



State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

NOTICE OF PUBLIC HEARING

2021-03-046

2021-03-050 2021-03-048

CRMC File No.: 2021-03-073 2021-03-051 **Hearing Date:** April 21, 2022

In accordance with and pursuant to the provisions of the "Administrative Procedures Act", (Chapter 42-35 et. seq. of the General Laws of Rhode Island), and the Rules and Regulations of the Coastal Resources Management Council, a hearing will be held to receive comments and evidence from interested parties concerning possible designation of public rights of ways to the tidal waters of the State relative to Title 46, Chapter 23, of Section 6E, of the Rhode Island General Laws of 1956, as amended.

Said Right-of-Ways are described as follows:

- 2021-03-046 Beach Street at Cedar Avenue -- approximately 6' wide path that leads from Beach Street at Cedar Avenue to the water's edge dividing lot s33 and 34 of plat 21.
- 2021-03-048 Cedar Avenue – Approximately 20' wide path that leads from Cedar Avenue to the water's edge dividing lots 47 and 48 of plat 21.
- 2021-03-050 Fountain Avenue – Approximately 30' wide path that leads from Fountain Avenue to the water's edge dividing lots 168 and 169 of plat 21.
- 2021-03-051 East Power Street – Paved street bordered by plat 31 lot 54; plat 34, lot 56 and plat 31, lot 53 and leading to the water's edge.
- 2021-03-073 Cory's Lane ROW – Approximately 12' wide paved asphalt path that leads from Cory's Lane to the water's edge dividing 32/1/A and 32/1/B

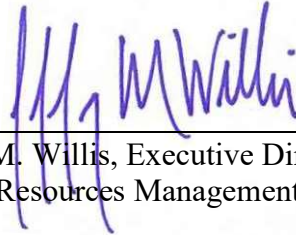
The hearing will be held at 6:00 p.m. on Thursday, April 21, 2022 at the Portsmouth Town Hall, 2200 East Main Road, Portsmouth, RI.

Parties interested in/or concerned with the above mentioned matter are invited to be present and/or represented by counsel at the above mentioned time and place. This meeting place is accessible to individuals with disabilities. The meeting location is accessible to handicapped persons. Any individual requiring a reasonable accommodation in order to participate in this meeting should contact CRMC offices at 401-783-3370 at least 72 hours prior to the meeting.

Plans of the proposed work may be seen in the office of the Coastal Resources Management Council, Oliver H. Stedman Government Center, 4808 Tower Hill Road, Wakefield, Rhode Island, between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday.

Oral statements will be heard and recorded and statements may be submitted to the hearing officers at the time of hearing.

Signed this April 1, 2022.



Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/lat

Mailing List for Associated Portsmouth ROW files
Public Hearing – April 21, 2022

File Number 2021-03-046 – Beach Street @ Cedar Avenue

Plat 21 lot 33
Steven and Carol Peckham
1 Beach Street
Portsmouth, RI 02871

Plat 21, lot 34
Noelle Claveloux
P O Box 678
Portsmouth, RI 02871-0678

Plat 21, lot 25
Irene and Jeff Tokarski
60 Cedar Avenue
Portsmouth, RI 02871

Plat 20, lot 177
Sharon MacFarlane
21 Beach Street
Portsmouth, RI 02871-4801

File Number 2021-03-048 – Cedar Avenue

Plat 21, lot 47
Scott McCue
25 Cedar Avenue
Portsmouth, RI 02871-4501

Plat 21, Lot 48
Ross Hutchens
15 Cedar Avenue
Portsmouth, RI 02871-4501

Plat 21, lot 16A
Joseph LaFleur, Jr.
24 Cedar Avenue
Portsmouth, RI 02871

Plat 21, lot 16
Marjorie M. Perry Trustee
13 Garfield Steet
Newport, RI 02840-1304

File Number 2021-03-050 – Fountain Avenue

Plat 21, Lot 168
Michelle S Russo Trustee
107 Prospect Street
Providence, RI 02906

Plat 21, Lot 169
Richard and Carol Guimond
37 Neck Road
Tiverton, RI 02878-4009

Plat 21, Lot 170A
Jose & Maria Luz
62 River Street
Hudson, MA 01749

Plat 21, Lot 171
Francesco Salamone
P O Box 20675
Cranston, RI 02910

File Number 2021-03-051 – East Power Street

Plat 31, Lot 53
Miscellaneous Land

Plat 31, Lot 52
Debra Young and Deanne Church
25 Chardon Drive
Portsmouth, RI 02871

Plat 31, lot 54
Raul & Marina Braga Life Estate
143 Power Street
Portsmouth, RI 02871-4118

Plat 34, Lot 56
Peter & Rebecca Capodilupo
30 Forest Street
Somerville, MA 02143-3516

Plat 31, Lot 42
Sakonnet Oceanview Apartments LLC
123 Power Street
Portsmouth, RI 02871-4118

File Number 2021-03-073 – Cory's Lane

Plat 32, Lot 1A
Order of St. Benedict
285 Cory's Lane
Portsmouth 02871

Plat 31, Lot 1B
Preservation Society of Newport
424 Bellevue Avenue
Newport, RI 02840

