

No. \_\_\_\_\_ Approved \_\_\_\_\_

Date \_\_\_\_\_

***ORDER ON THE ABANDONMENT OF A PORTION OF ARNOLDS NECK DRIVE  
RAYMOND E. CHACE, TRUSTEE OF THE RAYMOND E. CHACE REVOCABLE  
INTERVIVOS TRUST and BARBARA A. CHACE AND RAYMOND E. CHACE,  
TRUSTEES OF THE BARBARA A. CHACE REVOCABLE INTERVIVOS TRUST,  
PETITIONERS***

In the matter of the abandonment of a portion of Arnold's Neck Drive described on Exhibit A attached hereto, it appearing that due notice by advertisement and as described below, has been made in accordance with the provisions of Chapter 6 of Title 24, General Laws 1956 and all amendments and additions thereto, and after giving opportunity to the owners of land abutting upon the hereinafter described portion of Arnold's Neck Drive to speak for or against such abandonment and as to the damage, if any, they shall sustain thereby, and after due consideration thereof, it is hereby

***ORDERED***

1. That the four portions of Arnold's Neck Drive described on Exhibit A attached hereto be abandoned for the reason that said premises have ceased to be useful to the public as a highway or driftway.
2. That it is the judgment of the City Council of Warwick that no owner of land abutting on those portions of Arnold's Neck Drive has suffered any damage because of such abandonment, and for this reason the City Council awards no compensation to said abutting owners.
3. That signs shall be placed at each end of that portion of Arnold's Neck Drive having thereon the words "NOT A PUBLIC HIGHWAY".
4. That notice of this order shall be advertised in a newspaper of general circulation, printed in English, and further that personal notice of same shall be served upon every owner of land abutting upon that portion of Arnold's Neck Drive as herein described who is known to reside in this State.
5. That the City Clerk be and she is hereby authorized and directed to cause notice to be given in accordance with the provisions hereof, and the Highway Department is hereby authorized and directed to erect and place signs referred to herein.
6. The triangular portion of Arnold's Neck Drive abutting 279 Arnolds Neck Drive, as depicted on the "Street Realignment Plan" dated January 2015 prepared for Raymond E. and Barbara A.

Chace; prepared by Alpha Associates, Ltd is restricted to parking for the existing structure and any other structure that may be built on the lot.

7. Petitioner shall prepare and record an administrative subdivision that conforms to the standards set forth in the City's Plan Review Regulations to merge the abandoned portions of Arnold's Neck Drive into the abutting lots as shown on the "Street Realignment Plan" dated January 2015, prepared for Raymond E. and Barbara A. Chace; prepared by Alpha Associates, Ltd.

8. Pursuant to R.I.G.L. 24-6-1 and Sec. 1-13 of the Code of Ordinances, an appraisal of the fair market value of the abandoned roadway was conducted and based upon that appraisal the Petitioner paid the appraisal value of the abandoned roadway to the City of Warwick, provided however, the parcel of land described on Exhibit B attached hereto shall be deeded to the City by the Petitioners.

Entered as an Order of the City Council this 19th day of October, 2015.

***SPONSORED BY: COUNCILWOMAN USLER***

***COMMITTEE: LAND USE***

EXHIBIT "A"

STREET ABANDONMENT

PORTIONS of ARNOLD'S NECK DRIVE and HALLWORTH DRIVE

### **3,946 Square Foot Parcel**

That certain parcel of land, situated on the easterly side of Arnold's Neck Drive in the City of Warwick, County of Kent, State of Rhode Island and being bounded and described as follows:

Beginning at a point on the easterly line of Arnold's Neck Drive, Said point being the northwesterly corner of land now or formerly of Richard Gilligan and the southwestery corner of land now or formerly of this Grantee, Raymond E. Chace, Trustee;

Thence running northerly along the easterly line of Arnold's Neck Drive, a distance of 50.00 feet to the southwestery corner of the herein described parcel;

Thence running northerly, along Said easterly line of Arnold's Neck Drive, a distance of 5.49 feet to a point;

Thence turning an interior angle of  $164^{\circ}07'21''$  and running northeasterly, along Said easterly line of Arnold's Neck Drive, a distance of 70.28 feet to a point of curvature;

Thence running generally northeasterly, easterly and southeasterly, along the easterly line of Arnold's Neck Drive onto the westerly line of Hallworth Drive, on the arc of a circle curving right, having a central angle of  $132^{\circ}27'11''$  and a radius of 10.00 feet, a length of 23.12 feet to a point of tangency;

Thence running southeasterly, along the westerly line of Said Hallworth Drive, a distance of 88.84 feet to a point;

Thence turning an interior angle of  $58^{\circ}19'-50''$  and running westerly, bounded southerly by the aforementioned Grantee land, a distance of 84.00 feet to the southwestery corner of the herein described parcel, there forming an interior angle of  $90^{\circ}00'00''$  with said first described boundary course.

