

MANU PL. 2004 V. 112.
DIS. VOL. 13786 P. 505 (THORSEN)

Refer to same as 276-279-1958 B.L. Book # 205

3627
488

442

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 fourth day of March, 1958, by adjournment of their December meeting next preceding:-

The petition of ALFRED MAGALETTA and others of WESTWOOD, 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 WESTWOOD in said County, that common convenience and necessity require that the way known as CANTON STREET, a public way in said town, be relocated between Everett Street and Route #128 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 February 7, 1956

Alfred Magaletta	50 Hillview Rd, Westwood
John A. Reis	30 Greenhill Rd, Westwood
Richard J. Hart	94 Croft Regis Rd. Westwood
Amy C. Thurston	9 Wiclow Drive, Westwood
Ellen H. Damrell	931 High St., Westwood
Marie P. Scherer	46 Arcadia St., Westwood
Rita F. Vincent	52 Greenacre Road, Westwood

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the twenty-eighth day of August, 1956, by adjournment of their June meeting next preceding; and the twenty-fifth day of September, 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 petition, and of order of notice thereon, to be served upon the Clerk of the Town of WESTWOOD, 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 DEDHAMTRANSCRIPT, a newspaper published in said County, said posting and publication having been seven days at least before the time and place appointed for said view, that all per-

And on the said twenty-fifth day of September, 1956, the Commissioners, Russell T. Bates, Clayton W. Nash and Everett M. Bowker, met at the time and place specified in said order; when and where the petitioners appeared and the Town of WESTWOOD 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 at Dedham aforesaid on the second day of April, 1957 when and where upon the adjudication aforesaid, the Commissioners appointed the thirtieth day of April, 1957 and two-thirty o'clock in the afternoon at the Court House in said 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 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 said Commissioners, by courses and distances, metes and bounds, do relocate said CANTON STREET AS prayed for in said petition.

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

The westerly line begins at a stone bound on the westerly line of Canton Street as laid out by the Norfolk County Commissioners by Return dated June 15, 1937; thence N-7-20-30-W a distance of 118.91 ft. to a point; thence N-4-18-30-W a distance of 30.82 ft. to a stone bound; thence continuing by the same course a distance of 271.74 ft. to a stone bound; thence by a curve to the left with a radius of 25.92 ft. a distance of 39.46 ft. to a stone bound which is on the southerly line of Aran Road; thence N-9-17-W a distance of 40.37 ft. to a stone bound which is on

3627

489

3627
499

with a radius of 26.86 ft. a distance of 43.50 ft. to a stone bound; thence N-4-18-30-W a distance of 312.77 ft. to a stone bound; thence by a curve to the left with a radius of 28.44 ft. a distance of 43.29 ft. to a stone bound which is on the southerly line of Spellman Road; thence N-9-17-W a distance of 40.37 ft. to a stone bound which is on the northerly line of Spellman Road; thence northeasterly by a curve with a radius of 29.15 ft. a distance of 47.20 ft. to a stone bound; thence N-4-18-30-W a distance of 41.50 ft. to a stone bound; thence by a curve to the right with a radius of 2060.00 ft. a distance of 158.80 ft. to a stone bound; thence N-0-06-30-E a distance of 146.97 ft. to a stone bound; thence by a curve to the left with a radius of 29.12 ft. a distance of 46.57 ft. to a stone bound which is on the southerly line of Cushing Road; thence N-1-31-20-E a distance of 40.06 ft. to a stone bound which is on the northerly line of Cushing Road; thence northeasterly by a curve with a radius of 26.82 ft. a distance of 42.82 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 185.18 ft. to a stone bound; thence by a curve to the left with a radius of 37.23 ft. a distance of 54.07 ft. to a stone bound

which is on the southerly line of Kilronan Road; thence N-19-06-W a distance of 41.96 ft. to a stone bound which is on the northerly line of Kilronan Road; thence northeasterly by a curve with a radius of 33.56 ft. a distance of 58.59 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 39.87 ft. to a stone bound; thence N-12-42-10-W a distance of 181.59 ft. to a stone bound; thence by a curve to the left with a radius of 28.41 ft. a distance of 42.03 ft. to a stone bound which is on the southerly line of Brand Road; thence N-28-41-20-W a distance of 42.91 ft. to a stone bound which is on the northerly line of Brand Road; thence northeasterly by a curve with a radius of 34.48 ft. a distance of 57.32 ft. to a stone bound; thence N-12-42-10-W a distance of 34.54 ft. to a stone bound; thence by a curve to the right with a radius of 2060.00 ft. a distance of 141.82 ft. to a stone bound; thence by a curve to the left with a radius of 32.14 ft. a distance of 49.76 ft. to a stone bound which is on the southerly line of Forbes Road; thence N-7-27-30-W a distance of 40.00 ft. to a stone bound which

stone bound; thence N-5-52-40-W a distance of 350.51 ft. to a stone bound; thence N-3-09-40-W a distance of 398.01 ft. to a stone bound; thence by a curve to the right with a radius of 2060.00 ft. a distance of 159.00 ft. to a stone bound; thence N-1-15-40-E a distance of 224.61 ft. to a stone bound; thence by a curve to the left with a radius of 29.29 ft. a distance of 49.92 ft. to a stone bound which is on the southerly line of Currier Lane; thence N-12-45-20-E a distance of 42.34 ft. to a stone bound which is on the northerly line of Currier Lane; thence northeasterly by a curve with a radius of 28.54 ft. a distance of 41.02 ft. to a stone bound; thence N-1-15-40-E a distance of 33.73 ft. to a stone bound; thence by a curve to the left with a radius of 407.77 ft. a distance of 130.77 ft. to a stone bound which is on the line of taking as made by the Massachusetts Department of Public Works on

November 9, 1954 for the layout of Route #128.

