

RESOLUTION OF THE CITY COUNCIL

No. 283

Approved May 23, 2019

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. 064857 dated February 19, 2019."

VIZ: Fones Alley (portion of) as described in Attachment "A" and shown as a cross-hatched area on the 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. Said abandonment is specifically conditioned precedent upon the following:

(1) The Petitioners agree to tender the amount of Ninety-one Thousand Three Hundred and Twenty Five dollars (\$91,325) in legal tender U.S. currency to the City of Providence.

(2) 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.

(3) The petitioner shall convey an easement acceptable to the Narragansett Electric Company 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) Petitioner shall have a Class I survey prepared by a Professional Land Surveyor, properly licensed by the Board of Registration for Professional Land Surveyors, inasmuch as road abandonments constitute a boundary change pursuant to Informational Bulletin 2003.01 issued by said Board.

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 16 2019

READ AND PASSED

Sabrina Mateo
PRES.

Shawn Keller
CLERK

I HEREBY APPROVE.

[Signature]
Mayor

Date:

5/23/19



Ursillo, Teitz & Ritch, Ltd.

Counsellors At Law

2 Williams Street
(at South Main Street)
Providence, Rhode Island 02903-2918

Michael A. Ursillo *
Andrew M. Teitz, AICP *[†]
Scott A. Ritch *[†]

Tel (401) 331-2222
Fax (401) 751-5257
zoning@utrlaw.com

Troy L. Costa [†]
Amy H. Goins *[†]
Christina M. Senno *[†] (Of Counsel)
Gina A. DiCenso *[†] (Of Counsel)
Admitted in RI*, MA*, NY*

January 31, 2019

Via Hand Delivery

Lori L. Hagen, City Clerk
Providence City Hall
25 Dorrance St.
Providence, RI 02903

Re: Petition to the City Council for Road Abandonment – Portion of Fones Alley

Dear Ms. Hagen:

On behalf of my client, Brown University, enclosed please find a Petition to the City Council to abandon a portion of Fones Alley. Also enclosed is a check in the amount of \$75 representing the filing fee.

Please advise of the hearing date. Thank you for your attention to this matter.

Sincerely,

URSILLO, TEITZ & RITCH, LTD.

Andrew M. Teitz, Esq., AICP

Enclosure

cc: Robert Azar, Deputy Director, Department of Planning & Development

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

(Updated – January 31, 2019)

I, Andrew M. Teitz, Attorney for Brown University in Providence in the State of Rhode Island and Providence Plantations (“Brown”), hereby petition the City Council to abandon a portion of the street known as Fones Alley, pursuant to R.I. Gen. Laws § 24-6-1. Brown submits that the area of such street that is sought to be abandoned has ceased to be useful to the public as a street, but will serve the public health, safety, and convenience as part of Brown’s existing pedestrian walkway and for future planning purposes.

The portion of Fones Alley to be abandoned has ceased to be useful to the public because:

1. It never was an arterial or collector street, but as its very name indicates, was and is an “alley” serving almost exclusively the properties abutting it; and
2. It is no longer part of a through street, as other portions of Fones Alley were previously abandoned back in 1960 ; and
3. It is now completely surrounded by property owned or controlled by Brown.

This abandonment will serve the public health, safety, and convenience because:

1. It will become part of the pedestrian walkway already constructed by Brown) and will facilitate future planning by Brown for this area of the campus so that impacts can be directed inward toward the campus and street impacts alleviated; and
2. Such walkway has enhanced the public health and safety by creating a better internal pedestrian traffic flow, and is more attractive to students and staff to walk rather than drive motor vehicles on the East Side; and
3. Such walkway enhances the public convenience by providing a safe and attractive pedestrian link along a north-south axis for this part of the campus.

The area of said request is more fully described as the indicated area on the “Map of Proposed Fones Alley Abandonment Area”, attached hereto as **Exhibit A**, the locus map, attached hereto as **Exhibit B**, the area between points A-B-C-D as shown on the attached Street Line Section plan, attached hereto as **Exhibit C**, the area described by metes and bounds on the “Proposed Parcel Description,” attached hereto as **Exhibit D**, and the survey, attached hereto as **Exhibit E**. Your Petitioner acknowledges that such abandonment is and will be subject to the existing underground easements for the bus and railroad tunnels, and may be subject to water and sewer easement as the case may be, together with any other utility easements that may be necessary.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Wherefore, Brown requests that because this portion of Fones Alley has ceased to be useful to the public, it be abandoned and title revert to Brown, pursuant to appropriate publication, notice, and public hearing as mandated by the Rhode Island General Laws. Thank you for your consideration of this request.

