

380

3124

466

Subject to mortgage to Union Savings Bank of Boston Massachusetts recorded at Norfolk Registry of Deeds Book 3039 Page 516

For title, reference is made to deed of Arnold H. Cawley and Sarah E. Cawley to me dated October 27, 1952 which is today being recorded at Norfolk Registry of Deeds.

This mortgage is upon the statutory condition,

for any breach of which the mortgagee shall have the statutory power of sale.

husband of said mortgagor, wife

release to the mortgagee all rights of tenancy by the curtesy dower and homestead and other interests in the mortgaged premises.

Witness my hand and seal this 27th day of October 1952

Louise H. Banks

The Commonwealth of Massachusetts

Norwester

ss.

October 27

1952

Then personally appeared the above named

Louise H. Banks

and acknowledged the foregoing instrument to be her free act and deed, before me

William J. Cullen Notary Public - Justice of the Peace

My Commission expires

February 23 1957

Rec'd & entered for record Oct. 27, 1952 at 11h. 38m. A.M.

certif. Vol. 3130 P. 596

Plans # 1314 thru 1316 of 1952 Pl. Br. 172

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 seventh day of October, 1952, by adjournment of their September meeting next preceding:-

The petition of FRED B. CLARK 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 POND STREET, a public

way in said town, be relocated throughout its entire length for the purpose of establishing the boundary lines of said way and making alterations in the course or width of said way.

3124

467

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

Dated Dec. 18, 1950.

Fred B. Clark	Village Street, Medway, Mass.
Robert J. O'Donnell	483 Village St., Medway, Mass.
David H. Youman	North St., Medway, Mass.
Arthur G. Choate	Cottage St., Medway, Mass.
Robert J. Holmes	Village St., Medway, Mass.

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the third day of April, 1951, by adjournment of their December meeting next preceding; and the twenty-fourth day of April, 1951 and two-thirty-o'clock in the afternoon at the Court House in Dedham were appointed by the said 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 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 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 April, 1951, the Commissioners, Frederick A. Leavitt, Russell T. Bates and Clayton W. Nash, 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 upon the adjudication aforesaid, the Commissioners appointed the twenty-third day of September, 1952, and three o'clock in the afternoon at the Town Offices in Medway as the

time and place when 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 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 POND STREET as prayed for in said petition.

And the lines of said relocation of said POND 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 northeasterly by a curve with a radius of 100.00 ft. a distance of 135.01 ft. to a stone bound; thence N-6-18-20-W a distance of 527.18 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 4060.00 ft. a distance of 147.23 ft. to a stone bound; thence N-4-13-40-W a distance of 610.66 ft. to a stone bound; thence by a curve to the left with a radius of 5000.00 ft. a distance of 161.44 ft. to a stone bound; thence N-6-04-40-W a distance of 623.50 ft. to a stone bound; thence by a curve to the left with a radius of 59.53 ft. a distance of 127.65 ft. to a stone bound which is on the southerly line of Maple Street as laid out by the Norfolk County Commissioners by Return dated July 9, 1929.

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, said bound being N-71-02-50-E a distance of 241.48 ft. from the first bound on the westerly line as above described; thence northwesterly by a curve with a radius of 80.00 ft. a distance of 143.32 ft. to a stone bound; thence N-6-18-20-W a distance of 493.82 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

by a curve to the left with a radius of 5060.00 ft. a distance of 163.38 ft. to a stone bound; thence N-6-04-40-W a distance of 669.02 ft. to a stone bound; thence by a curve to the right with a radius of 60.00 ft. a distance of 99.44 ft. to a stone bound;

3124
469

thence N-1-07-10-W a distance of 18.00 ft. to a point on the southerly line of Lovering Street, said point being N-51-03-50-E a distance of 149.82 ft. and N-88-52-50-E a distance of 93.08 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 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 Pond Street, Medway between Main Street and Lovering Street as made by the Norfolk County Commissioners by Return dated October 7, 1952. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. 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 act 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 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 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 expense of making the relocation of way 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 lands hereby taken and over which said ways 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.	Alice B. Ollendorff Ld. Ct. Cert. #3767, Bk. 19, P. 3767	1183	1.00
2.	Alice B. Ollendorff	511	1.00

	Mtg: Waltham Savings Bank	Slope easement	
5.	Peter E. Maron	1400	400.00
		Slope easement	
6.	Jacob Maron et ux Mtg: Medway Savings Bank	3100	5.00
		Slope easement	
7.	Thomas J. Campbell et ux Mtg: Harold B. Ehret et ux	1530	5.00
		Slope easement	
7a.	Paul Zytka		1.00
		Slope easement	
8.	Richard A. Nott et al	30	1.00
		Slope easement	
9.	Paul Zytka	16630	75.00
		Slope easement	
10.	Sidney W. Vinton et ux Mtg: Medway Savings Bank	13900	40.00
		Slope easement	
11.	Albert Ferioli et ux Mtg: Natick Federal Savings and Loan Association	3790	20.00
		Slope easement	
12.	Bertha P. Ohman Mtg: Medway Savings Bank	650	5.00
13.	William and Eleanor M. Fox	990	5.00
14.	Aubrey L. Hurd	4360	10.00
15.	Armand O. Giroux et ux Mtg: Milford Savings Bank	26900	50.00
		Slope easement	
		TOTAL	\$ 639.00

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 the seventh day of October, 1952, by adjournment of their September meeting next preceding:-

ORDERED: that the foregoing Return and Order be filed,

3124

472

accepted and recorded, and that an attested copy thereof be transmitted to the Clerk of the Town of MEDWAY within which the limits of 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

A true copy

ATTEST: *Willard Everett* CLERK

Rec'd & entered for record Oct.27,1952 at 11h.50m.A.M.

The DEDHAM INSTITUTION FOR SAVINGS, Dedham, Massachusetts, Mortgagee named in and present holder of a mortgage from Berkeley T. Miller and Barbara F. Miller, his wife in her right to the DEDHAM INSTITUTION FOR SAVINGS dated September 27, 1949 Recorded with Norfolk County Registry of Deeds Book 2859 Page 113 and noted on Certificate No. acknowledges satisfaction of the same.

In witness whereof the said DEDHAM INSTITUTION FOR SAVINGS has caused its corporate seal to be hereto affixed and these presents to be signed, in its name and behalf by Gordon D. Larcom its Assistant Treasurer this 20th day of October A. D. 1952.

DEDHAM INSTITUTION FOR SAVINGS.

by

Gordon D. Larcom
Assistant Treasurer.