Plat 37
St. Philomena School
324 Cory's Lane
Portsmouth, RI 02871

CRMC Application Review Sheet

File Number: 2021-03-046
Owner Name: Town of Portsmouth Attn: Gary Crosby, Town Planner
Site Address: 1 Beach Street, Portsmouth
 Plat: 21; Lot: 33, 34

Administrative Review

Reviewer: LAT Completed on _____ <input type="checkbox"/> Application Complete <input type="checkbox"/> Application Deficient <input type="checkbox"/> FONSI <input type="checkbox"/> Enforcement compliance _____	<table style="width: 100%;"> <tr> <td style="width: 33%;">Missing</td> <td style="width: 33%;">As Applicable:</td> </tr> <tr> <td>_____ Application</td> <td>_____ CHA Worksheet</td> </tr> <tr> <td>_____ Fee</td> <td>_____ Stormwater Calcs</td> </tr> <tr> <td>_____ ISDS</td> <td>_____ Structural Lot Calcs</td> </tr> <tr> <td>_____ Proof of Ownership</td> <td></td> </tr> <tr> <td>_____ Building Permit</td> <td></td> </tr> <tr> <td>_____ Site Plans</td> <td></td> </tr> </table>	Missing	As Applicable:	_____ Application	_____ CHA Worksheet	_____ Fee	_____ Stormwater Calcs	_____ ISDS	_____ Structural Lot Calcs	_____ Proof of Ownership		_____ Building Permit		_____ Site Plans	
Missing	As Applicable:														
_____ Application	_____ CHA Worksheet														
_____ Fee	_____ Stormwater Calcs														
_____ ISDS	_____ Structural Lot Calcs														
_____ Proof of Ownership															
_____ Building Permit															
_____ Site Plans															
<input type="checkbox"/> EXTENSION (Enforcement review)	Notes: _____ _____ _____														

Team Review for Acceptance

Application Deficient
 Deficiency Letter Required
 Notified Via Phone Call – waiting for _____

() Application Accepted Date: _____	Assigned To		Date Completed	Denial Recommendation	Management Sign-off
	Project Manager				
	Engineer				
	Biologist				
	Geologist				
	Aqua				
	Dredge				
	Other	Nivek Etuc			

Category: R
Project Type: 74
Water Type: _____
Water Area: _____
PGP Category: SV PCN IP Public Access 355 Public Access Easement

Project Description:



Town of Portsmouth

2200 East Main Road / Portsmouth, Rhode Island 02871

www.portsmouthri.com

GARY R. CROSBY
Town Planner

Office: (401) 643-0332
Fax: (401) 683-6804
email: gcrosby@portsmouthri.com

January 4, 2021

Mr. Kevin Cute
RI Coastal Resources Management Council
Steadman Government Center'
Suite 116, 4808 Tower Hill Road
Wakefield, Rhode Island 02879-1900

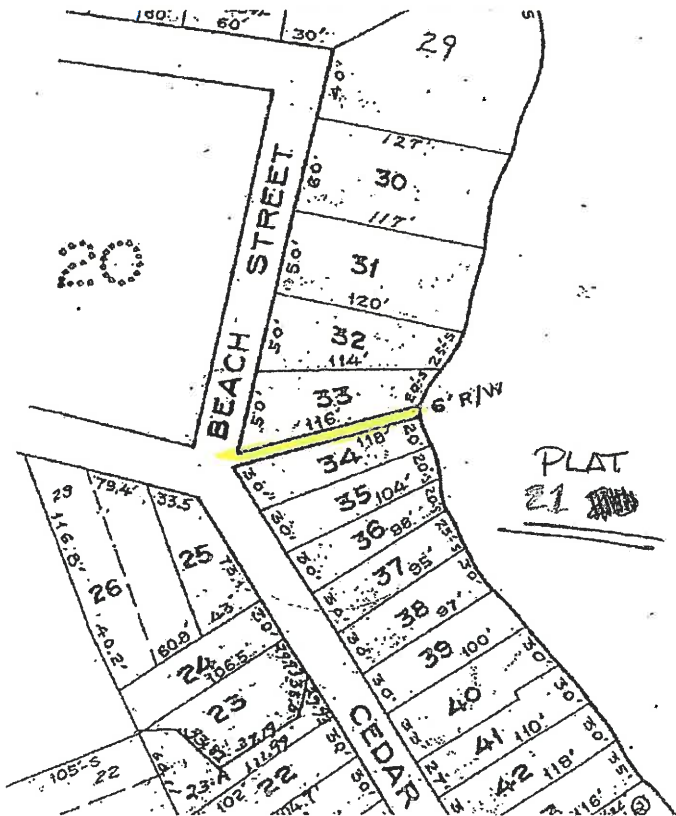
Re: CRMC Right-of-Way Designation

Dear Mr. Cute:

Attached please find documentation in the form of copies of plat maps and Google Earth Street View photography to demonstrate three Rights-of-Way to the shore in Portsmouth erroneously displaying CRMC signage yet they have never been formally designated as such by CRMC. These three Rights-of-Way, all on plat 21 in Island Park are at a) Beach Street at Cedar Avenue, b) Cedar Avenue and c) Fountain Avenue. Neighborhood users have assumed the CRMC signage to be properly installed (many years ago) and have enjoyed un-obstructed access to the shore without complaint by abutters or comment by the Town. Also attached, please find copies of the property deeds for the six parcels abutting the three ROWs highlighting in the means and bounds description the fact that the shared boundaries are in fact property lines and not easements or other ownership mechanisms.

