

RESOLUTION OF THE CITY COUNCIL

No. 246

Approved May 27, 2004

CITY COUNCIL
RECORDING
NO. 064751

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064751 dated January 23, 2004.

VIZ:

BLAIR LANE, running from Canal Street to North Main Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

THE COMPTROLLER
CITY OF PROVIDENCE
RECORDING
NO. 064751

- (1) Petitioner shall pay the sum of One Hundred Ninety-one Thousand and Five Hundred Dollars (\$191,500.00) in legal U.S. tender to the City of Providence.
- (2) The petitioner shall convey a full sewer easement acceptable to City of Providence, Department of Public Works which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.
- (3) Petitioner shall comply with all conditions contained herein, including recording this Resolution, 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.
- (4) Such other conditions as the Mayor or the Law Department shall see fit to impose.

THE COMPTROLLER
CITY OF PROVIDENCE
RECORDING
NO. 064751

And it is further

ORDERED, That the Traffic Engineer be and 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

IN CITY COUNCIL
OCT 16 2003
FIRST READING
DEFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael R. Clavett CLERK

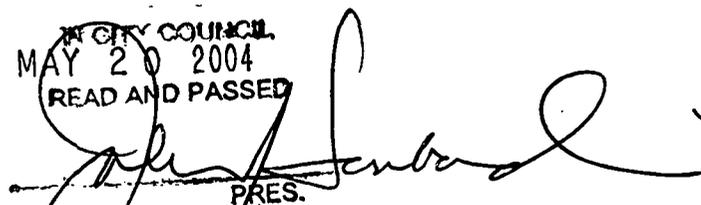
THE COMMITTEE ON
Public Works
Recommendations
Ann M. Steen
CLERK

1-26-04 - schedule P. Hwy
3-8-04 - Public hearing held
4-13-04.)

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Ann M. Steen
Clerk
4-13-04 - approved

From the Clerk's Desk

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
MAY 20 2004
READ AND PASSED

PRES.
Michael B. Coenert
CLERK (cc)


5/27/04

MAYOR

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

PETITION TO THE PROVIDENCE CITY COUNCIL
FOR ABANDONMENT OF BLAIR LANE, PROVIDENCE, RHODE ISLAND

RECEIVED
CITY OF PROVIDENCE
CITY CLERK'S OFFICE
OCT 02 2003

WHEREAS, the undersigned, Capital Properties, Inc., is the owner of the following parcels of land: that certain parcel of real estate appearing on the Providence Assessor's Plat 10, Lot 680 for the City of Providence, located on or adjacent to North Main, Elizabeth and Canal Streets; that certain parcel of real estate appearing on the Providence Assessor's Plat 10, Lot 35 for the City of Providence, located on or adjacent to North Main and Canal Streets; that certain parcel of real estate appearing on the Providence Assessor's Plat 10, Lot 45 for the City of Providence, located on or adjacent to North Main and Steeple Streets; as well as a portion of that certain parcel of real estate appearing on the Providence Assessor's Plat 10, Lot 44 for the City of Providence, located on or adjacent to Steeple Street; and

WHEREAS, the aforementioned parcels (with the exception of said Lot 680) also abut that certain public way designated and known as Blair Lane, as the same appears on the survey drawing attached hereto as Exhibit A; and

WHEREAS, Capital Properties, Inc. is the sole abutter of the entire northern side of Blair Lane, and is an abutter to approximately one-third of the entire southern side of Blair Lane; and

WHEREAS, due to the location and narrowness of said Blair Lane, as depicted on Exhibit A attached hereto, Blair Lane no longer serves any useful purpose to members of the public; and

WHEREAS, all parcels adjacent to Blair Lane currently abut public streets other than Blair Lane (and in some instances abut two (2) other public streets), therefore sufficient access to all such parcels by owners, tenants, and public safety vehicles shall be maintained upon any such abandonment; and

WHEREAS, Capital Properties, Inc. is seeking to enhance the potential to develop and beautify the parcels owned by it along Steeple, North Main, Elizabeth and Canal Streets by joining such property which is currently divided by Blair Lane; and

WHEREAS, the proposed abandonment of Blair Lane shall provide the owner(s) of the buildings located on those that certain parcels of real estate appearing on the Providence Assessor's Plat 10, Lots 37, 39 and 43 with the land necessary to encompass encroachments of improvements currently on and above Blair Lane, as shown on Exhibit A attached hereto, and provide private access to the rear of said properties.

NOW, THEREFORE, the undersigned respectively petitions this Honorable City Council to take all steps necessary and appropriate to abandon said Blair Lane, as the same appears on Exhibit A attached hereto, and transfer all right, title and interest therein to the abutting property owners as shown on Exhibit A upon such terms and conditions as this Honorable City Council deems just and appropriate.

CAPITAL PROPERTIES, INC.

