

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

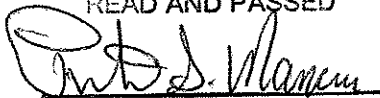

RESOLUTION OF THE CITY COUNCIL

No. 98

Approved March 11, 2009

RESOLVED, That the City of Providence is requested to transfer all rights and obligations pertaining to an unnamed paper street, abutting Assessor's Plat 70, Lots 172, 173 and 174 in Ward 4 of the City of Providence, to Julio Lama, 9 Newcomb Street, Providence, Rhode Island 02908.

IN CITY COUNCIL
MAR 5 2009
READ AND PASSED


PRES.

CLERK

APPROVED


MAYOR 3/11/09

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

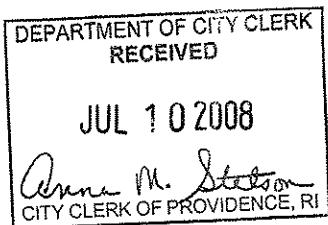
PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

My name is Julio Lama. I am petitioning to the city a request to be granted a small lot, that to my surprise I do not own. It is an abandoned street that has not been in use for 35 years. I am the owner of lot 172, 174, and the future owner of lot 173. Unfortunately I was unaware of this street crossing my house until after I began to build a fence surrounding the land I thought I owned. I have been caring for this land for the last 7 years. I was hoping the state would grant me the unused street in order to combine all my properties so that I could pay taxes on all the land together. By not granting me this abandoned street I not only lose future resale value but I also am not able to maintain a cohesive landscape. Along with my petition is a letter from my neighbor, Edgar Almeida, who owns lot 173. There it states that we have a deal to sell lot 173 to me.

Here is an outline of what I own and what I would like to own. In the sketch, I own #1 and #2, My neighbor owns #3. The space in between mine and my neighbors land is the unused street I wish to be granted. At the end of this process, I would hope to own all of these properties. I am truly sorry for any inconvenience I have caused, and thank you for considering my petition.



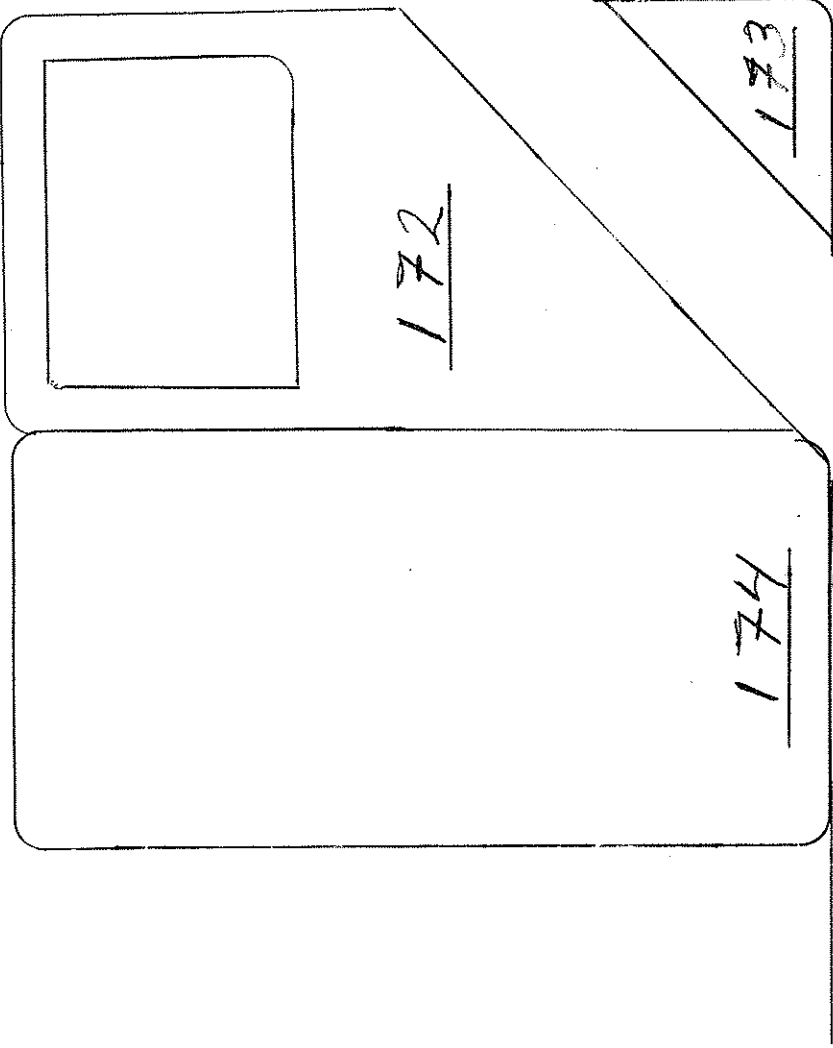
Petition to abandon a paper street located at the corners of Coggeshall Street and Newcomb Street

