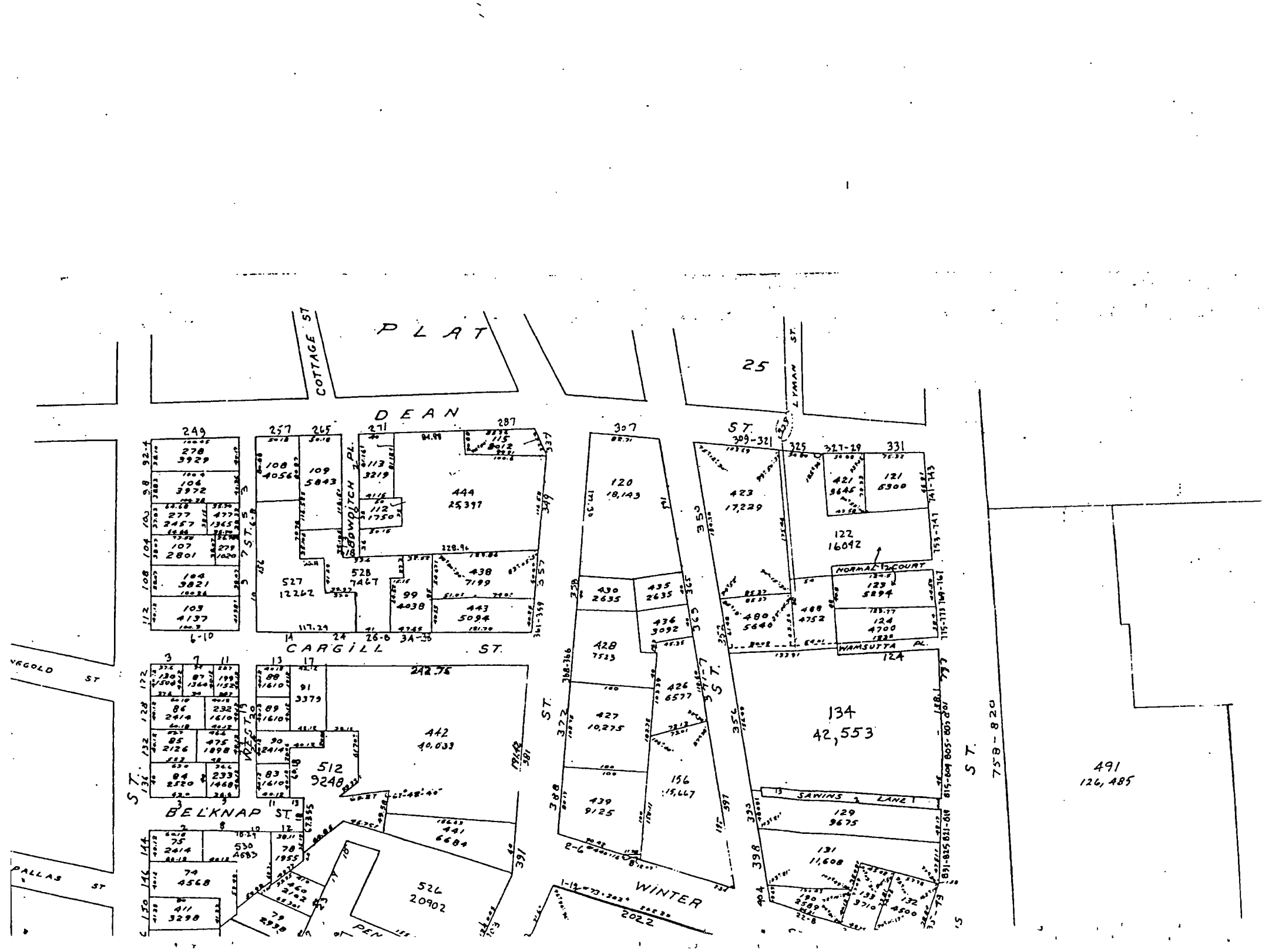
Petition to abandon a portion of  
Wamsutta Place  
Jali Realty Company  
Citizens Bank  
Check #1722  
\$75.00

JALI Realty, Corp.

By: \_\_\_\_\_

Gary Licht





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

Director



*M. Clement*

VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

January 17, 2001

Hon. Robert M. Clarkin  
Chairman of the Public Works Committee  
Providence City Council -- City Hall  
Providence, RI 02903

RE: Proposed Abandonments of Normal Ct. & Wamsutta Place

Dear Councilman Clarkin:

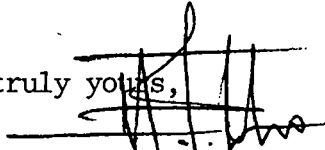
This Department has no objection to the proposed abandonment of Normal Ct. & Wamsutta Pl. in conjunction with the accompanying plan, entitled "Providence, RI, P.W. Dept. Engineering Office, Street Line Section, Plan No. 064704, Date: Jan. 8, 2002".