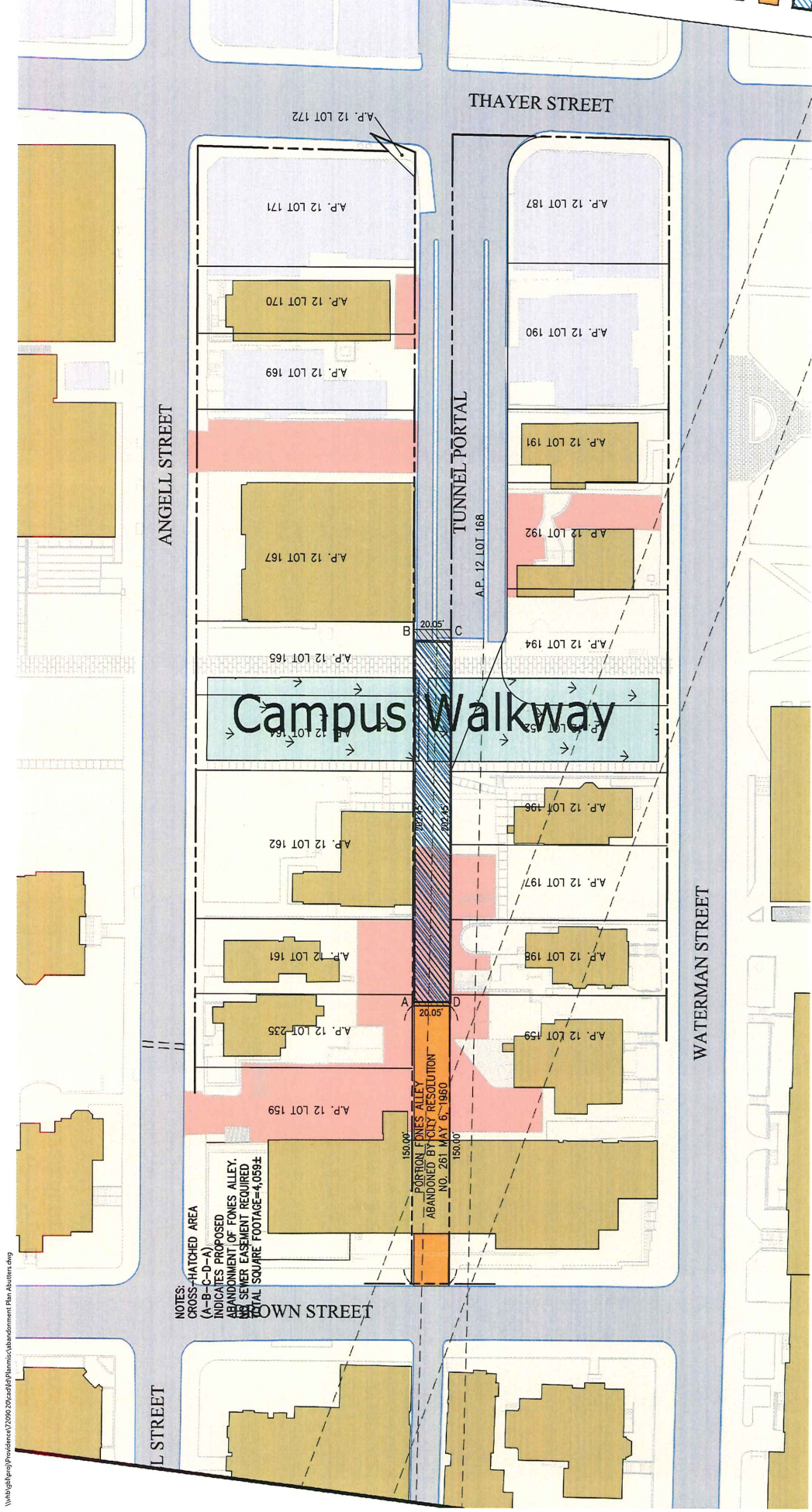
BROWN UNIVERSITY

By its Attorney,



Andrew M. Teitz, Esq., AICP
Ursillo, Teitz & Ritch, Ltd.
2 Williams St.
Providence, RI 02903
401-331-2222

\\SERVER\Share\ANDY\Brown University\Street Abandonment\Fones Alley 2007-2019\2018-19 Fones Alley Abandonment\Road Abandonment
Petition - Brown U Fones Alley d3 updated 01-31-2019.docx



\\vblghl\eng\Providence\72090-20\rad\p\Planning\Abandonment Plan\Butters.dwg

NOTES:
CROSS-HATCHED AREA
(A-B-C-D-A)
INDICATES PROPOSED
ABANDONMENT OF FONES ALLEY.
NO SEWER EASEMENT REQUIRED.
TOTAL SQUARE FOOTAGE=4,058±

