

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 of Norfolk, on the seventeenth day of May, 1949 by adjournment of their April meeting next preceding:-

The petition of FRANK G. HALEY and others of MEDFIELD 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 MEDFIELD in said County, that common convenience and necessity require that the ways known as SPRING, SOUTH & HIGH STREETS, public ways in said town, be relocated between Main Street and Granite Street for the purpose of establishing the boundary lines of said ways, making alterations in the course or width of said ways, and making repairs on said ways.

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

Dated September 11, 1947

Frank G. Haley
Joseph L. Marcionette, Jr.
W. E. McCarthy
Marie M. Burke
Leslie J. Howlette

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the sixteenth day of September, 1947 by adjournment of their June meeting next preceding: and the seventh day of October, then next and three o'clock in the afternoon at the Town Hall in Medfield, 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 Medfield 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 Dedham Transcript 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.

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*See Process to S.R. of 1949, P. 13, 151
Superior Ct. Vol. 2877 P. 50 entry*

#352

1834
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And on the said seventh day of October, 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 MEDFIELD 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 ways 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 thirteenth day of April, 1948 when and where upon the adjudication the said Commissioners appointed the eleventh day of May, 1948 at four o'clock in the afternoon at the Town Hall in Medfield 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, 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 thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham on the twenty-second day of March, 1949, when and where it appearing that it becomes necessary to take land from "Baxter Square" dedicated to the use of the public, being an area of 2150 square feet, more or less, on the easterly side of Spring Street from Main Street to the southerly line of "Baxter Square", all as shown upon a plan made by Wallace S. Carson, County Engineer, dated March 16, 1949 and filed in the office of the County Commissioners, the said Commissioners, acting under the provisions of General Laws, Chapter 79, Section 5, appointed Tuesday, the twelfth day of April, 1949 at three o'clock in the afternoon at the Court House in Dedham when and where they would proceed to and take such action as they might be authorized to do.

And having given notice and stating the extents and limits to be taken from said "Baxter Square" 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 thence heard all persons and corporations interested, and said hearing was thence continued and adjourned from time to time to this meeting.

Said notice was posted in the Town of Medfield on March 29, 1949 and published in the Dedham Transcript on April 1, 1949, and thirty days having expired the Commissioners presume consent is granted in accordance with the provisions of General Laws, Chapter 79, Section 5.

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

And the lines of said relocation of said SPRING, SOUTH AND HIGH STREETS are as follows:-

The northeasterly line begins at a stone bound on the southerly line of Main Street as laid out by the Norfolk County Commissioners by Return dated September 29, 1925; thence southwesterly by a curve with a radius of 50.00 ft. a distance of 98.92 ft. to a stone bound; thence S-35-35-30-E a distance of 372.07 ft. to a stone bound; thence continuing on the same course a distance of 399.67 ft. to a stone bound; thence S-36-50-10-E a distance of 548.47 ft. to a stone bound; thence continuing on the same course a distance of 792.87 ft. to a stone bound; thence S-36-25-10-E a distance of 473.70 ft. to a stone bound; thence continuing on the same course a distance of 364.13 ft. to a stone bound; thence by a curve to the left with a radius of 30.00 ft. a distance of 55.65 ft. to a stone bound which is on the northwesterly line of Curve Street; thence S-26-57-20-E a distance of 36.63 ft. to a stone bound which is on the southeasterly line of Curve Street; thence southerly by a curve with a radius of 45.00 ft. a distance of 57.90 ft. to a stone bound; thence S-36-25-10-E a distance of 630.44 ft. to a stone bound; thence by a curve to the right with a radius of 1260.00 ft. a distance of 377.70 ft. to a stone bound; thence S-19-14-40-E a

distance of 570.99 ft. to a stone bound; thence S-20-51-10-E a distance of 570.99 ft. to a stone bound; thence by a curve to the left with a radius of 60.00 ft. a distance of 135.51 ft. to a stone bound which is on the northwesterly line of South Street; thence S-42-47-10-E a distance of 50.79 ft. to a stone bound which is on the southeasterly side of South Street; thence southerly by a curve with a radius of 400.00 ft. a distance of 323.84 ft. to a stone bound; thence S-16-18-40-E a distance of 93.61 ft. to a stone bound; thence by a curve to the left with a radius of 1200.00 ft. a distance of 554.37 ft. to a stone bound; thence S-42-46-50-E a distance of 161.72 ft. to a stone bound; thence by a curve to the right with a radius of 1059.40 ft.

