

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 393

Approved June 12, 1987

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched on the accompanying plan entitled, Providence, R.I., Department of Public Works - Engineering Office, City Property Section, Plan No. 064386, dated April 29, 1987;

VIZ:

A portion of Benefit Street (to the extent said street exists) lying southerly of India Street, shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public and is proposed to be abandoned as a Public Highway, provided that the New England Telephone be conveyed an easement acceptable which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace same and with twenty-four hour access to said facilities, and the damage to the abutters is appraised at nothing, and so awarded, and it is further

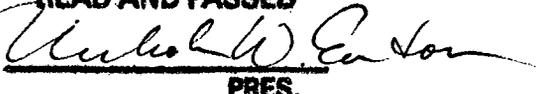
ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

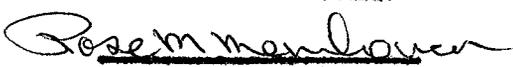
ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

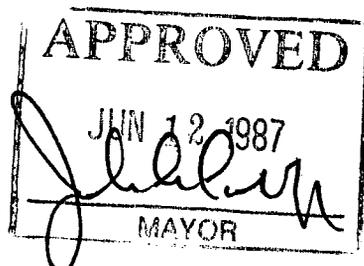
IN CITY COUNCIL

JUN 4 1987

READ AND PASSED


PRES.


CLERK



**THE COMMITTEE ON
PUBLIC WORKS**

**Approves Passage of
The Within Resolution**

Jose W. Mendonca

Clerk **Chairman**

June 3, 1987

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

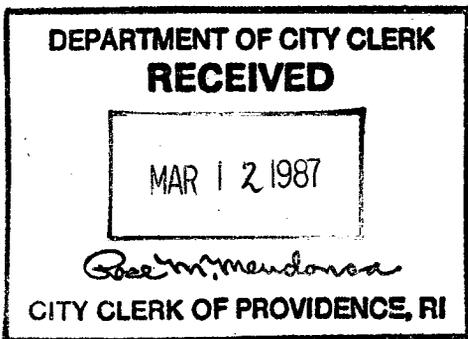
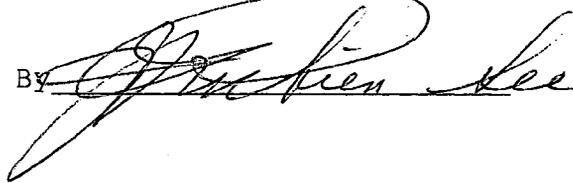
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

to abandon that portion of Benefit Street (to the extent said street exists) lying southerly of India Street.

Lausall Realty Corporation

BY



*Pd by Ch #109 amt \$75.00
M. & R. Partners*

FILED

MAR 12 12 05 PM '87

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

RECEIVED
CITY CLERK
MAY 19 1987

IN CITY COUNCIL

MAR 19 1987

FIRST READING

REFERRED TO COMMITTEE ON

PUBLIC WORKS

Remondone CLERK

From the Clerk's Desk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 23, 1987

TO: Rocco A. DeLuca, Director of Public Works

SUBJECT: ABANDONMENTS - TRAVERSE, BENEFIT AND COLLEYER STREETS

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and reports back in writing to the above named committee, it is also requested that you provide the committee with a list of abutting property owners and tracing of the said areas.

Michael R. Clement,
First Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 23, 1987

TO: *

SUBJECT: ABANDONMENTS - TRAVERSE, BENEFIT AND COLLEYER STREETS

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and reports back in writing to the above named committee, as soon as practical.