By: Ronald P. Chreanowski
Name: RONALD P. CHREANOWSKI
Its: PRESIDENT

DEPARTMENT OF CITY CLERK
RECEIVED
OCT 02 2003
Michael R. Clement
CITY CLERK OF PROVIDENCE, RI

Petition to abandon Blair Lane
Capital Properties Inc.
Fleet National Bank
Check # 155329-\$75.00



FILED

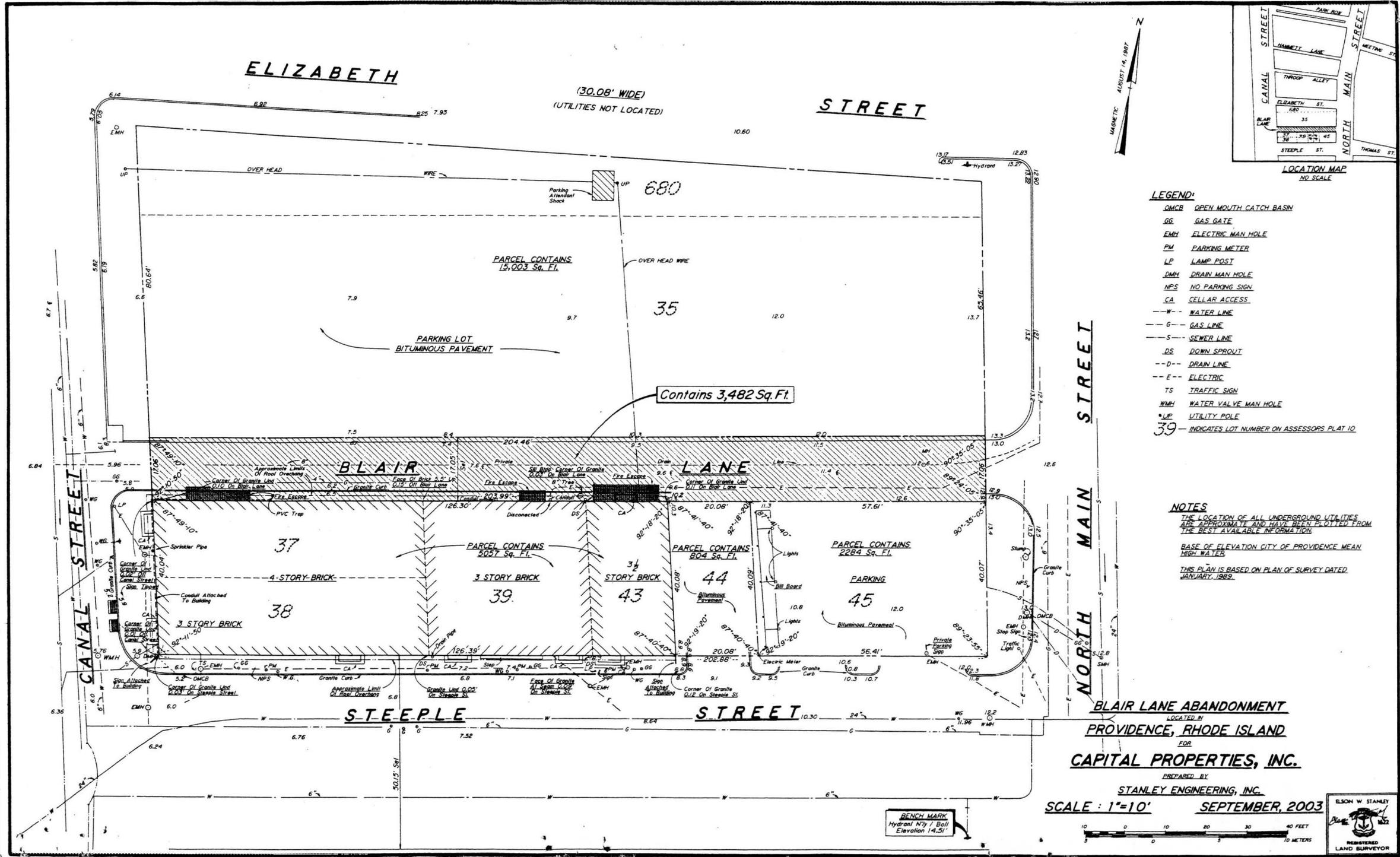
OCT 29 01 AM '03

DEPUTY CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL
OCT 16 2003
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS
Michael B. Clement CLERK
CB

THE COMMITTEE ON
Public Works
Recommends
Ann M. Stebn
1-26-04. ^{CLERK} Schedule P. Hrg.
3-8-04. Public Hearing held
4-13-04 Approved

EXHIBIT A



- LEGEND:**
- OMCB OPEN MOUTH CATCH BASIN
 - GG GAS GATE
 - EMH ELECTRIC MAN HOLE
 - PM PARKING METER
 - LP LAMP POST
 - DMH DRAIN MAN HOLE
 - NPS NO PARKING SIGN
 - CA CELLAR ACCESS
 - W--- WATER LINE
 - G--- GAS LINE
 - S--- SEWER LINE
 - DS DOWN SPROUT
 - D--- DRAIN LINE
 - E--- ELECTRIC
 - TS TRAFFIC SIGN
 - WMH WATER VALVE MAN HOLE
 - UP UTILITY POLE
 - 39 INDICATES LOT NUMBER ON ASSESSORS PLAT 10

NOTES

THE LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE AND HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION.

