

# 343

County. Vol. 2791 P 495

PL 147 (7) 12076 726 and -1948.

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 August, 1948 by adjournment of their June meeting next preceding:-

The petition of WILLIS D. McLEAN AND OTHERS of WALPOLE 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 WALPOLE in said County, that common convenience and necessity require that the way known as WASHINGTON STREET, a public way in said town be relocated between Common Street and High Plain Street for the purpose of layout and slopes.

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

Dated Nov. 21, 1947.

Willis D. McLean  
Royal A. Jones  
Albert W. Smith  
Clinton F. Shufelt  
Frederick F. Libby

Wallace R. Duncan  
John H. White  
Harold E. Higgins  
Margaret E. Willis

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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 November, 1947, by adjournment of their September meeting next preceding; and the thirtieth day of December, 1947 then next and three o'clock in the afternoon at the Court House in 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 WALPOLE, 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 order of notice to be posted in two public places in said town; and to be published in the

WALPOLE TIMES, 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 thirtieth day of December, 1947, the Commissioners, Frederick A. Leavitt and Russell T. Bates met at the time and place specified in said order, when and where the petitioners appeared, and the town of WALPOLE 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 on the eleventh day of May, 1948 at the Town Hall in Walpole 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 the Commissioners held at Dedham on the sixth day of July, 1948 when and where upon the adjudication aforesaid, the said Commissioners appointed the twenty-seventh day of July, 1948 and eleven-fifteen o'clock in the forenoon at the Court House in 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 to 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 thence

continued and adjourned from time to time to this meeting.

And now the Commissioners, Frederick A. Leavitt, Russell T. Bates, and Alice P. Kendall (acting in place of Edward W. Hunt) by courses and distances, metes and bounds, do relocate said WASHINGTON STREET as prayed for in said petition.

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

The easterly line begins at a stone bound which is on the southerly line of High Plain Street as laid out by the Norfolk County Commissioners by Return dated November 1, 1932; thence southwesterly by a curve with a radius of 59.68 ft. a distance of 80.79 ft. to a stone bound; thence S-33-35-40-W a distance of 437.27 ft. to a stone bound; thence continuing on the same course a distance of 705.85 ft. to a stone bound; thence by a curve to the left with a radius of 120.00 ft. a distance of 93.50 ft. to a stone bound which is on the northeasterly line of Baker Street as laid out by the Norfolk County Commissioners by Return dated September 1832; thence S-18-55-30-W a distance of 66.05 ft. to a stone bound which is on the southwesterly line of Baker Street; thence westerly by a curve with a radius of 30.00 ft. a distance of 70.87 ft. to a stone bound; thence S-33-35-40-W a distance of 312.47 ft. to a stone bound; thence by a curve to the left with a radius of 6893.42 ft. a distance of 378.99 ft. to a stone bound; thence S-30-26-40-W a distance of 600.06 ft. to a stone bound; thence continuing on the same course a distance of 599.37 ft. to a stone bound; thence continuing on the same course a distance of 651.41 ft. to a stone bound; thence continuing on the same course a distance of 548.00 ft. to a stone bound; thence continuing on the same course a distance of 665.78 ft. to a stone bound; thence S-27-41-40-W a distance of 609.09 ft. to a stone bound; thence continuing on the same course a distance of 508.74 ft. to a stone bound; thence by a curve to the left with a radius of 120.00 ft. a distance of

113.59 ft. to a stone bound which is on the northerly line of Common Street as laid out by the Norfolk County Commissioners by Return dated June 28, 1932.

