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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 twentieth day of July 1937 by adjournment of their June meeting next preceding:

The petition of HERBERT AMBLER and others, of BELLINGHAM in said County, represents as follows:-

Commonwealth of Massachusetts.

Norfolk, ss. July 16, 1936.
To the Honorable the County Commissioners of Norfolk County:-

Respectfully represent your petitioners, inhabitants of the Town of Bellingham, that a petition requesting the Board of Selectmen of the Town of Bellingham to lay out a public town way in the Silver Lake section of said Town was presented to the said Board, and that the latter now unreasonably refuses to lay out such way.

Therefore, and in accordance with Section 26 of Chapter 82, General Laws, we, the undersigned aggrieved persons, hereby petition you to lay out a public town way running northerly from Cross Street on the old M. A. & W. roadbed to Blackmer Street, a distance of approximately nine hundred and fifty (950) feet; said town way to be not less than twenty (20) feet in width.

The petition addressed to the Board of Selectmen is herewith enclosed for your consideration.

Respectfully yours,

Herbert H. Ambler
Hiram E. Crooks
Walter D. Richard
Yvonne Perreault
Leo A. Gosselin
Willie L. Crooks
Ellsworth R. Crooks

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-first day of July, 1936, by adjournment of their June meeting next preceding; and the eleventh day of August 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 Bellingham being

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the town within which such location 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 to be posted in two public places in said town; and to be published in the Franklin Sentinel, 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 eleventh day of August the Commissioners Frederick A. Leavitt, Edward W. Hunt and Russell T. Bates, met at the time and place specified in said order, when and where the petitioners appeared, and the town of Bellingham was represented by its selectmen; and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; and said hearing was then continued and adjourned to a meeting of the Commissioners held at Dedham aforesaid, on the thirteenth day of October, 1936 by adjournment of their September meeting next preceding, when and where the said Commissioners proceeded to consider and adjudicate upon the prayer of said petition, it appearing that the Selectmen of the town of Bellingham had unreasonably refused or neglected to layout said town way although requested so to do, in writing, by one or more inhabitants of said town, thereupon the said Commissioners did adjudge that common convenience and necessity require that said town way be laid out as prayed for in said petition.

And upon the adjudication aforesaid, the said Commissioners appointed Tuesday, the eighth day of December and two-thirty o'clock in the afternoon, at the Court House in said Dedham 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 lay out said Town Way as prayed for in said petition.

And the lines of said location of said Town Way are as follows:-

The westerly line begins at an unmarked point in the approximate center line of Cross Street, said point being about 1000 ft. westerly from the westerly line of Lake Street; thence N-9-03-20-W 25.00 ft. to a stone bound; thence easterly and northerly by a 100.00 ft. radius curve 103.49 ft. to a stone bound; thence N-21-39-00-E 108.48 ft. to a stone bound; thence by a 640.00 ft. radius curve to the right 251.70 ft. to a stone bound; thence N-44-11-00-E 380.00 ft. to a stone bound; thence by a 45.00 ft. radius curve to the left 74.21 ft. to a stone bound on the southerly side of Blackmere Street; thence N-39-42-E 40.00 ft. across said Blackmere Street to a stone bound.

The easterly line begins at the point of beginning of the northerly line as above described; thence N-80-56-40-E 186.34 ft. to an unmarked point; thence N-9-03-20-W 25.00 ft. to a stone bound; thence westerly and northerly by a 45.00 ft. radius curve 89.88 ft. to a stone bound; thence continuing by a 600.00 ft. radius curve to the right 301.62 ft. to a stone bound; thence N-44-11-00-E 471.92 ft. to a stone bound; thence N-50-18-W 91.92 ft. to a stone bound on the northerly side of Blackmere Street, said bound being the last bound in the westerly line as above described.

Said lines are shown upon a plan entitled "Plan showing the Layout of a Town Way in Bellingham from Cross St. To Blackmere St. as made by the Norfolk County Commissioners by Return dated July 20, 1937. Hartley L. White, County Engineer. Scale 1 inch = 40 feet." and marked "Frederick A. Leavitt, 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 town way all the easements and rights incident to a public town way 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 located 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 Bellingham, 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-one (21) feet in width.

- And it is determined by the Commissioners that all the expenses of making the location 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 Bellingham.

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 said parties respectively by the Inhabitants of the Town of Bellingham when the lands hereby taken and over which said town way is hereby located, have been entered upon and possession taken, for the purpose of constructing the said way.

Rose Ketover	\$ 1.00
Ernest Dupre	1.00
John Ketover	1.00
Beatrice A. Meotti	1.00
Ellsworth R. Crooks	<u>1.00</u>
Total	\$ 5.00

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 one month from the date on which the work ordered by this return is begun.

FREDERICK A. LEAVITT
EDWARD W. HUNT
RUSSELL T. BATES
COUNTY COMMISSIONERS

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Witness
Signed
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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twentieth day of July 1937 by adjournment of their June 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 Bellingham within the limits of which said town 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.

FREDERICK A. LEAVITT
EDWARD W. HUNT
RUSSELL T. BATES
COUNTY COMMISSIONERS

A true copy
ATTEST: [Signature] CLERK

Rec'd. & entered for record July 26, 1937 at 9h. 32m. A.M.

I, Esther E. Stevens, the assignee and present holder of a mortgage from William H. Crowley and Helen A. Crowley, husband and wife, to Godfrey Dattman and G. Henry Dattman, dated January 2, 1932, recorded with Norfolk County Registry of Deeds Book 1955, Page 79, acknowledge satisfaction of the same.

Witness my hand and seal this fifteenth day of July 1937.

Signed in presence of: [Signature] Esther E. Stevens