BASE OF ELEVATION CITY OF PROVIDENCE MEAN HIGH WATER.

THIS PLAN IS BASED ON PLAN OF SURVEY DATED JANUARY, 1989.

BLAIR LANE ABANDONMENT
 PROVIDENCE, RHODE ISLAND
 FOR
CAPITAL PROPERTIES, INC.
 PREPARED BY
STANLEY ENGINEERING, INC.
 SCALE: 1"=10'
 SEPTEMBER, 2003

BENCH MARK
 Hydrant Nty / Bolt
 Elevation 14.51'



MAKRAM H. MEGALLI, P. E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works

"Building Pride in Providence"

March 29, 2004

Honorable Terrence N. Hassett
Chairman of the Public Works Committee
Providence City Council – City Hall
Providence, RI 02903

RE: Proposed Abandonment of Blair Lane

Dear Councilman Hassett:

This department has no objection to the proposed if Blair Lane in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064751-Date: January 23, 2004.

Portion of Blair Lane to be abandoned from North Main Street to Canal Street is shown a cross-hatched are on the accompanying plan. Area of Blair Lane is designated as A-B-C-D-A, on the accompanying plan.

It is noted that here is a FULL SEWER BASEMENT required for Blair lane. Total square footage for these portion abandonment is 3482 ±. Lot numbers for aforementioned plan were taken from City of Providence Assessor's Plat#10. A list of abutting property owners is attached herewith for your approval.

According to Informational Bulletin 2003.01 issued by Rhode Island State Board of Registration for Personal Land Surveyor, a road abandonment constitute a boundary change, and, as such, requires a Class 1 survey prepared by a Professional Land Surveyor, properly licensed by said board.

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

Very truly yours,


Makram H. Megalli, P.E.
Director

Cc: M. Clemet – City Clerk
BB, GF, JLC, SZ-DPW
A. Southgate, Esq. – Law Dept.
T. Deller; W. Floriani - Planning



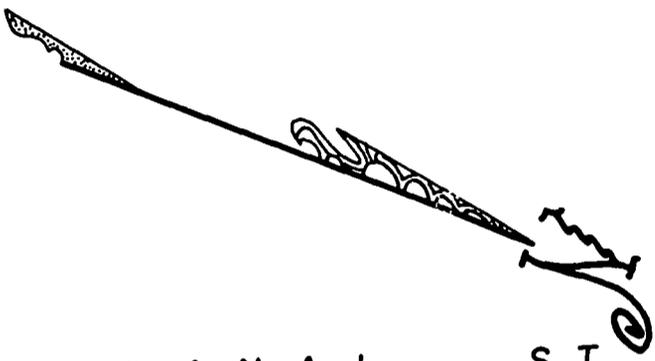
Department of Public Works

"Building Pride in Providence"