PORTION FONES ALLEY
ABANDONED BY CITY RESOLUTION
NO. 261 MAY 6, 1960

Abutters Map Fones Alley Abandonment Providence, RI

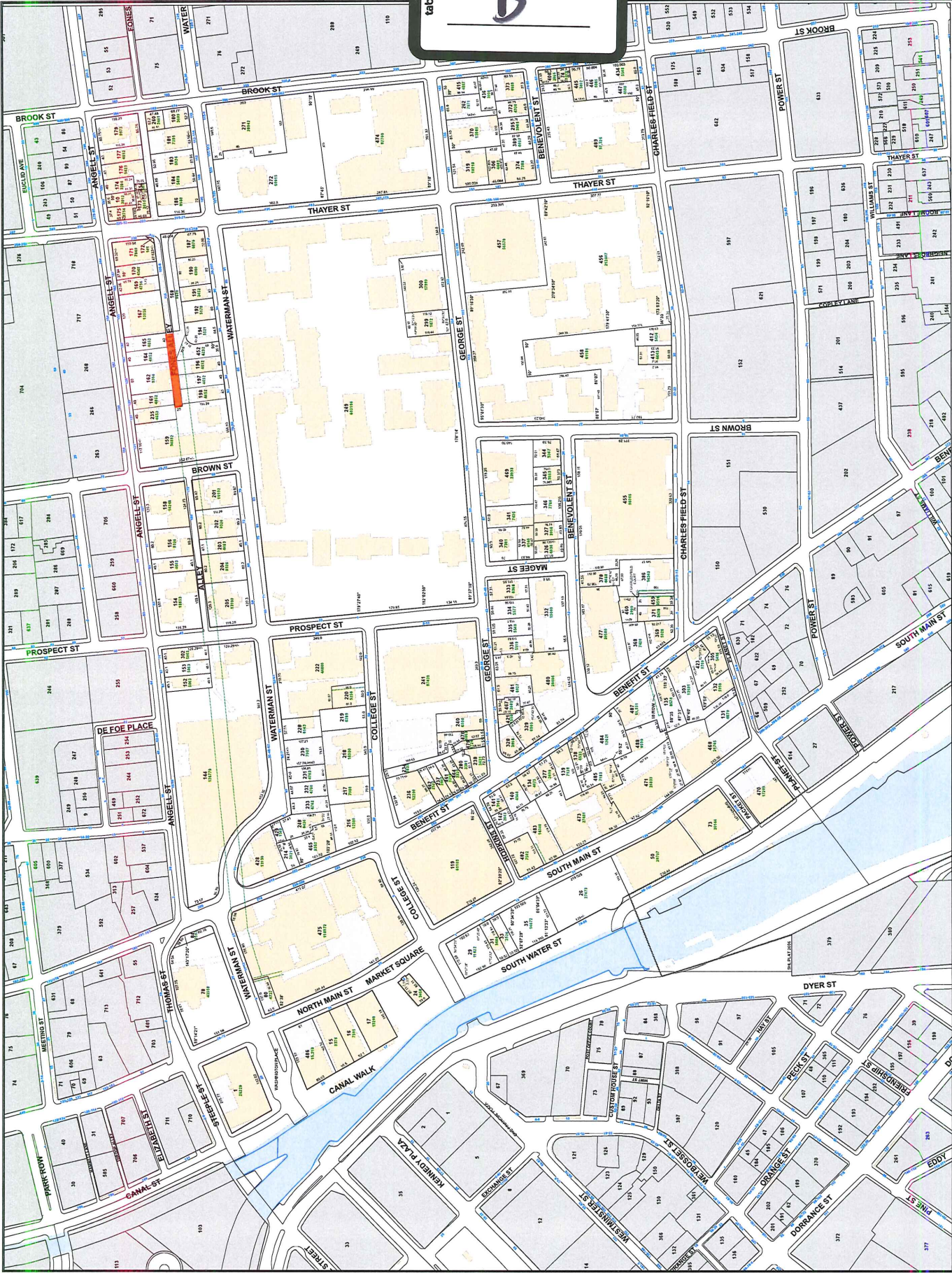
Source:
Prepared for: Brown University
Date: 3/25/19



EXHIBIT

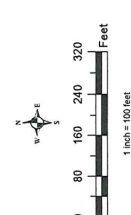
B

tabbies*



Plat No. 012

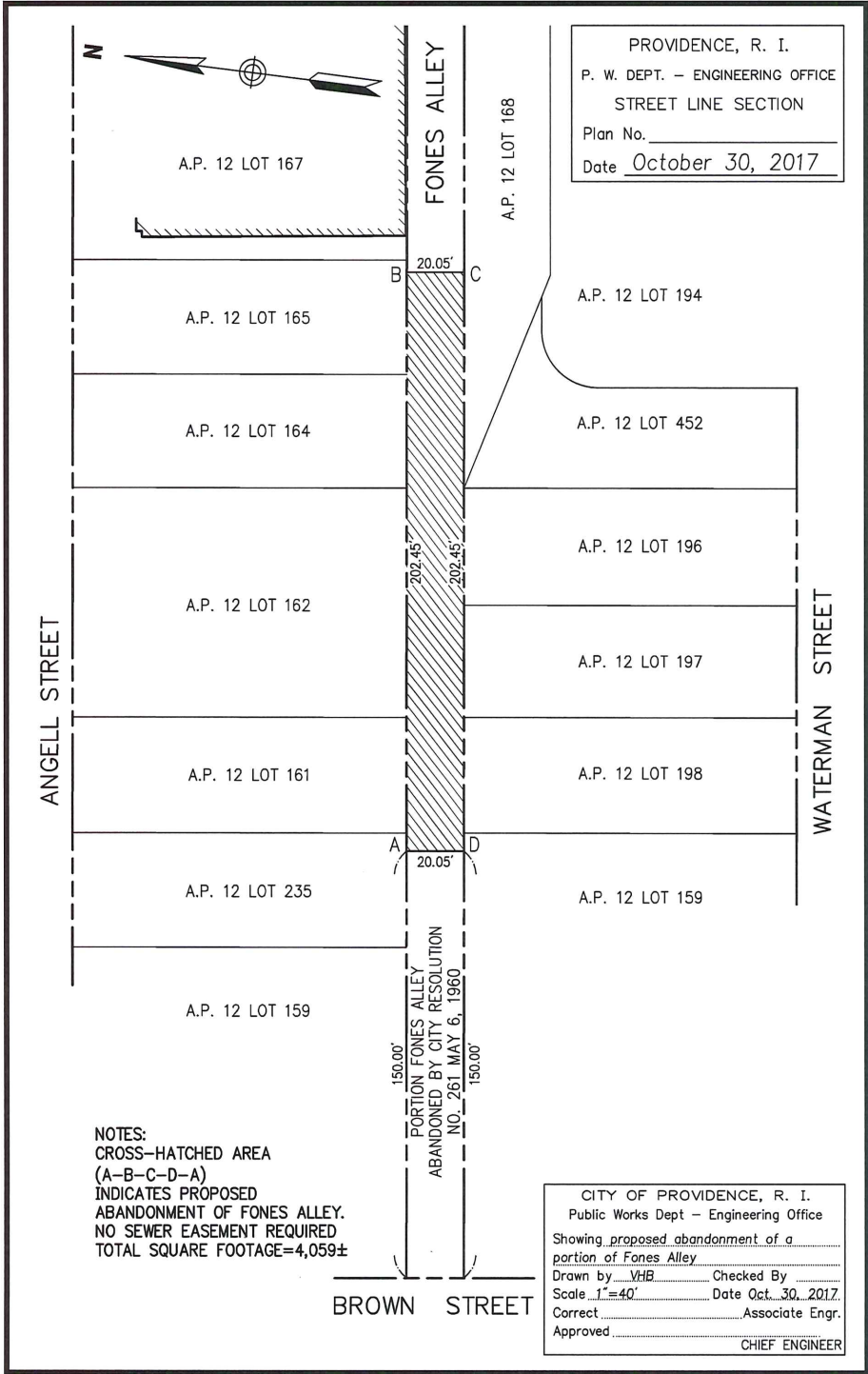
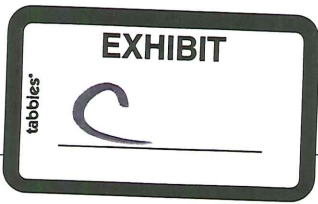
The City of Providence
RHODE ISLAND