*Wiley J. Archer, Chief WSB *WJA*
B. James Suzman, Traffic Engineer *oh*
Charles A. Pisaturo, Commissioner of Public Safety
Kathleen D. Field, Associate Plann, PUD *oh*
Nancy Derrig, Superintendent of Parks *DL*

Michael R. Clement,
First Deputy City Clerk



Department of Public Works

"Building Pride In Providence"

May 20, 1987

Hon. James Petrosinelli
Chairman of the Public Works Committee
Providence City Council
City Clerk's Office
City Hall - Prov., R.I. 02903

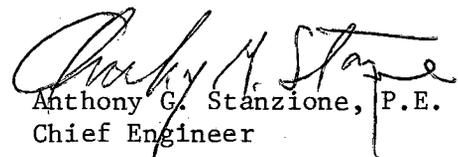
Dear Councilman Petrosinelli:

Re: Proposed Abandonment of Benefit Street (so-called, from
India Street, southerly to the Harbor Line)

Please find enclosed, a copy of Plan No.064386, Date April 29, 1987,
showing proposed abandonment of portion of Benefit Street (so-called) and Traverse
Street (so-called).

Records at the Department of Public Works show that Benefit Street
and Traverse Street terminate at India Street. The Department of Public Works has
no objections to the proposed abandonments of said portions of the above-mentioned
streets, and would relinquish any rights that may have been held in so-called streets.

Very truly yours,


Anthony G. Stanzione, P.E.
Chief Engineer

AGS:j

Encs.

CC: M. Clements - Dep. City Clerk

Note.

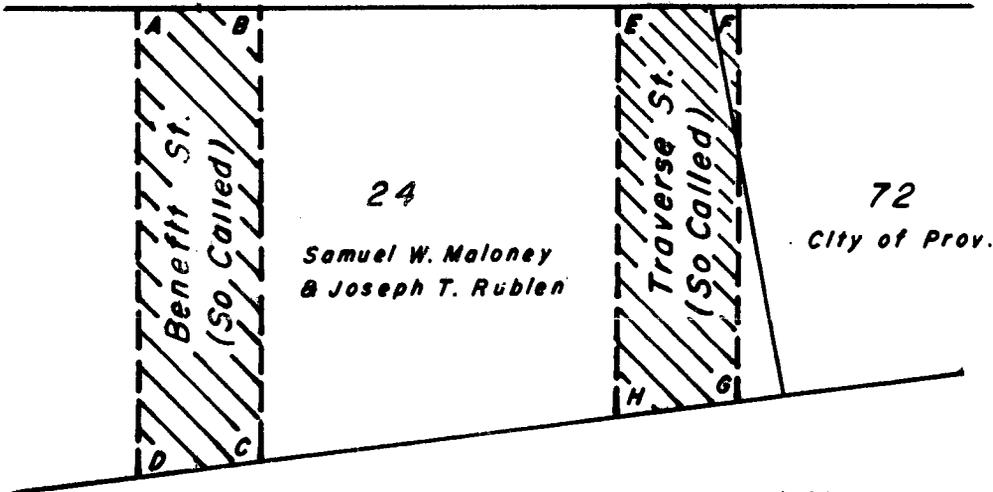
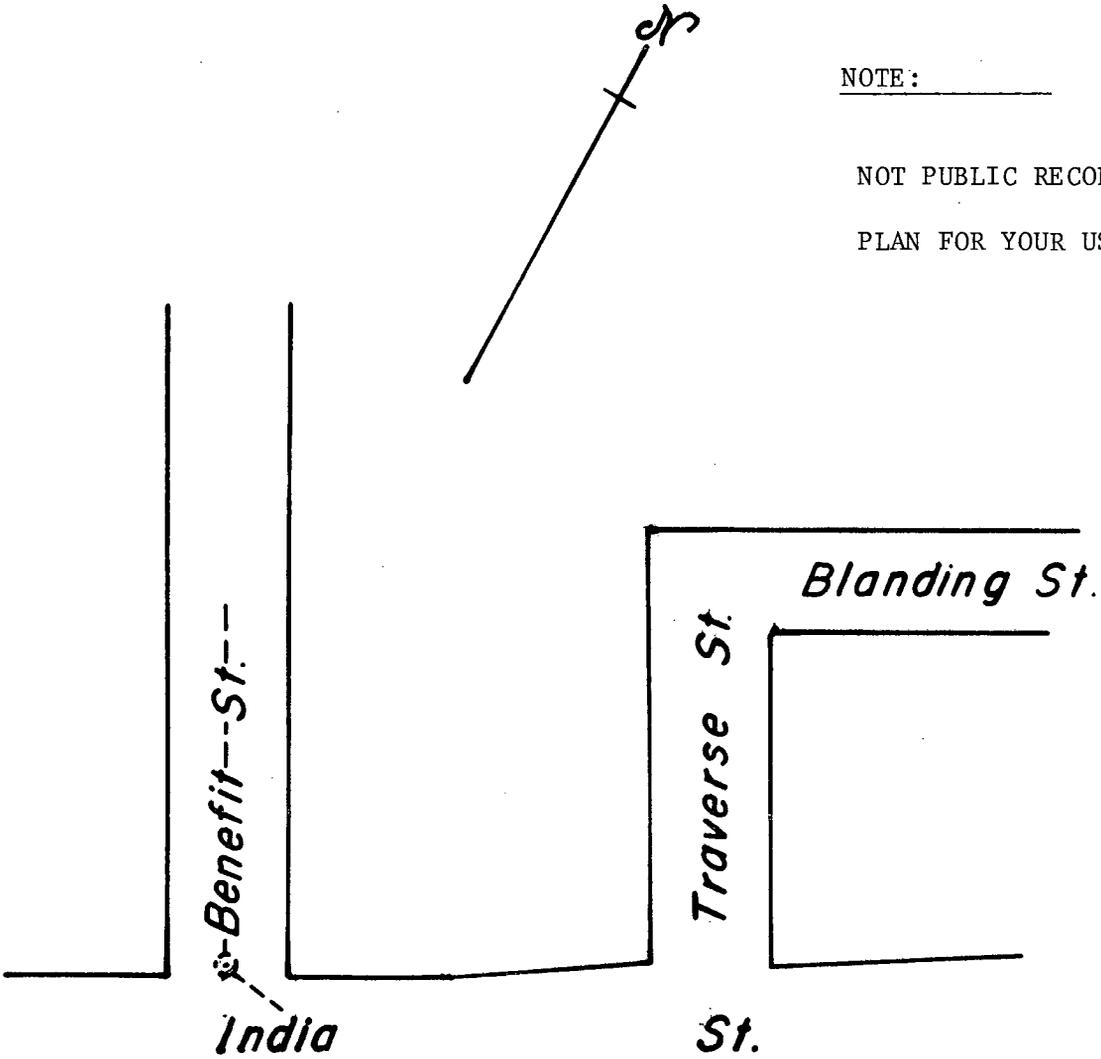
Cross-Hatched Areas (A-B-C-D-A) & (E-F-G-H-E) Indicates Proposed Abandonments.