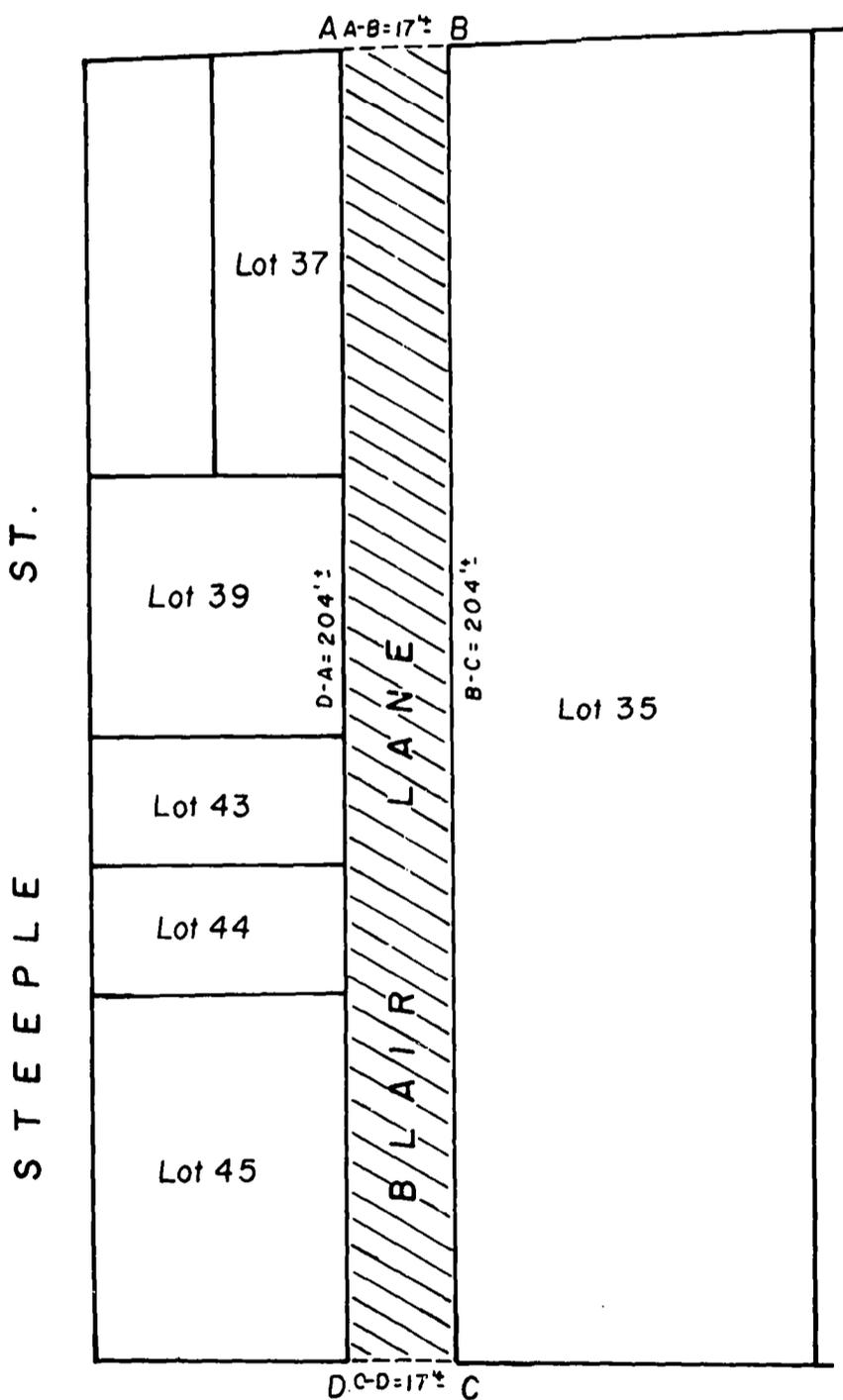
Proposed Abandonment of Blair Lane

A.P. 10	LOT	35	Capital Properties, Inc. 100 Dexter Road East Providence, RI 02914
A.P. 10	LOT	37	David L. Golden 231 Arlington Avenue Providence, RI 02906
A.P. 10	LOT	39	(Same)
A.P. 10	LOT	43	(Same)
A.P. 10	LOT	44	Capital Properties, Inc. 100 Dexter Road East Providence, RI 02914
A.P. 10	LOT	45	(Same)

PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No 064751
 Date Jan. 23, 2004



CANAL ST.

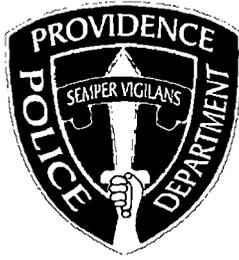


NORTH MAIN ST.

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment. No sewer easement required. Total square footage = 3,482'±

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of Blair Lane
 Drawn by A. Zisigides Checked by gfc
 scale 1" = 30' Date _____
 Correct James C. Munn Associate Eng.
 Approved William C. Bombard
 CHIEF ENGINEER

Lot numbers taken from A.P. 10.



PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU
Sergeant Steven G. Woodruff, Officer-In-Charge

To: Clerk of the City Council via
Colonel Dean M. Esserman
From: Sgt. S. Woodruff, Traffic Bureau
Subject: Petition to the City Council, Abandonment of Blair Street

After reviewing the petition for abandonment, I would like to bring the following items to your attention.

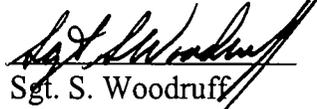
Canal Street is a one-way street in a southerly direction. North Main Street is a one-way street in a northerly direction. Steeple Street is a one-way street in a westerly direction. Elizabeth Street, although a paved highway is not practical as a City street.

In an emergency, the only street available to the Providence Police Department is Blair Lane. This street is currently used for night-time parking in the area. The nearest street in a west / east direction is Park Row prior to Blair Lane and the next west / east street after Blair Lane is Washington Row/Waterman Street.

I believe the Providence Police Department may have further concerns concerning the abandonment of Blair lane subject to the Fire Department and Highway Department.

11/24
OK
DMK

Respectfully,


Sgt. S. Woodruff
Traffic Bureau

GARY E. MULCAHY
Acting Chief

DAVID N. CICILLINE
MAYOR

DAVID D. COSTA
Acting Assistant Chief



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

MEMORANDUM
Via Facsimile

TO: Office of the City Clerk

FROM: Gary E. Mulcahy
Acting Chief of Department

DATE: January 16, 2004

SUBJECT: PETITION TO CITY COUNCIL

gem

This office is in receipt of the Memorandum to the City Clerk and dated January 7, 2004, with regard a request of Councilman Terrence M. Hassett, Chairman of the Committee on Public Works with regard to a petition from Capital Properties, Inc. requesting permission to abandon Elair Lane.