Julio E. Lama
Citizens Bank
Check #1008
\$75.00

JULIO E LAMA
9 NEWCOMB ST
PROV RI 02908

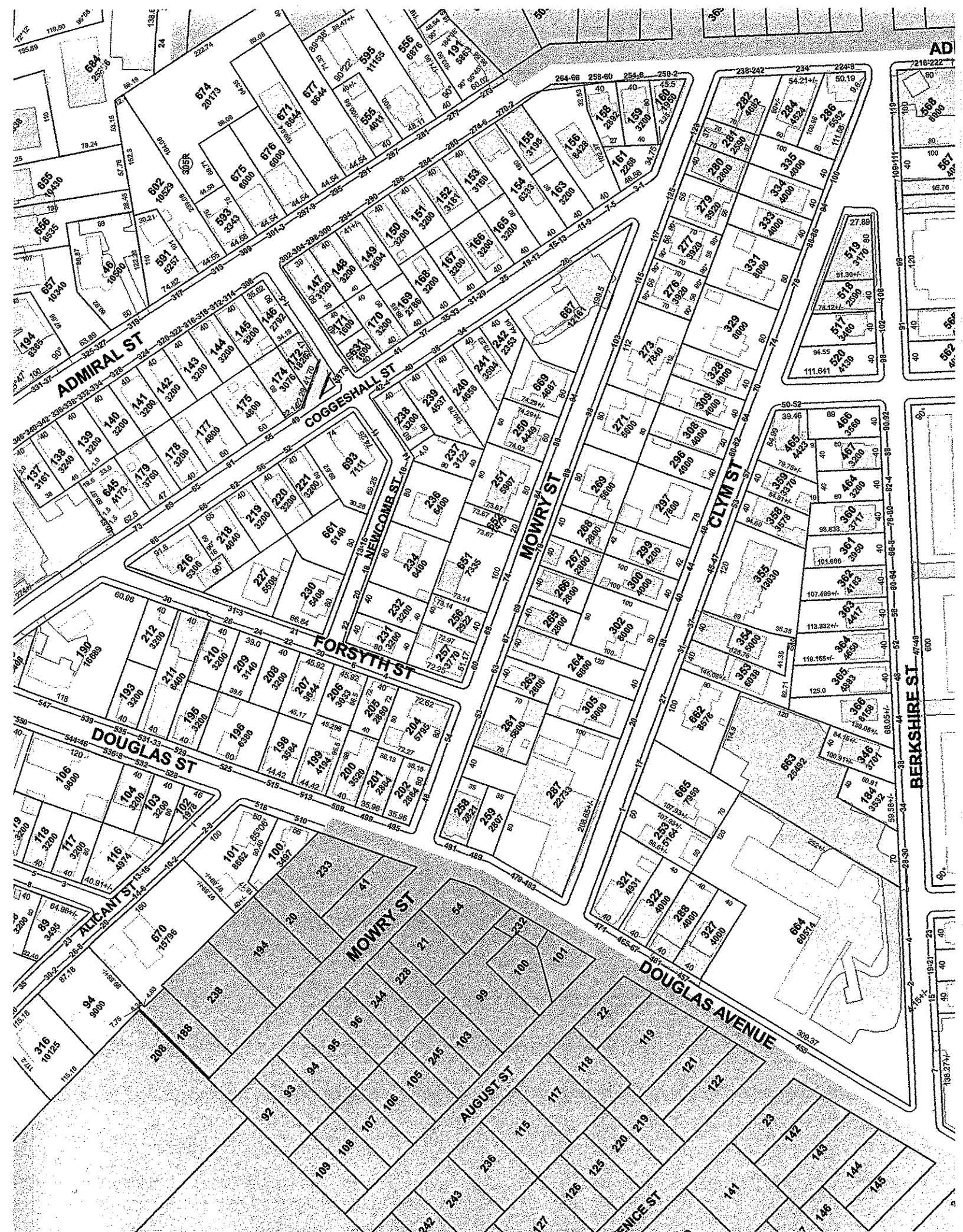
Julio Lama
7/9/08

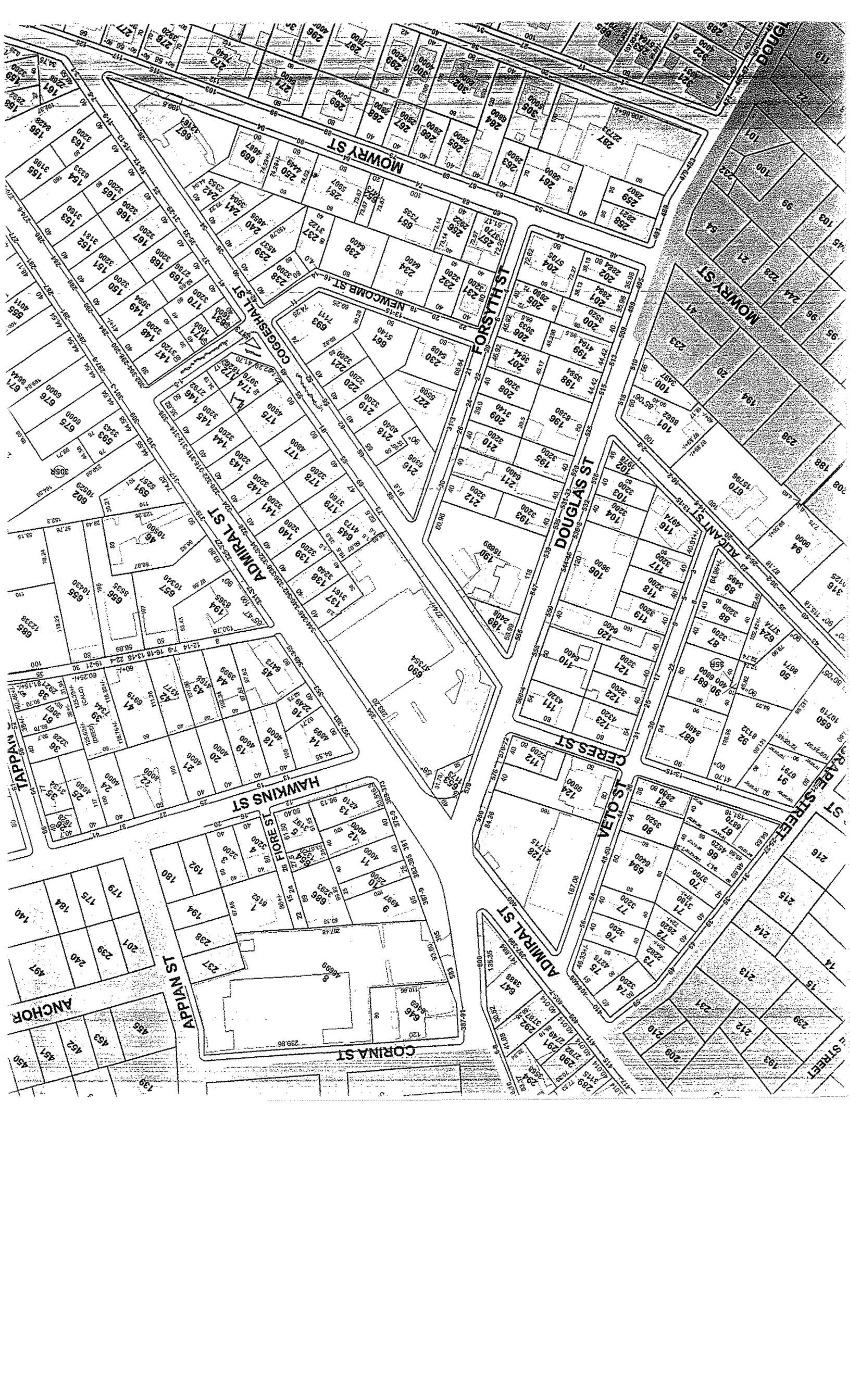
Providence RI 02908



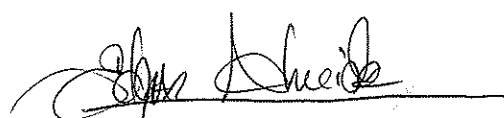
NEWCOMB ST

Coggeshall St



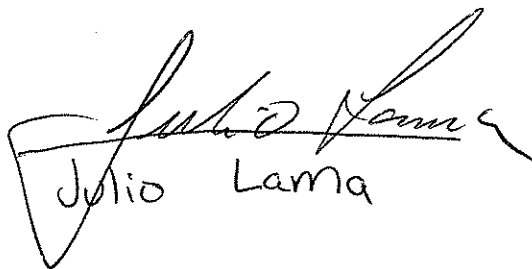


I, Edgar Almeida am the
owner of lot 173. I am in
agreement with Julio Lama to
sell him lot 173 once he
is granted the abandoned
street.



Edgar Almeida

Any Question. Call. 401-611-4466



Julio Lama

4. Enclose a check made **payable to the City of Providence** for the following:

- The fee for filing an abandonment petition is \$75
- The fee for filing a zoning change petition is \$150
- **Please send the completed petition form (s) to:**
 - Office of the City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

**CITY CLERK,
CLERK OF THE COUNCILCITY HALL**

Anna M. Stetson - City Clerk
Deborah Hudson - First Deputy City Clerk
Lori L. Hagen - Second Deputy City Clerk

Contact Information:

City Hall, 3rd Floor
25 Dorrance Street
Providence, RI 02903