PROVIDENCE R. I.
P. W. DEPT. ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064386
Date April 29, 1987

NOTE: _____

NOT PUBLIC RECORD.

PLAN FOR YOUR USE ONLY.



← Providence River →

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing Proposed Abandonments
Drawn by J. A. M. Checked by J. T. M.
Scale Not to Scale Date 4-29-87
Corrected by J. J. Angley Associate Engr.
Approved P. S. Stinson CHIEF ENGINEER

Lot Numbers From Assessor's Plat 18

GEORGE A. CALCAGNI
CHAIRMAN
ARMANDO PARILLO
VICE CHAIRMAN
JAMES A. LOMBARDI
Secretary
JOHN E. MARTINELLI
Legal Advisor
JEROME I. BARON
Ex-Officio



JOSEPH R. PAOLINO, JR.
MAYOR
WILEY J. ARCHER, P.E.
CHIEF ENGR./GENERAL MANAGER
EVELYN V. FARGNOLI
City Councilwoman
ANDREW J. ANNALDO
City Councilman
MARY A. NOCERA
Member
LOUIS ORABONA
MEMBER

Water Supply Board
"Building Pride In Providence"

April 27, 1987

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

Dear Councilman Petrosinelli:

This department has received copies of petitions to abandon portions of Traverse and Benefit Streets (to the extent such streets exist) lying southerly of India Street in the City of Providence.

