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records kept in said town for that purpose.

RUSSELL T. BATES

CLAYTON W. NASH

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

A true copy,

ATTEST: *Russell T. Bates* CLERK

Recorded Aug. 30, 1956 at 12h.43m.P.M.

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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 August, 1956, by adjournment of their June meeting next preceding:-

The petition of EDWARD DANE 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 in said County, that common convenience and necessity require that the way known as CLYDE STREET, a public way in said town, be relocated between Lee Street and Newton Street for the purpose of establishing the boundary lines of said way; making alterations in the course or width of said way; and making repairs on said way.

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

Dated November 14, 1955

Edward Dane
Eugene P. Carver, Jr.
George V. Brown, Jr.
Alan R. Morse
Matthew Brown

Board of Selectmen

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, 1956, by adjournment of their December meeting next preceding; and the twenty-fourth day of April, 1956, and two-thirty o'clock in the afternoon at the Court House in said 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

Report to Board of Selectmen: 11-28-11-29-1956 St. Burke 202.

See Job. 35538. 231.

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

And on the said twenty-fourth day of April, 1956, the Commissioners, Russell T. Bates, Clayton W. Nash and Ainslie K. Payne of Randolph (acting in place of Everett M. Bowker 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 this meeting.

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

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

The westerly line begins at a stone bound on the westerly line of Newton Street as laid out by the Norfolk County Commissioners by Return dated August 7, 1956; thence northerly by a curve with a radius of 100.00 ft. a distance of 154.31 ft. to a stone bound; thence N-16-44-40-W a distance of 56.25 ft. to a stone bound; thence by a curve to the left with a radius of 5061.61 ft. a distance of 490.30 ft. to a stone bound; thence by a curve to the right with a radius of 515.00 ft. a distance of 370.55 ft. to a stone bound; thence N-18-55-50-E a distance

with a radius of 311.22 ft. a distance of 315.51 ft. to a stone bound which is on the westerly line of Clyde Street as laid out by the Norfolk County Commissioners by Return dated February 14, 1860.

The easterly line begins at a stone bound on the northerly line of Newton Street as laid out by the Norfolk County Commissioners by Return dated October 9, 1945; said bound being on a curve with a radius of 879.22 ft. a distance of 97.19 ft. and N-78-00-10⁵/₈ a distance of 142.10 ft. from the first bound on the westerly line as above described; thence northwesterly by a curve with a radius of 74.78 ft. a distance of 111.18 ft. to a stone bound; thence N-16-44-40¹/₂ a distance of 236.65 ft. to a stone bound; thence N-19-06-20-W a distance of 188.40 ft. to a stone bound; thence N-22-17-40-W a distance of 168.62 ft. to a stone bound; thence by a curve to the right with a radius of 442.00 ft. a distance of 318.02 ft. to a stone bound; thence N-18-55-50-E a distance of 467.40 ft. to a stone bound; thence continuing on the same course a distance of 128.15 ft. to a stone bound which is on the easterly line of Lee Street as laid out by the Town of Brookline in February, 1912; said bound being S-39-09-20-E a distance of 172.82 ft. and S-21-21-10-E a distance of 112.91 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 73.00 feet easterly from and parallel to the westerly 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 relocation hereinbefore described and the grade thereof is hereby established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of a portion of Clyde Street, Brookline between Newton Street and Lee Street as made by the Norfolk County Commissioners by Return dated August 7, 1956. 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.

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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 BROOKLINE, 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 forty (40) 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 BROOKLINE.

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 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 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

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 the said way.

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<u>Pcl. No.</u>	<u>Owner</u>	Approximate <u>Sq.Ft. Taken</u>	<u>Tax Al- lowance</u>	<u>Award</u>
1.	Philip R. Mather	8700	20.78	1000.00
2.	The Country Club	29650 Slope easement	34.06	1800.00
3.	Thomas H. Duggan Mtg: Brookline Muni- cipal Credit Union	610 Slope easement	2.99	175.00
4.	Lincoln Street Town of Brookline easement	140 Slope easement	-	-
5.	Katherine M. Kirrane	30 Slope easement	.11	10.00
6.	Katherine M. Kirrane Mtg: Brookline Federal Savings & Loan Association	Slope easement	-	1.00
7.	John Donovan et ux Mtg: Brookline Trust Company	Slope easement	-	1.00
8.	Alice G. Hickey Mtg: Brookline Federal Savings & Loan Association.	Slope easement	-	1.00
9.	Bernard DiNicola et ux Mtg: Institution for Savings in Roxbury	Slope easement	-	1.00

<u>Pcl. No.</u>	<u>Owner</u>	Approximate <u>Sq.Ft. Taken</u>	<u>Tax Al- lowance</u>	<u>Award</u>
10.	Mary E. Larkin	Slope easement	-	1.00
11.	Anna F. Mullen Mtg: First National Bank of Boston	Slope easement	-	1.00
12.	Dale Street	Slope easement	-	-
13.	Richard F. Lally et al	Slope easement	-	1.00
14.	Theresa & William Lally	Slope easement	-	1.00
15.	Larkin Road	Slope easement	-	-
16.	Mary K. Moran et al Mtg: Dedham Institution for Savings	Slope easement	-	1.00
17.	Thomas Fahey et ux	Slope easement	-	1.00
18.	James Hughes et ux Mtg: The Brookline Savings Bank	Slope easement	-	1.00
19.	William Goldstein et ux	Slope easement	-	1.00

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20.	Whitney Street	Slope easement	-	
21.	Simon Kandler et ux Mtg: Cambridgeport Savings Bank	Slope easement	-	1.00
22.	Mary duP. Faulkner	Slope easement	-	1.00
23.	Joseph N. Segal et ux Mtg: Cambridgeport Savings Bank	Slope easement	-	1.00
24.	Francis P. Murphy Jr. et ux Mtg: Brookline Savings Bank	Slope easement	-	1.00
25.	John Healy et ux	Slope easement	-	1.00

TOTAL \$ 3002.00

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

AINSLIE E. PAYNE

COUNTY COMMISSIONERS
COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the seventh day of August, 1956, 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 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

AINSLIE E. PAYNE

COUNTY COMMISSIONERS

A true copy,

ATTEST Russell T. Bates CLERK

Recorded Aug. 30, 1956 at 12h.43m. P.M.