

#219

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 second day of September, 1941, by adjournment of their June meeting next preceding:-

The petition of RICHARD H. HENLEY and others, of CANTON for the relocation of NEPONSET STREET, 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 petitioners, inhabitants of the town of CANTON in said County, that common convenience and necessity require that the way known as NEPONSET STREET, a public way in said town, be relocated between S. E. side N. Y. N. H. & H. R. R. Viaduct and Washington Street for the purpose of establishing the boundary lines and making alterations in the course and width of said way.

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

Dated February 24, 1941.

Richard H. Henley	640 Chapman St., Canton
Walter J. Love	55 Beaumont St., Canton
Margaret Reardon	114 Mechanic St., Canton
Catherine P. Galligan	108 Rockland St., Canton
Peter E. Callery	81 High St., Canton
Michael J. Rogers	12 Danforth St., Canton
Mary F. Coveney	13 Bolivar St., Canton
William J. Daly	Kenney St., Canton

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-fifth day of February, 1941, by adjournment of their December meeting next preceding: and the twenty-fifth 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 Canton being the town within which such relocation of way

Back 128
FILED IN THE 723-724-725-726 of 1941.

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 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-fifth day of March, 1941, 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 Canton 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 Canton on the fifteenth day of April, 1941, 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 NEPONSET STREET as prayed for in said petition.

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

The easterly-northerly line begins at a stone bound, which bound is on the easterly line of the right of way of the N. Y. N. H. & H. R. R; thence by a curve easterly with a radius of 103.52 ft. a distance of 89.70 ft. to a stone bound; thence

S-10-38-30-E a distance of 267.69 ft. to a stone bound; thence by a curve to the right with a radius of 400.00 ft. a distance of 128.46 ft. to a stone bound; thence by a curve to the right with a radius of 700.00 ft. a distance of 93.36 ft. to a stone bound; thence S-15-24-W a distance of 223.15 ft. to a stone bound; thence by a curve to the left with a radius of 300.00 ft. a distance of 73.41 ft. to a stone bound; thence by a curve to the left with a radius of 540.00 ft. a distance of 385.52 ft. to a bolt; thence continuing on the same curve a distance of 385.53 ft. to a stone bound; thence S-80-25-50-E a distance of 195.32 ft. to a stone bound; thence by a curve to the right with a radius of 660.00 ft. a distance of 202.39 ft. to a stone bound; thence S-62-51-40-E a distance of 60.56 ft. to a stone bound; thence by a curve to the right with a radius of 660.00 ft. a distance of 246.93 ft. to a stone bound; thence S-41-25-30-E a distance of 36.66 ft. to a stone bound; thence by a curve to the left with a radius of 300.00 ft. a distance of 49.61 ft. to a stone bound; thence by a curve to the left with a radius of 10.00 ft. a distance of 15.49 ft. to a stone bound, which bound is on the westerly line of Plymouth Street; thence S-70-04-40-E a distance of 35.21 ft. to a stone bound on the easterly line of Plymouth Street; thence by the extension of the easterly line of Plymouth Street S-40-19-30-W a distance of 27.21 ft; thence across Church Street S-7-17-50-E a distance of 44.03 ft; thence S-37-22-30-E a distance of 63.03 ft. to a stone bound; thence continuing on the same course a distance of 171.49 ft. to a stone bound; thence S-41-11-20-E a distance of 211.78 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 38.96 ft. to a stone bound, which bound is on the westerly line of Washington Street.

The westerly-southerly line begins at a point on the easterly line of the right of way of the N. Y. N. H. & H. R. R., said point being S-10-20-20-W a distance of 48.08 ft; S-11-16-W a distance of 26.10 ft; and S-11-33-W a distance of 54.89 ft.