Please regard this letter as a formal request by the Town to have CRMC designate the three above described Rights-of-Way as official CRMC rights-of-way, obviating the need to remove the signs and validating the neighborhood's historic usage.

Gary Crosby
Portsmouth Town Planner



CRMC SIGN

NOT A CRMC-DESIGNATED
RIGHT-OF-WAY

PORTSMOUTH ID # 32
DATABASE

BEACH ST. AT
CEDAR AVENUE

Lisa Turner

From: kevin cute <krcute56@gmail.com>
Sent: Tuesday, January 5, 2021 12:53 PM
To: Gary R. Crosby
Cc: CRMC; James Boyd; lturner@crmc.ri.gov; Anthony Desisto
Subject: Re: FW: Message from "RNP0026735D888B"

Good afternoon Gary,

Thanks so much for compiling the attached evidence supporting the CRMC designation of three potential ROWs at Beach Street at Cedar Avenue, Cedar Avenue, and Fountain Avenue in the Town of Portsmouth. As discussed, these documents will be forwarded to the CRMC ROW Subcommittee for consideration during its regular January meeting. I've cc'd key CRMC staff and legal counsel on this email to that end.

Please don't hesitate to contact me should you have any questions or comments on this matter.

Thanks again for your work on this matter.

Best,

Kevin

On Tue, Jan 5, 2021 at 11:45 AM Gary R. Crosby <gcrosby@portsmouthri.com> wrote:
Kevin, see attached. Hard copy is in the mail headed to your desk.
Gary

-----Original Message-----

From: LunchRmScanner <LunchRmScanner@portsmouthri.com>
Sent: Tuesday, January 5, 2021 11:27 AM
To: Gary R. Crosby <gcrosby@portsmouthri.com>
Subject: Message from "RNP0026735D888B"

This E-mail was sent from "RNP0026735D888B" (Aficio MP 7502).

Scan Date: 01.05.2021 11:27:22 (-0500)
Queries to: LunchRmScanner@portsmouthri.com

1 BEACH STREET
PLAT 21, LOT 33

Bk: 1375 Pg: 148
INST: 00091759

TRUSTEE'S DEED

We, Claire Y. Boulanger and Richard Boulanger, of Marco Island, Florida, Trustees of the Claire Y. Boulanger Living Revocable Trust, for consideration paid and, in full consideration of \$365,000.00, grant to Steven G. Peckham and Carol S. Peckham, husband and wife, of 1 Third Price Unit 703, Long Beach, CA, State of California, as tenants by the entirety, with warranty covenants,

All of that certain lot or parcel of land, with the buildings and improvements thereon, located in the Town of Portsmouth, and bounded and described as follows:

BEGINNING at a point in the southerly side of Beach Street, which is the northwesterly corner of the lot to be described and the southwesterly corner of land now or formerly of Alice A. Dale, et al, being Lot 341 on the hereinafter mentioned plan; thence by said Beach Street southwesterly, fifty (50) feet to a corner of said Beach Street and a six (6) foot way shown on said plan; thence turning an interior angle of 64 degrees 15' and running southeasterly by said six (6) foot way, one hundred sixteen (116) feet, more or less, to the shore of that part of the Seacomet River known as "The Cove"; thence by said shore northeasterly to said land now or formerly of Alice A. Dale, et al; thence by said land northwesterly, one hundred fourteen (114) feet, more or less to said Beach Street and the point of beginning; containing fourteen and forty-seven hundredths (14.47) square rods, more or less.

BE ALL said measurements more or less or however otherwise the same may be bounded and described.

BEING Lot No. 342 on that certain plan entitled, "Plan of Land Situated in Portsmouth, RI belonging to Heirs of Cornelius S. Greene. Surveyed by E.I. Marvell July 1903. Scale 80 feet to one inch", which said plan is on file in Plan Book 1 at page 18-19 of the Portsmouth Land Evidence Records.

BEING further designated as Lot 33 on Map 21 of the Portsmouth Tax Assessors' Maps.

Being the same premises conveyed to these grantors by deed of Richard Boulanger and Claire Y. Boulanger, dated February 4, 2005 and recorded in said Land Evidence Records in Book 1091, Pages 246 & 247.

WITNESS my hand and seal this 15th day of May, 2009.