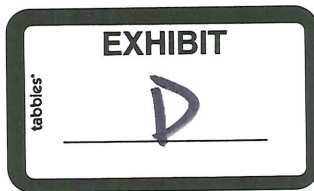


- Legend
- Parcel Lines
 - Exemptions
 - Edge of Pavement
 - Hook
 - Leaser
 - Notes
 - Building Footprint
 - Parking Lots
 - Water Bodies
 - City Boundary
 - Intersecting Parcel Line

This map was prepared for assessment purposes only. It is not for appraisal of land, or conveyance of land. The contractor assumes no legal responsibility for the information contained herein.

Showing points of sale as assessed Dec. 31, 2016





**Proposed Parcel Description for the Abandonment of a Portion of Fones Alley
Between Brown Street and Thayer Street
Providence, Rhode Island**

That parcel of land situated in the City of Providence, County of Providence and State of Rhode Island bounded and described as follows:

Beginning at a point in the northerly line of Fones Alley at the easterly terminus of that portion of the alley abandoned May 6, 1960 by City Council Resolution No. 261; said point being 150± feet easterly from the easterly line of Brown Street as measured in the northerly line of Fones Alley;

Thence N82°40'05"E along the northerly line of Fones Alley a distance of two hundred two and 45/100 feet (202.45') to a point;

Thence S07°24'38."E a distance of twenty and 05/100 feet (20.05') to a point in the southerly line of Fones Alley;

Thence S82°40'05"W along the southerly line of Fones Alley a distance of two hundred two and 45/100 feet (202.45') to a point in the easterly terminus of that portion of the alley abandoned May 6, 1960 by City Council Resolution No. 261;

Thence N07°24'38"W along the easterly terminus of that portion of the alley abandoned May 6, 1960 by City Council Resolution No. 261 a distance of twenty and 05/100 feet (20.05') to the point of beginning.

Parcel contains 0.0932 acres or 4,059 square feet more or less.



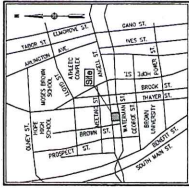
Engineers | Scientists | Planners | Designers

1 Cedar Street
Suite 400
Providence, Rhode Island 02903
P 401.272.8100
F 401.277.8400

vhb.com



1 Cedar Street
Suite 400
Providence, RI 02903
401.777.5100



Locus Map
(NOT TO SCALE)

