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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 twenty-sixth day of November, 1946, by adjournment of their September meeting next preceding:-

The petition of the Board of Selectmen of the town of Braintree, represents as follows:-

Commonwealth of Massachusetts

Norfolk, ss.

To the Honorable the County Commissioners of the County of Norfolk:

Respectfully represent your petitioners, the Selectmen of the town of Braintree, deem it necessary for the convenience and security of the public that an alteration, not involving the abolition of a grade crossing, be made in the crossing at grade of Grove Street and the tracks of the Old Colony Railroad Corporation (New York, New Haven and Hartford Railroad Company, Lessee) and the approaches to said crossing.

JOHN W. MAHAR
RAYMOND P. PALMER
HENRY D. HIGGINS

Dated August 20, 1946, Board of Selectmen of the town of Braintree

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-seventh day of August, 1946, by adjournment of their June meeting next preceding: and the seventeenth day of September, 1946, and three 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 Braintree being the town within which such alteration of crossing was prayed for, fifteen days, and upon the Old Colony Railroad Corporation (New York, New Haven and Hartford Railroad.

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Company, Lessee) fourteen 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 Braintree Observer, 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 seventeenth day of September, 1946, the Commissioners, Frederick A. Leavitt and Edward W. Hunt met at the time and place specified in said order, when and where the petitioners appeared, and the Selectmen of the town of Braintree were represented by Jonathan W. French, Esquire, Town Counsel and John E. Wentworth, Supt. of Streets; and the Old Colony Railroad Corporation was represented by George P. Elliott, District Engineer; and the said Commissioners heard all persons and corporations interested; and no party interested objected; and thence the same was continued and adjourned to a meeting of said Commissioners held on the nineteenth day of November, 1946 when and where the said Commissioners did decide that the alteration of said crossing as prayed for in said petition is necessary.

And thence the same was continued and adjourned from time to time to this meeting.

And now the said Commissioners, in accordance with the provisions of General Laws, Chapter 159, Sections 59 and 60, do decide that said crossing be altered as prayed for in said petition, and do prescribe the manner and limits within which such alteration shall be made as follows:-

The northerly line of Grove Street begins at a stone bound which is at the end of a curve with a radius of 800.00 ft. as laid out by the Norfolk County Commissioners

by Return dated July 19, 1927; thence S-85-03-E a distance of 235.55 ft. to a drill hole in ledge; thence S-87-30-20-E a distance of 319.47 ft. to a stone bound; thence by a curve to the right with a radius of 240.86 ft. a distance of 69.51 ft. to a stone bound which is on the Braintree-Weymouth Town Line.

The southerly line of Grove Street begins at a stone bound which is at the end of a curve with a radius of 860.00 ft. as laid out by the Norfolk County Commissioners by Return dated July 19, 1927; said bound being S-4-57-W a distance of 00.00 ft. from the first bound on the northerly line as above described; thence S-85-03-E a distance of 482.58 ft. to a stone bound which is on the westerly line of location of the Old Colony Railroad Corporation (New York, New Haven and Hartford Railroad Company, Lessee); thence northwesterly by said westerly line of location and a curve with a radius of 2778.36 ft. a distance of 28.78 ft. to a drill hole; thence S-87-30-20-E a distance of 91.79 ft. to a stone bound which is on the easterly line of location of said railroad; thence southeasterly by said easterly line of location and a curve with a radius of 2344.36 ft. a distance of 14.53 ft. to a stone bound; thence continuing southeasterly on a curve with a radius of 3280.41 ft. a distance of 19.16 ft. to a stone bound; thence S-85-03-E a distance of 26.58 ft. to a stone bound which is on the Braintree-Weymouth Town Line, said bound being S-21-18-50-W a distance of 69.54 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general is 50.00 ft. southerly from and parallel to the northerly line where it crosses the location of said railroad.

And the said Commissioners do hereby take for the purpose of a highway all the easements and rights incident to a public highway in the lands included within the lines

of alteration hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing Alteration of a Railroad Crossing and Approaches at Grove Street, Braintree, as made by the Norfolk County Commissioners, by Decision dated November 26, 1946. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer." and signed "Fredorick A. Leavitt, Chairman" which plan is filed herewith and made a part of this Return in accordance with the provision 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 altered 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, together with the pre-existing railroad crossing.

The travelled part of said way shall be constructed not less than twenty-six (26) feet in width and shall be of gravel and tar construction.

The Commissioners determine that signal lights shall be installed for the protection of the public.

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.

Parcel Number	Owner	Sq. Ft.	
		Taken	Award
1.	Old Colony Railroad Corporation (New York, New Haven and Hartford Railroad Company, Lessee)	4650	No award

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, 1946, by adjournment of their September meeting next preceding:-

ORDERED: That the foregoing Decision be filed, accepted and recorded, and that an attested copy thereof be transmitted to the Clerk of the Town of Braintree, the Department of Public Utilities and to the Old Colony Railroad Corporation.

FREDERICK A. LEAVITT

EDWARD W. HUNT

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy

ATTEST: Willard Ewertt CLERK

Rec'd & entered for record Dec. 9, 1946 at 10h.24m. A.M.