Richard Boulanger
Richard Boulanger, Trustee

Claire Y. Boulanger
Claire Y. Boulanger, Trustee

TAX S. 1460.
DATE 5-15-09
RECORDER LAH
CITY/TOWN OF PORTSMOUTH
000838

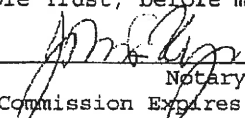
BRIDGE ISLAND
REAL ESTATE CONVEYANCE TAX

Ek: 1375 Ps: 149
INST: 00091739

STATE OF RHODE ISLAND

May 15th, 2009

Then personally appeared the above named, Richard Boulanger and Claire Y. Boulanger, Trustees of the Claire Y. Boulanger Living Revocable Trust proved to me through satisfactory evidence of identification which was their driver's licenses to be the persons whose name is signed above, and acknowledged the foregoing instrument to be their free act and the free act and deed of the Claire Y. Boulanger Living Revocable Trust, before me,



Notary Public
My Commission Expires: 1/9/2010

J. Hart. Kenyon

RECEIVED
PORTSMOUTH, RI
May 15, 2009 12:03:27P
KATHLEEN VIERA BEAUDOIN
TOWN CLERK

67 CEDAR AVE
PLAT 21, LOT 34

Bk: 1230 Pg: 21
INST: 00061101

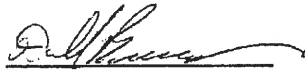
QUITCLAIM DEED

I, Donald A. Brosseau of Portsmouth, Rhode Island, for nominal consideration, grants to William J. Carreira, Jacqueline M. Augustine-Carreira of Portsmouth, State of Rhode Island in the following described property : as Tenants By The Entirety **WITH QUITCLAIM COVENANTS**

See EXHIBIT "A" attached hereto and made a part hereof.

This transfer is such that no documentary stamps are required and no R.I.G.L. 44-30-71.3 withholding is required and the transaction is exempt from the smoke detector law as provided in section 23-28.35-14 as it is not the result of a sale.

WITNESS my hand this 24th day of October, 2006.



Donald A. Brosseau

STATE OF RHODE ISLAND
COUNTY OF Kent

In East Greenwich, on the 24th day of October 2006, before me personally appeared Donald A. Brosseau to me known and known by me to be the party(s) executing the foregoing instrument, and he/she/they acknowledged said instrument, by he/her/they executed, to be his/her/their free act and deed.

STEVEN M. AUTIERI
Notary Public
State of Rhode Island
My Commission Expires 12/31/08



Notary Public
My Commission Expires: _____

Property Address: 67 Cedar Avenue, Portsmouth, RI 02871

EXHIBIT A
69 Cedar Avenue, Portsmouth, RI 02871

All that certain lot or parcel of land with the buildings and improvements thereon, situated in the Town of Portsmouth, County of Newport and State of Rhode Island, and is bounded and described as follows:

