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This cause came on to be heard and was argued by counsel; and thereupon, upon consideration thereof, it is

ORDERED, ADJUDGED and DECREED that the plaintiff be and hereby authorized and empowered to make an entry and to sell the property covered by the mortgage given by **Ethel M. Cody to Ellen G. Wald by instrument dated October 5, 1956, and recorded with Norfolk Deeds, Book 3513, Page 159.**

as set forth in the bill filed in said case without the intervention of a commissioner or special master in accordance with the powers contained in said mortgage and without any further notice than that required by the terms of said mortgage, and the statutes of said Commonwealth.

By the Court. (FENTON, J.)

Attest:
Entered: **October 28,** 1957.

Sybil H. Holmes
Recorder.

A TRUE COPY.
ATTEST

Sybil H. Holmes
RECORDER

APPROVAL DEC 16 1957

The entry and sale, having been made as duly authorized by the decree, are hereby approved.

John Fenton
Judge.

Recorded Dec.16,1957 at 2h.51m.P.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 nineteenth day of November, 1957, by adjournment of their September meeting next preceding:-

The petition of CHARLES R. HERBERT and others of QUINCY 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 City of QUINCY in said County, that common convenience and necessity require that the way known as CANAL STREET, a public way in said City, be relocated between the Southern Artery and Washington Street (including W. Bird 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. Proposed width 60'.

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nto Pleas. No. 1263-1266-1957 Cl. Book 204.

Wherefore your petitioners pray that said way may be re-located within the limits above specified.

Dated Mar. 25, 1957

Charles Herbert	Commissioner, Public Works
Edward T. Lewis	City Manager
Amelio Della Chiesa	Mayor
Carl T. Anderson	Councillor
David S. McIntosh	Councillor
Thomas S. Burgin	Councillor
Edna B. Austin	Councillor
Charles L. Shea	Councillor
James R. McIntyre	Councillor

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the second day of April, 1957, by adjournment of their December meeting next preceding: and the thirtieth day of April, 1957 and three-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 City of QUINCY being the city 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 City; and to be published in the QUINCY PATRIOT LEDGER, 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 thirtieth day of April, 1957, the Commissioners, Clayton W. Nash, Everett M. Bowker, and Ainslie K. Payne (acting in place of Russell T. Bates of Quincy 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 City of Quincy was represented by the Commissioner of Public Works and the City Manager; and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; and thereupon the said Commissioners did adjudge that common convenience and necessity require that said way be relocated as prayed for in said petition.

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And thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham on the twenty-first day of May, 1957, by adjournment of their April meeting next preceding: when and where upon the adjudication aforesaid, the Commissioners appointed the second day of July, 1957, and three o'clock in the afternoon at the City Hall in Quincy 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, 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 CANAL STREET, as prayed for in said petition.

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

The westerly line begins at a stone bound on the northeasterly line of Washington Street; thence northeasterly by a curve with a radius of 25.00 ft. a distance of 31.59 ft. to a stone bound; thence N-37-45-50-E a distance of 237.41 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 46.78 ft. to a stone bound which is on the southerly line of Spear Street; thence N-48-24-10-E a distance of 37.32 ft. to a stone bound which is on the northerly line of Spear Street; thence easterly by a curve with a radius of 36.22 ft. a distance of 46.02 ft. to a stone bound; thence by a curve to the left with a radius of 812.78 ft. a distance of 129.29 ft. to a stone bound; thence N-28-39-E a distance of 50.94 ft. to a stone bound; thence by a curve to the left with a radius of 30.00 ft. a distance of 42.89 ft. to a stone bound which is on the southerly line of Newcomb Street; thence N-49-33-50-E a distance of 33.84 ft. to a stone bound which is on the northerly line of Newcomb Street; thence easterly by a curve with a radius of 12.00 ft. a distance of 20.54 ft. to a stone bound; thence

N-28-39-E a distance of 16.26 ft. to a stone bound; thence N-27-44-40-E a distance of 439.09 ft. to a stone bound; thence by a curve to the right with a radius of 2080.00 ft. a distance of 208.24 ft. to a stone bound; thence N-33-28-50-E a distance of 240.05 ft. to a stone bound; thence by a curve to the left with a radius of 93.04 ft. a distance of 123.95 ft. to a stone bound which is on the southerly line of the Southern Artery as laid out by the Massachusetts Department of Public Works on July 9, 1957.

