

#289

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

September 19

Then personally appeared the aboved-named Ralph G. Messenger, and acknowledged the foregoing instrument to be his free act and deed, before me.



G.R.

My Commission Expires March 19, 1948

Notary Public

Rec'd & entered for record Oct. 18, 1941 at 10h.08m.A.M.

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-third day of September 1941:-

The petition of ALBERT J. DAHLKE and others, of CANTON for the relocation of a portion of WALPOLE 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 CANTON in said County, that common convenience and necessity require that the way known as WALPOLE STREET, a public way in said town, be relocated between Neponset Street and a point approximately 500 feet southwesterly therefrom for the purpose of establishing the boundary lines of said way, making alterations in the width of said way and making specific repairs on said way by lowering the surface at least to the grade existing in 1902.

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

Dated March 19, 1941.

Albert J. Dahlke	Cedar Drive
Frank J. Carroll	44 Walnut St., Canton
Gregory W. Grover	671 Washington St., Canton
Richard H. Henley	640 Chapman St., Canton
Joseph D. Galvin	1207 Washington 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 March, 1941 by adjournment of their December meeting next preceding: and the fifteenth day of April then next and three-thirty o'clock in the afternoon, at the Town Hall in Canton were appointed 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

See Plan Book 129 Plan 789 of 1941

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 fifteenth day of April, 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 this meeting.

And now the said Commissioners, by courses and distances, metes and bounds, do relocate said WALPOLE STREET as prayed for in said petition.

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

The easterly line begins at a point on the westerly line of the N. Y. N. H. & H. R. right of way, which point is S-11-28-30-W a distance of 27.60 ft. from the line of Neponset Street as laid out by the Norfolk County Commissioners by Return dated May 1, 1928; thence N-78-42-40-W a distance of 20.66 ft. to a stone bound; thence westerly by a curve with a radius of 93.93 ft. a distance of 76.76 ft. to a stone bound which is at the P. C. of a curve with a radius of 217.51 ft. as described in the layout of Neponset Street as made by the Norfolk County Commissioners on May 1, 1928; thence S-54-28-W a distance of 352.77 ft. to a stone bound; thence by a curve to the right with a radius of 900.00 ft. a distance of 224.14 ft. to a stone bound; thence S-68-44-10-W a distance of 105.00 ft. to a stone bound.

The westerly line begins at a bolt on the westerly line of Neponset Street as laid out by the Norfolk County Commissioners by Return dated May 1, 1928, said point being N-11-28-30-E a distance of 27.60 ft; N-46-51-W a distance of 77.40 ft; and N-15-17-45-W a distance of 99.13 ft. from the first point on the easterly line as above described; thence southerly by a curve

with a radius of 142.20 ft. a distance of 173.14 ft. to a stone bound; thence S-54-28-W a distance of 341.26 ft. to a stone bound; thence by a curve to the right with a radius of 850.00 ft. a distance of 211.69 ft. to a stone bound; thence S-68-44-10-W a distance of 105.00 ft. to a stone bound which is on the northerly line of Walpole Terrace and being N-21-15-50-W a distance of 50.00 ft. from the last bound in the easterly line as above described.

The westerly line heretofore described, in general, is 50.00 ft. westerly from and parallel to the easterly line, all as shown on a plan entitled "Plan and Profile showing the Relocation and Widening of a portion of Walpole Street, Canton from Neponset Street to Walpole Terrace as made by the Norfolk County Commissioners by Return dated Sept. 23, 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 the way relocated as aforesaid.

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 traveled part of said way shall be constructed not less than thirty (30) 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 Canton.

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

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 the

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>Approx. Sq. Ft. Taken</u>	<u>Award</u>
1.	Neponset Woolen Mills	950	\$ 1.00
2.	Neponset Woolen Mills	4600	1.00
3.	John H. Bordenko, Town of Canton Tax Deed	1560	15.00
4.	Alma Haffarmehl	3120	30.00
5.	Neponset Woolen Mills	240	<u>1.00</u>
	TOTAL		\$ 48.00

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-third day of September, 1941:-

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

COUNTY COMMISSIONERS

A true copy,

ATTEST: R. B. Worthington CLERK

Rec'd & entered for record Oct. 18, 1941 at 10h. 12m. A.M.

I, Maude W. Duncan, widow,

of Milton, Norfolk County, Massachusetts,

being unmarried, for consideration paid, grant to Helen M. Driscoll, wife of Patrick Driscoll, in her own right, and Helen J. Driscoll, unmarried,

as joint tenants and not as tenants in common

both of Boston, Suffolk ss, Massachusetts,

with quitclaim covenants