

No. _____ Approved _____

Date _____

***ORDER ON THE ABANDONMENT OF A PORTION OF PEARL AVENUE
MONTAUK SHORES REALTY, LLC and SHORELINE PROPERTIES, INC.,
PETITIONERS***

In the matter of the abandonment of a portion of Pearl Avenue 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 Pearl Avenue 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 portion of Pearl Avenue 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 that portion of Pearl Avenue 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 Pearl Avenue 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 Pearl Avenue 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 City of Warwick hereby reserves for itself, its successors and assigns, a perpetual easement over and under the abandoned portion of Pearl Avenue for the purpose of constructing, installing, repairing and replacing of utilities, sewers, drains and for any other purposes; and provided further that property owners shall not install permanent structures on said easement and no fencing or landscaping shall be installed within 10' either side of the existing Sewer and Water Lines.

7. That an Administrative Subdivision meeting the standards as set forth in the “*Development Review Regulations Governing Subdivision Land Development Project Development Plan Review*” shall be prepared and recorded by the interested parties abutting the abandonment.

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 Petitioners shall pay \$9,000 to the City of Warwick.

Entered as an Order of the City Council this 15th day of November, 2021.

SPONSORED BY: COUNCILWOMAN TRAVIS

COMMITTEE: LAND USE