Said above parcel is comprised of 3,946 square feet of land.

**2,457 Square Foot Parcel**

That certain parcel of land, situated on the westerly side of Arnold's Neck Drive in the City of Warwick, County of Kent, State of Rhode Island and being bounded and described as follows:

Beginning at a point at the intersection of the easterly line of land now or formerly of National Railroad Passenger Corporation and the westerly line of Arnold's Neck Drive;

Thence running southeasterly, along the westerly line of Arnold's Neck Drive, a distance of 32.70 feet to a point, said point being the northwesterly corner of the herein described parcel;

Thence turning a clockwise angle of  $49^{\circ}52'16''$  and running northeasterly a distance of 3.96 feet to a point;

Thence turning an interior angle of  $55^{\circ}36'27''$  and running southeasterly a distance of 47.99 feet to a point;

Thence tuning an interior angle of  $155^{\circ}04'48''$  and running southerly a distance of 63.40 feet to a point;

Thence turning an interior angle of  $165^{\circ}31'02''$  and running southwesterly a distance of 85.21 feet to a point;

Thence turning an interior angle of  $171^{\circ}32'21''$  and running southwesterly a distance of 39.61 feet to a point, Said last five courses being bounded northwesterly, northeasterly, easterly, southeasterly and southeasterly by Arnold's Neck Drive;

Thence turning an interior angle of  $98^{\circ}27'39''$  and running northwesterly, bounded southwesterly by land being now or formerly a portion of Arnold's Neck Drive, a distance of 8.93 feet to a point;

Thence turning an interior angle of  $90^{\circ}00'00''$  and running northeasterly a distance of 170.00 feet to a point;

Thence turning an interior angle of  $213^{\circ}40'00''$  and running northeasterly a distance of 58.93 feet to the point of beginning, there forming an interior angle of  $130^{\circ}07'44''$  with Said first described boundary course, Said last two courses being bounded northwesterly and southwesterly by land now or formerly of these Grantees, Raymond E. Chace and Barbara A. Chace, Trustees.

Said above parcel is comprised of 2,457 square feet of land.

### **268 Square Foot Parcel**

That certain parcel of land, situated on the westerly side of Arnold's Neck Drive in the City of Warwick, County of Kent, State of Rhode Island and being bounded and described as follows:

Beginning at a point in the westerly line of Arnold's Neck Drive, said point being the northeasterly corner of land now or formerly of this Grantee, Raymond E. Chace, Trustee, also being the southeasterly corner of land now or formerly of Barbara A. Chace and Raymond E. Chace, Trustees of the Barbara A. Chace Revocable Inter Vivos Trust and being the northwesterly corner of the herein described parcel;

Thence running southeasterly, bounded northeasterly by land now or formerly a portion of Arnold's Neck Drive, a distance of 8.93 feet to a point;

Thence turning an interior angle of  $81^{\circ}32'21''$  and running southwestwardly, along the westerly line of Arnold's Neck Drive, a distance of 60.66 feet to a point;

Thence turning an interior angle of  $08^{\circ}27'39''$  and running northeasterly, bounded northwesterly by land now or formerly of this Grantee, a distance of 60.00 feet to the point of beginning, there forming an interior angle of  $90^{\circ}00'-00''$  with said first described boundary course.

Said above parcel is comprised of 268 square feet of land.

### **50 Square Foot Parcel**

That certain parcel of land, situated on the westerly side of Arnold's Neck Drive in the City of Warwick, County of Kent, State of Rhode Island and being bounded and described as follows:

Beginning at a point at the intersection of the easterly line of land now or formerly of National Railroad Passenger Corporation and the westerly line of Arnold's Neck Drive, Said point being the most northerly corner of the herein described parcel;

Thence running southeasterly, along the westerly line of Arnold's Neck Drive, a distance of 32.70 feet to a point;

Thence turning an interior angle of  $49^{\circ}52'16''$  and running northeasterly a distance of 3.96 feet to a point;

Thence turning an interior angle of  $124^{\circ}23'33''$  and running northwesterly a distance of 30.30 feet to the point of beginning, there forming an interior angle of  $05^{\circ}44'11''$  with Said first described boundary course, Said last two courses being bounded southeasterly and northeasterly by Arnold's Neck Drive.

