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COMMONWEALTH OF MASSACHUSETTS

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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 May, 1949 by adjournment of their April 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 LIBERTY STREET, a public way in said town, be relocated between Grove Street and Wildwood Avenue 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 March 7, 1947.

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

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the eleventh day of March, 1947, by adjournment of their December meeting next preceding: and the twenty-second day of April 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 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 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.

*See PA 5916-1949 PA 5916-151
Certified to of 2841 P 547.*

And on the said twenty-second day of April, 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 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 at the town hall in Braintree on the nineteenth day of August, 1947, 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 to a meeting of the Commissioners held at Dedham, aforesaid on the twenty-second day of March, 1949, when and where upon the adjudication aforesaid, the Commissioners appointed the twelfth day of April, 1949, and two-thirty o'clock in the afternoon, 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 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 thence continued and adjourned from time to time to this meeting.

And now the Commissioners, Frederick A. Leavitt, Russell T. Bates and Clayton W. Nash, by courses and distances, metes and bounds do relocate said LIBERTY STREET, as prayed for in said petition.

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

The westerly line begins at a stone bound which is on the westerly line of Liberty Park Avenue, as laid out by the Town of Braintree on March 24, 1930; thence northerly by a curve with a radius of 96.64 ft. a distance of 83.41 ft. to a stone bound which is on the westerly line of Liberty Park Avenue; thence N-58-28-30-E a distance of 61.45 ft. to a stone bound which is on the easterly line of Liberty Park Avenue; thence easterly by a curve with a radius of 35.00 ft. a distance of 65.88 ft. to a stone bound; thence N-50-24-E a distance of 177.26 ft. to a stone bound; thence by a curve to the left with a radius of 600.00 ft. a distance of 261.35 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 584.64 ft. to a stone bound; thence N-8-41-40-E a distance of 817.61 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 261.22 ft. to a stone bound; thence N-1-12-40-E a distance of 201.97 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 454.13 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 49.35 ft. to a stone bound which is on the southerly line of Peach Street; thence N-36-51-E a distance of 45.51 ft. to a stone bound which is on the northerly side of Peach Street; thence northeasterly by a curve with a radius of 60.00 ft. a distance of 66.33 ft. to a stone bound; thence

N-35-01-20-E a distance of 383.36 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 269.60 ft. to a stone bound; thence N-69-51-20-E a distance of 49.35 ft. to a stone bound; thence southeasterly by a curve with a radius of 30.00 ft. a distance of 75.48 ft. to a stone bound; thence N-51-33-50-E a distance of 467.18 ft. to a stone bound; thence continuing on the same course a distance of 612.42 ft. to a stone bound; thence by a curve to the left with a radius of 24.47 ft. a distance of 54.63 ft. to a stone bound; thence N-13-38-50-E a distance of 40.00 ft. to a stone bound; thence S-76-21-10-E a distance of 37.15 ft. to a stone bound; thence by a curve to the left with a radius of 120.00 ft. a distance of 84.29 ft. to a stone bound; thence N-63-24-10-E a distance of 553.43 ft. to a stone bound; thence by a curve to the left with

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a radius of 6000.00 ft. a distance of 182.97 ft. to a stone bound; thence N-61-39-20-E a distance of 383.86 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 47.39 ft. to a stone bound; which is on the southwesterly line of Hickory Road; thence N-69-03-20-E a distance of 44.50 ft. to a stone bound which is on the northeasterly line of Hickory Road; thence easterly by a curve with a radius of 40.00 ft. a distance of 49.85 ft. to a stone bound; thence N-61-39-20-E a distance of 19.64 ft. to a stone bound; thence by a curve to the left with a radius of 400.00 ft. a distance of 194.24 ft. to a stone bound; thence by a curve to the left with a radius of 53.15 ft. a distance of 56.38 ft. to a stone bound; thence by a curve to the left with a radius of 100.00 ft. a distance of 34.91 ft. to a stone bound which is on the southwesterly line of Grove Street as laid out by the Massachusetts Department of Public Works on September 23, 1941.

The easterly line begins at a stone bound which is S-2-42-10-E a distance of 86.93 ft. and S-40-58-E a distance of 39.98 ft. from the first bound on the westerly line as above

described; thence northeasterly by a curve with a radius of 400.00 ft. a distance of 179.41 ft. to a stone bound; thence N-50-24-E a distance of 275.91 ft. to a stone bound; thence by a curve to the right with a radius of 300.00 ft. a distance of 86.35 ft. to a stone bound; thence N-66-53-30-E a distance of 78.65 ft. to a stone bound; thence N-23-06-30-W a distance of 40.00 ft. to a stone bound; thence westerly by a curve with a radius of 18.63 ft. a distance of 45.05 ft. to a stone bound; thence N-25-26-35-E a distance of 54.98 ft. to a stone bound; thence by a curve to the left with a radius of 2060.00 ft. a distance of 517.19 ft. to a stone bound; thence by a curve to the right with a radius of 20.49 ft. a distance of 54.39 ft. to a stone bound; thence N-9-56-05-E a distance of 88.74 ft. to a stone bound; thence northerly by a curve with a radius of 400.00 ft. a distance of 178.39 ft. to a stone bound; thence N-8-41-40-E a distance of 633.34 ft. to a stone bound; thence by a curve to the left with a radius of 2060.00 ft. a distance of 269.05 ft. to a stone bound; thence N-1-12-40-E a distance of 201.97 ft. to a stone bound;

thence by a curve to the right with a radius of 800.00 ft. a distance of 472.09 ft. to a stone bound; thence N-35-01-20-E a distance of 437.65 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 346.45 ft. to a stone bound; thence N-51-33-50-E a distance of 425.43 ft. to a stone bound; thence continuing on the same course a distance of 500.00 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 413.26 ft. to a stone bound; thence N-63-24-10-E a distance of 412.79 ft. to a stone bound; thence by a curve to the right with a radius of 30.00 ft. a distance of 49.00 ft. to a stone bound which is on the westerly side of Forest Street; thence S-76-21-10-E a distance of 49.87 ft. to a stone bound which is on the easterly line of Forest Street; thence northeasterly by a curve with a radius of 70.77 ft. a distance of 104.59 ft. to a stone bound; thence

N-61-39-20-E a distance of 218.16 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 40.26 ft. to a stone bound which is on the westerly line of Sycamore Road; thence N-52-31-40-E a distance of 40.81 ft. to a stone bound which is on the easterly line of Sycamore Road; thence northeasterly by a curve with a radius of 20.00 ft. a distance of 34.82 ft. to a stone bound; thence N-73-43-10-E a distance of 184.36 ft. to a stone bound; thence by a curve to the left with a radius of 242.38 ft. a distance of 185.09 ft. to a stone bound; thence N-29-58-E a distance of 45.87 ft. to a stone bound; thence by a curve to the right with a radius of 149.42 ft. a distance of 180.78 ft. to a stone bound which is on the southwesterly line of Grove Street as laid out by the Massachusetts Department of Public Works on September 23, 1941, said bound being a distance of 203.79 ft. on a curve with a radius of 346.18 ft. and S-80-42-40-E a distance of 25.55 ft. from the last bound on the westerly line as above described.

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

And the said Commissioners do likewise hereby lay out as a separate way that portion of Liberty Street between Stations 61 + 0 and 55 + 0 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 which is on the easterly line of Liberty Street as above described; thence easterly by a curve with a radius of 400.00 ft. a distance of 584.69 ft. to a stone bound; thence N-16-51-30-W a distance of 86.49 ft. to a stone bound on the easterly line of Liberty Street as above described.

The easterly line begins at a stone bound which is on the easterly line of Liberty Street as above described; said bound being S-23-06-30-E a distance of 40.00 ft. from the first

bound on the westerly line as above described; thence easterly by a curve with a radius of 440.00 ft. a distance of 643.15 ft. to a stone bound; thence N-16-51-30-W a distance of 165.70 ft. to a stone bound which is on the easterly line of Liberty Street as above described; said bound being N-9-56-05-E a distance of 88.74 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 40.00 feet easterly from and parallel to the westerly line.

And the said Commissioners do likewise hereby lay out as a separate way that portion of Liberty Street between Stations 29 + 0 and 18 + 0 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 which is on the westerly line of Liberty Street as above described; thence N-15-42-50-E a distance of 165.85 ft. to a stone bound; thence by a curve to the right with a radius of 640.00 ft. a distance of 325.24 ft. to a stone bound; thence by a curve to the right with a radius of 350.00 ft. a distance of 127.25 ft. to a stone bound; thence N-65-39-40-E a distance of 519.25 ft. to a stone bound; thence by a curve to the right with a radius of 240.00 ft. a distance of 159.12 ft. to a stone bound which is on the westerly line of Liberty Street as above described.

The easterly line begins at a stone bound which is on the westerly line of Liberty Street as above described; said bound

being N-69-51-20-E a distance of 49.35 ft. from the first bound on the westerly line as above described; thence N-15-42-50-E a distance of 136.94 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 304.91 ft. to a stone bound; thence by a curve to the right with a radius of 310.00 ft. a distance of 112.70 ft. to a stone bound; thence N-65-39-40-E a distance of 519.25 ft. to a stone bound; thence by

a curve to the right with a radius of 200.00 ft. a distance of 132.60 ft. to a stone bound which is on the westerly line of Liberty Street as above described, said bound being S-13-38-50-W a distance of 40.00 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general is 40.00 feet 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 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 a Portion of Liberty Street, Braintree between Liberty Park Ave. and Grove Street as made by the Norfolk County Commissioners by Return dated May 10, 1949. 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 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 the said way.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
1.	Herman H. Small et ux Mtg: Braintree Cooperative Bank	1340 Slope easement	\$100.00
2.	Grace Small	350 Slope easement	1.00
3.	George H. Homewood et ux Mtg: Braintree Cooperative Bank	180 Slope easement	1.00
4.	George H. Homewood et ux Mtg: Braintree Cooperative Bank	40 Slope easement	1.00
5.	Town of Braintree	14550 Slope easement	No award
6.	Howard S. Harrington Mtg: Braintree Cooperative Bank	3800 Slope easement	10.00
6a.	Harold E. Harrington et ux Mtg: Milton Savings Bank	160 Slope easement	1.00
7.	Town of Braintree	15570 Slope easement	No award
8.	Town of Braintree	15550 Slope easement	No award
9.	Arno Krannich et ux Mtg: Second Federal Savings and Loan Association of Boston	6250 Slope easement	10.00
10.	Gustave A. Oster, Jr., et ux Mtg: Milton Savings Bank	1400 Slope easement	10.00
12.	James W. Roper Mtg: Braintree Cooperative Bank	4450 Slope easement	20.00
13.	Wendell F. Regan et ux Mtg: Mutual Federal Savings and Loan Association of Whitman	2900 Slope easement	15.00
14.	Agda L. Sangquist	6570 Slope easement	25.00
15.	Maria J. O'Neil	4900 Slope easement	200.00
16.	Angelo Digaetano et ux Mtg: Braintree Savings Bank	11150 Slope easement	25.00
17.	Thomas F. McSharry et ux Mtg: Braintree Cooperative Bank	4950 Slope easement	1.00
18.	Michael Digaetano et ux Ld.Ct.Cert.#20281,Bk.102.P.81	19306 Slope easement	50.00
19.	Peter Schwanenberg	32300 Slope easement	1.00
20.	Robert White et ux Mtg: Braintree Savings Bank	8100 Slope easement	1.00
<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
21.	Michael Cardinale et ux	25700 Slope easement	25.00
22.	Knute Ingmanson Mtg: Ing G. Cutting	7300 Slope easement	20.00
23.	Robert White et ux Mtg: Braintree Savings Bank	20780 Slope easement	50.00