Proposed abandonment of Normal Ct. is shown as cross-hatched area on the accompanying plan, noted as A-B-C-D-A. Proposed abandonment of Wamsutta Pl. is shown as cross-hatched area on the accompanying plan, noted as E-F-G-H-A. THERE ARE NO SEWER EASEMENTS REQUIRED FOR THESE TWO PROPOSED ABANDONMENTS.

Total Square footage is as follows: 1,494.00' - Norman Ct. (Sq.Ft. +)  
1,544.75' - Wamsutta Pl. " " "

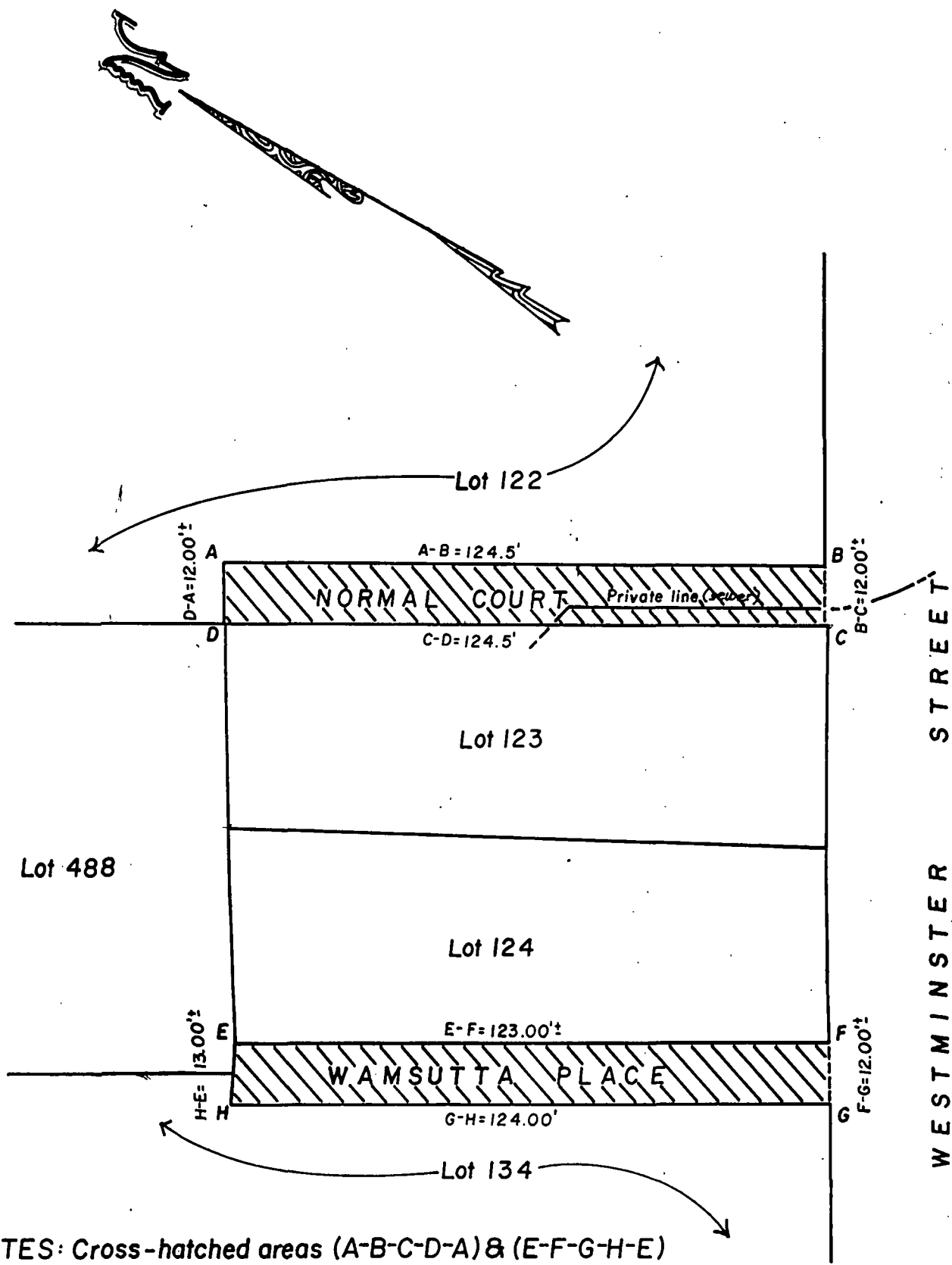
Lot numbers for this plan were taken from City of Prov. Assessor's Plat 29. Note that abutters are noted within the Petition paperwork. If we can further assist in this regard, please advise.

Very truly yours,

  
Ferdinand C. Ihenacho, P.E.  
Director

CC: Patricia McLaughlin, Esq.  
John D'Amico, Esq.  
M. Clement - City Clerk  
J. Florio  
JLC  
SZ

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No 064704  
 Date Jan. 8, 2002



NOTES: Cross-hatched areas (A-B-C-D-A) & (E-F-G-H-E) indicates proposed abandonments.  
 No sewer easement required.  
 Total square footage = 1,494.00' (Normal Ct.)  
 1,544.75'± (Wamsutta Pl.)