The westerly line begins at a stone bound on the southerly line of High Plain Street as laid out by the Norfolk County Commissioners by Return dated November 1, 1932; said bound being N-66-45-40-W a distance of 179.08 ft. from the first bound on the easterly line as above described; thence southeasterly by a curve with a radius of 60.24 ft. a distance of 103.75 ft. to a stone bound; thence S-33-35-40-W a distance of 403.80 ft. to a stone bound; thence continuing on the same course a distance of 667.11 ft. to a stone bound; thence by a curve to the right with a radius of 60.00 ft. a distance of 86.26 ft. to a stone bound which is on the northerly line of Peach Street; thence S-35-17-50-W a distance of 40.54 ft. to a stone bound which is on the southerly line of Peach Street; thence southeasterly by a curve with a radius of 47.00 ft. a distance of 80.08 ft. to a stone bound; thence S-33-35-40-W a distance of 373.94 ft. to a stone bound; thence by a curve to the left with a radius of 6953.42 ft. a distance of 382.28 ft. to a stone bound; thence S-30-26-40-W a distance of 600.06 ft. to a stone bound; thence continuing on the same course a distance of 599.37 ft. to a stone bound; thence continuing on the same course a distance of 651.41 ft. to a stone bound; thence by a curve to the right with a radius of 46.90 ft. to a distance of 66.34 ft. to a stone bound which is on the northerly line of Stone Street as laid out by the Town of Walpole on February 9, 1942; thence S-37-14-W a distance of 41.56 ft. to a stone bound which is on the southerly line of Stone Street; thence southeasterly by a curve with a radius of 38.53 ft. a distance of 66.54 ft. to a stone bound; thence S-30-26-40-W a distance of 422.34 ft. to a stone bound; thence continuing on the same course a distance of 667.22 ft. to a stone bound; thence S-27-41-40-W a distance of 610.53 ft. to a stone bound; thence

continuing on the same course a distance of 555.26 ft. to a stone bound; thence by a curve to the right with a radius of 50.00 ft. a distance of 78.55 ft. to a stone bound which is on the northerly line of Common Street as laid out by the Town of Walpole on November 16, 1898, said bound being N-62-00-W a distance of 159.87 ft. from the last bound on the easterly line as above described.

The westerly line heretofore described, in general, is 60.00 feet westerly from and parallel to the easterly 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 lands included within the lines of location hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Washington Street, Walpole from High Plain Street to Common Street as made by the Norfolk County Commissioners by Return dated August 3, 1948. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer." and signed 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 located 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 WALPOLE, 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 twenty-seven (27) 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 WALPOLE.

And it is determined by the Commissioners that all the expense of making the location 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 WALPOLE.

