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

The petition of ALBERT E. ROBERTS and others of BRAINTREE, 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 BRAINTREE in said County, that common convenience and necessity require that the way known as SHAW STREET, a public way in said town, be relocated between Allen Street and Commercial Street 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 June 6, 1947.

Albert E. Roberts  
John W. Mahar  
Raymond P. Palmer  
Jonathan W. French  
John Wentworth

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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 tenth day of June, 1947, by adjournment of their April meeting next preceding; and the twenty-ninth day of July, 1947 at 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 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

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said petition and of 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 twenty-ninth day of July, 1947, 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 BRAINTREE 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 nineteenth day of August, 1947 at the Town Hall in Braintree 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 twenty-ninth day of June, 1948, when and where upon the adjudication aforesaid, the Commissioners appointed the twentieth day of July, 1948 and two-thirty o'clock P.M. at the Town Hall in Braintree, 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 SHAW STREET, as prayed for in said petition.

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

The northerly line begins at a bolt on the southerly line of Allen Street as laid out by the Norfolk County Commissioners by Return dated December 26, 1878; thence southwesterly by a curve with a radius of 37.89 ft. a distance of 72.80 ft. to a stone bound; thence S-26-19-20-E a distance of 114.79 ft. thence by a curve to the left with a radius of 80.00 ft. a distance of 81.62 ft. to a stone bound; thence S-84-46-50-E a distance of 236.50 ft. thence S-77-58-50-E a distance of 167.25 ft. thence by a curve to the right with a radius of 579.24 ft. a distance of 291.33 ft. to a stone bound; thence S-49-09-50-E a distance of 383.28 ft. to a stone bound; thence by a curve to the left with a radius of 150.00 ft. a distance of 103.67 ft. to a stone bound which is on the northerly line of Commercial Street as laid out by the Norfolk County Commissioners by Return dated July 26, 1898.

The southerly line begins at a stone bound on the southerly line of Allen Street as laid out by the Norfolk County Commissioners by Return dated December 1, 1870 which is S-83-45-40-W a distance of 216.27 ft. and S-71-43-40-W a distance of 47.24 ft. from the first point on the northerly line as above described; thence southeasterly by a curve with a radius of 150.00 ft. a distance of 214.54 ft. to a stone bound; thence S-26-19-20-E a distance of 126.22 ft. to a stone bound; thence

by a curve to the right with a radius of 57.77 ft. a distance of 62.07 ft. to a stone bound which is on the westerly side of Mill Lane; thence N-84-28-20-E a distance of 29.71 ft. to a stone bound which is on the easterly side of Mill Lane; thence north-easterly by a curve with a radius of 46.85 ft. a distance of 44.36 ft. to a stone bound; thence N-89-29-30-E a distance of 159.64 ft. to a stone bound; thence S-84-46-50-E a distance of 113.90 ft. to a stone bound; thence S-77-58-50-E a distance of 125.35 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 301.77 ft. to a stone bound; thence S-49-09-50-E a distance of 314.19 ft. to a stone bound; thence by a curve to the right with a radius of 32.00 ft. a distance of 73.38 ft. to a stone bound which is on the northerly line of Commercial Street as laid out by the Norfolk County Commissioners by Return dated July 26, 1898, said bound being N-88-45-40-W a distance of 54.00 ft. and S-81-52-50-W a distance of 79.55 ft. and S-82-13-20-W a distance of 70.85 ft. from the last bound on the northerly line as above described.

The Southerly line heretofore described, in general, between Stations 00 and 2 + 50 is 70.00 feet southerly from and parallel to the northerly line; and between Stations 4 + 50 and 7 + 0 is 50.00 feet southerly from and parallel to the northerly line; and between Stations 10 + 0 and 14 + 0 is 60.00 feet 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 incident to a public highway in the lands included within the lines of location hereinbefore described and the grade thereof is established, except that portion of land belonging to the New York, New Haven and Hartford Railroad Company which is considered their right of way, over which side lines are established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Shaw Street, Braintree from Allen Street to.

Commercial Street as made by the Norfolk County Commissioners by Return dated Aug. 10, 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 BRAINTREE, 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 BRAINTREE.

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 BRAINTREE.

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 BRAINTREE 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.	Town of Braintree	850	No award
1a.	Frederick J. Klay	Slope easement	1.00
2.	Goodhue Marine Sales and Service, Inc. Mtg: Quincy Trust Company	300 Slope easement	1.00
3.	Daniel A. Maloney	800 Slope easement	50.00
4.	Owners Unknown	1050	No award
5.	Daniel A. Maloney	1000 Slope easement	50.00
6.	Goodhue Marine Sales and Service Inc. Mtg: Quincy Trust Company	60 Slope easement	1.00
7.	Goodhue Marine Sales and Service Inc. Mtg: Quincy Trust Company	1150	50.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
8.	Philip J. Levin, Ld. Ct. Cer. #28189 Bk. 141, P. 189 First National Stores, Inc. Lessee Mtg: Gardner Savings Bank Mtg: Union County Trust Company	2287 Slope easement	1000.00
9.	Louis F. Bates	1093 Slope easement	100.00
9a.	Clinton Irving Bates	Slope easement	1.00
9b.	Bernice L. Haines Mtg: South Shore Cooperative Bank	Slope easement	1.00
10.	Old Colony Gas Company	1150 Slope easement	50.00
10a.	The New York, New Haven and Hartford Railroad Company Mtg: Chase National Bank Mtg: Manufacturers' Trust Company	Slope easement	1.00
11.	The New York, New Haven and Hartford Railroad Company  Mtg: Chase National Bank Mtg: Manufacturers' Trust Company	650 Slope easement	1.00
12.	Owners Unknown	1700	No award
13.	Attilio C. Trojano et ux	4050 Slope easement	150.00
		Total	\$ 1457.00

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

FREDERICK A. LEAVITT

ALICE P. KENDALL

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the tenth day of August, 1948, by adjournment of their June meeting next preceding:-