Phone: (401) 421-7740 ext 248 or 249

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<http://www.providenceri.com/CityClerk/petitions.html>

7/7/2008

1008

57-12/115

103

 Security features
are included.
Details on back.

Rhode Island

Stop

④ **Clarke** **Anthony**



PROVIDENCE POLICE DEPARTMENT

**Colonel Dean M. Esserman
Chief of Police**



TRAFFIC/PARKING ENFORCEMENT

Sergeant Paul F. Zienowicz, Commanding

9-2-08

To: Anna Stetson, City Clerk
From: Sgt. Paul Zienowicz, Traffic Services
Subject: 9 Newcomb St

Dear Ms. Stetson,

I have responded to the corner of Coggeshall St. and Newcomb St. in reference to the paper street abutting Assessor's Plat 70, Lots 172, 173 and 174 in Ward 4. The area in question is of no use as it relates to traffic in the area. A transfer of the land would not adversely affect traffic in the area.

At this time, the Providence Police Department has no objections to the transfer of this property to Julio Lima.

Respectfully,

Sgt. Paul Zienowicz

Anthony J. Di Giulio
Fire Marshal

Richard A. Silva
Deputy Fire Marshal



David N. Cicilline
Mayor

George S. Farrell
Chief of Department

Providence Fire Prevention Division
"Smoke Detectors Save Lives"

August 21, 2008

Ms. Anna Stetson, City Clerk
Providence City Hall, Department of City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

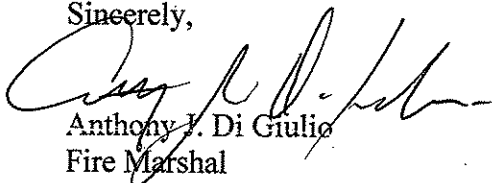
Re: Petition by Julio Lama dated July 24, 2008

Dear Ms. Stetson,

I have investigated the portion of an unnamed paper street which would run between Newcomb Street and Coggeshal Street, and which Mr. Lama has requested to have the city abandoned and transferred ownership. In the current state and barring any City plan to develop the street, the Providence Fire Department has no objection to the requested petition to abandon the above mentioned street, which abuts Assessor's Plat 70, Lots 172, 173, and 174.

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

Sincerely,



Anthony J. Di Giulio
Fire Marshal



Department of Public Works
"Building Pride in Providence"

August 8, 2008

Honorable Leon F. Tejada
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Abandonment of a Portion of Coggeshall St.

