

#275

2314

67

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-sixth day of November, 1940, by adjournment of their September meeting next preceding:-

The petition of WALTER T. HOLMES and others of NORFOLK, for the relocation of CAMPBELL STREET, 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 NORFOLK in said County, that common convenience and necessity require that the way known as CAMPBELL STREET, a public way in said town, be relocated between Railroad Bridge and Seekonk Street for the purpose of establishing the boundary lines of said way, making alterations in the course and width of said way and to eliminate dangerous curve.

Wherefore your petitioners pray that said way may be relocated within the limits above specified.

Dated April 30, 1940.

- WALTER T. HOLMES
- CONSTANCE E. HILL
- JOHN P. CONROY
- GEORGE F. CAMPBELL
- MATTHEW J. PHELAN
- HENRY D. POND
- HERBERT L. HILL, Jr.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the thirtieth day of April, 1940, by adjournment of their April meeting next preceding and the twenty-first day of May 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 Norfolk being the town within which such relocation of way was

File 127 of Nov. 1907 191 - 1940

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 twenty-first day of May, no one having appeared said hearing was continued and adjourned to a meeting of said Commissioners held on the twenty-eighth day of May when and where 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 Norfolk 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 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 a meeting of said Commissioners held at Norfolk on the nineteenth day of June, 1940, when and where the Commissioners further heard the petitioners and owners of property to be taken or affected by said proceedings 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 CAMPBELL STREET as prayed for in said petition.

And the lines of said relocation of said CAMPBELL STREET are as follows:-

The northerly line begins at a stone bound on the easterly line of Seekonk Street; thence southeasterly by a curve

with a radius of 80.00 ft. a distance of 145.76 ft. to a stone bound; thence N-84-44-20-E a distance of 292.45 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 356.75 ft. to a stone bound; thence N-59-11-20-E a distance of 111.90 ft. to a stone bound; thence by a curve to the right with a radius of 550.00 ft. a distance of 276.89 ft. to a stone bound; thence N-88-02-E a distance of 544.95 ft. to a stone bound; thence by a curve to the left with a radius of 304.75 ft. a distance of 133.19 ft. to a stone bound which bound is at the easterly end of a curve with a radius of 200.00 ft. as shown on the New Way as laid out by the Norfolk County Commissioners by Return dated October 11, 1932.

The southerly line begins at a stone bound on the easterly line of Seekonk Street being S-4-59-20-W a distance of 40.00 ft. and S-1-43-00-W a distance of 86.16 ft. and S-00-35-40-E a distance of 140.29 ft. from the point of beginning of the northerly line as above described; thence northeasterly by a curve with a radius of 125.00 ft. a distance of 186.17 ft. to a stone bound; thence N-84-44-20-E a distance of 274.35 ft. to a stone bound; thence by a curve to the left with a radius of 850.00 ft. a distance of 379.04 ft. to a stone bound; thence N-59-11-20-E a distance of 111.90 ft. to a stone bound; thence by a curve to the right with a radius of 500.00 ft. a distance of 251.72 ft. to a stone bound; thence N-88-02-E a distance of 542.75 ft. to a stone bound; thence by a curve to the right with a radius of 38.30 ft. a distance of 43.42 ft. to a stone bound which bound is at the southerly end of a curve with a radius of 71.49 ft. as shown on the New Way as laid out by the Norfolk County Commissioners by Return dated October 11, 1932.

The southerly line heretofore described, in general, is 50.00 ft. southerly from and parallel to the northerly line and is shown on a plan entitled "Plan and Profile showing the

Relocation and Widening of Campbell St., Norfolk, between Seekonk St. and the Railroad Bridge as made by the Norfolk County Commissioners by Return dated Nov. 26, 1940. Horizontal Scale 1 inch = 40 feet. Vertical Scale 1 inch = 8 feet. Wallace S. Carson, County Engineer" 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 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 accordance with Chapter 79 of the General Laws and all acts and amendments thereof and in addition thereto.

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 bounds will be erected at the termini and angles of the way relocated as aforesaid.

And it is determined by the Commissioners that the Inhabitants of the town of Norfolk 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, in the opinion of the County Commissioners, they are needed, provided however, no trees more than one and one half inches in diameter one foot above the ground shall be removed in the course of work done under this paragraph until the County Commissioners have

been given notice of the intention to remove such trees and their assent thereto in writing has been given to the Inhabitants of the town of Norfolk.

And it is determined by the Commissioners that all portions of the existing highway are hereby discontinued, but such discontinuance shall not take effect until a sufficient travelled way adjacent thereto within the new location has been completed and opened for use by the public.

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, by paid by the Inhabitants of the town of Norfolk.

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 Norfolk 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.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
1.	William J. Allen	6650	\$10.00
2.	Luella Campbell	4500	5.00
3.	Elisabeth F. Harnden, Ld. Ct. Cert. #23251, Bk. 117, P. 51	8400	10.00
4.	Kerrigan Estate, Inc. (Town of Norfolk Tax Deed)	5900	1.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
5.	Luella Campbell	7400	10.00
6.	William J. Allen	900)	
7.	William J. Allen	1400)	5.00
		Total	\$ 41.00

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 two months from the date on which the work ordered by this Return is begun.

FREDERICK A. LEAVITT

EDWARD W. HUNT

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-sixth day of November, 1940, 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 Norfolk 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.

FREDERICK A. LEAVITT

EDWARD W. HUNT

RUSSELL T. BATES

COUNTY COMMISSIONERS

At true Copy

ATTEST: R. B. Huntington CLERK

Rec'd & entered for record Dec. 23, 1940 at 12h. 24m. P.M.