

#338

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 December, 1947 by adjournment of their September meeting next preceding:-

The petition of PETER J. KENNEY and others of MEDWAY 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 MEDWAY in said County, that common convenience and necessity require that the way known as SUMMER STREET, a public way in said town, be relocated between Main Street and the Holliston Town Line 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 Sept. 13, 1944.

Peter J. Kenney
David H. Youman
Abraham T. Handverger
Leo F. Cassidy
Fred B. Clark
Arthur G. Choate
Daniel M. Malloy
Henry A. Bullard
Thomas J. Moore

42 Highland Street
North St.
Main Street
Prospect Street
Williams Street
Cottage St.
81 Lincoln St.
Summer St.
Bauber St.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the twenty-sixth day of September, 1944; and the twenty-fourth day of October 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 Medway, being the town within which such relocation of way was prayed

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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 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-fourth day of October, 1944, 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 Medway 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 Medway on the twenty-first day of November, 1944, 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 a meeting of said Commissioners held at Dedham on the fourth day of November, 1947, by adjournment of their September meeting, when and where upon the adjudication aforesaid, the said Commissioners appointed the second day of December, 1947 and three-fifteen 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 interested, and said hearing 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 SUMMER STREET as prayed for in said petition.

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

The westerly line begins at a stone bound on the northerly line of Main Street as laid out by the Norfolk County Commissioners by Return dated November 29, 1921; thence northerly by a curve with a radius of 300.00 ft. a distance of 220.86 ft. to a stone bound; thence N-6-30-30-E a distance of 711.34 ft. to a stone bound; thence continuing on the same course a distance of 700.00 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 248.80 ft. to a stone bound; thence N-00-32-00-W a distance of 408.14 ft. to a stone bound; thence continuing on the same course a distance of 400.00 ft. to a stone bound; thence by a curve to the left with a radius of 4000.00 ft. a distance of 167.36 ft. to a stone bound; thence N-2-55-50-W a distance of 128.40 ft. to a stone bound; thence by a curve to the left with a radius of 160.00 ft. a distance of 207.45 ft. to a stone bound which is on the southerly line of Milford Street as laid out by the Norfolk County Commissioners by Return dated March 25, 1919; thence N-32-56-50-W a distance of 71.83 ft. to a stone bound which is on the northerly line of Milford Street as laid out by the Norfolk County Commissioners by Return dated March 25, 1919; thence

northeasterly by a curve with a radius of 120.00 ft. a distance of 221.41 ft. to a stone bound; thence N-2-55-50-W a distance of 623.23 ft. to a stone bound; thence continuing on the same course a distance of 550.00 ft. to a stone bound; thence continuing on the same course a distance of 540.00 ft. to a stone bound; thence N-1-36-50-W a distance of 826.71 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 570.00 ft. to a stone bound; thence continuing on the same course a distance of 630.29 ft. to a stone bound; thence N-1-03-10-W a distance of 811.38 ft. to a stone bound; thence continuing on the same course a distance of 700.00 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence N-1-30-50-W a distance of 712.32 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence by a curve to the left with a radius of 4000.00 ft. a distance of 216.23 ft. to a stone bound; thence N-4-36-40-W a distance of 642.85 ft. to a stone bound; thence by a curve to the right with a radius of 4060.00 ft. a distance of 342.89 ft. to a stone bound; thence N-00-13-40-E a distance of 593.41 ft. to a stone bound which is on the town line between Medway and Holliston.

The easterly line begins at a stone bound on the northerly line of Main Street as laid out by the Norfolk County Commissioners by Return dated November 29, 1921 which is N-48-41-20-E a distance of 405.60 ft. and by a curve with a radius of 38.26 ft. a distance of 33.93 ft. from the first bound on the westerly line as above described; thence westerly by a curve with a radius of 27.08 ft. a distance of 30.92 ft. to a stone bound; thence S-63-17-50-W a distance of