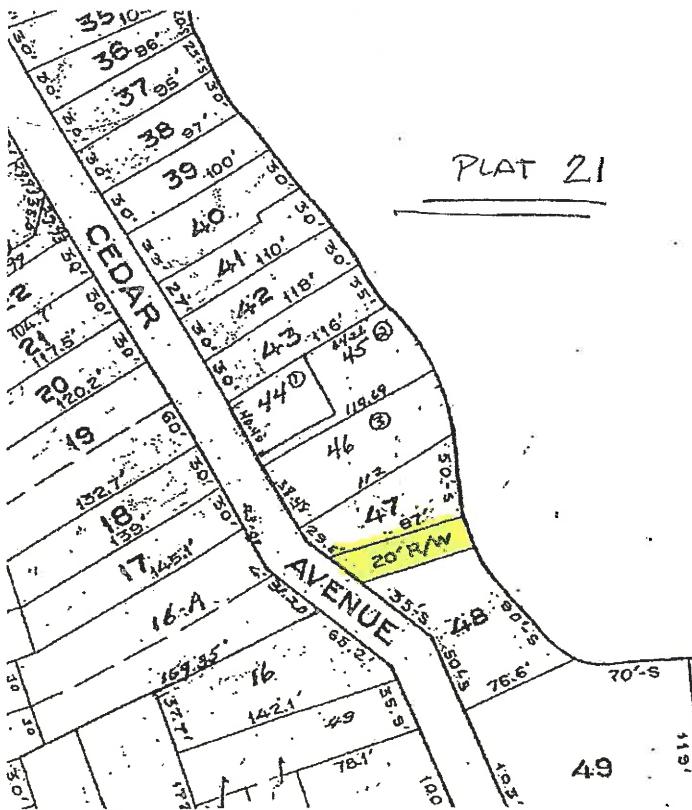
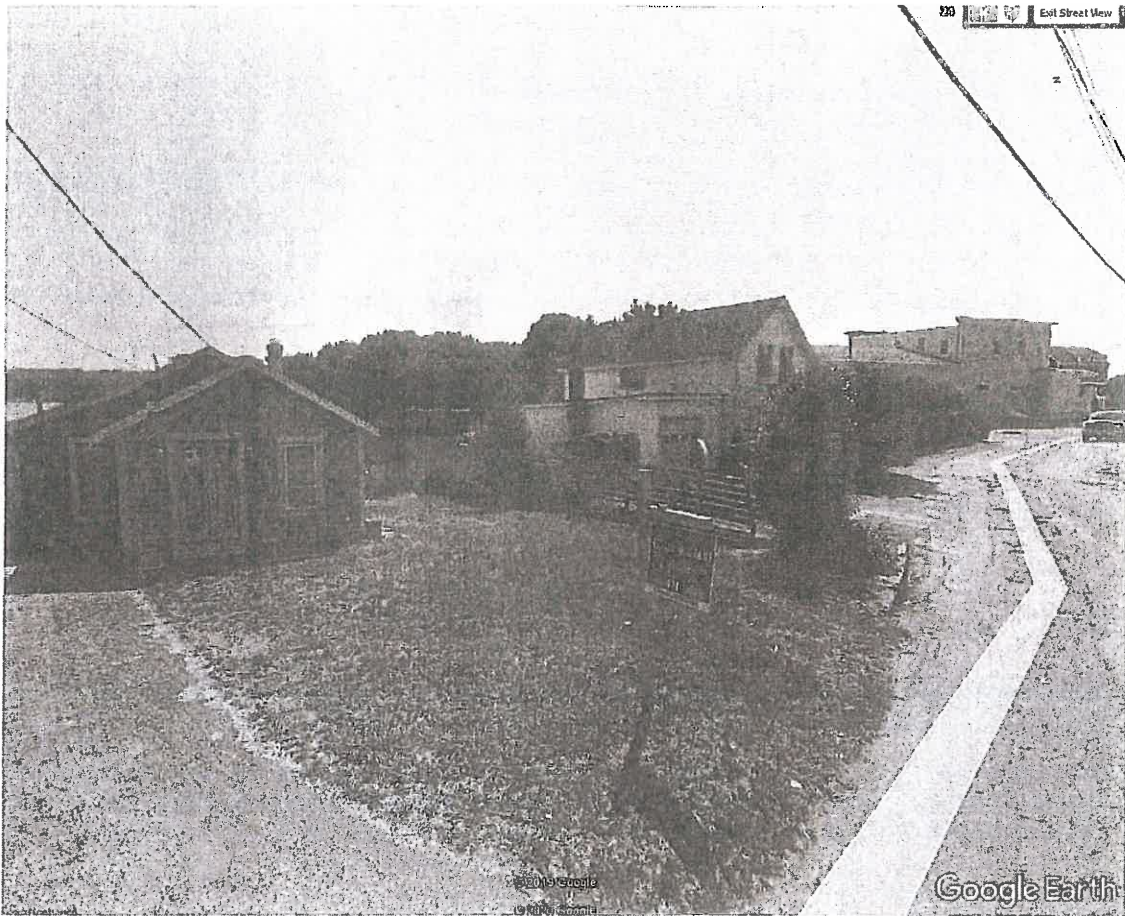
BEGINNING at the Southwestern corner of the lot to be conveyed at a point in the easterly line of Cedar Avenue thirty (30) feet southerly from a six foot way running from the junction of said Cedar Avenue and Beach Street to the shore of that part of Seaconnet River called the "Cove" said lot running from said point of beginning at angle of 103° 48" in a southeasterly direction to said "Cove" thence running in a Northeasterly direction by said "Cove" to the six foot way beforementioned; thence northwesterly by said six foot way one hundred eighteen (118) feet more or less to the corner of said six foot way and said Cedar Avenue; thence making an angle of 72° and running by said Cedar Avenue in a Southerly direction thirty (30) feet to the point of beginning containing nine and 86/100 square rods ore or less and being Lot Number three hundred forty three (343) on "Plan of Land situated in Portsmouth, R.I. belonging to Heir of Cornelius S. Green, Surveyed by Edward I. Marvell in July 1903. Scale 80 feet to one inch", and on file in the Town Clerk's office in said Portsmouth, Book of Plans 1, page 18.

BEING Lot 34 on Portsmouth Tax Assessor's Plat 21, as presently for reference purposes only.

RECEIVED
PORTSMOUTH, RI
Oct 25, 2006 11:14:57A
KATHLEEN VIERA BEAUDOIN
TOWN CLERK

A





PLAT 21

CRMC SIGN
 NOT A CRMC-DESIGNATED
 RIGHT-OF-WAY
 PORTSMOUTH ID # 31
 CEDAR AVENUE

25 CEDAR AVE

PLAT 21, LOT 47

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENT, that MAUREEN BERTHOLDE, of Tiverton, Rhode Island, for consideration paid, grant to KEVIN F. REGAN, with WARRANTY COVENANTS, that certain lot or parcel of land, with the buildings and improvements thereon, situated in the Town of Portsmouth, County of Newport, State of Rhode Island, being bounded and described as follows:

- NORTHERLY: one hundred twelve (112) feet by Lot No. 340 on plan of land hereinafter referred to;
- WESTERLY: twenty-nine and 63/100 (29.63) feet, by Cedar Avenue;
- SOUTHERLY: eighty-seven (87) feet, by a twenty (20) foot way; and
- EASTERLY: by the Cove, containing altogether, thirteen and 94/100 (13.94) square feet of land.