And the said 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 WALPOLE 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 said way.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
1.	William G. Frederick et ux Charles A. Flower, Life Estate	15 Slope easement	1.00
2.	John Simone	Slope easement	1.00
3.	Benny Street	Slope easement	No award
4.	Paul J. Wells et ux Ld. Ct. Cert. #37138, Bk. 186, P. 138 Mtg: Norwood Cooperative Bank	Slope easement	1.00
5.	Edward T. Fleming et al Ld. Ct. Cert. #52996, Bk. 165, P. 196	Slope easement	1.00
6.	Thomas Street	Slope easement	No award
7.	Arthur F. Platt et ux Mtg: Walpole Cooperative Bank	Slope easement	1.00
8.	Blanche S. Sutherland Mtg: Foxborough Cooperative Bank	Slope easement	1.00
9.	Mary F. Regan	300	10.00
10.	Charles W. Conrad	850 Slope easement	20.00
11.	Charles W. Conrad	25 Slope easement	1.00
12.	Katherine J. Maguire Mtg: Norwood Cooperative Bank	310 Slope easement	10.00
13.	Benjamin R. Taylor et ux	1160 Slope easement	25.00
14.	Ann D. Clapp	Slope easement	1.00
15.	Ann D. Clapp	Slope easement	1.00
16.	Joseph Erker, Jr., et ux	Slope easement	1.00
17.	Anne K. Allen	Slope easement	1.00
18.	Philip R. Allen Mtg: Walpole Trust Company	Slope easement	1.00
19.	Edwin F. Lewis et al	Slope easement	1.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
19a.	Frank L. Fales et al	Slope easement	1.00
19b.	Charles L. Gay et al	Slope easement	1.00
19c.	Fanny H. Plimpton	Slope easement	1.00
19d.	Hopey Hartshorn et al	Slope easement	1.00
19e.	Martha W. Fuller	Slope easement	1.00
19f.	Charles L. Gay et al	Slope easement	1.00
20.	Alfred E. Hilton et ux LD.Ct.Cert Mtg: Benjamin Franklin #32074 Savings Bank Bk.161,P.74	Slope easement	1.00
21.	A. Phillip Macchi et ux Ld.Ct.Cert.#31740,Bk.159,P.140	Slope easement	1.00
22.	A. Philip Macchi et ux Ld.Ct.Cert. #24489, Bk.123, P.89	Slope easement	1.00
23.	Joseph A. Gingras et ux Ld.Ct.Cert. #32,654, Bk.164,P.54	Slope easement	1.00
24.	Joseph A. Gingras et ux Ld.Ct.Cert, #32,654, Bk.164,P.54	Slope easement	1.00
25.	Joseph A. Gingras et ux Ld.Ct.Cert. #32,654, Bk.164,P.54	Slope easement	1.00
26.	Joseph A.Gingras et ux Ld.Ct.Cert. #32,654,Bk.164,P.54 Mtg: Norwood Cooperative Bank	Slope easement	1.00
26a.	Joseph A. Gingras et ux Ld.Ct.Cert. #32,654.Bk.164,P.54	Slope easement	1.00
27.	Martha E. DeWolf Ld.Ct.Cert.#35539 Bk.178,P.139 Mtg: Norwood Cooperative Bank	Slope easement	1.00
28.	New England Telephone and Tele- graph Company Ld.Ct.Cert #35430,Bk.178,P.30	Slope easement	1.00
29.	Myles R.Towle et ux Mtg: Walpole Cooperative Bank	Slope easement	1.00
30.	William F. Percy et ux	Slope easement	1.00
31.	William F. Percy et ux	Slope easement	1.00
32.	Victor H. Carpenter	Slope easement	1.00



<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
33.	George A. Vozella et ux Mtg: Boston Five Cents Savings Bank Mtg: Kendall Mills Credit Union	Slope easement	1.00
34.	Edgar R. French et ux Mtg: Norwood Cooperative Bank	Slope easement	1.00
35.	Victor H. Carpenter	Slope easement	1.00
36.	Denis H. L. Troisfontaine et ux	Slope easement	1.00
37.	Emil A. Breitenbach et ux	Slope easement	1.00
37a.	Emil A. Breitenbach et ux Mtg: Martha Wagenknecht	Slope easement	1.00
38.	Emil A. Breitenbach et ux	Slope easement	1.00
39.	Victor H. Carpenter	Slope easement	1.00
40.	Fanny H. Plimpton	Slope easement	1.00
41.	Philip R. Allen	Slope easement	1.00
42.	Philip R. Allen	Slope easement	1.00
43.	H. A. Morse Corporation Ld.Ct.Cert. #16042, Bk.81, P.42	Slope easement	1.00
44.	Anne K. Allen	Slope easement	1.00
45.	Priscilla Norton et al, Trustees (Town of Walpole, Tax Taking)	Slope easement	1.00
46	Walpole Country Club Mtg: Sam Lorusso	7750 Slope easement	50.00
47.	Carl W. Thomas Et al Mtg: Walpole Cooperative Bank	5460 Slope easement	55.00
48.	Celia E. Jones Mtg: Walpole Cooperative Bank	6820 Slope Easement	25.00
		TOTAL	\$ 242.00

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 entry is made or possession taken for the purpose of constructing said way.

FREDERICK A. LEAVITT

ALICE P. KENDALL

RUSSELL T. BATES

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the third day of August, 1948, 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 WALPOLE within the limits of which said way 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

ALICE P. KENDALL

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST: A. Clinton Kellogg, Act CLERK

Rec'd & entered for record Aug. 13, 1948 at 12h.07m.P.M.