a distance of 346.79 ft. to a stone bound; thence S-24-01-30-E a distance of 302.10 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 285.29 ft. to a stone bound which is on the easterly line of High Street as laid out by the Norfolk County Commissioners by Return dated July 20, 1926; thence S-2-52-10-E a distance of 111.08 ft. to a stone bound which is on the westerly line of High Street as laid out by the Norfolk County Commissioners by Return dated July 20 1926; thence southwesterly by a curve with a radius of 39.36 ft. a distance of 91.00 ft. to a stone bound which is on the easterly side of Granite Street;

The southwesterly line begins at a stone bound on the southerly line of Main Street as laid out by the Norfolk County Commissioners by Return dated September 29, 1925, said bound being S-70-53-30-W a distance of 165.34 ft. and S-70-24-W a distance of 16.99 ft. from the first bound on the northeasterly line as above described; thence easterly by a curve with a radius of 70.00 ft. a distance of 90.42 ft. to a stone bound; thence S-35-35-30-E a distance of 404.32 ft. to a stone bound; thence continuing on the same course a distance of 400.33 ft. to a stone bound; thence S-36-50-10-E a distance of 549.13 ft. to a stone bound; thence continuing on the same course a distance of 792.65 ft. to a stone bound; thence S-36-25-10-E a distance of 473.48 ft. to a stone bound; thence continuing on the same course a distance of 472.26 ft. to a stone bound; thence

continuing on the same course a distance of 630.44 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 359.71 ft. to a stone bound; thence S-19-14-40-E a distance of 571.65 ft. to a stone bound; thence S-20-31-10-E a distance of 591.41 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 382.11 ft. to a stone bound; thence S-2-16-30-E a distance of 44.47 ft. to a stone bound; thence by a curve to the left with a radius of

400.00 ft. a distance of 83.02 ft. to a stone bound; thence S-14-10-E a distance of 113.68 ft. to a stone bound; thence by a curve to the right with a radius of 200.00 ft. a distance of 123.46 ft. to a stone bound; thence S-21-12-10-W a distance of 208.70 ft. to a stone bound which is on the westerly line of South Street; thence S-68-47-50-E a distance of 50.00 ft. to a stone bound which is on the easterly side of South Street; thence northeasterly by a curve with a radius of 160.00 ft. a distance of 223.53 ft. to a stone bound; thence by a curve to the right with a radius of 300.00 ft. a distance of 188.35 ft. to a stone bound; thence S-42-46-60-E a distance of 145.72 ft. to a stone bound; thence by a curve to the right with a radius of 999.40 ft. a distance of 327.15 ft. to a stone bound; thence S-24-01-30-E a distance of 371.03 ft. to a stone bound; thence by a curve to the right with a radius of 1000.00 ft. a distance of 259.13 ft. to a stone bound which is on the westerly side of Granite Street; thence S-41-38-20-E a distance of 74.52 ft. to a stone bound which is the last bound on the northeasterly line as above described.

The southwesterly line heretofore described, in general, is 60.00 feet southwesterly from and parallel to the northeasterly 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 Spring Street and a portion of South and High Streets between Main Street and Granite Street, Medfield

as made by the Norfolk County Commissioners by Return dated May 17, 1949. 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; also that portion of High Street between South and Granite Streets as laid out by the Norfolk County Commissioners on May 5, 1932.

And it is determined by the Commissioners, that the inhabitants of the town of MEDFIELD, 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 MEDFIELD.

* Rear taking
discontinued

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

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 MEDFIELD when the lands hereby taken and over which said ways are hereby located, have been entered upon and possession taken, for the purpose of constructing said ways.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
1.	Town of Medfield (Baxter Square)	2150	No award
2.	C. Henry Carlson et ux Mtg: Medfield Cooperative Bank	480 Slope easement	15.00
3.	Elizabeth Carlson	400 Slope easement	10.00
4.	Walter L. Jackson et ux Mtg: Norfolk County Trust Co.	340 Slope easement	10.00
5.	Pauline I. Plimpton	300 Slope easement	10.00
6.	W. K. Gilmore & Sons, Inc. Mtg: The Fisher Churchill Company	350	10.00
7.	Farm Equipment Sales Company, Inc. Mtg: Charles G. Tapley	30	1.00
8.	Walter J. Marr et ux Mtg: Medway Cooperative Bank	25	1.00
9.	Louis Bravo et al	50	1.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
10.	Rosina Bravo	75 Slope easement	1.00
11.	Edward J. Dorning et ux Mtg: Medfield Cooperative Bank	150 Slope easement	5.00

12.	Bertha W. Wilkins	1700	10.00
		Slope easement	
13.	G. I. Davis & Son, Inc	700	10.00
		Slope easement	
14.	August Reinhardt et ux Mtg: Framingham Trust Co.	2700	25.00
		Slope easement	
15.	Paul E. Seeley et ux Mtg: Home Owners' Loan Corporation	3660	25.00
		Slope easement	
16.	John R. Grant et al	940	25.00
		Slope easement	
17.	Robert E. Ballou et ux Mtg: Framingham Trust Co.	3600	15.00
		Slope easement	
18.	William D. Gilbert et ux	2150	25.00
		Slope easement	
19.	Francis H. Kingsbury et ux Mtg: Medfield Cooperative Bank	1850	10.00
		Slope easement	
20.	Amos C. Kingsbury Mtg: Medway Savings Bank	21200	1.00
		Slope easement	
21.	Carl A. Carlson et ux	9300	10.00
		Slope easement	
22.	Annie F. Chick Mtg: Norfolk County Trust Co.	875	10.00
23.	Annie F. Chick	13300	25.00
		Slope easement	
24.	Bertha Brugger	26400	500.00
		Slope easement	
25.	Henry A. Kingsbury et ux Mtg: Medfield Cooperative Bank	2850	25.00
		Slope easement	
25a.	Private Way (High Street)	48150	No award
25b.	Elsa P. Powel Mtg: Warren Institution for Savings		1.00
		Slope easement	
26.	Moses F. Carr Mtg: Warren Institution for Savings	3850	1.00
		Slope easement	
27.	Moses F. Carr Mtg: Needham National Bank	2100	1.00
		Slope easement	
28.	Moses F. Carr Mtg: Warren Institution for Savings	1800	1.00
		Slope easement	
		Approximate	
		Sq. Ft.	
		Taken	
			Award
29.	Moses F. Carr Mtg: Warren Institution for Savings	410	1.00
		Slope easement	
30.	Moses F. Carr Mtg: Warren Institution for Savings	420	1.00
		Slope easement	
30a.	Gerald W. Bangs et ux		1.00
		Slope easement	
30b.	Robert C. McDonald et ux		1.00
		Slope easement	
30c.	Robert L. Coulter et ux Mtg: Medfield Cooperative Bank	10	1.00

31.	Philip W. Leeds	2770	10.00
		Slope easement	
32.	Kathryn M. Taylor Mtg: Medfield Cooperative Bank	780	1.00
		Slope easement	
32a.	Merlon A. Spender	Slope easement	1.00
32b.	Amos C. Kingsbury Mtg: Medway Savings Bank	Slope easement	1.00
32c.	Amos C. Kingsbury	Slope easement	1.00
32d.	Theodore F. Suereth et ux Mtg: Medfield Cooperative Bank	Slope easement	1.00
32e.	Rhododenron Avenue	Slope easement	No award
32f.	Amos C. Kingsbury	Slope easement	1.00
32g.	Robert K. McCarthy et ux Mtg: Natick Federal Savings and Loan Association	Slope easement	1.00
32h.	Boiling Spring Avenue	Slope easement	No award
32i.	Robert K. McCarthy, et ux	Slope easement	1.00
32j.	Robert K. McCarthy, Jr. Mtg: Medfield Cooperative Bank	Slope easement	1.00
33.	Earle C. Kerr et ux Mtg: Dedham Institution for Savings	60	1.00
		Slope easement	
34.	Albert E. Fisher Mtg: James M. and William P. Hewins	300	1.00
		Slope easement	
35.	Pietro Vasturo	700	15.00
		Slope easement	
36.	Albert E. Fisher	1100	1.00
		Slope easement	
37.	Russell L. Shade et ux Mtg: Medway Cooperative Bank	1000	25.00
		Slope easement	

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
38.	Martin P. Craven et ux	1000	10.00
		Slope easement	
39.	Albert E. Fisher	1700	25.00
		Slope easement	
40.	Mildred Johnson	2600	35.00
		Slope easement	
41.	John W. Lynch et ux Mtg: Dedham Institution for Savings	1300	35.00
42.	Everett K. Dewar	950	30.00
		Slope easement	
43.	Elmer E. Matola et ux Mtg: Norwood Cooperative Bank	450	10.00
		Slope easement	
44.	Theodore G. Suereth et ux Mtg: Norfolk County Trust Co.	350	5.00
		Slope easement	

45.	Medfield Motors, Inc. (Subject to Dower rights of Margaret H. Allen) Mtg: Edgar W. Allen	100	5.00
		TOTAL	\$ 1008.00

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 ways.

FREDERICK A. LEAVITT

RUSSELL T. BATES

CLAYTON W. NASH

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NOR OLK, SS.

At a meeting of the County Commissioners, held at Dedham on Tuesday, the seventeenth 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 Medfield within the limits of which said highways described therein lie, 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

A true copy,

ATTEST: Willard E. Smith CLERK