

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 398

Approved June 30, 1982

RESOLVED, DECREED AND ORDERED

That the following named street shown as cross-hatched area on the accompanying plan entitled, "Providence, Rhode Island, Department of Public Works - Engineering Office, Street Line Section Plan No. 064202, dated June 3, 1982",

VIZ:

South Water Street, portion of, shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-E-F-G-H-J-A), having ceased to be useful to the public and is proposed to be abandoned as a Public Highway, subject to the abandonment of section of South Water Street, where the water fountain will be located, shall require the relocation of a 12" C.I. Main. The relocation cost of 112 feet more or less of new 12" D.I. pipe and 12" new insertion Gate Valve shall be borne by the petitioner. An engineering fee shall be paid to the Water Supply Board which will be \$3.00/L.F. or the sum of \$336.00; Narragansett Electric Company be permitted the retention of their underground facilities in existing locations in said South Water Street, together with the right to inspect, maintain, operate and replace the same; New England Telephone be permitted the retention of their facilities in existing locations, together with the right to inspect, maintain, operate and replace the same and with 24 hour access to said facilities, if petitioner decides that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation, and provided that any City Utilities within the area to be abandoned be relocated at no expense to the City of Providence; and the damage to the abutters is appraised at nothing and so awarded, and it is further

ORDERED, That the Director of Public Works 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 24 1982

READ AND PASSED

Robert H. Lynch
PRES.

