

4238

Being a portion of the premises described in a deed from John W.Sexton et ux., to Dayton Realty Company, Inc., dated May 29, 1928 and recorded with Norfolk County Registry of Deeds, Book 1797 page 551. This conveyance is made subject to all assessments, betterments and other municipal liens, if any, and to the restrictions of record with are now in force and apply. EXECUTED this 13 day of November 1936.

Commonwealth of Massachusetts	)	Dayton Realty Company, Inc.
Suffolk ss. November 13, 1936	)	Perry J. Crouse President
Then personally appeared the above	)	Herbert W. Dayton Treasurer
	)	(corporate seal)

named Herbert W. Dayton, Treasurer and Perry J. Crouse, President and acknowledged the foregoing instrument to be the free act and deed of the Dayton Realty Company, Inc. before me. Maurice Kagan Notary Public (Notarial seal showing commission expires Dec. 17, 1937)

Rec'd & entered for record Jan. 6, 1937 at 9h. 29m. A.M.

COMMONWEALTH OF MASSACHUSETTS Norfolk ss.

County of Norfolk  
Taking

At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County on the twenty ninth day of December 1936 by adjournment of their September meeting next preceding; The petition of Frank J. Carroll and others of Canton 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 Canton in said County that common convenience and necessity require that the way known as Dedham Street, a public way in said town, be relocated between Washington Street and Westwood Town Line, with suitable connections with all intersecting streets for the purpose of establishing the boundary line of said way, making alterations in the course or width of said way and making repairs on said way. Wherefore your petitioners pray that said way may be relocated within the limits above specified

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|-------------------------|------------------------------|
| Frank J. Carroll        | 18 Chapel St., Canton, Mass. |
| William E. Shaughnessey | 89 Messinger St., Canton,    |
| Gatherine F. Galligan   | 108 Rockland St. Canton      |
| Howard B. Capen         | 116 Messinger St., Canton    |
| Michael J. Rogers       | 227 Mechanic St., Canton     |

Dated August 30, 1936 This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the eighth day of September 1936 by adjournment of their June meeting next preceding; and the twenty ninth day of September 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 Canton being the town within which such relocation of 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

Plan Book 120, Plan # 344-1937

to be posted in two public places in said town; and to be published in the Canton Journal 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 ninth day of September, the Commissioners Edward W. Hunt, Frederick A. Leavitt and Russell T. Bates, met at the time and place specified in said order, when and where the petitioners appeared and the town of Canton was represented by its selectmen; and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; 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 upon the adjudication aforesaid, the said Commissioners appointed the fifteenth day of December 1936 and three o'clock in the afternoon, at the Town Hall in Canton, as the time and place when and where they would proceed to and take such action in relation to said adjudication as by law they might be authorized to do. And having given notice of such adjudication, and of the time and place appointed, and for the purpose aforesaid in the same manner as the notice and publication were given and made before first proceeding to view, the said Commissioners met at the time and place appointed and then and there heard all persons and corporations interested, and said hearing was thence adjourned and continued from time to time to this meeting; And now the said Commissioners by courses and distances metes and bounds, do relocate said Dedham Street as prayed for in said petition. And the lines of said relocation of said Dedham Street are as follows; The westerly line begins at a stone bound on the westerly side of Dedham Street, about 700 feet southerly from Elm Street, said bound bearing S-85-46-W 115.2 ft. from the northwesterly corner of the dwelling house on the easterly side of Dedham Street belonging to Amy F. Leavitt; thence northerly and northeasterly by a 1000.00 ft radius curve 395.73 ft. to a stone bound; thence N. 8-06-E 149.88 ft. to a stone bound; thence by a 600.00 ft. radius curve to the left 346.62 ft. to a stone bound; thence N. 25-00-00 W. 468.50 ft. to a stone bound; thence by a 4060.00 ft. radius curve to the right 304.70 ft. to a stone bound; thence N. 20-42-W 583.20 ft. to a stone bound; thence by a 2000.00 ft. radius curve to the left 469.59 ft. to a stone bound; thence N. 34-09-10-W 199.26 ft. to a stone bound; thence by a 2460.00 ft. radius curve to the right 374.61 ft. to a stone bound; thence N. 25-25-40-W 598.39 ft. to a stone bound in the westerly line of that portion of Dedham Street as laid out by the Massachusetts Department of Public Works in connection with the abolition of the grade crossing of said Dedham Street at the N.Y.N.H.& H.R.R. on June 23, 1936. The easterly line begins at a stone bound on the easterly side of Dedham Street, said bound bearing N. 75-25-35 E. 50.00 Ft. from the point of beginning of the westerly line as above described; thence northerly and northeasterly by a 950.00 ft. radius curve 375.94 ft. to a stone bound; thence N. 8-06-E. 305.15 ft. to a stone bound; thence by a 280.00 ft. radius curve to the right 206.45 ft to a stone bound on the southerly side of Elm Street; thence N. 33-51-20-W 50.26 ft. across said Elm Street to a stone bound on the northerly side of said Elm Street; thence westerly and northwesterly by a 100.00 ft. radius curve 182.66 ft.