Dear Councilman Tejada:

This department has no objection to the proposed abandonment of a portion of Coggeshall St. in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept- Engineering Office, Street Line Section, Plan No. 064818. Area of abandonment is designated as (A-B-C-D-A) on the accompanying plan.

No sewer easement required.
Total square footage equals 877 square feet. (±)
See accompanying plan for plat and lot numbers.

According to Informational Bulletin 2003.01 issued by Rhode Island Board of Registration for Professional Land Surveyors, road abandonment constitutes 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 you in this regard, please advise.

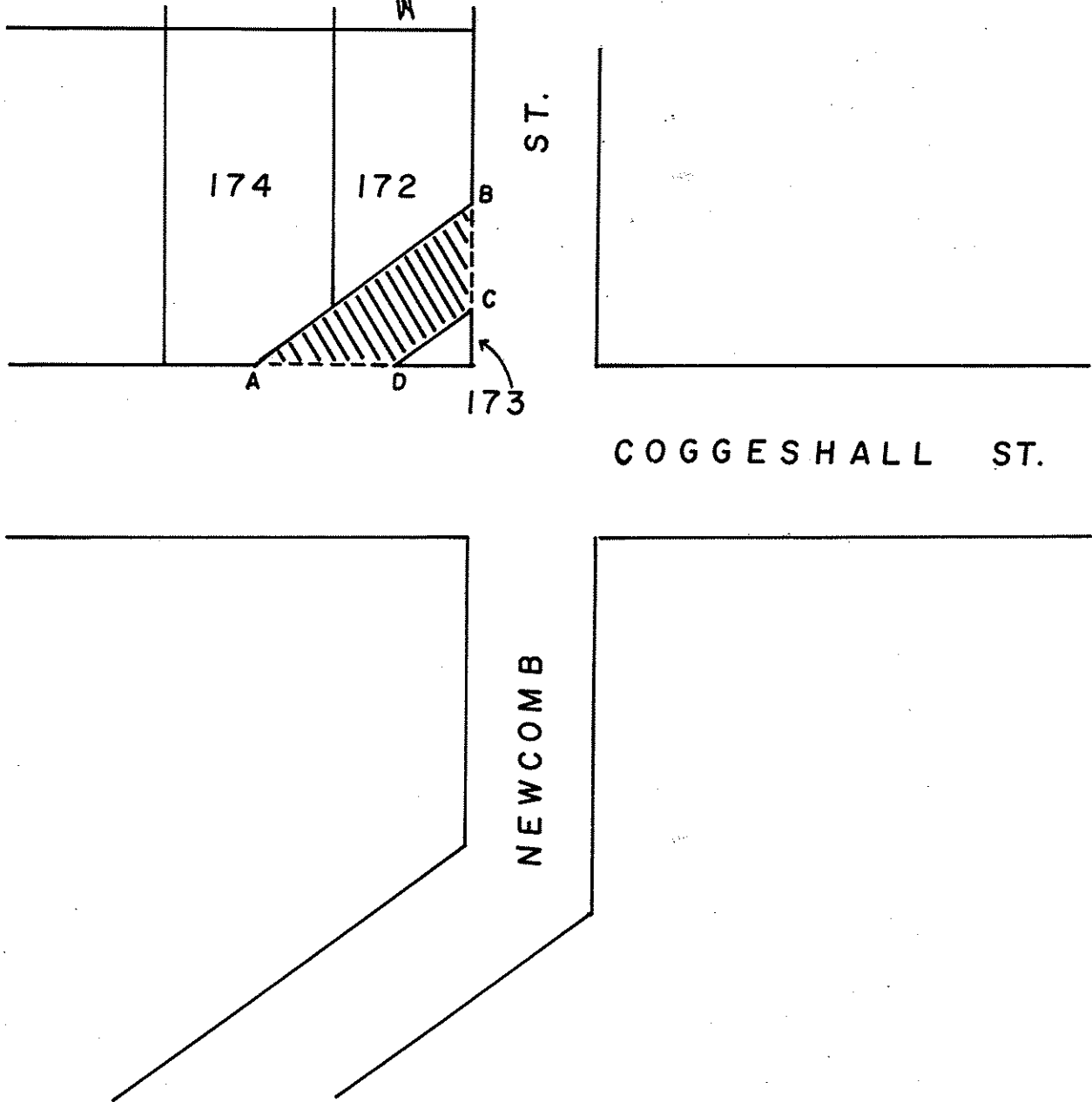
Very truly yours,

A handwritten signature in black ink, appearing to read "John D. Nickelson", with a long, sweeping horizontal line extending to the right.