Our review of available records indicates no evidence that Traverse and Benefit Streets extend south of India Street. We have no water facilities in the abandonment area with the exception of water services to the property associated with the proposed abandonment. These services should not affect any abandonment procedure but should be made a matter of information to the petitioner.

Very truly yours,

Wiley J. Archer, P.E.
Chief Engineer/General Manager

mtd

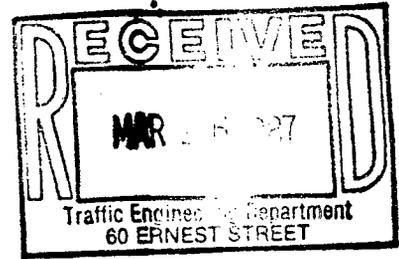
cc: Edward Bondarevskis
Steven Santaniello

City of Providence



Rhode Island

Department of City Clerk



MEMORANDUM

DATE: March 23, 1987

TO: B. James Suzman, Traffic Engineer

SUBJECT: ABANDONMENTS - TRAVERSE, BENEFIT AND COLLEYER STREETS

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and reports back in writing to the above named committee, as soon as practical.

Disposition:

No Objections to any of the three proposed abandonments.

B. James Suzman
Traffic Engineer
March 26, 1987

Michael R. Clement
Michael R. Clement,
First Deputy City Clerk



Department of Public Parks
"Building Pride In Providence"

March 27, 1987

Mr. Michael Clement
First Deputy City Clerk
Office of the City Clerk
City Hall - Third Floor
Providence, Rhode Island 02903

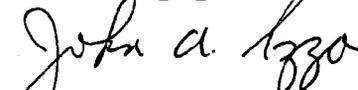
RE: ~~PROPOSED~~ ABANDONMENTS OF PORTIONS OF
BENEFIT AND TRAVERSE STREETS

Dear Mr. Clement:

The Department of Public Parks is requesting additional information in the form of site maps, indicating the exact portions of Benefit and Traverse Streets that are to be abandoned. This is necessitated by the fact that the Department of Public Parks' property which has federal restrictions attached to it, appears to be adjacent to the proposed abandoned portions of the streets.

By reviewing a site map of the area and determining that the proposed street abandonments will not conflict with the above-mentioned Parks Department property, the Department of Public Parks would then have no objection to the proposed abandonments.

Sincerely yours,


JOHN A. IZZO
Associate Engineer

JAI/rh

cc: Nancy L. Derrig, Superintendent of Parks
Robert F. McMahon, Deputy Superintendent of Parks



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 23, 1987

TO: Nancy Derrig, Superintendent of Parks

SUBJECT: ABANDONMENTS - TRAVERSE, BENEFIT AND COLLEYER STREETS

CONSIDERED BY: Committee on Public Works

DISPOSITION: Attached are copies of the subject petitions for your study and reports back in writing to the above named committee, as soon as practical.

Michael R. Clement
Michael R. Clement,
First Deputy City Clerk



Department of Public Parks
"Building Pride In Providence"

April 15, 1987

Mr. Michael Clement
First Deputy City Clerk
Office of the City Clerk
City Hall
Providence, Rhode Island 02903

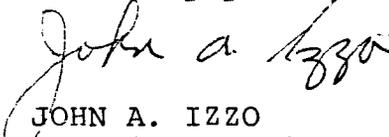
RE: PROPOSED ABANDONMENT OF PORTIONS OF
BENEFIT AND TRAVERSE STREETS

Dear Mr. Clement:

This will acknowledge receipt of correspondence from Mr. Timothy More, the attorney for the petitioners who wish to abandon portions of Benefit and Traverse Streets from India Street, southerly to the Harbor Line.

After reviewing the enclosed site map of the area, the Department of Public Parks has no objection to the proposed abandonments.