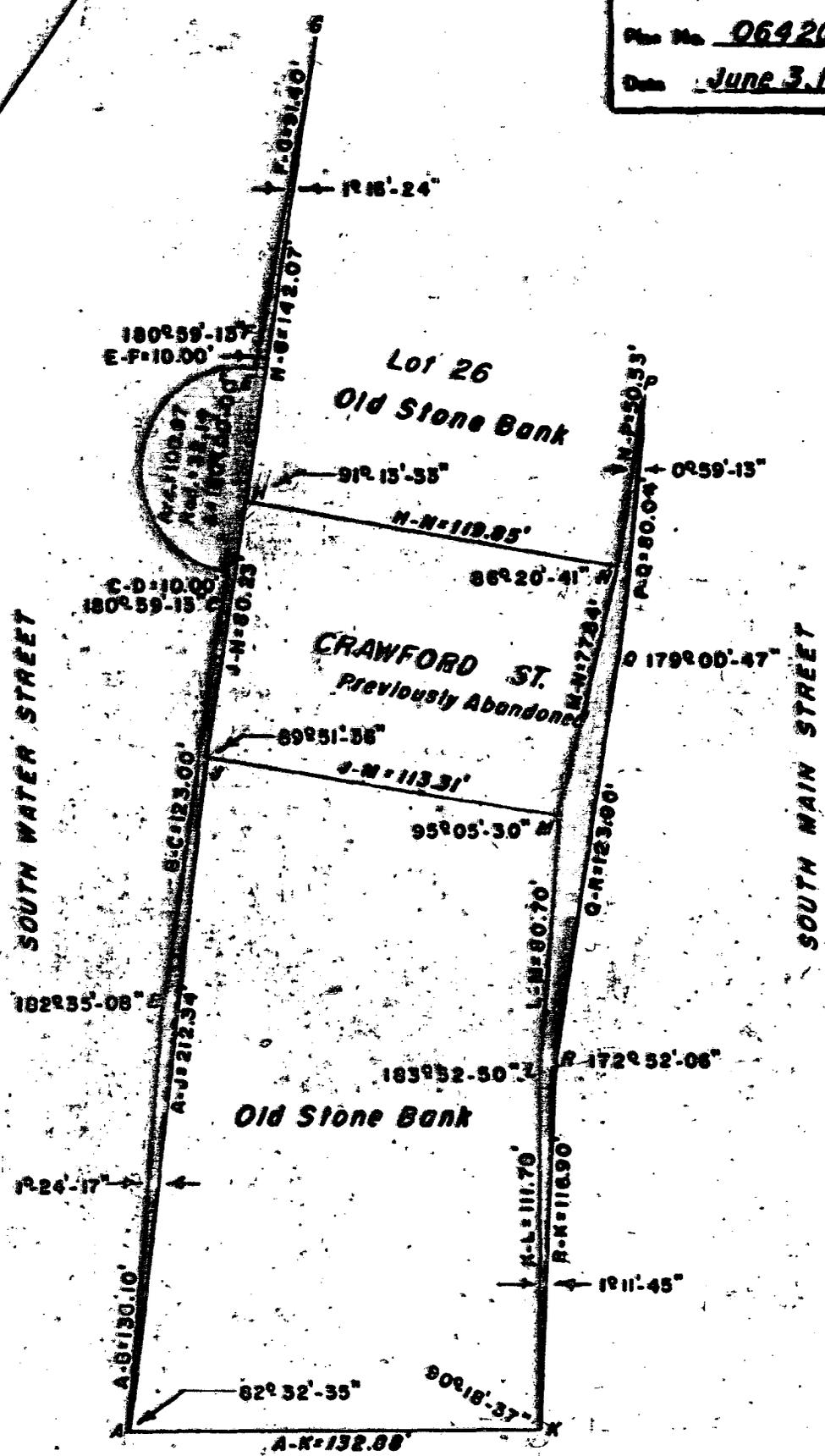
Rose M. Mendonca
CLERK

APPROVED

JUN 30 1982

Vincenta Ciurup
MAYOR

PROVIDENCE R 1
 P. W. DEPT. ENGINEERING OFFICE
 CITY PROPERTY SECTION
 Plot No. 064202
 Date June 3, 1982



Note:
 Shaded Area (A-B-C-D-E-F-G-H-J-A) Proposed Abandonment (Portion) South Water Street
 Shaded Area (K-L-M-N-P-Q-R-K) Proposed Abandonment (Portion) South Main Street
 Utilities Easements Will Be Required in All Shaded Areas

CITY OF PROVIDENCE, R 1
 Public Works Dept. Engineering Office
 Showing Proposed Abandonment (Portion) So. Water St. & So. Main St.
 Drawn by L.O.A. Checked by R.J.D.
 Scale 1"=50' Date 6-3-82
 Engineer [Signature] Associate Eng. [Signature]

Lot Numbers From Assessor's Plat 12



CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

WSB
elec
Tel
P.W.H.

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

1. Petitioner, Old Stone Bank, a Rhode Island banking corporation, with offices at 150 South Main Street, Providence, Rhode Island is the owner in fee of seven (7) parcels of land designated as City of Providence Tax Assessor's Plat 12, Lots 26, 46, 47, 48, 49, 50 and 51. Lot 26 abuts the westerly line of South Main Street, a public highway, the northerly line of Crawford Street, a public highway, and the esaterly line of South Water Street, also a public highway. Lots 46 and 47 abut the southerly line of Crawford Street, Lots 50 and 51 abut the easterly line of South Water Street and Lots 48 and 49 abut the westerly line of South Main Street. All references to the Assessor's Plat and Lots are as the same appear on the Assessor's Map of the City of Providence as assessed December 31, 1981. Attached hereto is an exhibit of said Assessor's Map of the City of Providence further identifying the lots.

2. Petitioner is about to enter into an agreement with Golden Dome Associates, a Massachusetts limited partnership, for the development of the aforesaid seven (7) parcels of land for potential use as retail and office space as well as for parking facilities. The development shall be known as "Old Stone Plaza."

3. It is anticipated that an office complex will be constructed on the lots. A portion of South Water Street as further described herein has ceased to be useful to the public and, therefore, ought to be abandoned.

4. Pursuant to the provisions of Chapter 24-6 of the General Laws of Rhode Island, 1956 (1969 Renactment, as amended), and upon resolution of the City Council of the City of Providence, the aforesaid portion of South Water Street may be abandoned thereby causing title to the land upon which such highway exists to revert to its owner, namely the Petitioner, Old Stone Bank, and the City shall be no longer liable to repair the same.

5. Upon the abandonment of the aforesaid portion of South Water Street, the project to be developed will be in the public interest and will be of benefit to the City of Providence.