BEING Lot No. 25 on plan of land surveyed by E.I. Marvell for the heirs of Cornelius S. Greene, dated July, 1903, recorded with Portsmouth Land Evidence Records in Plan Book 1, Pages 18-19.

SUBJECT to taxes to the Town of Portsmouth assessed December 31, 2003 and December 31, 2004.

BEING the same premises conveyed to this grantor by deed of Raymond O. Blanchette and Gertrude L. Blanchette dated June 17, 1999 and recorded in Book 597, Page 212 in the Portsmouth Land Evidence Records.

The undersigned hereby certifies that she is in compliance with the Smoke Detector and Carbon Monoxide Law as provided in R.I.G.L. 23-28.35.14, et seq.

BK 114 PG 127

REAL ESTATE RECORDS
 DATE 5-17-05
 000533
 940.00
 5-17-05
 474

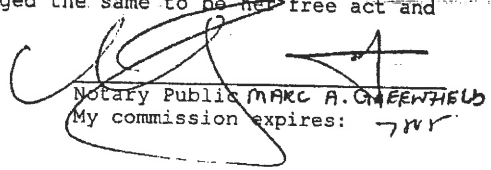
This conveyance is such that no withholding is required under R.I.G.L. 44-30-71.3 as the grantor is a resident of the State Rhode Island as evidenced by Affidavit.

IN WITNESS WHEREOF, the undersigned has caused her presence to be executed this 17 day May, 2005.


Maureen Bertholde

STATE OF RHODE ISLAND
COUNTY OF NEWPORT

In Newport, in said County, on the 17 day of May, 2005, then personally appeared the before named MAUREEN BERTHOLDE to me known and known by me to be the party who executed the foregoing instrument, and she acknowledged the same to be her free act and deed.


Notary Public MARC A. GREENFIELD
My commission expires: 7/11/11

Grantee's Address:

25 CEDAR AVENUE

PORTSMOUTH RI 02870

05-2236
RECEIVED
PORTSMOUTH, R.I.
2005 MAY 17 P 1:54
TOWN CLERK

: 1682 Pg: 188
ST: 00000063

TAX: 1150.00
DATE: 1/9/15
RECORDER: AR
CITY/TOWN OF: Portsmouth

15 CEDAR AVENUE
PLAT 21, LOT 48

Ek: 1682 Pg: 189
INST: 00000064

002419

WARRANTY DEED

ELIZABETH PEDRO, of
REAL ESTATE CONVEYANCE TAX
Portsmouth, Rhode Island and BARBARA MIGUEL, of Tiverton, Rhode
Island, for consideration paid in the amount of \$250,000.00
grant to JAMES G. LENGEL and KATHLEEN M. LENGEL, husband and
wife, as tenants by the entirety, with WARRANTY COVENANTS, that
certain lot or parcel of land, with all buildings and
improvements thereon; situated in the Town of Portsmouth, County
of Newport, State of Rhode Island, being bounded and described
as follows:

- NORTHERLY: by a twenty (20) foot right of way to the beach, one hundred twenty-five (125) feet;
- EASTERLY: by the "Cove";
- SOUTHERLY: by land now or formerly of John H. Sheehan III et ux; and
- WESTERLY: by Cedar Avenue, one hundred five and forty-three one hundredths (105.43) feet.

BE ALL said measurements more or less or however otherwise the same may be bounded and described.

BEING designated as Lot No. 48 on Portsmouth Tax Assessor's Plat 21, as the same is presently constituted for reference purposes only.

SUBJECT to taxes assessed as of December 31, 2013, and December 31, 2014 not yet due and payable by the Tax Assessor for the Town of Portsmouth.

BEING the same premises conveyed to Jesse J. Pedro and Ada Pedro, life estate, and Barbara Miguel and Elizabeth Pedro by Quitclaim Deed dated December 11, 2000 and recorded on December

Place Recording stamp here

Due	Penalty Due	Total Due
0.00	0.00	0.00
2,046.10	0.00	2,046.10
Total:		2,046.10

ing Grading, Fire Service.
on currently on this parcel.
as of the date listed above.
own Ordinance #2006-10-10 not
FROM THE PORTSMOUTH
figures. Please refer to R.I.G.L.
General Laws of Rhode Island.

RECEIVED
PORTSMOUTH, RI
Jan 09, 2015 12:23P
JOANNE M. MOWER
TOWN CLERK

13, 2000 in Book 668, Page 263 in the Land Evidence Records of the Town of Portsmouth. Jesse J. Pedro died February 4, 2008 and Ada Pedro died May 4, 2012.

This conveyance is such that no withholding is required under R.I.G.L. 44-30-71.3 as the grantors are residents of the State of Rhode Island as evidenced by Affidavits.

WITNESS our hands and seals this 9th day of January 2015.

Elizabeth Pedro

Elizabeth Pedro

Barbara Miguel

Barbara Miguel

STATE OF RHODE ISLAND
COUNTY OF Portsmouth

In Portsmouth, in said County, on the 9th day of January 2015, then personally appeared the before named ELIZABETH PEDRO and BARBARA MIGUEL to me personally known and known by me to be the parties who executed the foregoing instrument, and they acknowledged the same to be their free act and deed.