John D. Nickelson, PE
Director

cc: Ann Stetson-City Clerk
BB, AZ-DPW
A. Southgate, Esq.- Law Dept.
T. Deller- Planning
J. Gelati- Tax Assessors

PROVIDENCE, R. I.
 PUBLIC WORKS DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064818
 Date Aug. 7, 2008



NOTES: Cross-hatched (A-B-C-D-A) indicates proposed abandonment of unused portion of Coggeshall St.

No sewer easement required.
 Total square footage = 877' ±
 (by planimeter)

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing proposed abandonment of a
portion of Coggeshall St.
 Drawn by A. Zislades Checked by _____
 Scale 1" = 40' Date _____
 Correct _____ Associate Engr.
 Approved William C. [Signature]
 CHIEF ENGINEER

Lot numbers taken from A. P. 70.

From: Frank Healy [fhealy@provwater.com]
Sent: Tuesday, February 24, 2009 3:03 PM
To: Sheri Petronio
Cc: Jackie Brosco; Paul Gadoury
Subject: Abandonment of Un-named Street at Plat 70 Lot 172

Providence Water is in receipt of a request to review the abandonment of a "paper street" abutting Plat 70 Lots 172, 173, and 174 which is located on the northwest quadrant of the intersection of Coggeshall Street and Newcomb Street.

Please be advised that the petitioner for this abandonment has not yet paid the engineering fee of \$75.00 (Seventy Five) Dollars to Providence Water for review of this abandonment.

Per your request of this date, I am advising that Providence Water does not have any assets located in this Un-named "paper street". Therefore, there would be no objection on the part of Providence Water should the petitioner wish to seek abandonment of the "paper street".

Once the petitioner pays the engineering fee associated with their request, Providence Water can provide a formal letter addressing this request.

Thank you,

Frank Healy
Manager of Records
Providence Water Supply Board

TO: CITY CLERK

FROM: ROBERT F. MCMAHON, SUPERINTENDENT OF PARKS

DATE: FEBRUARY 23, 2009

RE: ABANDONMENT

Please be advised that the Parks Department has no objection to the transfer of all rights and obligations pertaining to an unnamed paper street, abutting Assessor's Plat 70, Lots 172, 173 and 174 in Ward 4 of the City of Providence, to Julio Lama, 9 Newcomb Street, Providence, Rhode Island 02908.



Department of Public Works
Traffic Engineering Division
"Building Pride in Providence"

MEMORANDUM

TO: Anna Stetson, Office of the City Clerk

FROM: E. Bernard Lebby, Traffic Engineer *ELB*

CC: John D. Nickelson, PE, Director of DPW
Councilman Leon F. Tejada, Chairman, Committee on Public Work

DATE: February 09, 2009

SUBJECT: Resolution requesting the City of Providence to transfer all rights and obligations pertaining to an unnamed paper street, abutting assessor's Plat 70, Lots 172, 173 and 174 in Ward 4 of the City of Providence, to Julio Lama, 9 Newcomb Street, Providence Rhode Island 02908.

The DPW - Division of Traffic Engineering has reviewed this request and approve of the decision to abandon the unnamed paper street, abutting assessor's Plat 70, Lots 172, 173 and 174 in Ward 4 of the City of Providence.

AAA
ANDOLFO APPRAISAL ASSOCIATES, INC.

REAL ESTATE APPRAISERS AND CONSULTANTS
THE BUSH BUILDING
216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903
(401) 273-8989 • FAX (401) 273-2510

August 14, 2008

Mr. John Gelati
Tax Assessor
City of Providence
25 Dorrance Street, City Hall
Providence, Rhode Island 02903

Re: Proposed partial Abandonment of Coggeshall Street

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Coggeshall Street, otherwise designated as a partial abandonment on Assessor's Plat 70 as it intersects with Newcomb Street in the Charles Street neighborhood of Providence.

The proposed easement contains 877 square feet. The area in general varies in length along the center line of the street. The City's Department of Public Works has no objection to this request; however, they are requiring a Class 1 Survey for recording purposes.