Sincerely yours,


JOHN A. IZZO
Associate Engineer

JAI/r

Enclosure

cc: Mrs. Nancy L. Derrig



The City Plan Commission

44 WASHINGTON STREET

PROVIDENCE, RHODE ISLAND 02903

May 5, 1987

Committee on Public Works
c/o City Clerk
City Hall
Providence, Rhode Island 02903

Attention: Rose M. Mendonca, City Clerk

Subject: Referral No. 2113 - Abandonment of Traverse Street and
Benefit Street south of India Street

Gentlemen:

The City Plan Commission at its April 29, 1987 rescheduled regular monthly meeting reviewed and evaluated the subject referral from your Committee.

A field inspection revealed that aforesaid portions of Benefit Street and Traverse Street do not exist in the physical sense, neither are they depicted on Assessor's Plat Map as paper streets.

The Commission voted to advise the Committee on Public Works that no objection is offered to this petition.

Sincerely yours,

Kathleen D. Field
Associate Director of Planning

KDF/jp

cc: Councilwoman Carolyn F. Brassil



New England Telephone

A **NYNEX** Company

85 High Street
Pawtucket, Rhode Island 02860

June 2, 1987

Committee on Public Works
Providence City Council
City Hall
Providence, RI 02903

RE: PETITION TO ABANDON A PORTION OF BENEFIT, INDIA, TOCKWOTTEN AND TRAVERSE
STREETS

Dear Sirs,

New England Telephone and Telegraph Company presently has aerial and underground facilities in said streets. These facilities serve the area east of South Main Street, Providence, RI.

These facilities include aerial cable, poles and underground laterals that provide service to residences and businesses in the area.

New England Telephone and Telegraph Company will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement acceptable to New England Telephone, which will permit retention of it's 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.

Luther E. Smith, Jr.
District Manager-Customer Services

cc: W. Gilmore
H. VanderMost

Rose M. Mendonca

City Clerk

—
Clerk of Council

—
Clerk of Committees



DEPARTMENT OF CITY CLERK
CITY HALL

Michael R. Clement

First Deputy

—
Grace Nobrega

Second Deputy

March 31, 1987

Timothy T. More, Esquire
2700 Hospital Trust Tower
Providence, Rhode Island 02903

Dear Mr. More:

I am writing to you relative to the petitions that you have submitted to the City Council, for the proposed abandonments of a portion of Benefit and Traverse Streets.

Attached is a copy of a report which I have received from Mr. John A. Izzo, Associate Engineer of the Department of Public Parks, which I am forwarding to you for your notification and information.

It is important that you forward to me the site maps in order that the Committee on Public Works can address this matter.

If you have any questions concerning the above please do not hesitate to contact me.

I can be reached at 421-7740 extention 250.

Very truly yours,

Michael R. Clement
First Deputy City Clerk

MRC:lc

Enc.

EDWARDS & ANGELL

Counsellors at Law

2700 Hospital Trust Tower
Providence, Rhode Island 02903
401 274-9200
Telex 952001 "E A PVD"
Telecopier 401 276-6611

April 3, 1987

John A. Izzo
Associate Engineer
Department of Public Parks
Dalrymple Boat House
Roger Williams Park
Providence, RI 02903

Re: Proposed Abandonment of Portions of Benefit
and Traverse Streets

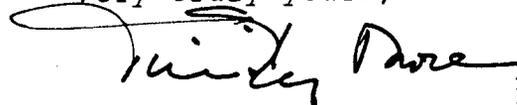
Dear Mr. Izzo:

Pursuant to our telephone conversation of April 2, I am enclosing a statement from Lausall Realty Corporation (who is the party requesting the street abandonments) to the effect that Lausall Realty Corporation is not and would not claim title to any portion of Traverse Street which lies easterly of the easterly property line of Lausall Realty Corporation as shown on the survey attached to the enclosed letter. The small portion of Traverse Street which lies easterly of said property line would remain part of the India Point Park.