Please be advised this Department has no objection to this proposal.

gem/rh

ROBERT A. WALSH, JR.
Chairman
JOEL D. LANDRY, II
Vice Chairman
ALEXANDER D. PRIGNANO
Ex-Officio
CARISSA R. RICHARD
Secretary
FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor
ROBERT J. KILDUFF, P.E., ESQ.
Chief Engineer & General Manager
JOSEPH DE LUCA
City Councilman
PETER S. MANCINI
City Councilman
JOSEPH D. CATALDI
Member
ANNE T. QUINTERNO
Member

November 7, 2003

Councilman Terrence M. Hassett, Chairman
Committee on Public Works
City Hall
25 Dorrance Street
Providence, RI 02903

SUBJECT: Petition for Street Abandonment
Blair Lane
Providence, Rhode Island

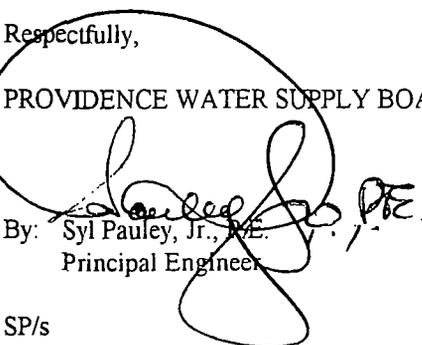
Dear Councilman Hassett:

The referenced Petition to the City Council, which relates to the abandonment of Blair Lane between North Main Street and Canal Street, has been reviewed for any impact on the Providence Water (PW) water distribution system. Our records do not indicate any water system related infrastructure within these limits on the subject street. Accordingly, PW does not oppose this abandonment.

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

ABNLTR76.WPD



Department of Public Parks

"Building Pride In Providence"

MEMORANDUM

TO: ANNA M. STETSON, SECOND DEPUTY CITY CLERK

FROM: ROBERT F. MCMAHON, ACTING SUPERINTENDENT OF PARKS

DATE: OCTOBER 31, 2003

RE: PETITION TO ABANDON BLAIR LANE }

R.F.M.

I have no objection to the proposed abandonment as referenced above.

IRENE J. TESTA
Director

DAVID N. CICILLINE
Mayor



Department of Traffic Engineering
"Building Pride In Providence"

MEMORANDUM

TO: Councilman Terrence M. Hassett
Chairman, Public Works Committee

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

DATE: 3/29/04

RE: PENDING MATTER

REQUEST: To abandon Blair Lane.

DISPOSITION: No objection.



Memorandum

To: Michael Clement, City Clerk
From: William G. Floriani, Associate Director Real Estate
Date: March 4, 2004
Re: Blair Lane Abandonment

A handwritten signature in black ink, appearing to be "W. G. Floriani", written over the "From:" line of the memorandum.

Pursuant to your request, I have visited the site referenced above. The purpose of this visit was to determine the fair market value of the street abandonment at Blair Lane. The property requires no easements. The petitioner will obtain full use of the property allowed by zoning. The zoning of this 3,482 sq. ft. parcel is D-1-100. The value of the parcel is as follows:

3,482 sq. ft. @ \$55.00 per ft. = \$191,500.00



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

MEMORANDUM

To: Anna Stetson, Second Deputy City Clerk
From: Christopher J. Ise, Principal Planner
Date: November 20, 2003
Re: Petition for abandonment of Blair Lane by Capital Properties, Inc.

At its meeting on November 18, 2003, the City Plan Commission (CPC) tabled the request for a recommendation to the City Council for the petition to abandon Blair Lane by Capital Properties, Inc. The CPC tabled the matter to the next meeting on December 18 in order to allow staff time to gather information regarding the abutting landowners position on the street abandonment.



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

December 17, 2003

Honorable M. Terrence Hassett, Chair
Committee on Public Works
City Hall
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

Re: CPC REFERRAL NO. 3219: Proposed Abandonment of Blair Lane

Dear Councilman Hassett:

The City Plan Commission at its regular meeting on Tuesday, December 16, 2003 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of Blair Lane, as petitioned by Capital Properties, Inc.

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 access to properties and economic development of the area. 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 owns the property on the northern side of Blair Lane (plat 10, lot 35) and the two properties on the southern side of the street (plat 10, lots 44 and 45). Mr. David Golden L. Golden owns the remainder of the properties on the southern side (plat 10, lots 37, 39 and 43). Mr. Golden would have to 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.*

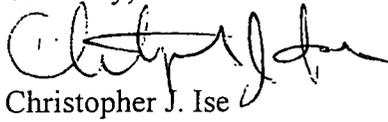
If any public services or facilities need to be protected, provided, or maintained within the right-of-way, the petitioner shall grant the necessary easements.