6. Petitioner specifically requests abandonment of the following public highway which has ceased to be useful to the public, TO WIT:

That certain portion of area of South Water Street bounded and described as follows:

Beginning at the intersection of the northeasterly line of South Water Street and the southeasterly line of former Crawford Street and running southeasterly by the northeasterly line of South Water Street two hundred twelve and 34/100 (213.34) feet to a point; thence turning an interior angle of 1°-24'-17" and running northwesterly one hundred thirty-six and 10/100 (136.10) feet to a point; thence turning an interior angle of 177°-24'-52" and running northwesterly one hundred twenty-three and 00/100 (123.00) feet to a point; thence turning an interior angle of 179°-00'-47" and running northwesterly ten and no/100 (10.00) feet to a point; thence running southwesterly to northwesterly to northeasterly in a curve to the right of radius thirty-two and 14/100 (32.14) feet an arc distance of one hundred and 97/100 (100.97) feet to a point, the chord of which curve forms a straight line with the previously-described course and with the next-described course; thence running northwesterly ten and no/100 (10.00) feet to a point; thence turning an interior angle of 179°-00'-47" and running northwesterly ninety-one and 40/100 (91.40) feet to a point in the northeasterly line of South Water Street; thence turning an interior angle of 1°-16'-24" and running southeasterly by the northeasterly line of South Water Street one hundred forty-two and 07/100 (142.07) feet to the northwesterly line of former Crawford Street; thence turning an interior angle of 179°-54'-57" and running southeasterly by the southwesterly line of that portion of Crawford Street recently abandoned eighty and 23/100 (80.23) feet to the point of beginning, making an interior angle of 181°-57'-56" with the first-described course. Contains 2420 square feet of land.

Wherefore, in accordance with the provisions of Chapter 24-6 of the General Laws of Rhode Island 1956 (1969 Renactment, as amended), Petitioner, Old Stone Bank respectively petitions this Honorable Council to abandon the aforementioned portion of area of South Water Street.

Respectfully submitted,

OLD STONE BANK
By its Attorneys,
LEVY, GOODMAN, SEMONOFF & GORIN

By Robert A. Pitassi
Robert A. Pitassi

DEPARTMENT OF CITY CLERK
RECEIVED

APR 30 1982

Robert A. Pitassi
CITY CLERK OF PROVIDENCE, R. I.