tabbies-

EXHIBIT

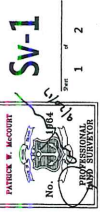
F

**Brown University
Performing Arts Center**
Angell Street and Waterman Street
Providence, Rhode Island

No.	Project	Date	Appr'd

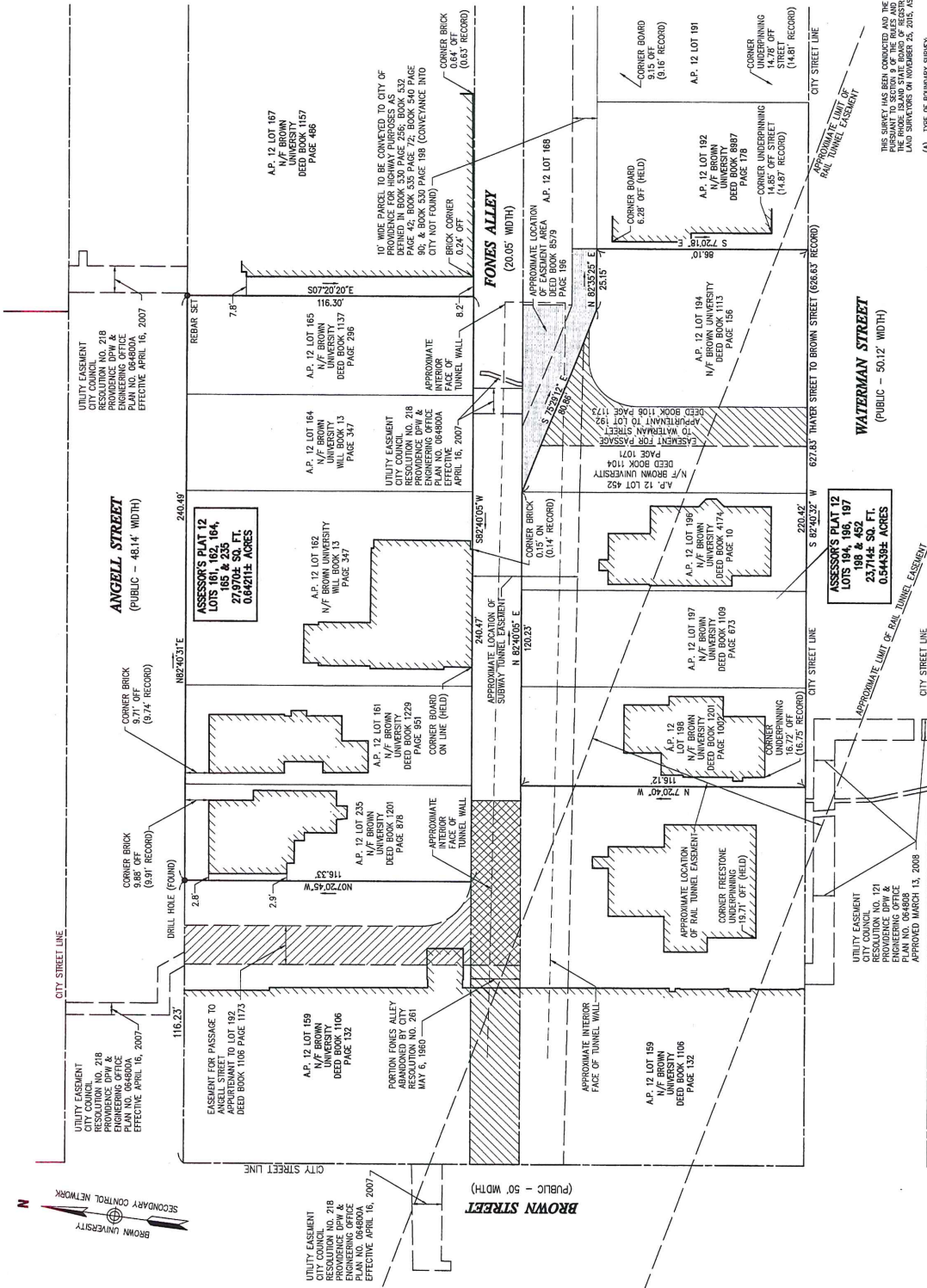
Design
Sept. 20, 2017

Property Line Plan
Assessor's Plat 12
Lots 159, 161-165, 194,
196-197, 235 & 452



Sheet 1 of 2

72090-20

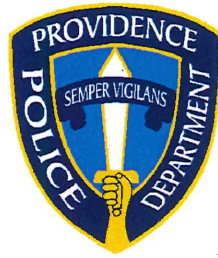


THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE R.I. LAND SURVEYORS ACT AND THE R.I. LAND SURVEYORS BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:

- MEASUREMENT SPECIFICATION:
- (A) TYPE OF BOUNDARY SURVEY: LIMITED CONTENT BOUNDARY SURVEY
 - (B) OTHER TYPE OF SURVEY: TOPOGRAPHIC SURVEY ACCURACY: 1/2"
 - (C) STATEMENT OF PURPOSE: PREPARATION OF THE PLAN IS AS FOLLOWS: DESIGN OF NEW PERFORMING ARTS CENTER.

BY: Patrick W. McCourt 9/27/17
PATRICK W. MCCOURT, P.L.S. #184
C.O.P. #184





PROVIDENCE POLICE DEPARTMENT
Traffic Bureau
325 Washington St., Providence, RI 02903
243-6279

02/26/19

To: Lori L. Hagen, City Clerk
From: Lt. John K. Ryan
Subject: Abandonment of a portion of Fones Alley

Ma'am.,

After reviewing the request for the abandonment of a portion of Fones Alley(as described in Exhibit D)
(see attached) , the Police Department has no objections to the proposed abandonment .

Respectfully Submitted

Lt. John K. Ryan 2/26/19



OFFICE OF THE COMMISSIONER OF PUBLIC SAFETY
Steven M. Paré, Commissioner of Public Safety | Jorge O. Elorza, Mayor

March 18, 2019

The Honorable Michael J. Correia
Councilman
Chairman, Committee on Public Works
Providence City Hall
25 Dorrance Street
Providence, RI 02903

RE: Petition for Road Abandonment-Portion of Fones Alley

Dear Councilman Correia:

I am in receipt of your memorandum regarding the petition that was filed by Attorney Andrew Teitz on behalf of his client, Brown University, who is requesting that a portion of Fones Alley be abandoned.

The petition states that the portion of Fones Alley to be abandoned is completely surrounded by property owned or controlled by Brown but this does not appear to be accurate. One end of the property (as shown on Exhibit C) abuts the roadway/sidewalk section of Fones Alley which extends from Thayer Street and it also abuts lot 168 which is owned by the Rhode Island Public Transit Authority.

The site has been visited and it has been determined that this request would not have any impact on the Providence Fire Department, therefore, I do not have any public safety concerns at this time.

If you have any questions, please feel free to contact my office.