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,



Christopher J. Ise
Administrative Officer

cc: Ronald P. Chrzanowski for the Petitioner



National Grid USA Service Company, Inc.

February 11, 2004

Anna M. Stetson
City Clerk's Office
Providence City Hall
Providence, RI

Re: Petition to Abandon Blair Lane

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has overhead equipment in the area of Blair Lane proposed for abandonment which can not be removed.

Therefore, NECO has no objection to the abandonment provided we are granted an easement for said equipment.

Please call me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mindy C. Montecalvo". The signature is written in a cursive style and is positioned over the typed name and title.

Mindy C. Montecalvo
Real Estate Consultant
(401) 784-7512
(401) 784-7316 (fax)

280 Melrose Street
P.O. Box 1438
Providence, RI 02901-1438
401.784.7000

Right Of Way



November 20, 2003

85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

Anna Stetson
2nd Deputy/City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Ms. Anna Stetson

RE: PETITION TO ABANDON A PORTION OF BLAIR LANE

Upon investigation by our in house Engineer-Paul Troia it has been determined that Verizon has underground facilities in the portion of Blair Lane to be abandoned.

These facilities include an underground system from a manhole on Canal Street that provide service to the surrounding 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 "Mary C. Hanley".

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



October 28, 2003

Councilman Terrence M. Hassett
Chairman
Committee on Public Works
City of Providence
Providence, RI 02903

Re: Petition from Capital Properties,
Requesting to Abandon Blair Lane,
Providence, RI

Dear Councilman Hassett:

New England Gas Company does not own nor maintain gas facilities within above-mentioned area therefore, we have no objections to this petition.

If you have any further questions please feel free to call me at (401) 525-5669.

Sincerely,

Barry J. Foster
Engineering Design Supervisor

PC Ms. Anna M. Stetson
Second Deputy City Clerk
Department of City Clerk

BJF/

Michael R. Clement
City Clerk

Clerk of Council



Claire E. Bestwick
First Deputy

Anna M. Stetson
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

DATE: May 10, 2004

TO: Mr. Joseph Chiodo, City Controller

SUBJECT: CHECK DEPOSITED FOR THE ABANDONMENT OF
BLAIR LANE

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: Accompanying is check number 2597 with Fleet Bank in the amount of \$191,500.00 from Capital Properties, Inc., for payment for the abandonment of Blair Lane to be deposited into the Sale of Real Estate Account (856-4-00000-2500).

cc: Thomas Deller, Director of Planning and Development
Joseph Fernandez, City Solicitor
Barbara Troncy, Acting Recorder of Deeds
Bill Bombard, Acting Traffic Engineer
Makram Megalli, Director of Public Works

Michael R. Clement

City Clerk

Clerk of Council



Claire E. Bestwick
First Deputy

Anna M. Stetson
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

RECEIPT

Received of Zachary G. Darrow, Esquire, of Hinckley, Allen,
Snyder, LLP, Check No. 2597, from (Fleet Bank) for Capital
Properties, Inc., in the amount of One Hundred Ninety One
Thousand Five Hundred (\$191,500.00) Dollars for payment for the
abandonment of Blair Lane.

Anna M. Stetson
Second Deputy City Clerk

Dated: May 10, 2004

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

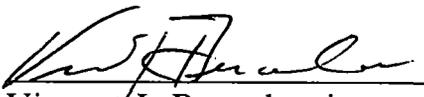
THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

PETITION TO ABANDON BLAIR LANE

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
10	37	David L. Golden 231 Arlington Avenue Providence, RI 02906
10	39	David L. Golden 231 Arlington Avenue Providence, RI 02906
10	43	David L. Golden 231 Arlington Avenue Providence, RI 02906
10	44	David L. Golden 231 Arlington Avenue Providence, RI 02906
10	35	Capital Properties 100 Dexter Road East Providence, RI 02914
10	45	Capital Properties 100 Dexter Road East Providence, RI 02914

PETITIONER

Capital Properties
100 Dexter Road
East Providence, RI 02914



Vincent J. Berarducci
City Sergeant

Councilman Terrence M. Hassett
Ward 12

BLAIR LANE

A.P.	10	Lot 37	David L. Golden 231 Arlington Avenue Providence, RI 02906
	10	Lot 39	David L. Golden 231 Arlington Avenue Providence, RI 02906
	10	Lot 43	David L. Golden 231 Arlington Avenue Providence, RI 02906
	10	Lot 44	David L. Golden 231 Arlington Avenue Providence, RI 02906
	10	Lot 35	Capital Properties 100 Dexter Road East Providence, RI 02914
	10	Lot 45	Capital Properties 100 Dexter Road East Providence, RI 02914

CAPITAL PROPERTIES, INC. 11-95
100 DEXTER RD.
EAST PROVIDENCE, RI 02914

FLEET
WWW.FLEET.COM
10115 CORPORATE BANKING
PROVIDENCE, RHODE ISLAND 02907

2597

57-1/115

002597

PAY *ONE HUNDRED NINETY-ONE THOUSAND FIVE HUNDRED AND XX / 100 DOLLARS

TO THE
ORDER OF

DATE

AMOUNT

May 10, 2004

***191,500.00*

City of Providence

Barbara J. Meyer
Ronald P. Chapman MR

⑈002597⑈ ⑆011500010⑆ 93922 43925⑈

CAPITAL PROPERTIES, INC.