Said above parcel is comprised of 50 square feet of land.

**EXHIBIT "B"**

**STREET ABANDONMENT**

**PORTIONS of ARNOLD'S NECK DRIVE and HALLWORTH DRIVE**

**1,261 Square Foot Parcel**

That certain parcel of land, situated on the easterly side of Arnold's Neck Drive in the City of Warwick, County of Kent, State of Rhode Island and being bounded and described as follows:

Beginning at a point at the intersection of the easterly line of land now or formerly of National Railroad Passenger Corporation and the northeasterly line of Arnold's Neck Drive, Said point being the most northerly corner of the herein described parcel;

Thence running southeasterly a distance of 86.83 feet to a point;

Thence turning an interior angle of  $155^{\circ}04'48''$  and running southerly a distance of 134.87 feet to a point, said last two courses being bounded northeasterly and easterly by remaining land now or formerly of this Grantor, Raymond E. Chace, Trustee;

Thence turning an interior angle of  $24^{\circ}01'29''$  and running northwesterly a distance of 19.28 feet to a point;

Thence turning an interior angle of  $158^{\circ}31'33''$  and running northerly a distance of 55.54 feet to a point;

Thence turning an interior angle of  $162^{\circ}58'00''$  and running northeasterly a distance of 38.55 feet to a point;

Thence turning an interior angle of  $213^{\circ}40'00''$  and running northwesterly a distance of 138.29 feet to the point of beginning, there forming an interior angle of  $05^{\circ}44'11''$  with said first described boundary course, Said last four courses being bounded on their exteriors by Arnold's Neck Drive.

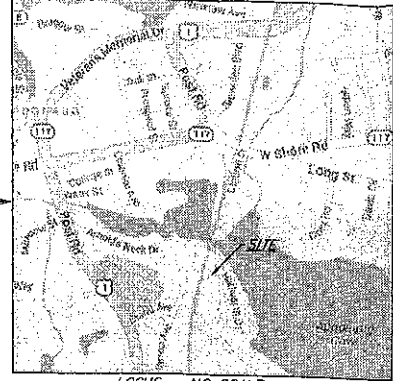
Said above parcel is comprised of 1,261 square feet of land.



THIS PLAN SHALL BE INDEXED UNDER  
 ADJUTING STREETS:  
 ARNOLD'S NECK ROAD  
 HALLSWORTH AVENUE

**REFERENCES:**

1. RECORD PLAT No. 207, "ARNOLD'S NECK PLAT... BELONGING TO HERBERT C. CALEY... BY FRANK E. WATERMAN, JULY 1, 1908, SCALE 100 FT. TO AN INCH."
2. RECORD PLAT No. 231, "ARNOLD'S NECK PLAT ANNEX No. 2, BELONGING TO HERBERT C. CALEY... BY FRANK E. WATERMAN, OCT. 1912, SCALE 80' TO AN INCH."
3. RECORD PLAT No. 256, "SUBDIVISION OF LOT B ON ARNOLD'S NECK PLAT ANNEX No. 2, BELONGING TO HERBERT C. CALEY... NOV. 1917, SCALE 60 FT. TO AN INCH."
4. RECORD PLAT No. 385, "PLAN OF BAY VIEW DRIVE, APPROXIMATE WARWICK, R.I., LINES ESTABLISHED BY THE TOWN COUNCIL MARCH 1929, BY ROBERT W. PLAN, TRIGHT OF WAY AND TRACK MAP, THE NEW YORK, NEW HAVEN AND HARTFORD R.R. CO., FROM NEW LONDON TO PROVIDENCE... TOWN OF WARWICK SHEET No. 5 33 & 34 OF 53, SCALE 1" = 100', JUNE 30, 1915."
5. LAND EVIDENCE BOOK 6826 PAGE 22
6. LAND EVIDENCE BOOK 3808 PAGE 130
7. LAND EVIDENCE BOOK 3084 PAGES 268-272
8. LAND EVIDENCE BOOK 5090 PAGE 78 (25' STRIP FROM RAILROAD)
9. TAX ASSESSOR ENGINEER BOOK 173 PAGES 18-19



**PARCEL ZONING**

ZONES 'A-7' & 'WB'	A-7	WB
MINIMUM LOT SIZE	7,000 SF	6,000 SF
MINIMUM FRONTAGE	70'	60'
FRONT YARD SETBACK	25'	25'
SIDE YARD SETBACK	8'	15'
REAR YARD SETBACK	20'	20'
MAX STRUCTURE HEIGHT	35'	35'