Notary Signature

Notary Public: William M. Anderson
My commission expires: 6/19/17

Grantee's Address:

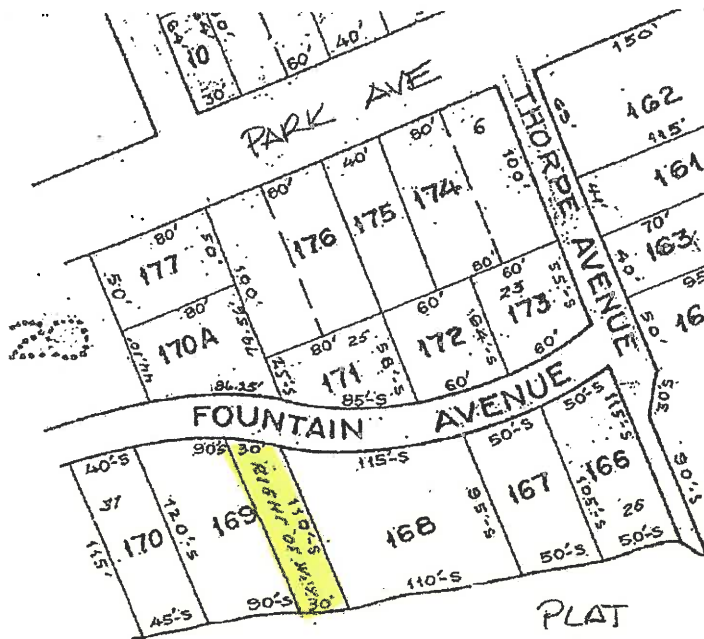
15 Cedar Ave
Portsmouth RI 02871

Property Address:

15 Cedar Avenue
Portsmouth, RI 02871

RECEIVED
PORTSMOUTH, RI
Jan 09, 2015 12:24P
JOANNE M. MOWER
TOWN CLERK





CRMC SIGN
 NOT A CRMC-DESIGNATED
 RIGHT-OF-WAY

PORTSMOUTH ID# 28
 DATABASE

FOUNTAIN AVENUE

PLAT
21

LEGEND

PARCEL NUMBERS	-----	1
ADJACENT MAPS	-----	2
MATCH LINE	-----	

63 FOUNTAIN AVENUE
PLAT 21, LOT 168

Bk: 1366 Pg: 295
INST#: 00091084

Office

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That, I, MICHELLE S. RUSSO of Saunderstown, Rhode Island, for consideration of \$0.00 paid, grants to MICHELLE S. RUSSO, as Trustee of the MICHELLE RUSSO LIVING TRUST, under Declaration of Trust dated July 3, 2008, including amendments thereto, now in full force and effect, to be held, administered and disposed of as a part of the trust estate held under said Trust, with QUITCLAIM COVENANTS; all that certain lot or parcel of land, together with the buildings and improvements thereon, located in the Town of Portsmouth, County of Newport and State of Rhode Island, bounded and described as follows:

- NORTHERLY: on Fountain Avenue, one hundred fifteen (115) feet;
- EASTERLY: by land now or formerly of Alice Ann Furtado, ninety-five (95) feet;
- SOUTHERLY: by the waters of the Seaconnet River, one hundred ten (110) feet; and
- WESTERLY: on a right of way, one hundred (100) feet.

BE ALL said measurements more or less or however otherwise the same may be bounded and described.

BEING Lot No. 28 & 29 as shown on that certain plat entitled, "Plan of Ocean View Situated in Portsmouth, R.I. Belonging to C.S. Green, J.W. Coughlin and P.J. Hurley, Surveyed by E.M. Corbett, May 1900" and recorded in Plat Book 1 at Pages 10-11 of the Portsmouth Land Evidence Records.

ALSO INCLUDING a portion of a street on said plan abandoned by the Town of Portsmouth and recorded in Volume 45 at Page 90 of the Portsmouth Land Evidence Records.

BEING further designated as Lot 168 on Portsmouth Tax Assessor's Plat 21, as presently constituted.

4

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ent

.19.18
155.07
74.12

48.37

, on this,

36P
AUDOIN

12-3410

ax lien

v. 2-2004)
160025X

Bk: 1366 Pg: 296
INST: 00091084

BEING the same premises conveyed to this Grantor by deed of Vladimir Coric and Ljerka Corie, dated October 26, 2001 and recorded in Volume 729 at Page 245 of the Portsmouth Land Evidence Records.

SUBJECT to restrictions as set forth in Volume 22 at Page 488 and Volume 31 at Page 348 of the Portsmouth Land Evidence Records.

THE GRANTOR herein covenants that no RIGL 44-30.71.3 withholding is required as this transfer is not the result of a sale and is wholly without monetary consideration; further, the consideration for this conveyance is such that no Rhode Island Realty Tax Stamps are required.

WITNESS my hand and seal this 2 day of March, 2009.

Michelle Russo
Michelle S. Russo

STATE OF RHODE ISLAND

COUNTY OF NEWPORT

In, Newport, in said County on this 2 day of March, 2009, then personally appeared the before named MICHELLE S. RUSSO to me known and known by me to be the party who executed the foregoing instrument, and she acknowledged the same to be her free act and deed, before me.