to a stone bound; thence N.25-00-W. 429.00 ft. to a stone bound; thence by a 4000.00 ft. radius curve to the right 300.20 ft. to a stone bound; thence N.-20-42-W.583.20 ft. to a stone bound; thence by a 2060.00 ft. radius curve to the left 483.68 ft. to a stone bound; thence N.34-09-10-W 199.26 ft. to a stone bound; thence by a 2400.00 ft. radius curve to the right 365.47 ft. to a stone bound; thence N.25-25-40 W.598.39 ft. to a stone bound in the easterly line of Dedham Street as laid out by the Massachusetts Department of Public Works as aforesaid, said bound bearing N.64-34-20-E 60.00 from the last bound in the westerly line as above described. Said lines are shown upon a plan entitled "Plan showing the Relocation and Widening of Dedham St., Canton from a point about 700 feet south of Elm St. to a point about 500 feet south of the N.Y.N.H.& H.R.R. as made by the Norfolk County Commissioners by Return dated Dec. 29, 1936 Hartley L. White County Engineer, Scale 40 feet = 1 inch." 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 highway all the easements and rights incident to a public highway in 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 the said Commissioners do likewise further take all the easements in lands adjoining the location of said way as hereby established, consisting of the right to have the lands of said location protected by having the surface of the adjoining land slope from the lines of said location as indicated on said plan. 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 of way. And it is determined by the Commissioners that the Inhabitants of the Town of Canton, 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. The travelled part of said way shall be constructed not less than twenty four (24) feet in width. - 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 as 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 Canton. 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 Canton 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 said way.

John P. and Paul A. Draper	1.00
Boston Metropolitan Airport Inc.	1.00
Marie L. Clemens, per Superior Court Records Case #27082	50.00
Home Owners' Loan Corporation	1.00
Home Owners' Loan Corporation	1.00
Thomas E. Bryan, Ld. Ct. Cert. #8983, Bk. 45, P. 183	1.00
Peter Wurzel	1.00
Otto and August Pebler	1.00
Ellen V. Murphy	1.00
Mary E. Matthews	1.00
Total	<u>\$59.00</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 their timber, wood, and trees and to remove their buildings, structures, hedges, walls, and fences from the lands so taken, at any time within one month from the date on which the work ordered by this return is begun.

) Edward W. Hunt  
 Commonwealth of Massachusetts ) Frederick A. Leavitt  
 )  
 Norfolk ss. At a meeting of the County ) Russell T. Bates  
 )  
 Commissioners, held at Dedham, on Tuesday, ) County Commissioners

the twenty ninth day of December, 1936 by adjournment of their September 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 Canton 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.

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

A true copy, Attest: R.B. Worthington Clerk

Rec'd & entered for record Jan. 6, 1937 at 9h. 58m. A.M.

This Indenture of Lease, made and entered into this eighth day of November 1929 by and between David Murdoch, of Needham, Norfolk County, Massachusetts party of the first part, and hereinafter referred to as "Lessor," and Olympia Theatres, Inc. a corporation organized and existing under the laws of the State of Massachusetts party of the second part, and hereinafter referred to as the "Lessee",

Murdoch  
and  
Olympia Theatres  
Inc.

WITNESSETH: ARTICLE 1. Demise and Term. The Lessor, in consideration of the rents herein