

# 387

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 fourth day of November, 1952, by adjournment of their September meeting next preceding:-

The petition of REUBEN L. LURIE and others of BROOKLINE 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 BROOKLINE, County of Norfolk, that common convenience and necessity require that the way known as WALNUT STREET, a public way in said Town, be relocated on its southerly and southeasterly side line, between Washington St. and High St., for the purpose of establishing the southerly and southeasterly boundary lines of said way.

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

June 26, 1950

Reuben L. Lurie  
Daniel Tyler, Jr.  
Edward Dane  
Eugene P. Carver, Jr.  
Timothy J. Regan

SELECTMEN OF BROOKLINE

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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 eleventh day of July, 1950, by adjournment of their June meeting next preceding: and the eighth day of August, 1950, and three o'clock in the afternoon at the Court House in said 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 BROOKLINE 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 CHRONICLE, 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

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against said petition, might then and there appear and be heard if they saw fit.

And on the said eighth day of August, 1950, the Commissioners, Russell T. Bates and Clayton W. Nash and Charles C. Gain (acting in place of Frederick A. Leavitt of Brookline, who was disqualified by reason of residence) met at the time and place specified in said order, when and where the petitioners appeared, and the Town of BROOKLINE 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 fifth day of August, 1952, when and where, upon the adjudication aforesaid, the said Commissioners appointed the twenty-sixth day of August, 1952 and three o'clock in the afternoon at the Court House in Dedham 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 per-

sons and corporations interested, and said hearing was continued and adjourned from time to time to this meeting.

And now the said Commissioners do relocate said WALNUT STREET as prayed for in said petition.

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

The northerly and northwesterly line of Walnut Street begins at a stone bound on the easterly line of High Street; thence southeasterly by a curve with a radius of 25.00 ft. a distance of 42.52 ft. to a stone bound; thence N-88-39-35-E a distance of 68.81 ft. to a stone bound; thence by a curve to the left with a radius of 90.00 ft. a distance of 79.93 ft. to a stone bound; thence N-37-46-25-E a distance of 32.77 ft. to a

stone bound; thence by a curve to the left with a radius of 8.00 ft. a distance of 18.02 ft. to a stone bound which is on the southerly line of Washington Street.

The southerly and southeasterly line of Walnut Street begins at a stone bound on the easterly line of High Street, said bound being S-6-06-35-W a distance of 28.48 ft; S-21-40-45-W a distance of 48.89 ft. and S-12-27-35-W a distance of 6.27 ft. from the first bound on the northerly and northwesterly line as above described; thence northeasterly by a curve with a radius of 8.00 ft. a distance of 10.64 ft. to a stone bound; thence N-88-39-35-E a distance of 109.15 ft. to a stone bound; thence S-62-41-40-E a distance of 15.27 ft. to a stone bound; thence S-41-12-40-E a distance of 12.63 ft. to a stone bound; thence S-29-03-30-E a distance of 13.94 ft. to a stone bound; thence S-38-06-20-W a distance of 7.39 ft. to a stone bound which is on the westerly line of Elm Place; thence S-50-45-08-E a distance of 15.42 ft. to a stone bound which is on the easterly line of Elm Place; thence N-37-46-25-E a distance of 209.39 ft. to a stone bound which is on the southerly line of Morris Avenue; said bound being N-88-42-05-E a distance of 16.80 ft. and N-88-03-10-E a distance of 65.01 ft. from the last bound on the

northerly and northwesterly line as above described.

The southerly and southeasterly line heretofore described, in general, is 45.00 feet and 50.00 feet southerly and southeasterly from and parallel to the northerly and northwesterly 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, all as shown upon a plan entitled "Plan showing the Relocation and Widening of a Portion of Walnut Street, Brookline from High St. to Washington St. as made by the Norfolk County Commissioners by Return dated Nov. 4, 1952. Scale: 1 inch = 20 feet. Wallace S. Carson, County Engineer" and signed by "Russell T. Bates, Acting 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 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 all the expenses 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 BROOKLINE.

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 damage 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 BROOKLINE 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>Sq.Ft. Taken</u>	<u>Sq.Ft. Abandoned</u>	<u>Award</u>
1.	Helen Carver Mtg: Brookline Savings Bank	2	29	No award
2.	Mark Bergstein Mtg: Bernard G. Cohen	11	32	No award
3	Mark Bergstein	1	1	No award

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.

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RUSSELL T. BATES

CLAYTON W. NASH

CHARLES C. CAIN

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the fourth day of November, 1952, by adjournment of their September 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 BROOKLINE 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.

RUSSELL T. BATES

CLAYTON W. NASH

CHARLES C. CAIN

COUNTY COMMISSIONERS

A true copy,

ATTEST: Willard Everett CLERK

Rec'd & entered for record Nov. 18, 1952 at 10h. 24m. A.M.

I, Annie Capar, of Canton, - - - - - Norfolk County, Massachusetts,

~~being authorized~~, for consideration paid, grant to Joseph T. Signori and Clara T. Signori, husband and wife, as tenants by the entirety, - - - - - of Boston, Suffolk County, Massachusetts, - - - - - with quitclaim covenants

~~the certain~~ A certain parcel of land situated in said Canton, and being shown as Lot #2 on a plan entitled, "Plan of Lots #1-A, #1, and #2, Edward St., Canton, Mass. Now or Formerly Owned by Annie Capar, Scale 40 feet Equal 1 inch, dated July 17, 1950, L.C. Morrill, Engr., Note Final Plan of Edward St., Accepted by Canton Planning Board June 1950", said plan to be recorded herewith; said lot being bounded and described as follows: