

#427

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

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At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the eighth day of May, 1956, by adjournment of their April meeting next preceding:-

The petition of the BOARD OF SELECTMEN of the Town of WEYMOUTH, represents as follows:

Commonwealth of Massachusetts

Norfolk, ss.

To the Honorable the County Commissioners of the County of Norfolk:

Under the provisions of Chapter 159, Sections 59 and 60 of the General Laws, as amended, the Board of Selectmen deem it necessary for the security and convenience of the public that an alteration should be made in connection with the crossing of Commercial Street and the tracks of the New York, New Haven and Hartford Railroad Company (Greenbush Branch) east of the Weymouth Railroad Station in the Town of Weymouth, and herewith respectfully petition your Board to prescribe the manner and limits within which said alteration shall be made in accordance with the above mentioned statute.

JOSEPH W. CREHAN
WARREN P. BURRELL
RALPH J. AMABILE, JR.
FRANKLIN FRYER
JAMES T. O'SULLIVAN

BOARD OF SELECTMEN OF
THE TOWN OF WEYMOUTH

Dated February 13, 1956

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-first day of February, 1956, by adjournment of their December meeting next preceding: and the twentieth day of March, 1956, then next and two-thirty o'clock in the afternoon at the Court House in said Dedham were appointed by the Commissioners as the time and place for commencing 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 WEYMOUTH, being the town within which such alteration of crossing was prayed for, fifteen days, and upon the New York, New Haven and Hartford Railroad Company, fourteen 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 WEYMOUTH TRUTH, 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

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might then and there appear and be heard if they saw fit.

And on the said twentieth day of March, 1956, no one having appeared the said Commissioners adjourned said hearing to a meeting of the Commissioners held at Dedham on the third day of April, 1956, when and where the Commissioners, Russell T. Bates, Everett M. Bowker and Ainslie K. Payne (acting in place of Clayton W. Nash who was disqualified by reason of residence) met at the Court House in said Dedham at two-thirty o'clock in the afternoon, and the Town of WEYMOUTH was represented by Lloyd R. Crowther, Superintendent of Streets and the New York, New Haven and Hartford Railroad was represented by George P. Elliott, District Engineer; and the said Commissioners heard all persons and corporations interested; and no party interested objected; and the Commissioners on said third day of April, 1956, did decide that the alteration of said crossing as prayed for in said petition is necessary

And thence the same was continued and adjourned from time to time to this meeting.

And now the said Commissioners, in accordance with the provisions of General Laws, Chapter 159, Sections 59 and 60, do decide that said crossing be altered as prayed for in said petition, and do prescribe the manner and limits within which such alteration shall be made.

The westerly line begins at a stone bound on the southerly line of location of the New York, New Haven and Hartford Railroad Company; thence northerly by a curve with a radius of 660.00 ft. a distance of 97.40 ft. to a stone bound which is on the northerly line of location of the New York, New Haven and Hartford Railroad Company and on the westerly line of Commercial Street as laid out by the Norfolk County Commissioners by Return dated August 30, 1955.

The easterly line begins at a stone bound on the southerly line of location of the New York, New Haven and Hartford Railroad Company, said bound being easterly by a curve with a radius of 1473.94 ft. a distance of 47.83 ft., N-00-17-E a distance of 9.52 ft. and easterly by a curve with a radius of 1465.69 ft. a distance of 21.72 ft. from the first bound on the westerly line as above described; thence northerly by a curve

New Haven and Hartford Railroad Company and on the easterly line of Commercial Street as laid out by the Norfolk County Commissioners by Return dated August 30, 1955, said bound being easterly by a curve with a radius of 1391.44 ft. a distance of 40.19 ft. and by a curve with a radius of 2886.90 ft. a distance of 39.39 ft. from the last bound on the westerly line as above described.

And the said Commissioners do hereby take for the purpose of a highway all the easements and rights incident to a public highway in the lands included within the lines of alteration hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing Alteration of Railroad Crossing on Commercial Street, Weymouth, east of the Railroad Station as made by the Norfolk County Commissioners by Decision dated May 8, 1956. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 feet. Wallace S. Carson, County Engineer." and signed by "Russell T. Bates, Chairman" which plan is filed herewith and made a part of this Decision 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 altered as aforesaid.

The Travelled part of said way shall be constructed not less than forty (40) feet in width and shall be of bituminous concrete construction, and suitable sidewalks shall be constructed on either side of the traveled way of either concrete or asphalt material or both.

And the Commissioners further determine that proper measures shall be taken for the protection of the public which will meet with the approval of the Department of Public Utilities.

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

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<u>Parcel Number</u>	<u>Owner</u>	<u>Sq.Ft. Taken</u>	<u>Award</u>
1.	The New York, New Haven and Hartford Railroad Company	5902	\$1.00

RUSSELL T. BATES

EVERETT M. BOWKER

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the eighth day of May, 1956 by adjournment of their April meeting next preceding:-

ORDERED; that the foregoing Decision be filed, accepted and recorded, and that an attested copy thereof be transmitted to the Clerk of the Town of WEYMOUTH, the Department of Public Utilities and the New York, New Haven and Hartford Railroad Company

RUSSELL T. BATES

EVERETT M. BOWKER

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

A true copy,

ATTEST: Willis A. Reed CLERK

Recorded June 5, 1956 at 9h.36m.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 eighth day of May, 1956, by adjournment of their April meeting next preceding:-