Lot numbers taken from A.P. 29.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonments of Normal Ct. & Wamsutta Pl.  
 Drawn by A. Zislades Checked by JLC  
 Scale 1" = 30' Date 1-8-2002  
 Correct James P. Morris Associate Engr.  
 Approved [Signature] CHIEF ENGINEER

CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

**The undersigned respectfully petitions your honorable body**

WHEREAS, the undersigned, 755 Lofts, LLC, is the owner of that certain parcel of real estate located at 757-755 Westminster Street Providence, Rhode Island, commonly known as the Myron Herman Building, as the same appears on Assessor's Plat 29 Lot 122 for the City of Providence; and

WHEREAS, the undersigned, JALI Realty Corp., is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123 and 488 for the City of Providence; and

WHEREAS, the aforesaid parcels are separated by that certain public way designated and known as Normal Court, as the same appears on the copy of Assessor's Plat 29, attached hereto; and

WHEREAS, said Normal Court terminates in a deed end at the junction of the parcels owned by the undersigned and identified herein; and

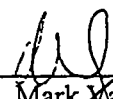
WHEREAS, Normal Court no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Normal Court are the undersigned abutting owners; and

WHEREAS, The parties are desirous of developing the area known as Normal Court by landscaping, planting trees and providing parking for the abutting landowners

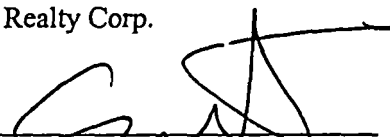
NOW THEREFORE, the aforementioned parties respectfully petition the Honorable City Council to take all necessary action to abandon said Normal Court and transfer all rights, title and interest to the abutting landowners upon such terms and conditions as this Council deems appropriate.

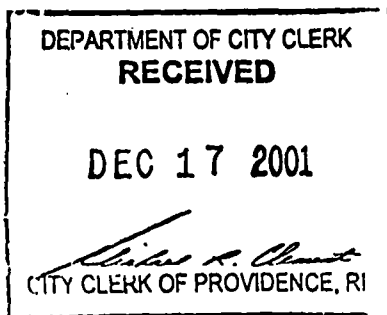
Petition to abandon a portion of  
Normal Court  
Julie Van Noppen  
Mark Van Noppen  
Citizens Bank  
Check #3559  
\$75.00

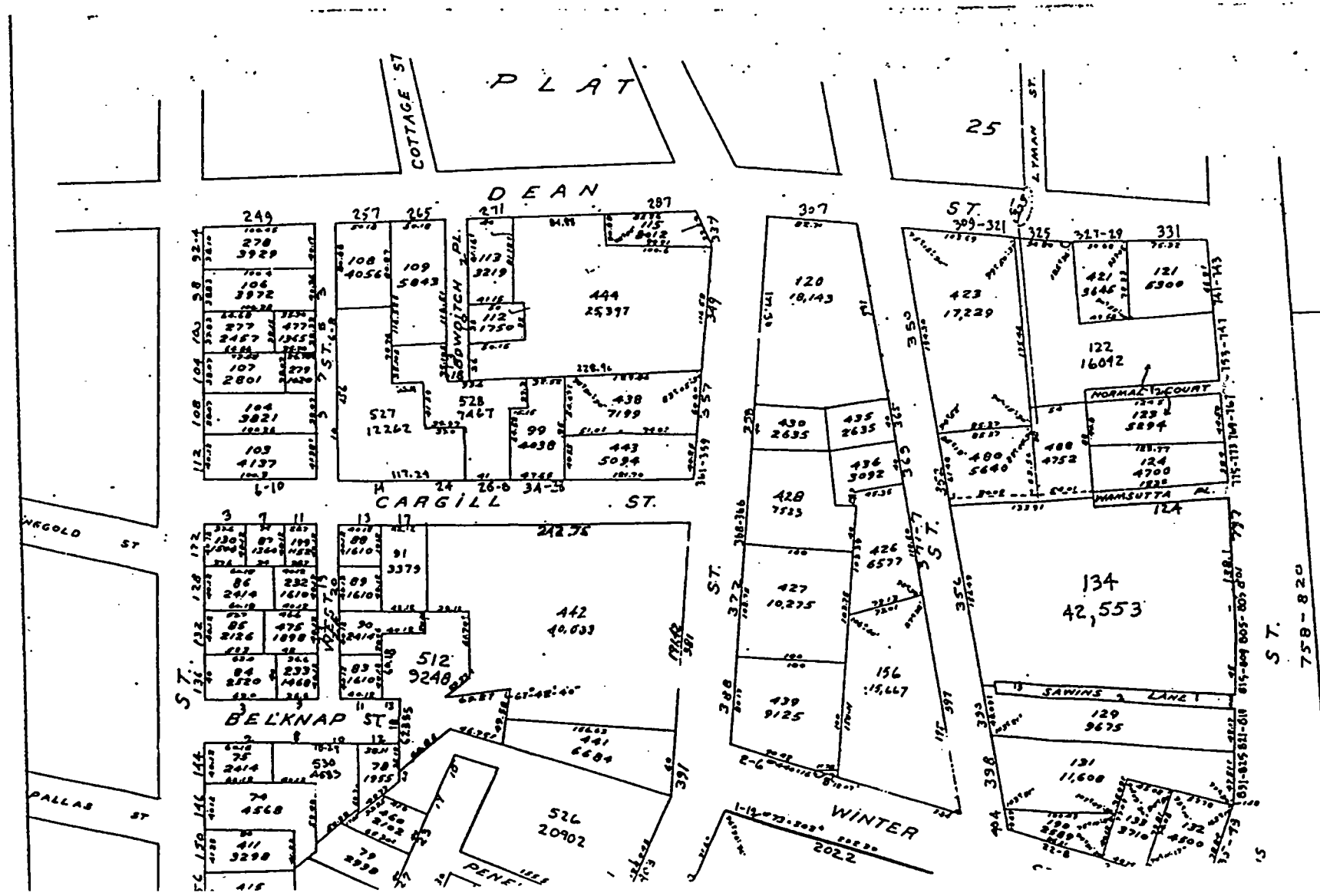
755 Lofts, LLC, By its Manager  
The Armory Revival Company