from the first bound on the easterly-northerly line as above described; thence S-78-42-40-E a distance of 5.00 ft. to a stone bound; thence by a curve to the right with a radius of 31.18 ft. a distance of 37.04 ft. to a stone bound; thence S-10-38-30-E a distance of 195.84 ft. to a stone bound; thence by a curve to the right with a radius of 340.00 ft. a distance of 109.19 ft. to a stone bound; thence by a curve to the right with a radius of 640.00 ft. a distance of 85.36 ft. to a stone bound; thence S-15-24-W a distance of 223.15 ft. to a bolt; thence by a curve to the left with a radius of 360.00 ft. a distance of 88.09 ft. to a stone bound; thence by a curve to the left with a radius of 600.00 ft. a distance of 428.36 ft. to a stone bound; thence continuing on the same curve a distance of 201.01 ft. to a stone bound; thence by a curve to the right with a radius of 15.12 ft. a distance of 26.42 ft. to a bolt, which bolt is on the westerly line of Norfolk Street; thence S-69-14-E a distance of 32.05 ft. to a stone bound, said bound being on the easterly line of Norfolk Street; thence by a curve easterly with a radius of 18.59 ft. a distance of 23.97 ft. to a stone bound; thence by a curve to the left with a radius of 600.00 ft. a distance of 164.53 ft. to a stone bound; thence S-80-25-50-E a distance of 195.32 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 183.99 ft. to a stone bound; thence S-62-51-40-E a distance of 60.56 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 224.48 ft. to a stone bound; thence S-41-25-30-E a distance of 102.27 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 141.37 ft. to a stone bound; thence S-37-22-30-E a distance of 153.52 ft. to a stone bound; thence S-35-35-50-E a distance of 275.59 ft. to a bolt, which bolt is on the westerly line of Washington Street and being S-49-31-W a distance of 24.69 ft; and S-21-03-10-W a distance of 75.50 ft. from the last bound in the easterly-northerly line as above described.

The westerly-southerly line heretofore described, in general, is 60.00 ft. westerly-southerly from and parallel to the easterly-northerly line between the right of way of the N. Y. N. H. & H. R. R. and Plymouth Street; and 40.00 feet between Plymouth Street and Washington Street, all as shown on a plan entitled "Plan and Profile showing the Relocation and Widening of Neponset Street, Canton from the easterly line of the N. Y. N. H. & H. R. R. to Washington Street as made by the Norfolk County Commissioners by Return dated Sept. 2, 1941. 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 said way relocated as aforesaid.

The travelled part of said way between Plymouth Street and Washington Street shall be constructed not less than twenty-four (24) feet in width; and between the N. Y. N. H. & H. R. R. and Plymouth Streets shall be constructed not less than forty (40) feet in width.

And it is determined by the Commissioners that all portions of the existing highway lying outside the lines herein established are hereby discontinued.

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 Canton.

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 the said way.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
1.	Harry Rhodes et ux	1,500	\$ 100.00
2.	Peter Carco et ux	230	15.00
3.	Joseph F. Kessler	860	20.00
4.	Antoneo Mazzone et ux	850	20.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
5.	Daniel J. Kelliher et ux	1,050	30.00
6.	Agnes E. and Annie Langdon	1,200	30.00
7.	Margaret A. Caffrey	3,400	225.00
8.	Rokas Tumas et ux	1,950	190.00
9.	Charles Patriarca et ux	1,550	50.00
10.	Peter Piana et ux	1,550	50.00
11.	Yakubus Lapenus et ux	3,650	240.00
12.	Pietro Sacco et ux	3,050	115.00
13.	Bridget A. Mullally	2,400	75.00
14.	Margaret A. Caffrey	4,000	140.00
15.	Louis L. Lull et ux	3,600	1110.00
16.	Mary C. and Joseph W. R. Rogers	8,000	75.00
17.	Edith L. MacPherson	380	40.00
18.	T. Edward Ward	10	No award
19.	Benjamin B. Morse	130	65.00
20.	Evangelical Congregational Society	450	15.00
21.	Charles H. Mathews	2,500	15.00
22.	William B. and Edward H. ^F Revere, Trustees	4,350	45.00
23.	Helen B. Doody	9,000	90.00
24.	Domenico Porcaro	1,100	55.00
25.	Mary A. Gray	70	No award
26.	Antonio and Sabatino Berardi	50	2.00
27.	Oreste Dardano et ux	90	5.00
28.	Malvina B. Gibellino	100	5.00
29.	Helen Carlson	30	No award
30.	Jennie R. Smith	300	10.00
31.	Margaret Holliday	690	50.00
32.	Margaret B. Bird	430	300.00
33.	Stanley B. Davis et ux	400	60.00
34.	Second Nervi et ux	420	50.00
35.	Annie E. Smith	240	40.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
36.	William G. Makris et ux	30	1.00
37.	Annie E. Smith	700	5.00
		TOTAL	\$ 3,338.00

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 second day of September, 1941, 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 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.

FREDERICK A. LEAVITT

EDWARD W. HUNT

RUSSELL T. BATES

A true copy,

COUNTY COMMISSIONERS

ATTEST: *R. B. Livingston* CLERK