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
05/10/2004	051004	Abandonment Blair Lane	191,500.00	0.00	191,500.00

2597

NET AMOUNT
191,500.00

CHECK: 002597 05/10/2004 City of Providence

CHECK TOTAL: 191,500.00



Department of Law

July 12, 2004

Zachary Darrow, Esq.
Hinckley, Allen & Snyder, LLP
1500 Fleet Center
Providence, Rhode Island 02903

Re: Abandonment of Blair Lane

Dear Mr. Darrow:

This will confirm our conversations regarding the impossibility of perfecting the requirements imposed by the Providence City Council in the Resolution regarding the abandonment of Blair Lane within the sixty days provided, given the fact that two easements (to Verizon and National Grid) were improperly excluded from the text of the Resolution, and other issues must be resolved regarding the extent of the ownership interest (with its appurtenant property tax consequences).

While I have no power or authority to amend the City Council's Resolution, I believe that a fair reading would allow us to extend the time to a period from sixty days after the incorporation of the pertinent easements.

If I can be of any further assistance, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Adrienne G. Southgate".

Adrienne G. Southgate
Deputy City Solicitor

RESOLUTION OF THE CITY COUNCIL*No.* 246*Approved* May 27, 2004

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064751 dated January 23, 2004.

VIZ:

BLAIR LANE, running from Canal Street to North Main Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D) having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

- (1) Petitioner shall pay the sum of One Hundred Ninety-one Thousand and Five Hundred Dollars (\$191,500.00) in legal U.S. tender to the City of Providence.
- (2) The petitioner shall convey a full sewer easement acceptable to City of Providence, Department of Public Works which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.
- (3) Petitioner shall comply with all conditions contained herein, including recording this Resolution, 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.
- (4) Such other conditions as the Mayor or the Law Department shall see fit to impose.

And it is further

ORDERED, That the Traffic Engineer be and 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.

CITY COUNCIL
MAY 20 2004
READ AND PASSED

[Handwritten Signature]
PRES.
Michael R. Clement
CLERK *(initials)*

APPROVED
[Handwritten Signature]
5/27/04

MAYOR

A true copy.
Attest:
Michael R. Clement
Michael R. Clement
City Clerk

MAKRAM H. MEGALLI, P. E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works

"Building Pride in Providence"

March 29, 2004

Honorable Terrence N. Hassett
Chairman of the Public Works Committee
Providence City Council – City Hall
Providence, RI 02903

RE: Proposed Abandonment of Blair Lane

Dear Councilman Hassett:

This department has no objection to the proposed if Blair Lane in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064751-Date: January 23, 2004.

Portion of Blair Lane to be abandoned from North Main Street to Canal Street is shown a cross-hatched are on the accompanying plan. Area of Blair Lane is designated as A-B-C-D-A, on the accompanying plan.

It is noted that here is a FULL SEWER BASEMENT required for Blair lane. Total square footage for these portion abandonment is 3482 ±. Lot numbers for aforementioned plan were taken from City of Providence Assessor's Plat#10. A list of abutting property owners is attached herewith for your approval.

According to Informational Bulletin 2003.01 issued by Rhode Island State Board of Registration for Personal Land Surveyor, a road abandonment constitute a boundary change, and, as such, requires a Class 1 survey prepared by a Professional Land Surveyor, properly licensed by said board.

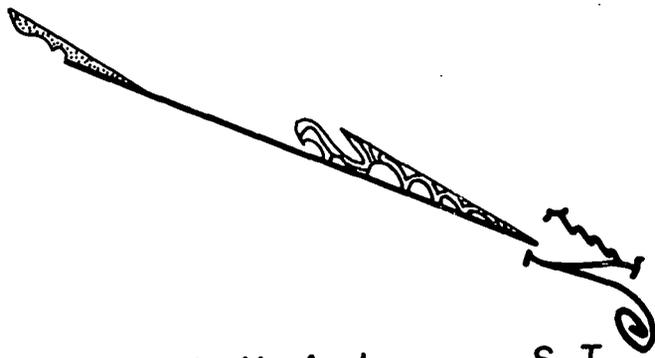
If we can further assist in this regard, please advise.