By:   
Mark Van Noppen  
Vice President

JALI Realty Corp.

By:   
Gary Zicht

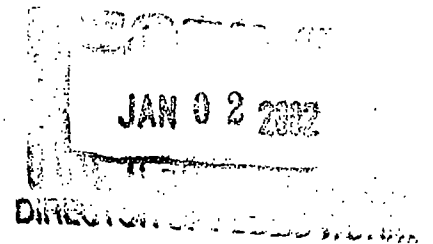




City of Providence



Rhode Island



## Department of City Clerk

### MEMORANDUM

DATE: December 28, 2001

TO: Ferdinand Ihenacho, Director of Public Works

*F.I.*

SUBJECT: **PETITION TO ABANDON A PORTION OF  
NORMAL COURT**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman,  
Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study,  
report and recommendation and report back in writing to  
the above-named committee as soon as practical.

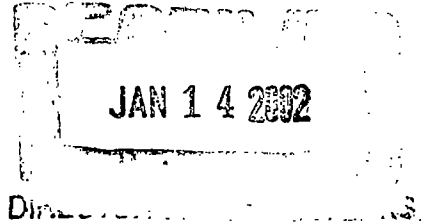
*Claire B. B...*  
Second Deputy City Clerk



City of Providence



Rhode Island



Department of City Clerk

MEMORANDUM

DATE: January 11, 2002

TO: Ferdinand Ihenacho, Director of Public Works

SUBJECT: **PETITION TO ABANDON A PORTION OF  
WAMSUTTA PLACE**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman,  
Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study,  
report and recommendation and report back in writing to  
the above-named committee as soon as practical.

**AMENDED PETITION**

*Claire E. Best*  
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 petitions your honorable body

WHEREAS, the undersigned JALI Realty Corp., is the owner of those certain parcels of real estate located at 765 Westminster Street, Providence, Rhode Island as the same appear on Assessor's Plat 29 Lots 123, and 488 for the City of Providence; and

WHEREAS, ~~the aforesaid parcels are separated by~~ <sup>LOTS 124 AND 488</sup> ~~that certain public way~~ <sup>ABUT</sup> designated and known as Wamsutta Place as the same appears on the copy of Assessor's Plat 29 attached hereto; and

WHEREAS, ~~the opposite side of~~ <sup>LOT 134</sup> Wamsutta Place is bordered by ~~property~~ <sup>property</sup> owned by the Public Building Authority of the City of Providence; and

WHEREAS, said Wamsutta Place terminates in a deed and at the junction of the parcels owned by the undersigned and identified herein; and

WHEREAS, said Wamsutta Place no longer serves any useful purpose to members of the public as a means of access to any other public street, way, easement or otherwise, and that the only parties having any use or interest in said Wamsutta Place are the undersigned abutting owner; and

WHEREAS, JALI Realty Corp., is desirous of developing the area known as Wamsutta Place by landscaping, planting trees and providing parking for itself.

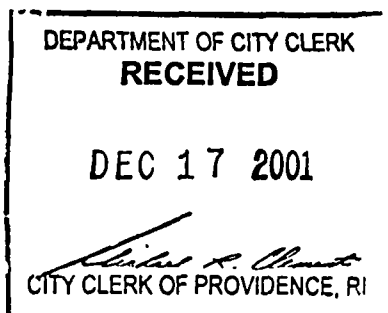
NOW THEREFORE, ~~the aforementioned parties~~ <sup>JALI REALTY COMPANY</sup> respectfully petition the Honorable City Council to take all necessary action to abandon the said Wamsutta Place and transfer all rights, title and interest to the ~~abutting landowner~~ <sup>JALI REALTY COMPANY</sup> upon such terms and conditions as this Council deems appropriate.