As I mentioned to you, the petitions for street abandonment apply only to the "paper" portions of Benefit and Traverse Streets which lie between India Street and the Seekonk River. Lausall Realty Corporation is not requesting abandonment of any portions of Benefit and Traverse Streets which lie northerly of India Street.

Please call me if you have any questions.

Very truly yours,



Timothy T. More

430 Park Avenue
New York, New York 10022
212 308-4411
Telecopier 212 308-4844

Enclosure

cc Joseph M. Cerilli
Joseph T. Rubien
Michael Clement

250 Royal Palm Way
P.O. Box 2621
Palm Beach, Florida 33480
305 833-7700
Telecopier 305 655-8719
Telex 3728004 EDWANGELL PBH

265 Franklin Street
Boston, Massachusetts 02110
617 439-4444
Telecopier 617 439-4170

April 3, 1987

Nancy L. Derrig
Superintendent of Parks Association
Department of Public Parks
Dalrymple Boat House
Roger Williams Park
Providence, RI 02903

Re: Proposed Abandonment of Portions of Benefit
and Traverse Streets

Dear Mrs. Derrig:

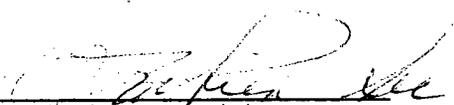
The undersigned has petitioned the City Council of Providence to abandon those portions of Benefit and Traverse Streets which lie between India Street and the Seekonk River. The portions of Benefit and Traverse Streets to be abandoned are now paper streets. As you can see from the attached survey of our property all of Benefit Street to be abandoned and most of Traverse Street to be abandoned lie within our property.

This letter is to confirm that Lausall Realty Corporation will not claim title to that portion of Traverse Street which lies easterly of the easterly boundary of our property as shown on the attached survey. The easterly boundary of our property is marked by a fence.

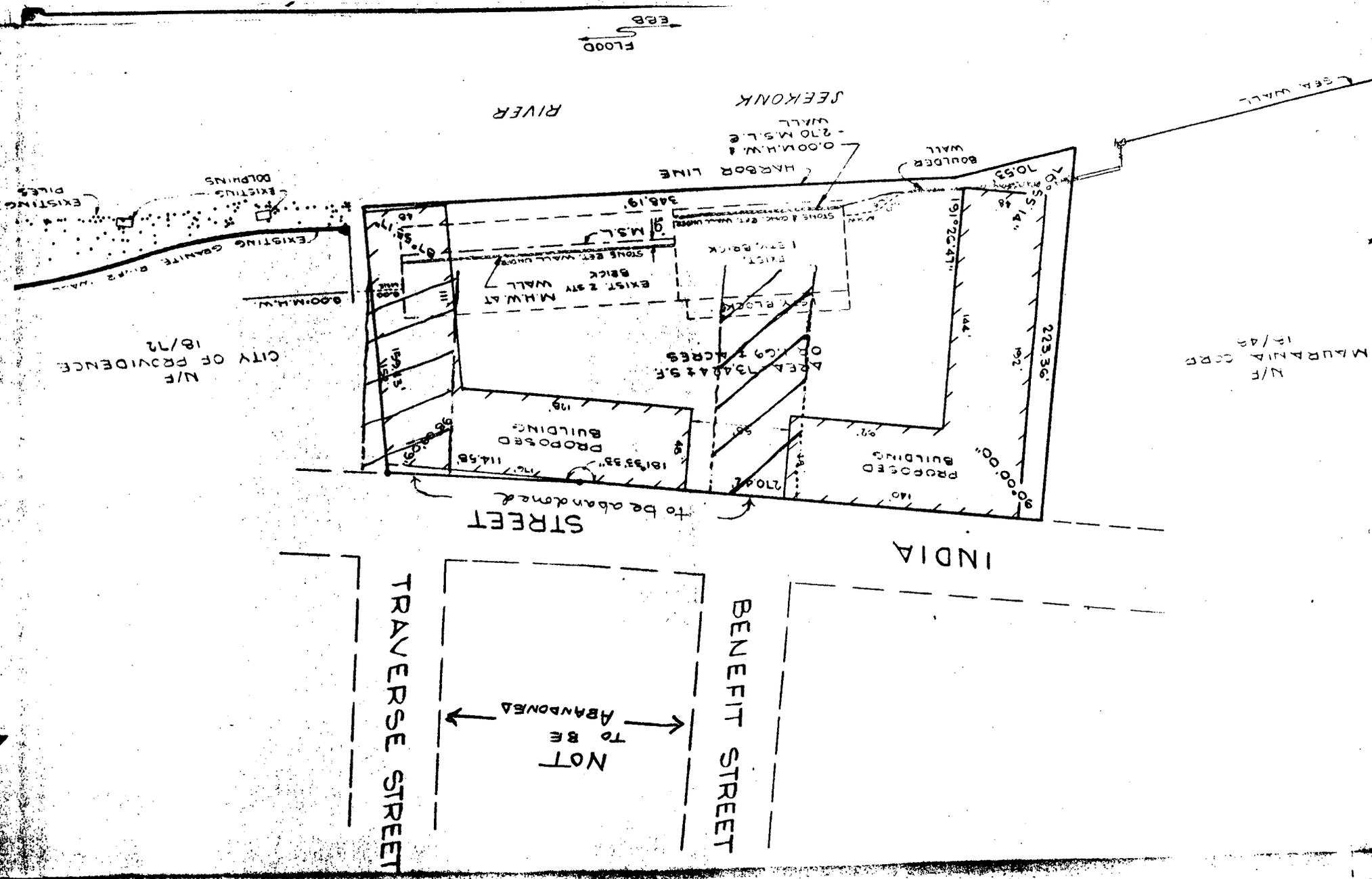
Please call if you have any questions.