Pd by Ch # 1347
amt. \$75.00

FILED

APR 30 2 03 PM '82

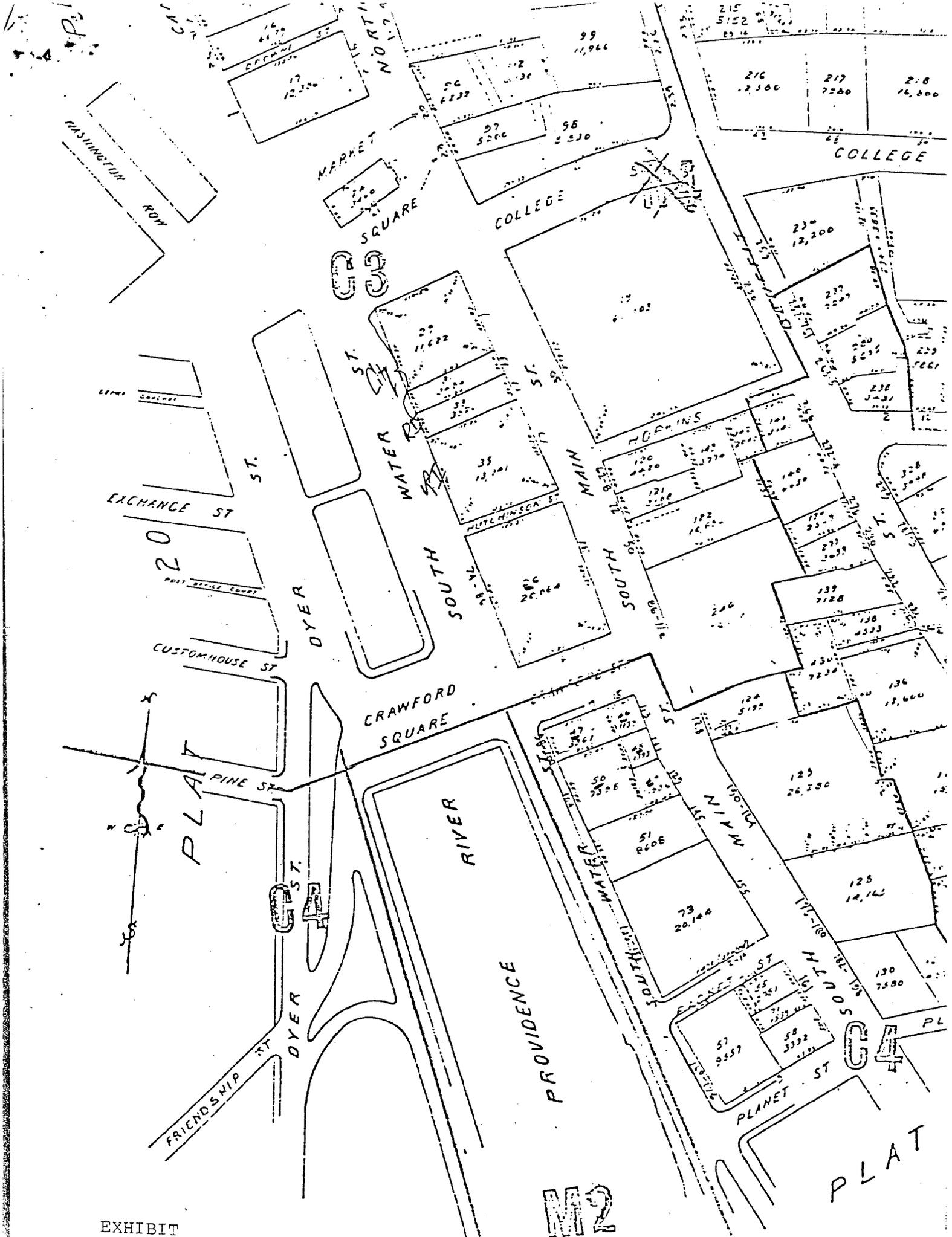
DEPT. OF CITY CLERK
PROVIDENCE, R. I.

RECEIVED
APR 30 1982
DEPT. OF CITY CLERK

IN CITY COUNCIL
MAY 13 1982
FIRST READING
REFERRED TO COMMITTEE ON PUBLIC WORKS

Roem. Mendonca CLERK

From the Clerk's Desk



EXHIBIT

M2

PLAT

LEVY, GOODMAN, SEMONOFF & GORIN
ATTORNEYS AT LAW

PARK ROW

PROVIDENCE, RHODE ISLAND 02903

TELEPHONE (401) 421-8030 CABLE: LEVGO PVD

TELEX - 927614

JACOB GOODMAN
JEREMIAH J. GORIN
RALPH P. SEMONOFF
MELVIN L. ZURIER
RICHARD J. ISRAEL
BRUCE R. RUTTENBERG
NORMAN G. ORODENKER
NATHAN W. CHACE
STEPHEN F. MULLEN
MICHAEL R. GOLOENBERG
WILLIAM H. COTTER, III
ANTHONY F. MURI
ROBERT A. PITASSI
ROBERT B. BERKELHAMMER
SETH K. GIFFORD
WILLIAM GRANFIELD BRODY
VICTORIA LEDERBERG
PATRICIA J. IGOE
CARL I. FREEDMAN
SUSAN M. HUNTLEY

JUDAH C. SEMONOFF 1914-1960
ARTHUR J. LEVY 1920-1972
JOROAN TANENBAUM 1954-1969

April 30, 1982

Mrs. Rose Mendonca
Clerk of the
City of Providence
City Hall
Providence, RI 02903

Re: Abandonment Petitions

Dear Mrs. Mendonca:

Enclosed please find petitions on behalf of Old Stone Bank requesting the City Council of the City of Providence to abandon a portion of South Water Street, a portion of South Main Street and all of Hutchinson Street as more particularly referred to in said petitions.

