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J.K.
10/27/44

Plan No. 438 to 441 Incl. 1944 Pl. Bk. 134
Certificate Vol. 2519 P. 490

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 third day of October, 1944, by adjournment of their September meeting next preceding:-

The petition of WINFRED C. BAILEY and others of WESTWOOD 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 WESTWOOD in said County, that common convenience and necessity require that the way known as EAST STREET, a public way in said town, be relocated between Strafford Road and the Circumferential Highway for the purpose of establishing the boundary lines 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.

Dated July 28, 1942.

Winfred C. Bailey
Percy R. Dean
Frank Stanley
Guy B. Savage
John O. Johnson

Joseph G. Malkuns
John J. Ryan
Martin E. Duggan
Albert R. Dean
Adolph Vietze

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-eighth day of July, 1942, by adjournment of their June meeting next preceding: and the twenty-fifth day of August, then next and two-thirty 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 WESTWOOD, being the town within which such relocation of way

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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 order of notice to be posted in two public places in said town; and to be published in the DEDHAM TRANSCRIPT, 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 August, 1942, 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 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 Tuesday, the twenty-ninth day of September, 1942 and four 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 interests, 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 EAST STREET as prayed for in said petition.

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

The northerly line begins at a stone bound on the easterly line of Strafford Road; thence southeasterly by a curve with a radius of 25.00 ft. a distance of 46.51 ft. to a stone bound; thence N-81-28-40-E a distance of 263.34 ft. to a stone bound; thence N-83-52-20-E a distance of 137.21 ft. to a stone bound; thence by a curve to the left with a radius of 60.00 ft. a distance of 65.67 ft. to a stone bound which is on the westerly line of Carroll Avenue; thence N-79-58-25-E a distance of 58.45 ft. to a stone bound which is on the easterly line of Carroll Avenue; thence southeasterly by a curve with a radius of 25.00 ft. a distance of 51.18 ft. to a stone bound; thence N-83-52-20-E a distance of 195.11 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 191.65 ft. to a stone bound; thence N-72-53-30-E a distance of 338.68 ft. to a stone bound; thence by a curve to the left with a radius of 29.27 ft. a distance of 54.46 ft. to a stone bound which is on the westerly line of Ash Street; thence N-74-01-E a distance of 52.49 ft. to a stone bound which is on the easterly line of Ash Street; thence southeasterly by a curve with a radius of 45.19 ft. a distance of 59.46 ft. to a stone bound; thence by a curve to the left with a radius of 122.77 ft. a distance of 168.26 ft. to a stone bound which is on the westerly line of the Boston and Providence Turnpike as laid out by the Massachusetts Department of Public Works on August 9, 1932. Beginning again at a stone bound on the easterly line of the Boston and Providence Turnpike as laid out by the Massachusetts

Department of Public Works on August 9, 1932, said bound being N-89-30-50-E a distance of 80.60 ft. from the last bound on the westerly line of said Turnpike as above described; thence southeasterly by a curve with a radius of 60.35 ft. a distance of 107.18 ft. to a stone bound; thence N-70-54-14-E a distance of 413.86 ft. to a stone bound; thence by a curve to the right with a radius of 900.00 ft. a distance of 184.48 ft. to a stone bound; thence N-82-38-54-E a distance of 84.93 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 149.17 ft. to a stone bound; thence N-71-57-54-E a distance of 309.67 ft. to a stone bound; thence by a curve to the left with a radius of 62.11 ft. a distance of 86.04 ft. to a stone bound which is on the westerly line of Cherry Street; thence N-82-35-34-E a distance of 40.00 ft. to a stone bound which is on the easterly line of Cherry Street; thence southeasterly by a curve with a radius of 36.54 ft. a distance of 64.17 ft. to a stone bound; thence by a curve to the left with a radius of 999.79 ft. a distance of 178.08 ft. to a stone bound which is on the northerly line of East Street as laid out by the Norfolk County Commissioners by Return dated May 20, 1924.