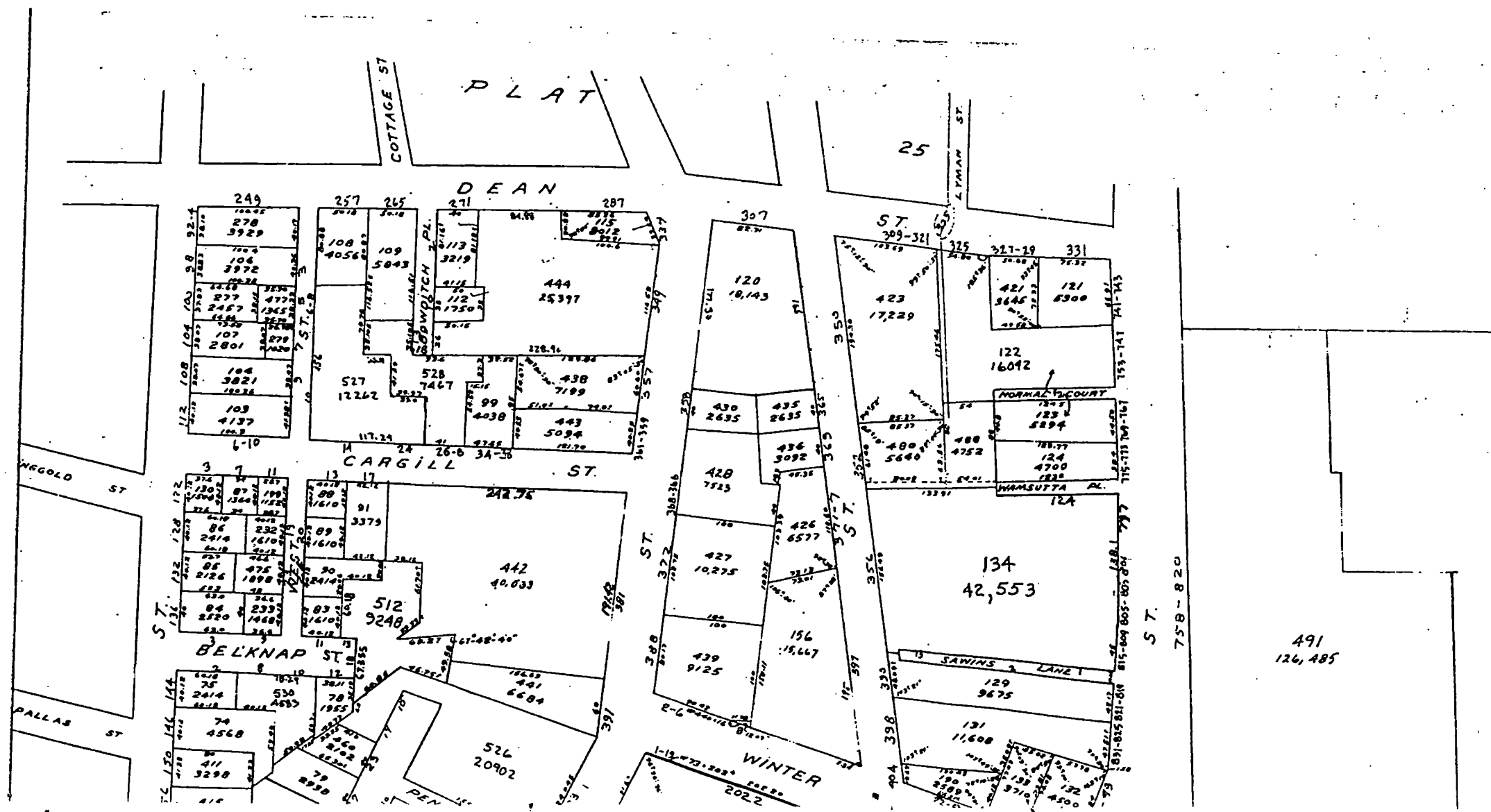
Petition to abandon a portion of  
Wamsutta Place  
Jali Realty Company  
Citizens Bank  
Check #1722  
\$75.00

JALI Realty, Corp.

By:

Gary Licht





ARMANDO PARILLO  
*Chairman*

JOEL D. LANDRY, II, ESQ.  
*Vice Chairman*

CARISSA R. RICHARD  
*Secretary*

FERNANDO S. CUNHA, ESQ.  
*Legal Advisor*

ALEXANDER D. PRIGNANO  
*Ex-Officio*



VINCENT A. CIANCI, JR.  
*Mayor*

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

JOSEPH DE LUCA  
*City Councilman*

RITA M. WILLIAMS  
*City Councilwoman*

MARY A. NOCERA  
*Member*

JOSEPH D. CATALDI  
*Member*

January 30, 2002

Councilman Robert M. Clarkin, Chairman  
Committee on Public Works  
25 Dorrance Street  
Providence, Rhode Island 02903

SUBJECT: Petition for Street Abandonment (Amended 01/11/02)  
Wamsutta Place (Portion of)  
Providence, Rhode Island

Dear Councilman Clarkin:

The referenced Petition to the City Council, which relates to the abandonment of a portion of the Wamsutta Place right-of-way from Westminster Street to a point approximately one hundred twenty-four (124) feet to the north, has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records indicate that a 6-inch water main is located within the right-of-way of the portion of street proposed for abandonment. It runs from Westminster Street to Washington Street and is connected to a main in each of those streets. There are no water services or fire hydrants indicated.