83.98 ft. to a stone bound; thence by a curve to the right with a radius of 40.00 ft. a distance of 86.02 ft. to a stone bound; thence N-6-30-30-E a distance of 619.97 ft. to a stone bound; thence continuing on the same course a distance of 700.00 ft. to a stone bound; thence by a curve to the left with a radius of 2060.00 ft. a distance of 255.17 ft. to a stone bound; thence N-00-32-00-W a distance of 408.14 ft. to a stone bound; thence continuing on the same course a distance of 400.00 ft. to a stone bound; thence by a curve to the left with a radius of 4060.00 ft. a distance of 169.87 ft. to a stone bound; thence N-2-55-50-W a distance of 97.70 ft. to a stone bound; thence by a curve to the right with a radius of 100.00 ft. a distance of 182.33 ft. to a stone bound which is on the southerly line of Milford Street as laid out by the Norfolk County Commissioners by Return dated March 25, 1919; thence N-20-26-50-W a distance of 61.13 ft. to a stone bound which is on the northerly line of Milford Street as laid out by the Norfolk County Commissioners by Return dated March 25, 1919; thence northwesterly by a curve with a radius of 160.00 ft. a distance of 203.41 ft. to a stone bound; thence N-2-55-50-W a distance of 677.27 ft. to a stone bound; thence continuing on the same course a distance of 550.00 ft. to a stone bound; thence continuing on the same course a distance of 539.32 ft. to a stone bound; thence by a curve to the right with a radius of 45.81 ft. a distance of 105.74 ft. to a stone bound which is on the southerly side of Highland Street; thence N-47-10-10-E a distance of 50.47 ft. to a stone bound which is on the northerly side of Highland Street; thence northwesterly by a curve with a radius of 330.00 ft. a distance of 282.59 ft. to a stone bound; thence N-1-36-50-W a distance of 507.81 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound;

thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 570.00 ft. to a stone bound; thence continuing on the same course a distance of 630.00 ft. to a stone bound; thence by a curve to the right with a radius of 22.95 ft. a distance of 41.31 ft. to a stone bound which is on the southerly side of Adams Street; thence N-2-44-50-E a distance of 50.59 ft. to a stone bound which is on the northerly side of Adams Street; thence northwesterly by a curve with a radius of 40.00 ft. a distance of 54.06 ft. to a stone bound; thence N-1-03-10-W a distance of 698.94 ft. to a stone bound; thence continuing on the same course a distance of 700.00 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 562.98 ft. to a stone bound; thence by a curve to the right with a radius of 60.00 ft. a distance of 96.06 ft. to a stone bound which is on the southerly side of Lovering Street; thence N-6-23-30-W a distance of 50.32 ft. to a stone bound which is on the northerly side of Lovering Street; thence northwesterly by a curve with a radius of 60.00 ft. a distance of 91.95 ft. to a stone bound; thence N-1-30-50-W a distance of 580.13 ft. to a stone bound; thence continuing on the same course a distance of 600.00 ft. to a stone bound; thence by a curve to the left with a radius of 4060.00 ft. a distance of 219.47 ft. to a stone bound; thence N-4-36-40-W a distance of 642.85 ft. to a stone bound; thence by a curve to the right with a radius of 4000.00 ft. a distance of 337.82 ft. to a stone bound; thence N-00-13-40-E a distance of 660.75 ft. to a stone bound which is on the town line between Medway and Holliston, said bound being N-41-34-50-E a distance of 89.05 ft. and N-66-29-50-E a distance of 1.26 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 60.00 ft. easterly from and parallel to the westerly line.

And the said Commissioners do likewise hereby lay out as a separate way that portion of Summer Street between Main Street and Station 124 + 75.94 as formerly located, but not included in the above described relocation, and the lines of said way so laid out are as follows:-

The westerly line begins at a stone bound on the northerly line of Main Street as laid out by the Norfolk County Commissioners by Return dated November 29, 1921; thence northerly by a curve with a radius of 38.26 ft. a distance of 33.93 ft. to a stone bound; thence N-2-07-10-W a distance of 358.27 ft. to a stone bound; thence N-1-07-00-W a distance of 703.21 ft. to a stone bound which is on the easterly line of Summer Street as above laid out.

The easterly line begins at a stone bound on the northerly line of Main Street as laid out by the Norfolk County Commissioners by Return dated November 29, 1921 which is N-48-41-20-E a distance of 90.00 ft. from the first bound on the westerly line as above described; thence northwesterly by a curve with a radius of 13.89 ft. a distance of 31.32 ft. to a stone bound; thence N-2-07-10-W a distance of 300.00 ft. to a stone bound; thence N-1-07-00-W a distance of 950.02 ft. to a stone bound which is on the easterly line of Summer Street as above laid out, said bound being N-6-30-30-E a distance of 248.70 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 33.00 ft. easterly from and parallel to the westerly line.