Respectfully,

Steven M. Paré
Commissioner of Public Safety

cc: Shawn Selleck, City Clerk

PROVIDENCE THE CREATIVE CAPITAL
Public Safety Complex | 325 Washington Street | Providence, RI 02903
401-243-6021 phone | 401-243-6444 fax
www.providenceri.gov

Antonio J. Morabito III
Acting Director



Jorge O. Elorza
Mayor

DEPARTMENT OF PUBLIC WORKS

"Building Pride in Providence"

March 10, 2019

Honorable Michael J. Correia
Chairman of the Public Works Committee
Providence City Council-City Hall
Providence, R.I. 02903

RE: Proposed Abandonment of a Portion of Fones Alley

Dear Councilman Correia:

This department has no objection to the proposed abandonment of a portion of Fones Alley in conjunction with the attached plan, entitled "Prov., P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064857. Area of abandonment is designated as cross-hatched area (A-B-C-D-A) on the accompanying plan.

Total square footage equals 4,059 +/-
See accompanying plan for plat and lot numbers.
No sewer easement required.

According to Informational Bulletin 2003.1 issued by Rhode Island Board of Registration for Professional Land Surveyors, road abandonments constitutes a boundary change, and as such, requires a Class 1 survey prepared by a professional Land Surveyor, property licensed by said board.

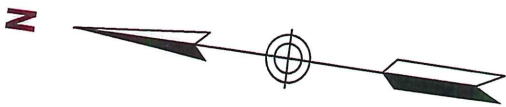
If we can further assist you in this regard, please advise.
Very truly yours,

Antonio J. Morabito III

Acting Director-D.P.W.

cc: Shawn Selleck-City Clerk
AJM, AZ-DPW
A. Southgate, Esq.-Law Dept.
L. Garzone-Tax Assessors
B. Nickerson-Planning & Development

700 Allens Avenue Providence, Rhode Island 02905
Phone 401-467-7950/Fax 401-941-2567
www.providenceri.com/dpw



PROVIDENCE, R. I.
P. W. DEPT. — ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064857
Date February 19, 2019

ANGELL STREET

FONES ALLEY

A.P. 12 LOT 168

WATERMAN STREET

BROWN STREET

A.P. 12 LOT 167

A.P. 12 LOT 165

A.P. 12 LOT 164

A.P. 12 LOT 162

A.P. 12 LOT 161

A.P. 12 LOT 235

A.P. 12 LOT 159

A.P. 12 LOT 194

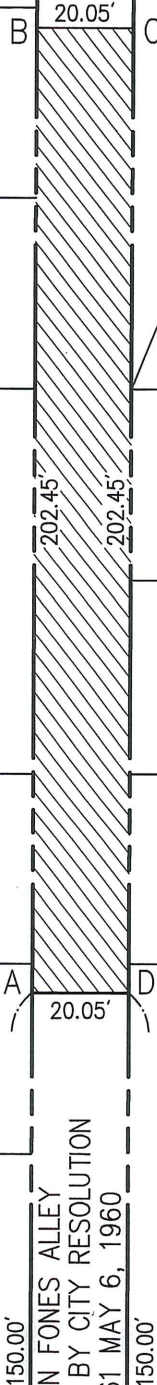
A.P. 12 LOT 452

A.P. 12 LOT 196

A.P. 12 LOT 197

A.P. 12 LOT 198

A.P. 12 LOT 159



NOTES:
CROSS-HATCHED AREA
(A-B-C-D-A)
INDICATES PROPOSED
ABANDONMENT OF FONES ALLEY.
NO SEWER EASEMENT REQUIRED
TOTAL SQUARE FOOTAGE=4,059±

PORTION FONES ALLEY
ABANDONED BY CITY RESOLUTION
NO. 261 MAY 6, 1960

CITY OF PROVIDENCE, R. I.
Public Works Dept — Engineering Office
Showing proposed abandonment of a
portion of Fones Alley
Drawn by VHB Checked By
Scale 1"=40' Date Oct. 30, 2017
Correct Associate Engr.
Approved William C. Barnhart
CHIEF ENGINEER



February 15, 2019

The Hon. Jorge O. Elorza
Mayor

Ricky Caruolo
General Manager

Ms. Lori Hagen
City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Subject: Petition for Abandonment
Portion of Fones Alley St., Providence

BOARD OF DIRECTORS

Xaykham Khamsyvoravong
Chairperson

Joseph D. Cataldi
Vice Chairperson

Luis A. Aponte
Councilperson

Jo-Ann Ryan
Councilperson

Lawrence J. Mancini
Ex-Officio

Cristen L. Raucci, Esq.
Member

Kerri Lynn Thurber
Member

Carissa R. Richard
Secretary

William E. O'Gara, Esq.
Legal Advisor

Dear Ms. Hagen:

The above referenced portion of Fones Alley Street has been reviewed for any impact this action might have on the Providence Water (PW) distribution system. Our records do not indicate any water system related infrastructure within the subject street. Accordingly, Providence Water does not oppose this abandonment.

If you have any further questions, please feel free to contact me at (401) 521-6300, extension 7282.