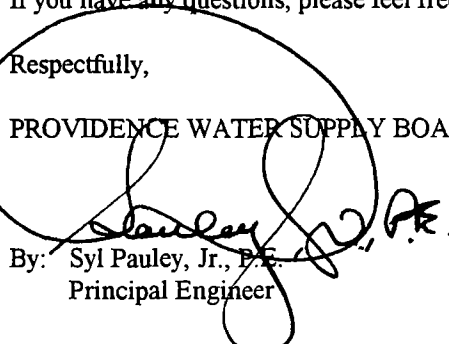
Providence water does not oppose this street abandonment provided the following conditions are met:

The Petitioner shall agree to pay PW for all costs associated with physically severing the Wamsutta Place water main from the surrounding water distribution system and allowing PW to abandon the pipeline in place.

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

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

By:  Syl Pauley, Jr., P.E.  
Principal Engineer

SP/s

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

ABNLTR56.WPD

[www.provwater.com](http://www.provwater.com)

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

NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

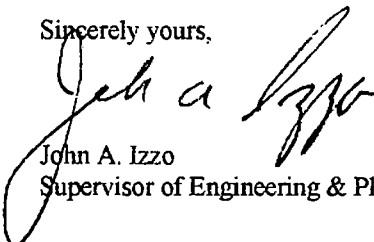
January 23, 2002

Mr. Michael Clement  
City Clerk  
City Hall  
Providence, RI 02903

RE: Abandonment of a Portion of Wamsutt Place, Amended Petition:

The Department of Public Parks has reviewed the proposed abandonment of the above mentioned street, and has no objection to the proposed abandonment.

Sincerely yours,

  
John A. Izzo  
Supervisor of Engineering & Planning

IRENE J. TESTA  
Traffic Engineer

JOSEPH W. CAPRIO  
Deputy Director



VINCENT A. CIANCI, JR.  
Mayor

Department of Traffic Engineering  
"Building Pride In Providence"

**MEMORANDUM**

**TO:** Councilman Robert Clarkin  
Chairman – Committee on Public Works

**FROM:** Irene J. Testa *Irene J. Testa*

**DATE:** 1/2/02

**RE:** PENDING MATTER

**REQUEST:** To abandon a portion of Wamsutta Place.

**DISPOSITION:** No objection.

HENRY E. KATES  
Chairman

LESLIE A. GARDNER  
Vice Chairwoman

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

RONALD W. ALLEN  
LUIS A. APONTE  
Councilmen

JOHN F. PALMIERI  
Executive Director

SAMUEL J. SHAMOON  
Secretary



VINCENT A. CIANCI, JR.  
Mayor

## PROVIDENCE REDEVELOPMENT AGENCY

*"Building Pride in Providence"*

### MEMORANDUM

**DATE:** February 12, 2002

**TO :** Michael Clement, City Clerk

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

**RE :** ABANDONMENT Normal Court and Wamsutta Place

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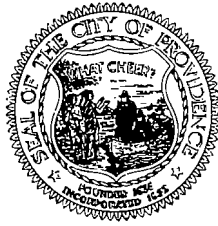
Pursuant to your request I have visited the site referenced above to determine Fair Market Value of the parcels. The parcels contain 1,494 sq. ft. and 1,544.75 sq. ft. and are zoned C-2. There are no sewer easements required by the City. This would allow full use of the parcel for commercial use. The value is as follows:

Normal Court:

1,494sq. ft. @ \$13.00 per. Ft. = \$19,400.00 (rounded)

Wamsutta Place:

1,544.75 sq. ft. @ \$13.00 per. Ft. = \$20,000.00 (rounded)



## PROVIDENCE CITY PLAN COMMISSION

*"Planning The Future of Providence"*

January 16, 2002

Councilman Robert M. Clarkin, Chairman  
Committee on Public Works  
City Hall  
Providence, RI 02903

Attn: Claire E. Bestwick, Second Deputy City Clerk

**Re: CPC REFERRAL NO. 3189: Proposed Abandonment of Wamsutta Place**

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on Tuesday, January 15, 2002 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of Wamsutta Place.

The Commission made the following findings of fact as required by the *City Plan Commission Handbook* Policy No. 1: "Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment":

1. *A public interest has to be clearly demonstrated. A public interest is defined as one or more of the following: public health and safety, adequate provision of transportation, general improvement of traffic patterns and/or circulation, convenient access to properties, avoidance of a nuisance, significant economic development, preservation of a historical or cultural feature, and improvement of the general welfare of the community.*

This street abandonment is not inconsistent with the public interest. It will provide convenient access to properties, economic development, and, as this street is a dead-end, there will be no adverse impact on traffic patterns.