Very truly yours,

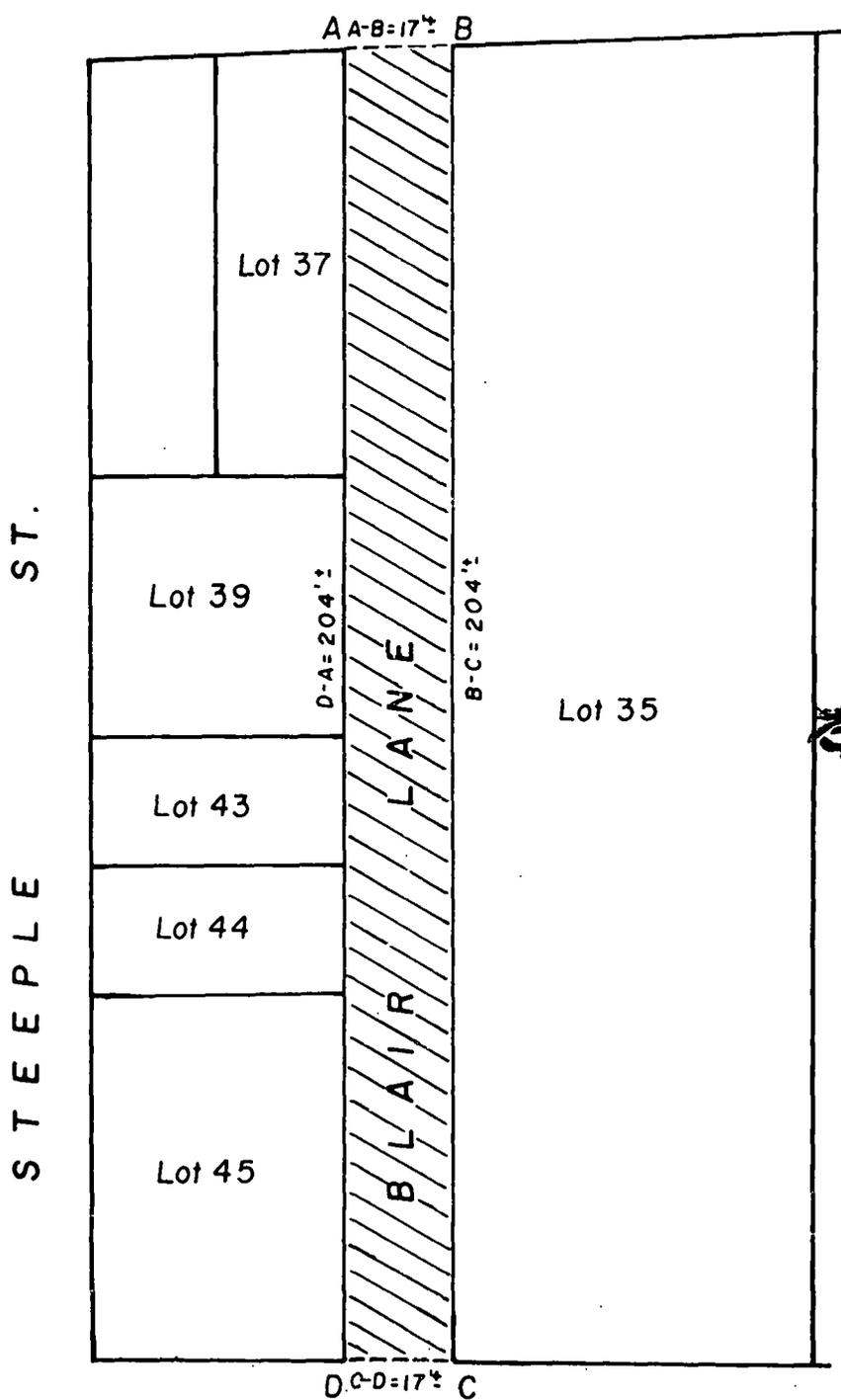

Makram H. Megalli, P.E.
Director

Cc: M. Clemet – City Clerk
BB, GF, JLC, SZ-DPW
A. Southgate, Esq. – Law Dept.
T. Deller; W. Floriani - Planning

PROVIDENCE, R. I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No 064751
Date Jan. 23, 2004



CANAL ST.



NORTH MAIN ST.

NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed abandonment.
No sewer easement required.
Total square footage = 3,482'±

Barbara A. Irony
Recorder of Deeds

PROVIDENCE, RI
RECEIVED FOR RECORD
2004 JUN 14 PM 3: 37
BARBARA A. IRONY
RECORDER OF DEEDS

CITY OF PROVIDENCE, R I
Public Works Dept. - Engineering Office
Showing proposed abandonment of
Blair Lane
Drawn by A. Zisigades Checked by JEC
scale 1" = 30' Date _____
Correct James A. Muzzi Associate Eng.
Approved William C. Bombard
CHIEF ENGINEER

6600/301-304

PROVIDENCE, RI
RECEIVED FOR RECORD

2004 JUN 14 PM 3:37

BARBARA A. TRONCY
RECORDER OF DEEDS

49400

C

PROVIDENCE, RI
RECORDING DEPARTMENT
RECEIVED FOR RECORD