

37

1685

321

COMMONWEALTH OF MASSACHUSETTS.

Norfolk ss. At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the twenty-third day of February 1926, by adjournment of their December meeting next preceding: The petition of Charles F. Rowley and others, of Brookline, in said County, represents as follows: Commonwealth of Massachusetts. Norfolk, ss. To the Honorable the County Commissioners of the County of Norfolk: Respectfully represent your petitioners, inhabitants of the town of Brookline in said County, that common convenience and necessity require that the way known as Lagrange Street, a public way in said town, be relocated between the boundary line between Brookline and Newton and a point 763.45 ft. northeasterly from said town line for the purpose of making alterations in the course of said way. Wherefore your petitioners pray that said way may be relocated within the limits above specified. Dated November 9, 1925.

Norfolk County
Taking

Charles F. Rowley
 Walter J. Cusick
 G. Loring Briggs
 Daniel A. Rollins
 Theo. G. Bremer.

Plan Book 105, Plan # 35 - (1926)

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the seventeenth day of November 1925, by adjournment of their September meeting next preceding; and the twenty-ninth day of December then next, and 2:30 o'clock in the afternoon, at the Selectmen's Room in said Brookline were appointed by the Commissioners as the time and place for commencing and proceeding to view the premises; and they thereupon caused a copy of said petition, and of this order thereon, to be served upon the Clerk of the Town of Brookline, being the town within which such relocation of way was prayed for, thirty days at least before the time appointed for said view; and also caused copies of said petition and order to be posted in two public places in said town; and also gave notice to all persons interested, by causing a like copy to be published three weeks successively in the Chronicle, a newspaper published in said County, said posting and the last publication of said copy having been fourteen days at least before the time appointed for said view, that all persons and corporations interested for or against said petition, might then and there appear and be heard if they saw fit. And on the said twenty-ninth day of December, the Commissioners, Evan F. Richardson and Edward W. Hunt (Frederick A. Leavitt not acting in these proceedings because of disqualification by reason of residence) met at the time and place specified in said order, when and where the petitioners appeared, and the town of Brookline was represented by its

selectmen; and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; and no party interested objected; when and where the said Commissioners did adjudge that common convenience and necessity require that said way be relocated as prayed for in said petition. And thence the same was continued and adjourned from time to time to this meeting. And now the said Commissioners, by courses and distances, metes and bounds, do relocate said Lagrange Street in Brookline as prayed for in said petition. And the lines of said relocation of said Lagrange Street are as follows: The center line of this layout begins at an unmarked point in the Brookline-Newton line, said point bearing S 41-12 E 20.14 ft. from a town bound on the westerly side of said Lagrange Street; thence N 10-43-30 E 12.42 ft.; thence by a 526.19 ft. radius curve to the right 379.37 ft.; thence N 52-02 E 63.72 ft.; thence by a 583.45 ft. radius curve to the left 288.95 ft. to a point bearing S 66-20-30 E and 25 ft. distant from a stone bound in the present westerly line of said Lagrange Street. The side lines of this layout are 25 feet distant from and parallel to the center line as above described, making said layout 50 feet in width throughout. Said lines are shown upon a plan entitled "Plan showing the Relocation of Lagrange Street, between town line and Princeton Road in the Town of Brookline, as made by the Norfolk County Commissioners, Evan F. Richardson, Chairman, January 18, 1926, Hartley L. White, County Engineer. Scale 1 inch - 50 feet" which plan is filed herewith and made a part of this return. And the said commissioners do hereby take for the purposes of a highway all the lands included within the lines of relocation hereinbefore described and as shown on the plan hereinbefore referred to and made a part hereof in so far as such lands may lie outside the limits of said way as heretofore defined. And permanent stone or concrete bounds, not less than three feet long, two feet of which at least shall be inserted in the earth, will be erected at the termini and angles of the way relocated as aforesaid, when practicable; and, when not so, a heap of stones, a living tree, a permanent rock, or the corner of an edifice will be a substitute; or said bounds may be permanent stone or concrete bounds not less than three feet long, with holes drilled therein, and filled with lead, placed a few inches below the travelled part of the street or way. And it is determined by the Commissioners that the Inhabitants of the Town of Brookline, do within two years from the date of this return and order complete said way in a thorough and workmanlike manner and to the acceptance of the County Commissioners.] Said way shall be constructed to the full width indicated on said plan, throughout the entire length of the portion relocated by this return and order. [Suitable sidewalks, gutters, culverts, retaining walls, fences and railings shall be constructed wherever

needed. And it is determined by the Commissioners that all the expenses of making the relocation of way prescribed in this return and order including the expenses of constructing said way, and all land and other damages and expenses incident thereto, be paid by the Inhabitants of the Town of Brookline; and that the County of Norfolk shall pay to the Inhabitants of the Town of Brookline the sum of three hundred dollars (\$300.00) payment thereof to be made at such time as the commissioners may determine, having regard to the amount of the work done and the proportion of the expense to be paid by the County. And the Commissioners have heard the proprietors of lands and property, rights and interests, taken or affected by these proceedings, and have considered and estimated the damages sustained in the premises, having had regard to all the damages done to the parties respectively, whether by taking their property or injuring it in any manner, and having allowed, by way of set off, the benefits, if any, to the property of said parties in the premises, and do estimate and determine the damages to be paid to said parties respectively, in the sums hereafter named; the same to be paid to said parties respectively by the Inhabitants of the Town of Brookline when the lands hereby taken and over which said way is hereby located, have been entered upon and possession taken, for the purpose of constructing the said way.

The Attleborough Savings Bank \$300.00

And having heard the proprietors of lands and property, rights and interests taken or affected by these proceedings, the Commissioners direct that all said proprietors shall have the right to take off their timber, wood and trees and to remove their buildings, structures, hedges, walls and fences from the lands so taken, at any time within three months from the date of this return and order.

Evan F. Richardson County
Edward W. Hunt Commissioners

Commonwealth of Massachusetts. Norfolk ss. At a meeting of the County Commissioners, held at Dedham, on Tuesday, the 23rd day of February, by adjournment of their December meeting next preceding: Ordered That the foregoing Return and Order be filed, accepted and recorded, and that an attested copy thereof be transmitted to the Clerk of the Town of Brookline within the limits of which said highway described therein lies, that the same may be recorded by said Clerk, within ten days in the book of records kept in said town for that purpose.

Evan F. Richardson County
Edward W. Hunt Commissioners

A true copy of County Commissioners' Return and Order of Taking thereon.

Attest: R.B. Worthington Clerk.

Rec'd. & entered for record Feb. 26, 1926 at 9h.17m. A.M.