

#409

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The Commonwealth of Massachusetts

Norfolk

ss.

December 18

1954

Then personally appeared the above named Edward J. Carey and Beverly Carey

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



My commission expires

Recorded Aug. 2, 1955 at 9h.A.M.

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 twelfth day of July, 1955, by adjournment of their June 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 LOVERING STREET, a public way in said town, be relocated throughout its entire length for the purpose of establishing the boundary lines of said way; making alterations in the course of width of said way.

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

Dated Dec. 18, 1950

Fred B. Clark	Village St. 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 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

See Vol. 3397 @ 286 (-617)
Refer to Plan No. 1018-1025-1955 @ L. Book 198.

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 thence the same was continued and adjourned from time to time to a meeting of the Commissioners, held at Dedham, aforesaid, on the eighteenth day of May, 1954, when and where upon the adjudication aforesaid, the Commissioners appointed the twenty-second day of June, 1954, and three o'clock in the afternoon at the Town Hall 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 said 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 Commissioners, Russell T. Bates, Clayton W. Nash and Everett M. Bowker, by courses and distances, metes and bounds do relocate said LOVERING STREET between Winthrop Street and Holliston Street.

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

The northerly line of Lovering Street begins at a stone bound on the easterly line of Winthrop Street as laid out by the Norfolk County Commissioners by Return dated June 7, 1955;

thence S-59-12-10-E a distance of 58.65 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 135.75 ft. to a stone bound; thence S-66-58-50-E a distance of 532.94 ft. to a stone bound; thence continuing on the same course a distance of 542.66 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 176.28 ft. to a stone bound; thence S-65-05-35-E a distance of 311.95 ft. to a stone bound; thence S-6-32-25-E a distance of 272.56 ft. to a stone bound; thence southeasterly by a curve with a radius of 860.00 ft. a distance of 216.56 ft. to a stone bound; thence S-6-17-50-E a distance of 425.00 ft. to a stone bound; thence continuing on the same course a distance of 425.00 ft. to a stone bound; thence continuing on the same course a distance of 438.58 ft. to a stone bound; thence continuing on the same course a distance of 490.00 ft. to a stone bound; thence by a curve to the left with a radius of 80.00 ft. a distance of 118.43 ft. to a stone bound; thence N-88-52-50-E a distance of 655.93 ft. to a stone bound; thence continuing on the same course a distance of 520.08 ft. to a stone bound; thence N-89-11-30-E a distance of 550.08 ft. to a stone bound; thence continuing on the same course a distance of 550.00 ft. to a stone bound; thence continuing on the same course a distance of 590.03 ft. to a stone bound; thence by a curve to the left with a radius of 50.00 ft. a distance of 82.46 ft. to a stone bound; thence N-84-41-^{40-E} a distance of 14.84 ft. to the westerly line of Holliston Street.

The southerly line begins at a stone bound on the easterly line of Winthrop Street as laid out by the Norfolk County Commissioners by Return dated June 7, 1955, said bound being S-13-33-E a distance of 83.90 ft. from the first bound on the northerly line as above described; thence southeasterly by a curve with a radius of 1060.00 ft. a distance of 143.89 ft. to a stone bound; thence S-66-58-50-E a distance of 532.94 ft. to a stone bound; thence continuing on the same course a distance of 542.66 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 423.65 ft. to a stone bound; thence continuing on the same curve a distance of 423.65 ft. to a stone bound; thence S-6-17-50-E a distance of 425.00 ft. to a stone bound; thence continuing on the same course a distance of 425.00 ft. to a stone bound; thence continuing on the same course a distance of 438.58 ft. to a stone bound; thence continuing on the same course a distance of 410.00 ft. to a stone

bound; thence by a curve to the right with a radius of 282.47 ft. a distance of 282.79 ft. to a brass bolt which is on the westerly line of Maple Street as laid out by the Norfolk County Commissioners by Return dated July 9, 1929; thence S-52-16-30-E a distance of 51.39 ft. to a stone bound which is on the easterly line of Maple Street as laid out by the Norfolk County Commissioners by Return dated July 9, 1929; thence southeasterly by a curve with a radius of 59.53 ft. a distance of 127.65 ft. to a stone bound which is on the westerly line of Pond Street as laid out by the Norfolk County Commissioners by Return dated October 7, 1952; thence N-46-44-10-E a distance of 75.31 ft. to a stone bound on the easterly line of Pond Street as laid out by the Norfolk County Commissioners by Return dated October 7, 1952; thence northeasterly by a curve with a radius of 60.00 ft. a distance of 99.44 ft. to a stone bound; thence N-88-52-50-E a distance of 659.26 ft. to a stone bound; thence continuing on the same course a distance of 519.92 ft. to a stone bound; thence N-89-11-30-E a distance of 549.92 ft. to a stone bound; thence continuing on the same course a distance of 550.00 ft. to a stone bound; thence continuing on the same course a distance of 602.62 ft. to a stone bound; thence by a curve to the right with a radius of 50.00 ft. a distance of 74.62 ft. to a stone bound; thence N-84-41-40-E a distance of 10.96 ft. to the easterly line of Holliston Street, said point being S-6-26-50-E a distance of 83.74 ft. and S-1-10-20-E a distance of 76.99 ft. from the last point on the northerly line as above described.

