

#42

Norfolk County
Taking

Norfolk, held at Dedham, within and for said County, on the thirteenth day of April 1926 by adjournment of their December meeting next preceding: The petition of Louise E. Alexander and others, of Braintree 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 Braintree, in said County, that common convenience and necessity require that the way known as Quincy Avenue a public way in said town, be relocated between the railroad crossing and Commercial Street and the way known as Commercial Street, a public way in said town, be relocated between Quincy Avenue and the Weymouth town line for the purpose of making alterations in the course or width of said ways and repairing the same. Wherefore your petitioners pray that said ways may be so relocated within the limits above specified. Dated December 2, 1925.

- Louise E. Alexander, 27 Quincy Ave., E. Braintree
- Joshua Gill, 30 Commercial St., E. Braintree
- Seward W. Taber, 25 Commercial St., E. Braintree
- J. Caleb Justice, 176 Commercial St., E. Braintree
- Howard B. Hall, 234 Commercial St., E. Braintree
- Edw. D. Cahill, 65 Hobart St., E. Braintree
- Geo. S. Schraut, 18 Prescott Lane, E. Braintree
- Theodore E. Fogg, 276 Quincy Ave., E. Braintree
- Howard I. Dalton, 25 Edgemont Road, E. Braintree
- Theodore R. Alexander, 20 Bellevue Rd., E. Braintree
- Chester L. Howe, 27 Faxon St., E. Braintree
- William E. Pray, 93 Front St., Weymouth

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the fifteenth day of December 1925, by adjournment of their September meeting next preceding; and the second day of February then next, and two o'clock in the afternoon, at the Selectmen's Room in said Braintree 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 Braintree 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 Braintree Observer, a newspaper published in said County, said posting and the last publication of said copy having been fourteen

Plan Book 106, Plan 279 - (1926)

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 second day of February 1926, the Commissioners, Evan F. Richardson, Edward W. Hunt and Frederick A. Leavitt, met at the time and place specified in said order, when and where the petitioners appeared, and the town of Braintree 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; and said hearing was then continued and adjourned to a meeting of the Commissioners held at Dedham aforesaid, on the ninth day of February, 1926, by adjournment of their December meeting next preceding, when and where the said Commissioners proceeded to consider and adjudicate upon the prayer of said petition, and thereupon 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 Quincy Avenue and Commercial Street in Braintree as prayed for in said petition. And the lines of said relocation of said ways are as follows: The northerly line of this layout begins at an iron bolt in the easterly line of Quincy Avenue at a point distant 155.36 ft. southerly from a stone bound in the southerly side line of the N.Y.N.H. & H.R.R. location; thence southerly and easterly by a 185.06 ft. radius curve 143.61 ft. to a bolt or bound; thence continuing by an 800 ft. radius curve to the left 95.84 ft. to a stone bound; thence S 30-04-35 E 92.02 ft. to the Braintree-Weymouth Town Line; thence S 64-34-35 W. 21.15 ft. in said town line to an unmarked point; thence S 73-00-30 W. 2.25 ft. to the present northerly line of said Commercial Street; thence by the same course 23.9 ft. in said town line to an unmarked point; thence S 19-19-15 W. 64.58 ft. to a county street bound in the southerly line of said Commercial Street as laid out by the County Commissioners in July 1898. No change is made in the southerly line of said Commercial Street in Braintree by this layout. Said lines are shown upon a plan entitled "Plan showing the Relocation and Widening of Commercial Street in the Towns of Braintree and Weymouth between Quincy Ave., Braintree and Washington Square, Weymouth, as made by the Norfolk County Commissioners, Evan F. Richardson, Chairman, April 1926. From surveys made by Russell H. Whiting, C.E. Scale 1 inch -- 40 feet. Hartley I. White, County Engineer." And the said commissioners do hereby take for the purpose 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 Braintree, do within one year 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 said ways as prescribed in this return and order including the expenses of constructing said ways, and all land and other damages and expenses incident thereto, be paid by the Inhabitants of the Town of Braintree. 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 Braintree when the lands hereby taken and over which said ways are hereby located, have been entered upon and possession taken, for the purpose of constructing the said way.

Louise E. Alexander	20.00
Howard M. Clark & Seward W. Taber	80.00
Seward W. Taber	9195.00
Morris Bloom	11327.50
Meyer Winer	3284.00
Frank H. Floyd	4052.00
	<u>27958.50</u>

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 the timber, wood, and trees, and

to remove their buildings, structures, hedges, walls and fences from the land so taken, at any time within six months from the date of this return and order.

Evan F. Richardson
Edward W. Hunt
Frederick A. Leavitt
County
Commissioners

Commonwealth of Massachusetts. Norfolk ss. At a meeting of the County Commissioners, held at Dedham, on Tuesday, the thirteenth day of April 1926, 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 Braintree 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
Edward W. Hunt
Frederick A. Leavitt
County
Commissioners

A true copy of County Commissioner's Return and Order of Taking. Attest:

R.B. Worthington Clerk.

Rec'd. & entered for record Apr. 20, 1926 at 9h. 7m. A.M.

Tuscan
to
Kilpatrick

I, George E. Tuscan of Quincy, Norfolk County, Massachusetts, for consideration paid, grant to Frederic W. Kilpatrick of Quincy, Norfolk County, Massachusetts, with QUITCLAIM COVENANTS the land in that part of said QUINCY known as Wollaston, being Lot No. six (6) in block seven (7) of Section one (1) of land of the Wollaston Land Associates, Norfolk County, as shown on a plan of said Section, drawn by D. Grant and Son, recorded with Norfolk Deeds at the end of Book 393, and bounded: Southwesterly on Grand View Avenue, one hundred fifty (150) feet; Southeast-erly on Central Avenue, seventy six (76) feet; Northeast-erly on Lot Seven in said block, one hundred fifty (150) feet; Northwest-erly on Lot five in said block, seventy six (76) feet; Containing eleven thousand four hundred (11400) square feet. Being the same premises conveyed to me by Nellie M. Weeks by deed dated September 22, 1925, recorded with Norfolk Deeds under date of Sep-tember 26, 1925, Book 1664, Page 608. This property is conveyed subject to re-strictions of record so far as the same are now in force and applicable thereto. Conveyed subject to a mortgage of \$2000 given by said George E. Tuscan to Nellie M. Weeks, dated September 22, 1925 and recorded in Norfolk Deeds, September 26th, 1925, book 1664, page 608, also subject to taxes assessed as of April 1st, 1925 and taxes assessed as of April 1st, 1926. I, Marie W.