I enclose this firm's check in the amount of \$225.00 representing the filing fees therefor.

Would you please acknowledge receipt and filing of these petitions by marking the enclosed copy of this letter as received and returning it to me.

Thank you for your cooperation in these matters.

Very truly yours,


Robert A. Pitassi

RAP:AMA

Enclosures

So. Water St.

A.P. 12

Lot 26 Old Stone Bank

Lot 47 Same

Lot 51 Same

Lot 50 Same

So. Main St.

Lot 51 Same

Lot 49 Same

Lot 48 Same

(over)

Set

26

James

Set

46

James

FRANK A. TIBALDI
TRAFFIC ENGINEER



VINCENT A. CIANCI, JR.
MAYOR

TRAFFIC ENGINEERING DEPARTMENT

60 ERNEST ST.

PROVIDENCE, R. I. 02905

781 - 4044

May 24, 1982

Committee on Public Works
City Hall
Providence, Rhode Island

Gentlemen:

The Traffic Engineering Department has received the following petition from your Committee and has taken the subsequent action:

Request: To abandon a portion of South Water Street and South Main Street and to abandon Hutchinson Street.

Disposition: No objection to the proposed abandonments.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Frank A. Tibaldi".

Frank A. Tibaldi
Traffic Engineer

FAT/it

DEPT. OF PUBLIC WORKS
PROVIDENCE, R.I.
MAY 25 7 21 AM '82



CITY OF PROVIDENCE, RHODE ISLAND
MAYOR VINCENT A. CIANCI, JR.

DEPARTMENT OF PUBLIC WORKS . 700 ALLENS AVENUE . 02905

Joseph C. DiSanto, Director

James F. Lembo, Deputy Director

June 14, 1982

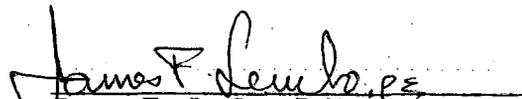
Chairman of the Public Works Committee
Providence City Council
City Hall
Providence, Rhode Island 02903

Re: Abandonment of portion of South Main Street and portion of
South Water Street.

Dear Sir:

The Department of Public Works has no objections to the abandonment of portions of South Main Street and South Water Street, provided that any City Utilities located within the area to be abandoned be relocated at no expense to the City of Providence.

Very truly yours,


James F. Lembo, P.E.
City Engineer/ Deputy Director

cc: Gilbert & Maloney
Dimeo Construction Co.

JFL/jc

RICHARD A. CARROLL
Chairman
ALFRED T. CICCONE
Member
JOHN A. DOHERTY
Member
ROBERT F. HOWARD
Member
VINCENT J. CIRELLI
Councilman
LAURENCE K. FLYNN
Councilman
JAMES R. BERNARDO
Ex-Officio

WATER SUPPLY BOARD



CITY OF PROVIDENCE

WILEY J. ARCHER
P.E., Acting Chief Engineer
WILLIAM J. MCGAIR
Legal Advisor
JAMES A. LOMBARDI
Secretary

June 14, 1982

Councilman Laurence K. Flynn, Chairman
Committee on Public Works
City Clerk's Office, City Hall
Providence, Rhode Island

Dear Councilman Flynn:

This department received a memorandum and copy of a Petition to abandon portions of South Water and South Main Streets, and abandon as a public highway Hutchinson Street.

The abandonment of section of South Water Street, where the water fountain will be located, shall require the relocation of a 12" C.I. Main. The relocation cost of 112 feet more or less of new 12" D.I. pipe and 12" new insertion Gate Valve shall be borne by the petitioner. An engineering fee shall be paid to the Water Supply Board which will be \$3.00/L.F. or the sum of \$336.00.

The Water Supply Board has no objection to the abandonment of portion of South Main Street or the abandonment of Hutchinson Street.

We respectfully request that the petitioner be notified and that he agrees to pay the Water Supply Board the sum of \$336.00 before final action is taken by your committee. Please advise the department in writing regarding final action.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Wiley J. Archer", is written over the typed name and title.