The southerly line heretofore described, in general, is 60.00 ft. southerly from and parallel to the northerly line.

And the said Commissioners do hereby take for the purposes of a highway all the fee 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 Lovering Street, Medway, between Winthrop Street and Holliston Street, as made by the Norfolk County Commissioners by Return dated July 12, 1955. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer" and signed by "Russell T. Bates, 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 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 expense 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 way is hereby located, have been entered upon and possession taken for the purpose of constructing said way.

Pcl. No.	Owner	Approximate		Award
		Sq.Ft. Taken	Tax Al- lowance	
6.	Oscar F. Ohlson et ux Mtg: Federal Land Bank of Springfield Mtg: Cobb's Pedigreed Chicks, Inc.	2570 Slope easement	.31	5.00
7.	Oscar F. Ohlson et ux Mtg: Federal Land Bank of Springfield Mtg: Cobb's Pedigreed Chicks, Inc.	7470 Slope easement	.14	5.00
8.	Paul R. Wilson Mtg: Natick Federal Savings and Loan Association	51080 Slope easement	.49	1.00
9.	Paul R. Wilson Mtg: Natick Federal Savings and Loan Association	30000 Slope easement	.29	25.00
10.	Mary Wentworth, Trustee Mtg: Medway Savings Bank	13530 Slope easement	.59	25.00
11.	Frank S. Fox, Jr. Mtg: Medway Cooperative Bank	18090 Slope easement	.71	25.00
11a.	Alfred J. Brennan Mtg: Natick Federal Savings and Loan Association	Slope easement	-	1.00
11b.	Everett L. Tefft et ux Mtg: Natick Federal Savings and Loan Association	Slope easement	-	1.00
11c.	John D. Farrell Mtg: Natick Federal Savings and Loan Association	Slope easement	-	1.00
11d.	Frances C. Carmignani Mtg: Dedham Institution for Savings	Slope easement	-	1.00
11e.	Gardner M. Rice et ux Mtg: Benjamin Franklin Savings Bank	Slope easement	-	1.00
12.	Theodore H. Johnson	2090 Slope easement	.11	5.00

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<u>Pol. No.</u>	<u>Owner</u>	<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
13.	Allevina E. Johnson Mtg: Natick Federal Savings and Loan Association Mtg: Ernest J. Bell	5110 Slope easement	2.06	250.00
13a.	George B. Nelson et ux Mtg: Medway Cooperative Bank	2930 Slope easement	1.75	25.00
14.	George B. Nelson et al	4580 Slope easement	.27	5.00
15.	Peter E. Maron et ux Mtg: William J. Hildebrand et ux Mtg: Lewis-Levine Lumber Co. Inc.	6020 Slope easement	.15	10.00
16.	Joseph P. Breslin et ux	2870 Slope easement	.43	5.00
16a.	Joseph P. Breslin et ux Mtg: Medway Cooperative Bank	2700 Slope easement	.40	1.00
16b.	Harrison O. Hitchcock et ux Mtg: Medway Cooperative Bank	2530 Slope easement	.38	1.00
17.	Agnes E. Hobart	7710 Slope easement	.08	5.00
18.	Edward J. Gmachowski et ux Mtg: Medway Savings Bank	1740 Slope easement	.26	20.00
19.	Peter W. Georgopoulos	1880 Slope easement	.28	10.00
20.	Charles P. Spavold et ux Mtg: Medway Savings Bank	1800 Slope easement	.21	10.00
21.	Ethel E. Georgopoulos	1850 Slope easement	.22	10.00
22.	Emery LeBlanc et ux	1820 Slope easement	.22	10.00
23.	John J. Tringle et ux	2460 Slope easement	.29	5.00
24.	Victoria Zytka	9020 Slope easement	.27	10.00
24a.	Walter Shameklis et ux	Slope easement	-	1.00
25.	Oscar F. Ohlson et ux Mtg: Federal Land Bank of Springfield Mtg: Cobb's Pedigreed Chicks, Inc.	25560 Slope easement	.49	25.00
TOTAL				\$499.00

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.

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWKER

COUNTY COMMISSIONERS

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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twelfth day of July, 1955, by adjournment of their June 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 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 the purpose.

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWKER

COUNTY COMMISSIONERS

A true copy,

attest: Russell T. Bates CLERK

Recorded Aug. 2, 1955 at 9h. A.M.

We, ANDREW E. DeCOSTE and CHRISTINE A. DeCOSTE, husband and wife, as tenants by the entirety, both of Braintree, Norfolk

County, Massachusetts, ~~and Braintree~~, for consideration paid, grant to

THE DORCHESTER CO-OPERATIVE BANK

situated in Boston, Suffolk County, Massachusetts, with MORTGAGE COVENANTS, to secure the payment of

--- TWO THOUSAND ONE HUNDRED FIFTY (\$2,150) --- Dollars

with interest thereon, payable in fixed monthly installments on the first day of each month hereafter, which payments shall first be applied to interest then due and the balance thereof remaining applied to principal; the interest to be computed monthly in advance on the unpaid balance, together with such fines on interest and principal in arrears as are provided for by said bank; with the right to make additional payments on account of said principal sum at any time, except as set forth below; and subject to changes, from time to time, as provided by General Laws, Chapter 170, Section 24, Sub-section 8, as amended,