**AREA ANALYSES**

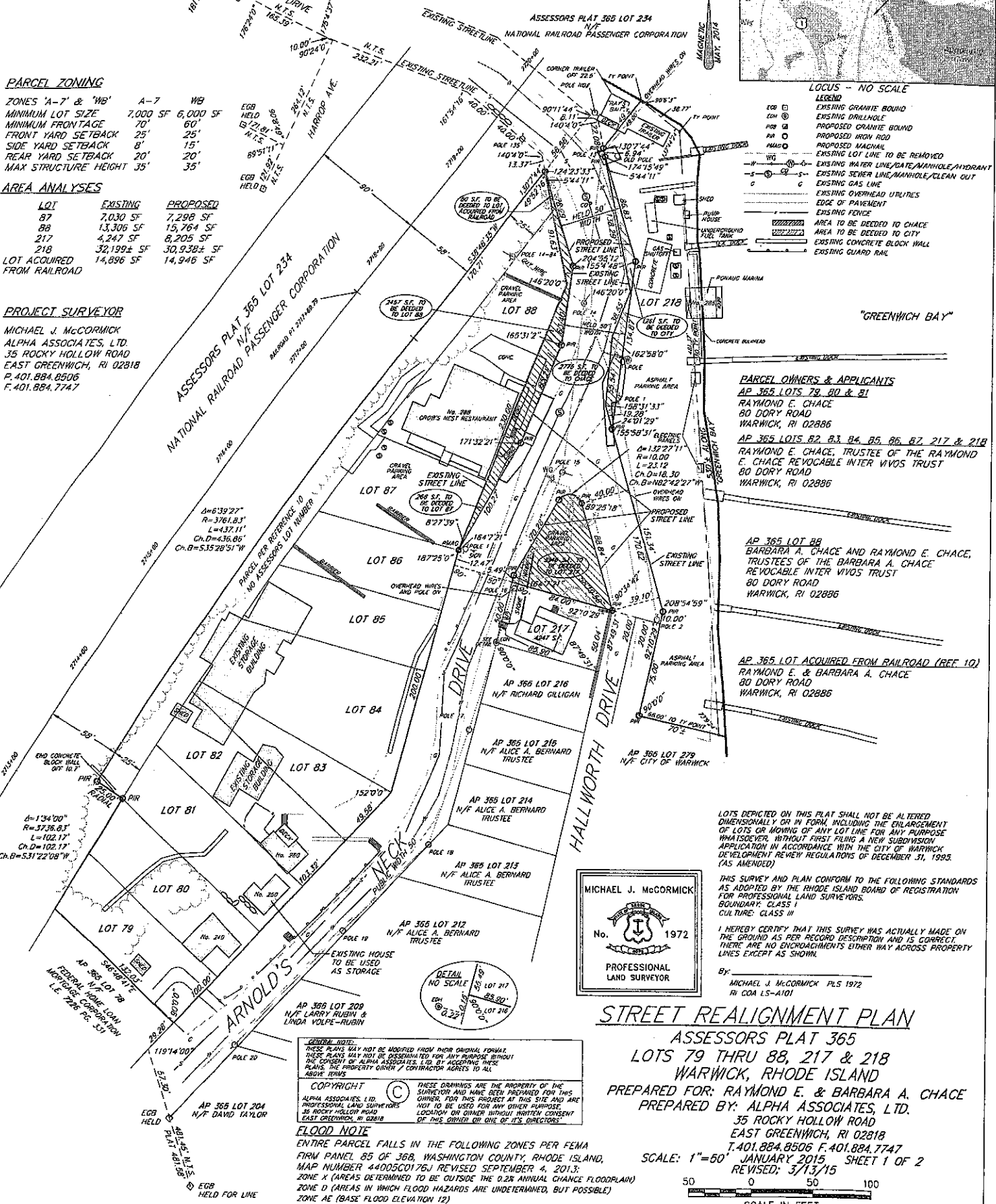
LQT	EXISTING	PROPOSED
87	7,030 SF	7,298 SF
88	13,306 SF	15,764 SF
217	4,247 SF	8,205 SF
218	32,199± SF	30,938± SF
LOT ACQUIRED FROM RAILROAD	14,896 SF	14,946 SF

**PROJECT SURVEYOR**

MICHAEL J. McCORMICK  
 ALPHA ASSOCIATES, LTD.  
 35 ROCKY HOLLOW ROAD  
 EAST GREENWICH, RI 02818  
 P. 401.884.8506  
 F. 401.884.7747