Respectfully,

PROVIDENCE WATER

Kathleen Topp
Water Quality Supervisor

cc: P. LePage
A. Pion
K. Meseck
File

MEMBER

Rhode Island Water Works Assn.
New England Water Works Assn.
American Water Works Assn.
Water Research Foundation

An EPA WaterSense Partner

(401) 521-6300

125 Dupont Drive
Providence, RI 02907

www.provwater.com

 Follow us @provwater

 Like us at:
facebook.com/Providencewater

WENDY NILSSON
Superintendent of Public Parks



JORGE O. ELORZA
Mayor

CITY OF PROVIDENCE

MEMORANDUM

TO: LORI HAGEN
CITY CLERK

FROM: WENDY NILSSON
PARKS SUPERINTENDENT

DATE: FEBRUARY 14, 2019


RE: Resolution to the City Council
Request to abandon a portion of Fones Alley

Dear City Clerk,

The Providence Parks Department is in receipt of the Resolution to the City Clerk dated February 11, 2019, with regards to the request of Councilman Michael J. Correia, Chairman of the Committee on Public Works to abandon a portion of Fones Alley.

Please be advised that this department has no objections to this proposal.

Sincerely,



Wendy Nilsson
Superintendent of Parks
City of Providence

Thaddeus J. Jankowski Jr.
City Assessor



Jorge O. Elorza
Mayor

Janesse Muscatelli
Deputy City Assessor

PROVIDENCE A CITY THAT WORKS

**Finance Department
Office of Tax Assessment**

Department of the City Clerk
Lori L Hagan, city clerk
25 Dorrance St.
Providence, RI 02903

RE: Proposed Abandonment of a portion of Fones Alley

February 14, 2019

Dear Ms. Hagen

The subject property is a portion of Fones Alley between assessor's Plat 12 lots 159, 161, 162, 164, 165, 167, 194, 196, 197, 198, 235 and 452. In order to value these easements, we first looked at the values that are in the immediate area for purposes of valuation. In the case of the subject is a requested abandonment of 4,059 square feet \pm of poorly accessible Alley. This segment of Fones Alley is limited in its accessibility. The land formally occupied by the alley to the west has been abandoned the only true access to the segment is parallel with the entry to the bus tunnel. This access is best achieved on foot. In addition to its poor access it is located on and above the subterranean bus tunnel.

The land value for property in this location would be \$45 per square foot, or a total value of \$182,655. In addition to the overall price per square foot we have also looked at the value that the 10 foot by the width of each of the lots would contribute to the overall value of each pre-existing lot. Since the property is encumbered by subterranean rights of others and poor access a 50% discount is applied to the \$45 per square foot. The value of the abandonment is Ninety One Thousand Three Hundred Twenty Five Dollars (\$91,325).

I hope this information is useful for your purposes if you require any additional data please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thaddeus J. Jankowski Jr.", written over a faint, larger version of the same signature.

Thaddeus J. Jankowski Jr.
City Assessor

City of Providence Assessor's Office • City Hall, Room 208
25 Dorrance St • Providence RI 02903 • (401) 680-5229
providenceri.com/assessor



City Plan Commission
Jorge O. Elorza, Mayor

March 20, 2019

Councilman Michael Correia
Chair, Committee on Public Works
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

Re: Referral 3446 – Abandonment of a portion of Fones Alley

Petitioner: Brown University

Dear Councilman Correia:

At a regular meeting of the City Plan Commission (CPC) held on March 19, 2019, the CPC considered the request of the petitioner, Brown University, to abandon a portion of Fones Alley. It runs east to west from its intersection with the bus tunnel, to a building owned by Brown at 121 Angell Street. This portion of the alley traverses a portion of a landscaped walk owned by the applicant. The portion proposed for abandonment is adjacent to AP 12 Lots 161, 162, 164, 165, 196, 197, 198, 452 and 168. All lots except for lot 168 are owned by the petitioner, Brown University.

FINDINGS OF FACT

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 portion of Fones Alley is narrow and cannot be accessed by vehicles. As it abuts land owned by the petitioner, the CPC found that it does not serve the public interest but that of the land abutting it. It is not essential to provide access to other parts of the City as adjacent streets like Waterman and Angell which also run east to west, provide the same access. Pedestrian use will continue as it will be integrated into a walkway owned and maintained by

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

Brown. As the street will continue to be used by pedestrians and provide internal foot traffic within the University, the CPC found that the abandonment would enhance the public interest by encouraging pedestrian circulation while allowing for maintenance of the street by the petitioner.

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

The CPC found that no negative impacts are anticipated as the abandonment is not expected to affect future plans or existing land use. In fact, the abandonment would allow the petitioner to maintain a pedestrian connection within the University. This would enhance the health and welfare of the surrounding community.

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

The CPC found that all lots abutting the abandonment area are owned by Brown except for a portion of AP 12 168, which is owned by the Rhode Island Public Transit Authority (RIPTA). The CPC is unaware of any objections from the adjoining property owner.

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

The CPC found that no access will be denied as the abandoned street area will continue to be accessible to pedestrians.

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 if any utilities need to be provided or maintained within the public right of way. The CPC required that the applicant grant any easements required by the Department of Public Works.

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 were provided. The CPC found the proposal would be consistent with the Comprehensive Plan and purposes of Zoning.

RECOMMENDATION

Upon a motion by Commissioner Verdi, seconded by Commissioner Elliott, the CPC unanimously voted to advise the Committee on Public Works that the petition for abandonment be approved as follows:

N. Verdi AYE; J. Elliott AYE; M. Gazdacko AYE; H. Bilodeau AYE; J. Opton-Himmel AYE

In accordance with the CPCs action, the CPC recommends that this portion of Fones Alley be abandoned subject to the following conditions:

- i. The petitioner shall grant any necessary easements for utility access and maintenance.
- ii. The petitioner and any other owners shall apply for an administrative subdivision to merge the street with their property.