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 land 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 Summer Street, Medway, from Main Street to the Holliston/^{Town}Line as made by the Norfolk County Commissioners by Return dated December 23, 1947. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer." and signed by "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 the Inhabitants of the Town of Medway, do within five 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 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 MEDWAY.

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 MEDWAY.

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 MEDWAY when the landshereby taken and over which said way is hereby located, have been entered upon and possession taken, for the purpose of constructing the said way.

Parcel Number	Owner	Approximate	
		Sq.Ft. Taken	Award
1.	Katie Slotnick	625	\$ 1.00
2.	Julius W. Boris Mtg: Victor C. Boris	38100	100.00
3.	Katie Slotnick	59000	100.00
4.	William R. Bennett et ux	3250	1.00
5.	Frances J. and Annabell R. Heuklon Mtg: Medway Cooperative Bank	1900	1.00
6.	Marion E. Pollard Mtg: Natick Federal Savings and Loan Association Mtg: Harry S. Sickles	1350	1.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
7.	Olympia A. Gouvea Mtg: Kate M. Newton Mtg: Ernest Ball	3150	5.00
8.	Mary M. McKeogh	7100	5.00
9.	Fred Recke Mtg: Milford Savings Bank	8200	10.00
10.	Frank C. Lahnston Mtg: Northborough National Bank	6250	10.00
11.	Mary D. Lahnston Mtg: Federal Land Bank of Springfield Mtg: Land Bank Commissioner Mtg: Disaster Loan Corporation	8100	5.00
12.	James E. Tatten et ux	550	1.00
13.	James E. Tatten et ux	4150	1.00
14.	Yandell Anderson and Harry W. Crooker, 2nd Mtg: Federal Land Bank of Springfield	12400	5.00
15.	Vaughan C. Dill	10900	15.00
16.	Arthur McLean et ux Mtg: Framingham Cooperative Bank	26000	10.00
17.	Kate M. Newton	9250	5.00
18.	George H. and Helen C. Bullard	3750	1.00
19.	Giuseppe DelGenio	460	1.00
20.	Jean P. Sewell	22000	25.00
21.	Robert Gould Shaw house, Inc.	14300	15.00
22.	Henry A. Bullard	33200	40.00
23.	Margaret M. Lee Mtg: Federal Land Bank of Springfield	27700	25.00
24.	Giuseppe DelGenio	8000	25.00
25.	Arthur McLean et ux Mtg: Framingham Cooperative Bank	700	10.00
26.	Carl M. Van Ness et ux Mtg: Milford Savings Bank	330	5.00
27.	Carl M. Van Ness et ux Mtg: Milford Savings Bank	1300	5.00
28.	Raymond R. Peters et ux Mtg: The Federal Land Bank of Springfield Mtg: Land Bank Commissioner	5500	5.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
29.	Yandell Anderson and Harry W. Crooker, 2nd Mtg: Federal Land Bank of Springfield	13000	5.00
30.	Francis P. Mikolop	6150	1.00
31.	Wilfred S. Prince Mtg: Medway Savings Bank	12500	5.00
32.	Herbert R. Rumrill et ux	4400	5.00
32a.	Walter Whitney et ux	1400	5.00
33.	Frederick A. Butcher et ux Mtg: Framingham Cooperative Bank	1350	5.00
33a.	Martha Susky	1100	5.00
34.	Michael DelGenio et ux Mtg: Medway Cooperative Bank	8500	5.00
35.	Francis H. Kenney and Thaddeus Fairbairn	8500	5.00
36.	Francis H. Kenney and Thaddeus Fairbairn	4700	5.00
37.	William M. Anderson et ux	5400	5.00
38.	Ada E. Steeves Mtg: Holliston Savings Bank	14300	10.00
39.	William B. Gulliver Mtg: Medway Cooperative Bank	6000	10.00
40.	Lawrence Casso et ux Mtg: Framingham Cooperative Bank	11000	1.00
41.	Harold L. Rotzel et ux	1950	1.00
TOTAL			\$ 506.00

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 three months from the date on which entry is made or possession taken for the purpose of constructing said way.

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 December, 1947 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 MEDWAY 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: Willard Barrett CLERK

Rec'd & entered for record Jan. 20, 1948 at 12h. 05m. P.M.