Very truly yours,

LAUSALL REALTY CORPORATION

BY 

Joseph T. Rubien



STREET
to be abandoned

INDIA

TRAVERSE STREET

BENEFIT STREET

NOT
TO BE
ABANDONED

N/F
MAURPZIA
CORP
15/48

N/F
CITY OF PROVIDENCE
18/72

PROPOSED
BUILDING
140
181.33
114.58

PROPOSED
BUILDING
141
9000.00

EXIST. 2 STY
M.H.W. AT
BRICK
WALL

D.P. 13.44
1.5 F. ACRES

HARBOR LINE
BOULDER WALL
0.00 M.H.W. &
-2.70 M.S.L.

RIVER

SEEKONK

FLOOD
E.R.B.

SEA WALL

EXISTING
DOLPHINS
EXISTING
PILES

EXISTING GRANITE
PIERS

0.00 M.H.W.

150.13
150.13

348.19

191°20'47"

70°55'14"

105.3'

144.1'

192'

223.36'

9000.00'

140

141

142

114.58

181.33

150.13

150.13

348.19

0.00 M.H.W.

-2.70 M.S.L.

E.R.B.

FLOOD

SEA WALL

MAURPZIA CORP 15/48

CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

TRAVERSE STREET

BENEFIT STREET

INDIA

SEEKONK RIVER

HARBOR LINE

BOULDER WALL

0.00 M.H.W. &

-2.70 M.S.L.

E.R.B.

FLOOD

SEA WALL

MAURPZIA CORP 15/48

CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

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INDIA

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FLOOD

SEA WALL

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CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

TRAVERSE STREET

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FLOOD

SEA WALL

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CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

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INDIA

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FLOOD

SEA WALL

MAURPZIA CORP 15/48

CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

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INDIA

SEEKONK RIVER

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0.00 M.H.W. &

-2.70 M.S.L.

E.R.B.