**LOCUS - NO SCALE**

- LEGEND**
- EGB EXISTING GRANITE BOUND
  - EDH EXISTING DRILLHOLE
  - POB PROPOSED GRANITE BOUND
  - PIR PROPOSED IRON ROD
  - PMAC PROPOSED MAGNAIL
  - WG EXISTING LOT LINE TO BE REMOVED
  - EWL EXISTING WATER LINE, GATE, MANHOLE, HYDRANT
  - ESL EXISTING SEWER LINE, MANHOLE, CLEAN OUT
  - EG EXISTING GAS LINE
  - EOU EXISTING OVERHEAD UTILITIES
  - EPV EXISTING EDGE OF PAVEMENT
  - EFV EXISTING FENCE
  - ACD AREA TO BE DEEDED TO CITY
  - ACH AREA TO BE DEEDED TO CHACE
  - ECB EXISTING CONCRETE BLOCK WALL
  - EGR EXISTING GUARD RAIL



**PARCEL OWNERS & APPLICANTS**

- AP 365 LOTS 79, 80 & 81  
 RAYMOND E. CHACE  
 80 DORY ROAD  
 WARWICK, RI 02886
- AP 365 LOTS 82, 83, 84, 85, 86, 87, 217 & 218  
 RAYMOND E. CHACE, TRUSTEE OF THE RAYMOND E. CHACE REVOCABLE INTER VIVOS TRUST  
 80 DORY ROAD  
 WARWICK, RI 02886
- AP 365 LOT 88  
 BARBARA A. CHACE AND RAYMOND E. CHACE,  
 TRUSTEES OF THE BARBARA A. CHACE  
 REVOCABLE INTER VIVOS TRUST  
 80 DORY ROAD  
 WARWICK, RI 02886
- AP 365 LOT ACQUIRED FROM RAILROAD (REF 10)  
 RAYMOND E. & BARBARA A. CHACE  
 80 DORY ROAD  
 WARWICK, RI 02886

LOTS DEPICTED ON THIS PLAT SHALL NOT BE ALTERED DIMENSIONALLY OR IN FORM, INCLUDING THE ENLARGEMENT OF LOTS OR MOVING OF ANY LOT LINE FOR ANY PURPOSE WHATSOEVER, WITHOUT FIRST FILING A NEW SUBDIVISION APPLICATION IN ACCORDANCE WITH THE CITY OF WARWICK DEVELOPMENT REVIEW REGULATIONS OF DECEMBER 31, 1995. (AS AMENDED)

THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.  
 BOUNDARY: CLASS I  
 CULTURE: CLASS III

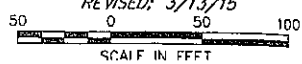
I HEREBY CERTIFY THAT THIS SURVEY WAS ACTUALLY MADE ON THE GROUND AS PER RECORD DESCRIPTION AND IS CORRECT. THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN.

By: MICHAEL J. McCORMICK PLS 1972  
 RI COA LS-A101



**STREET REALIGNMENT PLAN**

ASSESSORS PLAT 365  
 LOTS 79 THRU 88, 217 & 218  
 WARWICK, RHODE ISLAND  
 PREPARED FOR: RAYMOND E. & BARBARA A. CHACE  
 PREPARED BY: ALPHA ASSOCIATES, LTD.  
 35 ROCKY HOLLOW ROAD  
 EAST GREENWICH, RI 02818  
 T. 401.884.8506 F. 401.884.7747  
 SCALE: 1"=50'  
 JANUARY 2015 SHEET 1 OF 2  
 REVISED: 3/13/15



**GENERAL NOTE:**  
 THESE PLANS MAY NOT BE MODIFIED FROM THEIR ORIGINAL FORMAT. THESE PLANS MAY NOT BE DISSEMINATED FOR ANY PURPOSE WITHOUT THE CONSENT OF ALPHA ASSOCIATES, LTD. BY ACCEPTING THESE PLANS, THE PROPERTY OWNER, A CONTRIBUTOR AGREES TO ALL ABOVE TERMS.

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**FLOOD NOTE**  
 ENTIRE PARCEL FALLS IN THE FOLLOWING ZONES PER FEMA FIRM PANEL 85 OF 368, WASHINGTON COUNTY, RHODE ISLAND, MAP NUMBER 440050176J REVISED SEPTEMBER 4, 2013:  
 ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)  
 ZONE D (AREAS IN WHICH FLOOD HAZARDS ARE UNDETERMINED, BUT POSSIBLE)  
 ZONE AE (BASE FLOOD ELEVATION 12)