Wiley J. Archer, P.E.
Chief Engineer

ms

cc: Mr. Edward Bondarevskis, WSB
Mr. James Lombardi, WSB
Public Works Director
Mr. Basil Gilbert/Gilbert & Maloney Assoc.



The City Plan Commission

40 FOUNTAIN STREET

PROVIDENCE, RHODE ISLAND 02903

June 15, 1982

Committee on Public Works
c/o City Clerk
City Hall
Providence, R. I. 02903

Attention: Michael Clement

Re: Referral No. 2062-Abandonment of Portion of South Water Street

Gentlemen:

The City Plan Commission, at its June 9, 1982 rescheduled monthly meeting, reviewed and evaluated the subject referral which contained a request by Old Stone Bank for the abandonment of the easterly portion of South Water Street which contains 2,420 square feet.

A field inspection revealed that the portion of South Water Street in question abuts two parking lots (Lots 26, 47, 50 and 51 on A.P. 12) and the recently abandoned Crawford Street which are owned by the petitioner. South Water Street is an improved public right-of-way with sidewalks and curbs.

The petitioner intends to utilize the aforesaid portion of South Water Street for the proposed new office building complex and its plaza. This proposed extension of the curb on South Water Street at the Crawford Street Bridge will not impede existing vehicular traffic nor will it affect the flow on the proposed Ring Road. Therefore,

The Commission

Voted:-to recommended to the Committee on Public Works that no objection is offered on this petition provided that potential pedestrian conflicts and the fountain feature would be averted with a sensitive design of the site.

Sincerely yours,

George Caldwell
George Caldwell,
Chairman

GC/rb

cc: Councilwoman Carolyn F. Brassil
Councilman Edward W. Xavier

FILED

JUN 17 9 09 AM '82

DEPT. OF CITY CLERK
PROVIDENCE, R.I.
cc: COMMISSIONER OF REVENUE
CITY OF PROVIDENCE

CITY OF PROVIDENCE

REVENUE DEPARTMENT

the state

and the following certificate should be placed with a certificate issued on or before the date hereon provided that no objection is received to the Commission on Public Works that no objection is

the Commission

and the following certificate should be placed with a certificate issued on or before the date hereon provided that no objection is received to the Commission on Public Works that no objection is

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REVENUE DEPARTMENT

RE: REVENUE DEPARTMENT OF CITY OF PROVIDENCE

REVENUE DEPARTMENT

PROVIDENCE, R.I. 02903

CITY OF PROVIDENCE

CITY OF PROVIDENCE

COMMISSION ON PUBLIC WORKS

JUN 17 1982



Narragansett Electric

The Narragansett Electric Company
280 Melrose Street
Providence, Rhode Island 02901

June 15, 1982

Committee on Public Works
Providence City Council
City Hall
Providence, Rhode Island

Re: Petitions of Old Stone Bank to abandon as a Public Highway a certain portion of South Water Street and a certain portion of South Main Street

Gentlemen:

The Narragansett Electric Company presently has underground electrical facilities in said South Water Street and South Main Street consisting of a manhole, two 12 way duct lines and one 1 way duct line. These facilities are an important part of our electric supply system in this area and would be very difficult and costly to relocate.

However, The Narragansett Electric Company will not object to the granting of said petition, provided that in the event that the petition is granted, the Petitioner will convey an easement acceptable to The Narragansett Electric Company which will permit retention of our underground facilities in existing locations in said South Water Street and South Main Street, together with the right to inspect, maintain, operate and replace the same.

Very truly yours,

A handwritten signature in cursive script that reads "Albert J. Lovegreen".

Albert J. Lovegreen
Field Right of Way Agent

AJL:1

cc: Frank Dowiot, The Narragansett Electric Company
Robert A. Pitassi, Esq.