FLOOD

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CITY OF PROVIDENCE 18/72

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CITY OF PROVIDENCE 18/72

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CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

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BOULDER WALL

0.00 M.H.W. &

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FLOOD

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MAURPZIA CORP 15/48

CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

TRAVERSE STREET

BENEFIT STREET

INDIA

SEEKONK RIVER

HARBOR LINE

BOULDER WALL

0.00 M.H.W. &

-2.70 M.S.L.

E.R.B.

FLOOD

SEA WALL

MAURPZIA CORP 15/48

CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

TRAVERSE STREET

BENEFIT STREET

INDIA

SEEKONK RIVER

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0.00 M.H.W. &

-2.70 M.S.L.

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FLOOD

SEA WALL

MAURPZIA CORP 15/48

CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

TRAVERSE STREET

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HARBOR LINE

BOULDER WALL

0.00 M.H.W. &

-2.70 M.S.L.

E.R.B.

FLOOD

SEA WALL

MAURPZIA CORP 15/48

CITY OF PROVIDENCE 18/72

NOT TO BE ABANDONED

TRAVERSE STREET</

Proposed Abandonment of Portion of
Benefit Street (so called southerly of
India Street)

Plot 18

Lot 24 Samuel W. Malony & Joseph J. Rubin
101 India Street
Providence, R.I. 02903

13

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: To Abandon a portion of Benefit Street (so-called southerly of India Street).

PLAT

LOT

18

24

Samuel W. Malony & Joseph T. Rubien
101 India Street
Providence, RI 02903

5/6/87
Date

Ralph P. Gygulminis
City Sergeant

Councilwoman Carolyn F. Brassil
Ward One

PROVIDENCE POLICE DEPARTMENT .

June 4, 1987

To: Colonel Anthony J. Mancuso Chief of Police

From: Sergeant Raymond Hastings

Subject: Abandonment- Traverse, Benefit, and Collyer Streets

Sir:

The portion of Traverse and Benefit Streets being asked to be abandoned serve no purpose to the City any more. The City would gain more by allowing the streets to be taken over by the petitioner.

The section of Collyer St. to be abandoned would also benefit the City by being put on the tax rolls, as the petitioner plans to develop the area.

Respectfully submitted,
Sgt. Raymond Hastings
RAYMOND HASTINGS
SERGEANT
TRAFFIC BUREAU

CHARLES A. PISATURO, ESQ.
COMMISSIONER
CHIEF MICHAEL F. MOISE
FIRE CHIEF



JOSEPH R. PAOLINO, JR.
MAYOR

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

April 14, 1987

To: Charles A. Pisaturo, Commissioner of Public Safety
From: Michael F. Moise, Chief of Department
Subject: Street Abandonment - portion of Benefit Street

Dear Sir:

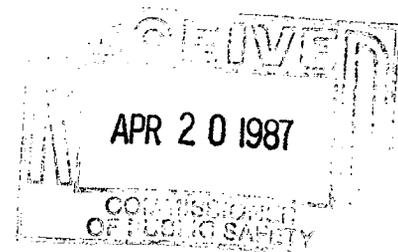
The request for the abandonment of a portion of Benefit Street as described in the petition to the City Council, will pose no operational problems to the Providence Fire Department.

Respectfully,

A handwritten signature in cursive script, appearing to read "Michael F. Moise".

Michael F. Moise
Chief of Department

MFM/ds



June 4, 1987

Rose Mendonca, City Clerk
City Hall
Providence, RI 02903

Re: Abandonment of Benefit and Traverse
Streets south of India Street

Dear Ms. Mendonca:

This is to confirm that the undersigned will pay, and agrees to grant the necessary easements, for the relocation of any telephone lines or equipment which belong to New England Telephone and Telegraph Company to the extent they are located under, across or over those portions of Benefit and Traverse Streets which lie south of India Street.

We would like to note for the record that we do not believe that any such lines or facilities exist and according to Chicago Title Insurance Company there are no telephone easements of record. India Point Associates has purchased the abutting real estate from Lausall Realty Corporation.

Very truly yours,

INDIA POINT ASSOCIATES

By

