

#185A

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 seventh day of June 1932 by adjournment of their April meeting next preceding: The petition of Frederick W. Whitcomb of Holbrook in said County represents as follows: Commonwealth of Massachusetts Norfolk, ss. To the Honorable, the County Commissioners of the County of Norfolk: Respectfully represents your petitioner, Frederick W. Whitcomb, of Holbrook, in the County of Norfolk. That on or about the 3rd day of September 1931, he requested, in writing, the selectmen of said town of Holbrook to layout a private way in the town of Holbrook, extending Northerly from Maple Avenue, to the land of the petitioner, a copy of which petition with the plan filed therewith are hereto annexed: That the said selectmen of said Holbrook unreasonably refused and neglected to layout said way, wherefore your petitioner prays this Honorable Board to layout said way as petitioned for to said Board of Selectmen of Holbrook, to establish the boundaries of said way, and to take such other action as may be necessary to the premises. To the Selectmen of the Town of Holbrook: Your petitioner respectfully requests the Board of Selectmen of the Town of Holbrook to layout as a private way that parcel of land lying northerly of Maple Avenue, a private way in the town of Holbrook and extending from said Maple Avenue to the land of your petitioner, bounded and described as follows: Southerly by Maple Avenue, twenty (20) feet; Westerly by land of Wilson D. Thayer et al, eighty (80) feet more or less; Northerly by land of your petitioner, twenty (20) feet. Easterly by land of Wilson D. Thayer et al, eighty (80) feet more or less. And indicated on the plan herewith filed by parallel black lines on the Easterly and Westerly bounds of the way to be laid out. Frederick W. Whitcomb.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the sixteenth day of February 1932, by adjournment of their December meeting next preceding; and the twenty second day of March then next, and two o'clock in the afternoon at the Court House in said Dedham 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 order of notice thereon, to be served upon the Clerk of the Town of Holbrook being the town within which such private way was prayed for, fifteen days at least before the time appointed for said view; and also caused copies of an abstract of said petition and of said order of notice to be posted in two public places in said town; and to be published in the Holbrook Times, a newspaper published in said County, said posting and publication having been seven 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-second day of March the Commissioners met at the time and place specified in said order and thence said hearing was continued and adjourned to a meeting of said Commissioners held on the third day of May 1932 and thence said hearing was continued and adjourned to a meeting of said Commissioners held on the seventeenth day of May 1932 and on said seventeenth day of May 1932 the said commissioners Edward W. Hunt, Frederick A. Leavitt and Rus-

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sell T. Bates heard the petitioner and all persons and corporations interested and the town of Holbrook was represented by its selectmen, and said hearing was thence continued and adjourned to a meeting of said commissioners on the thirty-first day of May 1932 when and where the said Commissioners proceeded to consider and adjudicate upon the prayer of said petition and did thereupon adjudge that a private way be laid out under the prayer of said petition and thence the same was continued and adjourned to a meeting of said Commissioners held on the seventh day of June 1932. And now the said Commissioners do lay out a private way in said Holbrook under the prayer of said petition, and do determine the boundaries and measurements of said private way to be as follows: Beginning at a stone bound in the northerly line of Maple Avenue in Holbrook, said bound being about 379.00 ft. westerly on the westerly line of Franklin Street and bearing N-15-56-W 48.25 ft. from the northwest corner of the boiler room on the southerly side of said Maple Avenue; thence N-43-14-E 71.65 ft. over land of Heirs of E. Newton Thayer to a drill hole in the foundation stone of wall at land of Frederick W. Whitcomb; thence N-46-42-W in said Whitcomb's line 24.00 ft. to a drill hole in foundation stone of wall; thence S-43-14-W 71.68 ft. over land of said Heirs of E. Newton Thayer to a stone bound in the northerly line of said Maple Avenue; thence S-46-46-E 24.00 ft. in the said Maple Avenue line to the point of beginning. Said lines are shown upon a plan entitled "Plan showing Private Way from Maple Ave. to Land of Frederick W. Whitcomb in the Town of Holbrook as laid out by the Norfolk County Commissioners by Return dated June 7, 1932, Hartley L. White, County Engineer, Scale 1 inch = 40 feet." and marked "Edward W. Hunt, Chairman" which plan is filed herewith and made a part of this return. And the said commissioners do hereby take for the purposes of a private way all the easements and rights incident to a private way in the lands included within the boundaries and measurements as hereinbefore determined and described and as shown on the plan hereinbefore referred to and made a part hereof. 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 laid out as aforesaid. And it is determined by the Commissioners that the Inhabitants of the Town of Holbrook, do within one year from the date of this return and order complete said private way to the acceptance of the County Commissioners. And it is determined by the Commissioners that all the expenses of constructing the private way prescribed in this return and order including the costs of these proceedings and all land and other damages and expenses incident thereto be paid by the Inhabitants of the Town of Holbrook; and that the petitioner shall repay to the Inhabitants of the Town of Holbrook all sums so expended and that security for the payment thereof satisfactory to the commissioners shall be given by said petitioner to the town of Holbrook before said way is entered upon for the purpose of constructing the same. 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 Holbrook, when the lands hereby taken and over which said private way is hereby located, have been entered upon and possession taken, for the purpose of constructing the said way.

Heirs of E. Newton Thayer \$100.00  
) Edward W. Hunt  
) Commonwealth of Massachusetts ) Frederick A. Leavitt  
) Norfolk, ss. At a meeting of the ) Russell T. Bates County Commissioners

County Commissioners, held at Dedham on Tuesday, the seventh day of June 1932, by adjournment of their April 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 Holbrook within the limits of which said private way 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.

) Edward W. Hunt  
) Frederick A. Leavitt  
) Russell T. Bates County Commissioners

A true copy of County Commissioners' Return

Attest: R. B. Worthington, Clerk.

Rec'd. & entered for record June 30, 1932 at 11h.50m. A.M.

KNOW ALL MEN BY THESE PRESENTS

that the Whitman Co-operative Bank of Whitman, Massachusetts, the mortgagee named in a certain mortgage given by Emma C. Cronin Dated Nov. 16, A.D. 1926, and recorded with Norfolk County Deeds, Lib. 1723 Fol. 639 hereby acknowledges that it has received full payment and satisfaction of the same, and in consideration thereof it hereby cancels and discharges said mortgage. IN WITNESS WHEREOF, the said Whitman Co-operative Bank has caused its corporate seal to be hereunto affixed and these presents to be signed, acknowledged, and delivered, in its name and behalf by Harrison D. Soule, its Treasurer, this thirtieth day of June, A.D. 1932.

Whitman Co-op.  
Bk.  
Dis.

Signed and sealed in presence of ) Whitman Co-operative Bank  
) by Harrison D. Soule Treasurer.  
) (Corporate seal)  
Commonwealth of Massachusetts, )

Plymouth, ss. June 30, 1932. Then personally appeared the above named Harrison D. Soule, Treasurer, and acknowledged the foregoing instrument to be the free act and deed of the Whitman Co-operative Bank, before me Carleton E. Staples Notary Public (Notarial seal) My commission expires June 28, 1936.

Rec'd. & entered for record June 30, 1932 at 11h.50m. A.M.