11-11-82

11-11-82

DEPT. OF CITY CLERK
PROVIDENCE, R.I.
JUN 18 9 25 AM '82

FILED

11-11-82

Sanford H. Gorodetsky
COMMISSIONER OF PUBLIC SAFETY



Leonard W. Reilly
ADMINISTRATIVE ASSISTANT

COMMISSIONER OF PUBLIC SAFETY
209 FOUNTAIN ST., PROVIDENCE, RHODE ISLAND 02903

June 18, 1982

The Honorable City Council
City Hall
Providence, Rhode Island

Att: Committee on
Public Works

Gentlemen:

The Department of Public Safety has no objection to the abandonment of portions of South Water Street and South Main Street and the abandonment of Hutchinson Street as described in the attached petitions.

Respectfully submitted,

Sanford H. Gorodetsky
Commissioner of
Public Safety

lr
Enc: 3

OLD STONE PLAZA ASSOCIATES

75 Chapman Street
Providence, Rhode Island 02905
(401) 781-9800

June 17, 1982

Mr. Wiley J. Archer, P.E.
Chief Engineer
Water Supply Board
City of Providence
552 Academy Avenue
Providence, RI

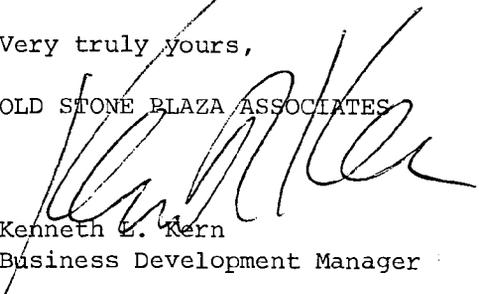
Dear Mr. Archer:

Thank you for your letter of June 14, 1982 approving our petitions to abandon portions of South Water, South Main and Hutchinson Streets. As you requested in that letter, we hereby agree to pay an engineering fee to the Water Supply Board in the sum of \$336.00 and the relocation costs, if any, of certain lines if required by our development.

Thank you for your help and assistance in this matter.

Very truly yours,

OLD STONE PLAZA ASSOCIATES



Kenneth E. Kern
Business Development Manager

KLK:jmw

cc: Councilman Laurence K. Flynn, Chairman



**New England
Telephone**

100 New England Way
Warwick, Rhode Island 02886

June 21, 1982

Committee on Public Works
Providence City Council
City Hall
Providence, R. I. 02903

RE: PETITION TO ABANDON A PORTION OF SOUTH WATER AND SOUTH MAIN STREETS

Dear Sirs:

New England Telephone and Telegraph Company presently has underground facilities consisting of manholes, conduits and cables located in the above mentioned streets. These facilities not only serve this area but they are also part of our toll route extending to the eastern part of Rhode Island and Massachusetts.

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 petitioners will convey an easement acceptable to New England Telephone, which will permit retention of our facilities in existing locations, together with the right to inspect, maintain, operate and replace the same and with 24 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.

Robert J. O'Leary
Robert J. O'Leary

District Manager-Distribution Service

cc: D. Moore
J. Jones
G. Pemberton

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

JUN 21 1 00 PM '82

FILED



DIMEO CONSTRUCTION COMPANY

75 Chapman Street, Providence, Rhode Island 02905 Telephone (401) 781-9800

June 21, 1982

Mr. Robert J. O'Leary
District Manager-Distribution Service
New England Telephone
100 New England Way
Warwick, RI 02886

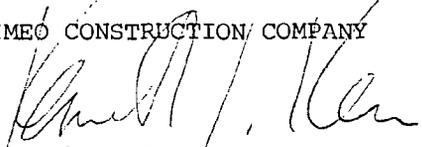
Dear Mr. O'Leary:

Thank you for your letter of June 21, 1982 related to our petition to abandon portions of South Water, South Main and Hutchinson Streets in Providence, Rhode Island. You have said that you would not oppose the petition if the petitioner agrees to convey an easement acceptable to you and to pay costs of the relocation, if necessary, and this letter shall act as confirmation of our agreement on these issues.

Thank you very much for your assistance.

Sincerely,

DIMEO CONSTRUCTION COMPANY



Kenneth L. Kern
Real Estate Development Manager

KLK:jmw

cc: Lawrence K. Flynn, Chairman