The easterly line begins at a stone bound on the easterly line of Canton Street as laid out by the Norfolk County Commissioners by Return dated June 15, 1937; said bound being N-46-49-E a distance of 74.02 ft. from the first bound on the westerly line as above described; thence northerly by a curve with a radius of 2794.34 ft. a distance of 147.94 ft. to a stone bound; thence N-4-18-30-W a distance of 771.92 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 154.17 ft. to a stone bound; thence N-0-06-30-E a distance of 135.79 ft. to a stone bound; thence by a curve to the left with a radius of 2060.00 ft. a distance of 460.61 ft. to a stone bound; thence N-12-42-10-W a distance of 320.01 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 238.24 ft. to a stone bound; thence N-5-52-40-W a distance of 348.44 ft. to a stone bound; thence N-3-09-40-W a distance of 396.59 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 154.36 ft. to a stone bound; thence N-1-15-40-E a distance of 439.30 ft. to a stone bound; thence by a curve to the right with a radius of 40.00 ft. a distance of 52.78 ft. to a stone bound which is on the line of taking as made by the Massachusetts Department of Public Works on November 9, 1954 for the layout of Route #128, said bound being S-84-48-20-E a distance of

3627

491

3627

4 9 2

The easterly line heretofore described, in general, is 60.00 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 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 Canton Street, Westwood between Everett Street and the "Service Road" so called to the Southern Circumferential Highway as made by the Norfolk County Commissioners by Return dated March 4, 1958. 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 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 WESTWOOD, 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,

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 WESTWOOD.

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 WESTWOOD.

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 WESTWOOD 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>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1.	Katherine E. Winchester Mtg: Roslindale Cooperative Bank Mtg: Georgina H. Cleary	2880	3.63	200.00
2 .	Nicholas Fucci et ux Mtg: National Shawmut Bank of Boston	440	1.02	25.00
2a.	Aran Road	1400	-	-
3.	Thomas E. Walsh et ux Mtg: Dedham Institution for Savings	320	.75	25.00
4.	Edward O'Toole	240	.48	1.00
5.	Edward O'Toole	100	.15	1.00
5a.	Spellman Road	1350	-	-
5b.	Robert G. Pearson et ux Mtg: Suffolk Savings Bank Slope easement for Seamen and others	200	.47	15.00

3627
493

3627

494

5c.	Edward O'Toole	190	.38	1.00
		Slope easement		
5d.	Emilio J. Paolucci et ux	80	.18	1.00
		Slope easement		
5e.	Cushing Road	1600	-	-
6.	Charles E. McConnell et ux Mtg: Institution for Savings in Roxbury	110	.26	1.00
7.	Kilronan Road	1650	-	-
7a.	Edward F. Lordan et ux Mtg: Boston Five Cents Savings Bank	30	.07	1.00
8.	Robert C. Stanley et ux Mtg: L. Thomas Shine et al Trustees	410	.51	1.00
8a.	Brand Road	1500	-	-
8b.	Forbes Road	1480	-	-
9.	Edward H. Rathbun et ux Mtg: Warren Institution for Savings	220	.27	10.00
10.	Carl A. Anderson	1750	2.51	100.00
		Slope easement		
11.	Carl Anderson	900	.34	35.00
12.	Robert A. Anderson Mtg: Norwood Cooperative Bank	270	.49	10.00

<u>Pcl.</u> <u>No.</u>	<u>Owner</u>	<u>Approximate</u> <u>Sq.Ft.</u> <u>Taken</u>	<u>Tax Al-</u> <u>lowance</u>	<u>Award</u>
12a.	Currier Lane	1550	-	-
12b.	Patrick Mullins Mtg: Milton Savings Bank	Slope easement	-	1.00
12c.	Jack A. Styles et ux Mtg: Norwood Cooperative Bank	Slope easement	-	1.00
13.	Harriet E. W. Thompson	2190	.96	25.00
		Slope easement		
14.	Leslie H. Thompson et ux	2570	1.09	50.00
		Slope easement		
15.	Ellen P. A. Weatherbee et al	30780	10.97	100.00
		Slope easement		
16.	Glacier Sand and Stone Co., Inc. Mtg: Margaret A. O'Toole	29090	3.50	600.00
		Slope easement		
17.	Gertrude M. Tracey et al	3390	.77	50.00
TOTAL \$				1254.00

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 the term of years

date on which entry is made or possession taken for the purpose of constructing said way.

3627
495

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWKER

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the fourth day of March, 1958, by adjournment of their December 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 WESTWOOD 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

EVERETT M. BOWKER

COUNTY COMMISSIONERS

A true copy,

ATTEST:

Russell T. Bates
CLERK

Recorded Mar. 31, 1958 at 4h.P.M.



The Commonwealth of Massachusetts

Division of Employment Security

Affiliated with the United States Employment Service

. 881 Commonwealth Avenue, Boston 15

March 31, 1958

In Reply Refer to
Legal Department

See Vol. 3674 P. 125.