24.	Wilford H. Scribner et ux Mtg: Robert P. King	1550 Slope easement	30.00
25.	Catherine H. Miller Mtg: Montello Federal Sav- ings and Loan Asso- ciation of Brockton	1240 Slope easement	20.00
26.	Catherine H. Miller Mtg: Ina G. Cutting	550	10.00
26a.	Clare L. Miller et ux Mtg: Ina G. Cutting	300	5.00
27.	Frank I. Lewis et ux	1040	25.00
28.	Thomas J. Talbot et ux Mtg: Braintree Savings Bank	2850 Slope easement	35.00
29.	Alexander and Augustino Graziano Mtg: Milton Cooperative Bank	3600 Slope easement	50.00
29a.	Hickory Road	4500	No award
30.	Alexander and Augustino Graziano Mtg: Ina G. Cutting	6600 Slope easement	50.00
31.	Alexander and Augustino Graziano Mtg: Ina G. Cutting	5360 Slope easement	50.00
32.	Alice L. Hughes	1570 Slope easement	100.00
33.	William V. Mally et ux Ld.Ct.Cert. #37738, Bk.189, P.138 Mtg: Brighton Cooperative Bank	100	1.00
33a.	Willis H. Maddocks et ux Ld.Ct.Cert. #23588, Bk.118, P.188	Slope easement	1.00
34.	Alexander Chizauskas et ux Ld.Ct.Cert.#24728, Bk.124, P.128 Mtg: Montello Federal Savings and Loan Association of Brockton	839 Slope easement	25.00
35.	Harold F. Mitchell Ld.Ct.Cert.#28844, Bk.145, P.44 Mtg: Montello Federal Savings and Loan Association of Brockton	973 Slope easement	25.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
36.	Sabestino Volpe et ux Ld.Ct.Cert.#22892, Bk.115, P.92 Mtg: Ina G. Cutting	818 Slope easement	15.00
37.	Ethel E. Doyle Ld.Ct.Cert. #21235, Bk.107, P.35	8 Slope easement	1.00
38.	Robert White et ux Mtg: Braintree Savings Bank	1500 Slope easement	1.00
39.	Walter T. Stronach et ux Mtg: Casper L. & Amanda E. Levarn, Braintree	25 Slope easement	1.00
40.	George Laikus Mtg: Braintree Savings Bank	4400 Slope easement	20.00
41.	Gustav Leaf et ux	2300 Slope easement	10.00

42.	William F. Steele	1240	5.00
		Slope easement	
42a.	Chester C. Pomeroy et ux	1300	5.00
		Slope easement	
43.	Walter J. Hynes	11300	10.00
		Slope easement	
44.	Emma E. Kirchner et al	4320	5.00
		Slope easement	
45.	Robert F. Cassidy et ux Mtg: Home Owners' Loan Corporation	1175	20.00
		Slope easement	
46.	Genevieve F. and Edwin R. Cassidy Ld.Ct.Cert.#37459,Bk.188,P.59	1988	5.00
		Slope easement	
47.	Frank H. Fernald	930	5.00
		Slope easement	
48.	Henry F. Fernald	2230	5.00
		Slope easement	
49.	Town of Braintree	4320	No award
		Slope easement	
50.	Town of Braintree	170	No award
		Slope easement	
51.	Howard S. Harrington Mtg: Braintree Cooperative Bank	70	1.00
		Slope easement	
51a.	Harold E. Harrington et ux		1.00
		Slope easement	
51b.	Town of Braintree	70	No award
		Slope easement	
52.	Walter J. Hynes	420	1.00
		Slope easement	

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
53.	Town of Braintree	350	No award
		Slope easement	
54.	Town of Braintree	150	No award
		Slope easement	
55.	Braemore Road	260	No award
		Slope easement	
56.	Clifford S. Harrington et ux Mtg: Rita W. Church	530	10.00
		Slope easement	
57.	John L. Worth	990	10.00
		Slope easement	
58.	Emma E. Kirchner et al	10	1.00
59.	Thomas F. McSharry et ux Mtg: Braintree Cooperative Bank	4310	5.00
		Slope easement	
60.	Michael Digaetano	3320	5.00
		Slope easement	
61.	Knute Ingmanson Mtg: Ina G. Cutting	4070	5.00
		Slope easement	
62.	Michael Cardinale et ux	500	1.00
		Slope easement	
63.	Peter Schwanenberg	70	1.00
		Slope easement	

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64.	Peter Schwanenberg	860	1.00
		Slope easement	
65.	Michael Digaetano et ux Ld.Ct.Cert.#20281, Bk.102,P.81	429	1.00
		Slope easement	
TOTAL			\$ 1145.00

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

RUSSELL T. BATES

CLAYTON W. NASH

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the tenth day of May, 1949 by adjournment of their April 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 BRAINTREE 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

RUSSELL T. BATES

CLAYTON W. NASH

COUNTY COMMISSIONERS

At true copy,

ATTEST: William D. Swett CLERK