Dione M. Jones
Notary Public
Commission Expires: 3/31/2012

GRANTEE'S ADDRESS:
198 Glen Hill Drive
Saunderstown RI 02874

RECEIVED
PORTSMOUTH, RI
Mar 26 2009 02:00:29P
KATHLEEN VIERA BEAUDOIN
TOWN CLERK

45 FOUNTAINS AVENUE
PLAT 21, LOT 169

021159 Portsmouth, R.I.
Received for record 222-02
at 11:20 o'clock A M
and Recorded in Book No. 760
Page 277 Carol J. J...
Town Clerk

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that we, Louis L. Lagarto and Germaine Lagarto,
both of Portsmouth, Rhode Island

for consideration paid, grant to

Mark T. Oliveira and Jeanne Oliveira, both of 28 Lake Street in Rehoboth, Massachusetts
02769, to be held as Tenants by the Entirety and with WARRANTY COVENANTS:

That certain lot or parcel of land situated in the Town of Portsmouth, County
of Newport, State of Rhode Island, bounded and described as follows:

Being lot number 30 (thirty) shown and delineated on a plan of land entitled
"Plan of Ocean View, situated in Portsmouth, R.I., belonging to C.S. Greene, J.W.
Coughlin and P.J. Hurley, surveyed by E.M. Corbett, May 1900" which said plan is
on file in the office of the Town Clerk of the Town of Portsmouth, Rhode Island.
Said lot number 30 is further described as being bounded WESTERLY by lot 31 on
said plan, one hundred twenty (120) feet, SOUTHERLY by the Seacomet River,
sixty-two and five tenths (62.5) feet, more or less, EASTERLY by a proposed thirty
(30) foot way from mean high water mark eighty (80) feet to a point, thence in a
curved line running northwesterly, northerly and westerly, bounding on the said
proposed wayand on Fountain Avenue to the point of intersection with said lot 31.

These premises are conveyed subject to conditions and restrictions of record in
prior conveyances insofar as they are still in effect.

Also, conveyed herewith is Area 4, so-called, adjoining above lot 30 and
described in that certain Order and Decree with respect to the Abandonment of
Certain Portions of Fountain Avenue in the Town of Portsmouth, Rhode Island,
recoded in the office of the Town Clerk of said Town of Portsmouth in Book 45 at
pages 90 and 91.

Being the same premises contained in deed dated November 26, 1971 and
recorded in the Portsmouth Land Evidence Records in Book 72 at pages 192 and 193.

We, the Grantors, herein do further covenant that we are residents of Rhode Island in
compliance with RIQL 44-30-71.3 and we further covenant that we have complied with the smoke
detector law in RIQL 23-28.35-1 et seq.

WITNESSETH our hands and seals this 28th day of January, 2002.

TAX \$ 364.00
DATE - 2-22-02
REC'D 28
000132
REAL ESTATE CONVEYANCE TAX

Louis L. Lagarto
Louis L. Lagarto

Germaine Lagarto
Germaine Lagarto

STATE OF RHODE ISLAND
COUNTY OF BRISTOL

In the Town of Bristol this Jan 28, 2002, before me personally appeared Louis L.
Lagarto and Germaine Lagarto, to me known and known by me to be the persons executing the
foregoing instrument which they acknowledged to be their free act and deed.

[Signature]

Notary Public

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RECORD

DISCHARGE OF MORTGAGE

WHEREAS, Citizens Bank of Rhode Island having received full payment and satisfaction does hereby cancel and discharge that certain mortgage Deed from Edward S Mello, Jr and Cynthia M Mello of 77 Ann Avenue, Portsmouth, RI dated September 4, 1998 and recorded in the Records of Land Evidence/Land Records in the City/Town of Portsmouth in the County of Newport in the Registry of deeds on September 8, 1998 in Book/Volume 555 on Page 19.

IN TESTIMONY WHEREOF, said bank has caused its Corporate Seal to be affixed and these present to be signed in its name and behalf by Maureen L. Beauvais, Assistant Vice President, on January 29, 2002.

Signed and Sealed in the Presence of:

Raymond [Signature]
Witness

CITIZENS BANK OF RHODE ISLAND

BY: *Maureen L. Beauvais*
Maureen L. Beauvais, Assistant Vice President

THE STATE OF RHODE ISLAND, COUNTY OF PROVIDENCE

Then personally appeared the above named officer, and acknowledged the foregoing instrument to be the free act and deed of CITIZENS BANK OF RHODE ISLAND, before me on January 29, 2002.

BY: *Gail Luszczyk*
Gail Luszczyk, Notary Public
My Commission Expires: 09/08/02

Return to:
Mello
77 Ann Ave
Portsmouth, RI 02871

021160
Portsmouth, R.I.
Received for record *February 22, 2002*
at *11:45* o'clock *AM*
and Recorded in Book No. *260*
Page *278*
Carol [Signature]
Town Clerk

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END DOCUMENT