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

No negative impacts from this abandonment are anticipated.

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



The petitioner abuts this right-of-way to the east. The abutter to the west is the Providence Public Buildings Authority. The PPBA must agree to this abandonment.

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

No access will be denied to surrounding areas.

5. *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*

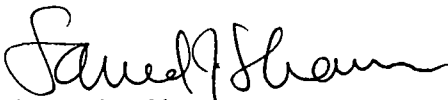
It is not known whether public services or facilities need to be protected, provided, or maintained within the rights-of-way. The petitioner would need to grant easements if necessary.

6. *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.*

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

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

Sincerely,



Samuel J. Shamoon  
Associate Director of Planning

cc: Gary Licht for the Petitioner



# New England Gas Company

1/15/02

Ms. Claire E. Bestwick  
Second Deputy City Clerk  
Department of City Clerk  
City of Providence  
Providence, RI 02903

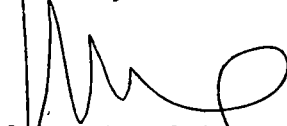
Re: Petition to Abandon a Portion of Wamsutta Place, Providence (*amended*)

Dear Ms. Bestwick:

Providence Gas does not own nor maintain gas facilities within above-mentioned petition therefore, we have no objections to this petition. Please be sure to contact DIGSAFE® prior to any excavation activities at 1-888-DIGSAFE.

If you have any further questions please feel free to call me at 401 272-5040 ext. 573.

Sincerely,



Michael McGuire  
Manager of Engineering Design & Facility Locating

Right of Way



85 High Street  
Pawtucket, RI 02860

Phone 401 727-9555  
Fax 401 725-7680

April 30, 2002

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

Attn: Ms. Claire Bestwick

RE: PETITION TO ABANDON A PORTION OF WAMSUTTA PLACE

Upon investigation it has been determined that Verizon has facilities in the portion of Wamsutta Place to be abandoned.

These facilities include underground cables and conduit crossing the portion of Wamsutta Place to be abandoned that provides service to residents and businesses in the area.

Verizon will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

Very truly yours,

A handwritten signature in cursive script that reads "Pam Jarvela".

Pam Jarvela  
Right of Way  
401-727-9514



# New England Gas Company

1/8/02

Ms. Claire E. Bestwick  
Second Deputy City Clerk  
Department of City Clerk  
City of Providence  
Providence, RI 02903

Re: Petition to Abandon a Portion of Wamsutta Place, Providence

Dear Ms. Bestwick:

Providence Gas does not own nor maintain gas facilities within above-mentioned petition therefore, we have no objections to this petition. Please be sure to contact DIGSAFE® prior to any excavation activities at 1-888-DIGSAFE.

If you have any further questions please feel free to call me at 401 272-5040 ext. 573.

Sincerely,



Michael McGuire  
Manager of Engineering Design & Facility Locating

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 66

*Approved* February 14, 2003

RESOLVED, DECREED, AND ORDERED:

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan No. 064704 dated January 8, 2002."

VIZ: Wamsutta Place (portion of) as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters E-F-G-H-E, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment to Petitioner is specifically conditioned precedent upon the following:

1. The Petitioner agrees to tender the amount of Seven Thousand (\$7,000.00) Dollars in legal tender U.S. currency to the City of Providence.
2. The petitioner shall tender to the Providence Water Supply Board all costs and charges necessary and incidental to the abandonment and severance of the Wamsutta Place water distribution system, as the same is offered in a communication from the Providence Water Supply Board dated 30 January 2002.
3. The Petitioner shall convey an easement acceptable to Verizon which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.
4. The City of Providence shall retain for itself, its heirs, successors and assigns an easement on Wamsutta Place which will permit the City to pass and repass either on foot or with necessary vehicles so as to maintain its realty located at the termination of the abandoned portion of Wamsutta Place. Said easement shall run with the land.

5. Neither permanent nor temporary barriers, in any way limiting public safety access, shall be permitted and, further, the petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Division dated 30 April 2002 which states as follows: " provided permanent barriers are not constructed that would prevent access for fire department personnel using ground ladders and other firefighting equipment along Wamsutta Place. This access is required so that firefighters can raise ladders for rescue or ventilation operations should there be a fire incident in the buildings that border Wamsutta Place."

6. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

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  
FEB 6 2003  
READ AND PASSED

*Balbir Singh*  
PRES. PRO TEMPORE

*Michael R. Clement*  
CLERK

APPROVED: FEBRUARY 14, 2003

*[Signature]*  
MAYOR

A true copy  
Attest:

*Michael R. Clement*  
Michael R. Clement  
City Clerk

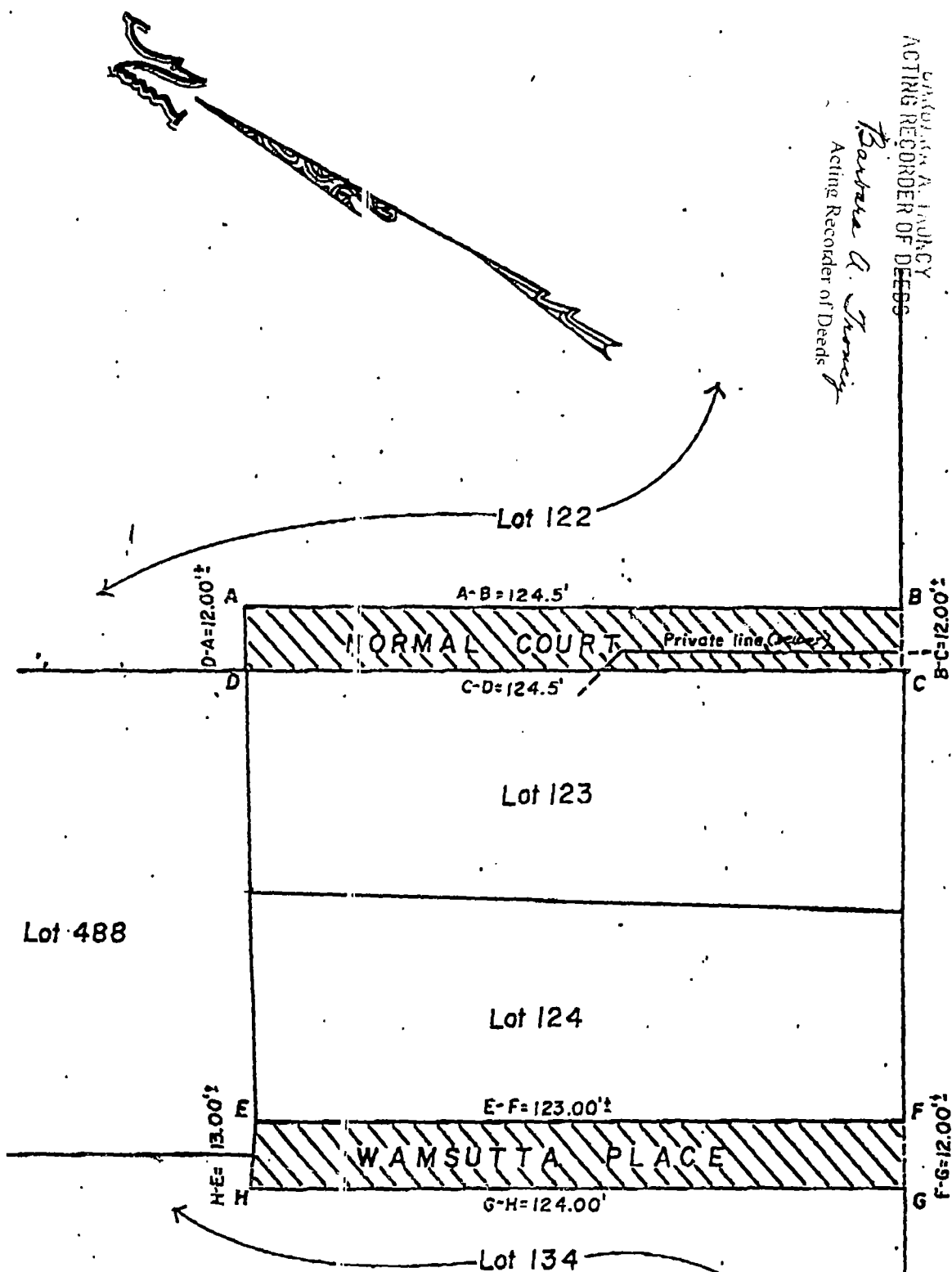
PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No 064704  
 Date Jan. 8, 2002

PROVIDENCE, RI  
 RECEIVED FOR RECORD  
 2003 MAR -5 P 3:02

Barbara A. Jancy  
 Acting Recorder of Deeds

Barbara A. Jancy  
 Acting Recorder of Deeds

LEERTS  
 WESTMINSTER



NOTES: Cross-hatched areas (A-B-C-D-A) & (E-F-G-H-E)  
 Indicates proposed abandonments.

No sewer easement required.

Total square footage = 1,494.00' (Normal Ct.)

1,544.75' (Wamsutta Pl.)

Lot numbers taken from A.P. 29.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Off  
 Showing proposed abandonments of Norm  
 & Wamsutta Pl.  
 Drawn by A. Zislades Checked by JD  
 Scale 1" = 30' Date 1-8-2002  
 Correct James R. Martin Associate E  
 Approved W. J. Egan CHIEF ENG

5629 197-199

PROVIDENCE, RI  
RECEIVED FOR RECORD

2003 MAR -5 P 3:02

9  
LAWANA A. TRUNCY  
ACTING RECORDER OF DEEDS

1976