We have taken into account a number of factors in arriving at a fair market value for the site. The petitioner will gain full use and access of the site and their existing property. In turn, this should increase the value of the petitioner's property which is presently zoned R-3. The highest and best use of the site is as vacant land.

Based upon an analysis of comparable residential land sales as contained within the office files of Andolfo Appraisal Associates, Inc., a value of \$10.00 per square foot is hereby estimated for this site.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati
Page 2
August 14, 2008

Therefore, 877 square feet x \$10.00 per square foot =
\$8,770.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

William G. Floriani (FAD)

William G. Floriani
Certified Residential Appraiser

Thomas S. Andolfo, MAI

Thomas S. Andolfo, MAI
Certified General Appraiser

WGF:TSA/fad



City of Providence

City Plan Commission

400 Westminster Street
Providence, Rhode Island 02903

401 351 4300 OFFICE
401 351 9533 FAX

Stephen Durkee AIA
Chair

www.providenceri.com

Honorable Leon F. Tejada, Chair
Committee on Public Works
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Anna Stetson, City Clerk

February 23, 2009

Re: CPC Referral No. 3314: Petition to Abandon an Unnamed Paper Street

Dear Councilman Tejada:

The City Plan Commission (CPC), at its meeting on Tuesday, February 17, 2009, reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of an unnamed paper street, as petitioned by Julio Lima.

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.

The street does not currently serve a public purpose as it is unbuilt and unusable by the public. 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 impact from the abandonment is expected.

3. All abutting landowners agree to the proposed abandonment.

The petitioner owns the land on the north side of the street. According to the petitioner, the owner of the property on the south side of the street has agreed to sell the petitioner the property.

PROVIDENCE THE CREATIVE CAPITAL

David N. Cicilline, Mayor

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 properties.

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.*

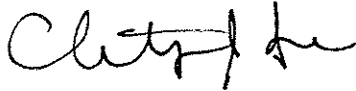
It is unknown whether public services or facilities need to be protected, provided or maintained within the right of way. The petitioner would need to grant easements if necessary.

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 City Plan Commission voted to advise the Committee on Public Works that this petition be approved subject to the petitioner granting any easements that are necessary and with the condition that if the Committee on Public Works approves the abandonment and the petitioner acquires Lot 174, the petitioner shall submit an application to the CPC for an Administrative Subdivision to merge Lots 172, 174 and 173 together.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Ise", written in a cursive style.

Christopher J. Ise
Administrative Officer

cc: Julio Lima

Right of Way



85 High Street
Pawtucket, RI 02860

Phone 401 727-9555
Fax 401 725-7680

February 12, 2009

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

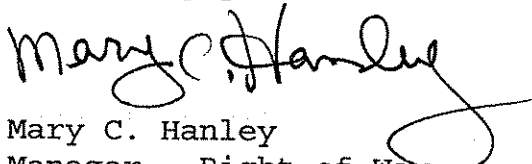
Attn: Ms. Anna Stetson

RE: PETITION TO ABANDON A PORTION OF NEWCOMB STREET

Dear Ms. Stetson:

Upon investigation by our in house Engineer, Juan Hernandez, it has been determined that Verizon has no facilities on the portion of Newcomb Street to be abandoned.

Very truly yours,


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

February 2, 2009

City Clerk's Office
Anna M. Stetson
Providence City Hall
Providence, RI 02903

Re: Petition to Abandon paper street filed by Julio Lama

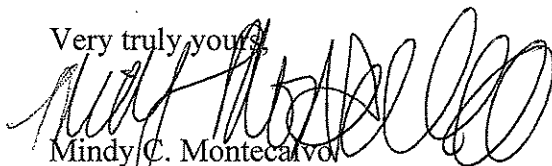
Dear Ms. Stetson:

Please be advised that after review, it has been determined that National Grid has no gas or electric facilities in the area proposed for abandonment.

Therefore, National Grid has no objection to the abandonment.

Please call me if you have any questions.

Very truly yours,




Mindy C. Montecavallo
Real Estate Representative
(401) 784-7512
(401) 784-7316 (fax)

<http://www.narrabay.com>



Raymond J. Marshall, P.E.
Executive Director


Stephen Lallo
Permits Coordinator

[illegible]