Sincerely,



Choyon Manjrekar
Administrative Officer

cc: William Bombard, Department of Public Works



City Plan Commission
Jorge O. Elorza, Mayor

March 20, 2019

Soltani Family Limited Partnership
c/o John Garrahy law
2088 Broad Street
Cranston, Rhode Island 02905

Re: Referral 3447-Amendment of use standards for dwellings in the R-1 and R-1A zones

Petitioner: Soltani Family Limited Partnership

Dear Mr. Garrahy

This letter confirms that at its March 19, 2019 meeting, the City Plan Commission voted to continue consideration of the above-referenced petition for further study to determine if the proposed change would conform to the purposes of zoning, the comprehensive plan and, its effects on pending legislation involving student housing. The Department of Planning and Development is also studying ways to reuse large residential buildings and it is unknown how the proposed change would influence the DPD's study. Therefore, the item was continued for further study.

Sincerely,

Choyon Manjrekar
Administrative Officer

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com



April 23, 2019

Shawn Selleck, City Clerk
Department of the City Clerk
City of Providence
25 Dorrance Street
Providence, RI 02903

VIA EMAIL: c/o S. Petronio (spetronio@providenceri.gov)

Re: Petition to Abandon a portion of Fones Alley

Dear Mr. Selleck:

Please be advised that The Narragansett Electric Company, d/b/a National Grid, is withdrawing its objection to the proposed abandonment of a portion of Fones Alley as stated in a letter dated March 27, 2019.

As of the date of this letter, National Grid has no objection to the proposed abandonment of a portion of Fones Alley. The petitioner has agreed via letter dated April 9, 2019, a copy of which has been attached, to grant an easement to The Narragansett Electric Company for the electrical equipment located in the area of the proposed abandonment.

Please call me if you have any questions.

Very truly yours,

Joyce-Ann Xifaras
Real Estate Representative, Capital RI
Right of Way and Survey Engineering
nationalgrid | [Business Services](#)

1-401-784-7513

Joyce-Ann.Xifaras@nationalgrid.com

280 Melrose Street, Providence, RI 02907
nationalgrid.com | [Twitter](#) | [LinkedIn](#) | [Facebook](#)

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Enclosures: letter

Cc (via email): A. Teitz (Ursillo, Teitz & Ritch, Ltd.); L.Spangler (National Grid)



BROWN

DEPARTMENT OF FACILITIES MANAGEMENT
Brown University
Box 1941
Providence, Rhode Island 02912

April 9, 2019

The Narragansett Electric Company
Real Estate Department
280 Melrose Street
Providence, RI 02907

Re: Petition to Abandon a portion of Fones Alley in the City of Providence

Dear Sir or Madam:

The purpose of this letter is to confirm an agreement relative to the Petition of Brown University (Petitioner) to the City Council of the City of Providence dated January 31, 2019 for the abandonment of that portion of Fones Alley in the City of Providence, Rhode Island, as shown on Exhibit A referenced therein.

In consideration of The Narragansett Electric Company's withdrawing its objection to the granting of said Petition, Petitioner agrees, that in the event that said Petition is granted, an easement acceptable to The Narragansett Electric Company will be granted by Petitioner, which will permit all existing facilities to remain in existing locations within portions of said Fones Alley and will provide that such facilities may be relocated to a mutually convenient location upon Petitioner's reasonable request and at Petitioner's expense.

Very truly yours,

Brown University

By: Michael Guglielmo, Jr.
Its: Vice President, Facilities Management



385 Myles Standish Blvd
Taunton, MA 02780

April 19, 2017

City of Providence
Office of the City Clerk
25 Dorrance Street
Providence, Rhode Island 02903

ATTN: Shawn Selleck, City Clerk

RE: PETITION TO ABANDON A PORTION OF FONES ALLEY

Dear Mr. Selleck,

Upon investigation by our in house Verizon Manager – Don Roaf, it has been determined that Verizon presently has facilities within this section of Fones Alley to be abandoned.

These facilities include a pole, FiOS aerial cables and wires, and other sensitive equipment that provides 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.

Sincerely,

Verizon New England Inc.
Attn: Daryl Crossman - ROW
385 Myles Standish Blvd
Taunton, MA 02780

(774) 409-3191 - Office
(774) 409-3930 – Fax
daryl.crossman@verizon.com - Email

The Narragansett Bay Commission
One Service Road
Providence, RI 02905
401 • 461•8848
401 • 461•6540 Fax
TTY (RI RELAY OPERATOR) 711

<http://www.narrabay.com>



Rep. Vincent J. Mesolella
Chairman

Laurie A. Horridge
Executive Director

March 1, 2019

Lori L. Hagen, City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

**Re: Brown University-Proposed Performing Arts Center
Street Abandonment
Fones Alley (portion of), Providence
Utility Notification/Verification**

Dear Ms. Hagen:

We have reviewed the above-referenced plans sent with your letter dated 11 February 2019. As indicated in the attached GIS map, we do not have any facilities in this area. If you have any questions regarding this matter, please feel free to contact me anytime at (401) 461-8848 extension 362.

Sincerely,

David C. Bowen, P.E.
Engineering Manager
Narragansett Bay Commission

Cc: Andrew M. Teitz, Esq., AICP, Ursillo, Teitz & Ritch, Ltd.