The southerly line begins at a stone bound which is S-8-03-40-W a distance of 33.53 ft. and S-38-56-50-W a distance of 73.97 ft. from the first bound on the northerly line as above described; thence N-81-28-40-E a distance of 350.34 ft. to a stone bound; thence N-83-52-20-E a distance of 465.13 ft. to a stone bound; thence by a curve to the left with a radius of 1050.00 ft. a distance of 201.23 ft. to a stone bound; thence N-72-53-30-E a distance of 339.54 ft. to a stone bound; thence N-70-54-14-E a distance of 126.35 ft. to a stone bound; thence by a curve to the right with a radius of 62.05 ft. a distance of 117.44 ft. to a

stone bound which is on the westerly line of the Boston and Providence Turnpike as laid out by the Massachusetts Department of Public Works on August 9, 1932. Beginning again at a stone bound which is on the easterly line of the Boston and Providence Turnpike as laid out by the Massachusetts Department of Public Works on August 9, 1932, said bound being N-71-30-02-E a distance of 83.88 ft. from the last bound on the westerly line of said Turnpike as above described; thence northeasterly by a curve with a radius of 118.66 ft. a distance of 149.70 ft. to a stone bound; thence N-70-54-14-E a distance of 413.86 ft. to a stone bound; thence by a curve to the right with a radius of 850.00 ft. a distance of 174.23 ft. to a stone bound; thence N-82-38-54-E a distance of 84.93 ft. to a stone bound; thence by a curve to the left with a radius of 850.00 ft. a distance of 158.49 ft. to a stone bound; thence N-71-57-54-E a distance of 445.94 ft. to a stone bound; thence by a curve to the left with a radius of 1049.79 ft. a distance of 186.99 ft. to a stone bound which is on the southerly line of East Street as laid out by the Norfolk County Commissioners by Return dated May 20, 1924, said bound being S-28-14-26-E a distance of 50.00 ft. from the last bound on the northerly line as above described.

The lines as established over the property of the New York, New Haven and Hartford Railroad Company are with the permission of said railroad in accordance with a letter dated December 2, 1942, signed by A. S. Tuttle, District Engineer.

The southerly line heretofore described, in general, is 50.00 ft. southerly from and parallel to the northerly line.

And the said Commissioners do hereby take for the purposes of a highway all the easements and rights in-

cident to a public highway in the lands included within the lines of relocation hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of a portion of East Street, Westwood between Strafford Road and Elm Street as made by the Norfolk County Commissioners by Return dated October 3, 1944. 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, in accordance with the provisions of 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.

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 the Inhabitants of the town of WESTWOOD, 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 WESTWOOD.

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 WESTWOOD.

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 WESTWOOD 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.	Emma D. Fardy	400	\$ 15.00
2.	Martin E. Dargan	150	5.00
3.	Miriam D. Wood	1100	25.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
4.	Miriam D. Wood	1550	15.00
5.	Caroline A. Polley	750	20.00
6.	Caroline A. Polley	90	1.00
7.	Guy B. Savage et ux	775	25.00
8.	Miriam D. Wood	3480	35.00
9.	Miriam D. Wood	2600	30.00
10.	John E. Alcott et ux	4500	25.00
11.	Larch Street (Private Way) (Owners Unknown)	250	1.00
12.	John E. Alcott et ux	2800	50.00
13.	Bernard H. Bailey et ux	750	10.00
14.	Hawthorn Street (Private Way) (Owners Unknown)	480	1.00
15.	Bernard H. Bailey et ux	3500	50.00
16.	Edwin P. Booth	180	1.00
17.	John L. Smith et ux	500	10.00
18.	Emma D. Fardy and Mabelle E. Webster	1500	20.00
19.	Charles J. Grady	1600	15.00
20.	Charles J. Grady	900	10.00
21.	Olof H. Olson et ux	600	20.00
22.	Ida J. Johnson	900	30.00
23.	Leonard R. Willard et ux	950	30.00
24.	Charles J. Grady	1000	1.00
25.	Bernard F. King et ux	1100	35.00
26.	Edward L. Comeau et ux	1000	35.00
27.	Edward L. Stanley	400	15.00
28.	Charles J. Grady	225	1.00
29.	Marjorie E. Skillin	150	5.00
30.	Charles J. Grady	320	10.00
31.	Charles J. Grady	400	12.00
32.	Charles J. Grady	400	12.00
33.	Charles J. Grady	500	15.00
34.	Town of Westwood	600	<u>No award</u>
TOTAL			\$ 585.00

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 third day of October, 1944, 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 be transmitted to the Clerk of the town of WESTWOOD 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: William B. Everett CLERK

Rec'd & entered for record Oct. 27, 1944 at 12h. 41m. P.M.