The easterly line begins at a stone bound on the northeasterly line of Washington Street, said bound being S-69-50-40-E a distance of 171.49 ft. and S-62-15-E a distance of 40.03 ft. and S-68-43-20-E a distance of 13.43 ft. from the first bound on the westerly line as above described; thence northerly by a curve with a radius of 12.50 ft. a distance of 20.53 ft. to a stone bound; thence N-25-23-40-E a distance of 20.14 ft. to a stone bound; thence by a curve to the left with a radius of 335.54 ft. a distance of 97.90 ft. to a stone bound; thence N-8-40-40-E a distance of 28.96 ft. to a stone bound; thence S-67-52-50-E a distance of 25.00 ft. to a stone bound; thence N-20-19-10-E a distance of 269.91 ft. to a stone bound; thence N-28-39-E a distance of 166.77 ft. to a stone bound; thence N-27-44-40-E a distance of 166.70 ft. to a stone bound; thence by a curve to the right with a radius of 30.00 ft. a distance of 34.96 ft. to a stone bound which is on the southerly line of Brackett Street; thence N-54-56-E a distance of 51.80 ft. to a stone bound which is on the northerly line of Brackett Street; thence northwesterly by a curve with a radius of 30.00 ft. a distance of 59.29 ft. to a stone bound; thence N-27-44-40-E a distance of 171.82 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 200.23 ft. to a stone bound; thence N-33-28-50-E a distance of 210.77 ft. to a stone bound; thence by a curve to the right with a radius of 80.35 ft. a distance of 133.51 ft. to a stone bound which is on the southerly line of the Southern Artery as laid out by the Massachusetts Department of Public Works on July 9, 1957, said bound being on a curve with a radius of 1640.00 ft. a distance of 242.19 ft. from the last bound on the westerly line as above described

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 Canal Street, Quincy between Washington St. and the Southern Artery as made by the Norfolk County Commissioners by Return dated November 19, 1957. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 feet. Wallace S. Carson, County Engineer" and signed by "Clayton W. Nash, 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 City of QUINCY, 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 sixty (60) 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 City of QUINCY.

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 City of QUINCY.

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 City of QUINCY 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	
1.	Charles H. Hardwick	11280	117.81	20830.00
2.	Howard J. Landry Mtg: Quincy Savings Bank	3148	11.93	8361.00
3.	John Tomasi et ux	3450	11.93	6725.00
4.	Nellie Cote Mtg: Quincy Savings Bank	250 Slope easement	.67	125.00
5.	James H. Gallagher	120 Slope easement	.18	1.00
6.	Giuseppe Marinilli et ux	140	.21	70.00
7.	Giovanni Petrilli et ux	70	.10	35.00
8.	Lawrence Boudreau et ux Mtg: Quincy Cooperative Bank	10	.01	5.00
9.	Henry H. & Robert M. Faxon Trustees under the Will of Henry M. Faxon	230	.18	115.00
10.	Young Men's Christian Association Mtg: Quincy Savings Bank	100	.38	50.00
11.	Matteo Cordone et ux	150	.11	75.00

12.	Bruno Conti et al	140	.15	170.00
13.	Bambina Uranitte	360	.39	380.00
14.	Matthew Ivil et ux Mtg: Shipbuilders' Cooperative Bank	180	.20	290.00
15.	Street	270	-	No award
16.	Federico Dimeo et ux	700	.78	5850.00
17.	Edward E. Wendell et al, Trustees Mtg: Quincy Savings Bank Slope easement Mtg: Henry H. Faxon et al, Trustees Martin Rubin et al, Lessee	8760	39.19	8760.00
18.	Henry H. & Robert M. Faxon Trustees under the Will of Henry M. Faxon Stop & Shop, Inc., Lessee	2500	7.42	2500.00
<u>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
19.	Henry H. Faxon et al, Trustees New England Telephone & Telegraph Company, Lessee Mtg: John Hancock Mutual Life Insurance Co.	9530 Slope easement	21.68	6565.00
20.	Chauncey Woodward Mtg: Norfolk County Trust Company	5480 Slope easement	6.43	2740.00
21.	Chauncey Woodward Mtg: Norfolk County Trust Co.	3570	6.63	15385.00
22.	Laurence H. Mattie Slope easement	6700	6.10	12650.00
23.	Paul DiSalvo et ux	3475	5.96	1737.50
24.	Nibley DiMattio et al Mtg: Shipbuilders' Cooperative Bank	2050	3.73	7025.00
25.	Saverio Iacovilli Mtg: Quincy Cooperative Bank	3957	8.01	8578.50
26.	Giuseppe Papile	2848	5.22	6924.00
27.	Edward B. Souther	2050	-	1.00
		TOTAL		\$ 115,948.00

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 six months from

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

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CLAYTON W. NASH

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 nineteenth day of November, 1957, 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 City of QUINCY 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 city for that purpose.

CLAYTON W. NASH

EVERETT M. BOWKER

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

A true copy,

ATTEST: A. C. Kelly Asst. CLERK

Recorded Dec. 16, 1957 at 3h.13m.P.M.

Know all men by these Presents

That The Needham Co-operative Bank, of Needham, Massachusetts, the mortgagee named in a.....certain mortgage given by.....MICHELE TOCCI

.....dated.....October 6,.....A. D. 19 53

and recorded with Norfolk County Registry of Deeds, Book 3207.....Page 442

hereby acknowledges that it has received full payment and satisfaction of the same, and