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That if the debt secured hereby shall not be paid when due, the Mortgagee shall be entitled to thirty days' notice in writing before payment, unless foreclosure proceedings have been begun; that in case any default in any condition of this mortgage shall exist for more than thirty days, the entire mortgage debt shall become due at the option of the Mortgagee; that in case of a foreclosure sale, the Mortgagee shall be entitled to retain one per cent of the purchase money in addition to the costs, charges, and expenses allowed under the statutory power of sale; that in case proceedings to foreclose have been begun the Mortgagee shall be entitled to collect all costs, charges and expenses up to the time of payment.

No sale of the mortgaged premises, by the Mortgagor, no forbearance on the part of the Mortgagee, and no extension of the time for payment of the debt nor any indulgence given by the Mortgagee to any person shall be deemed to release this Mortgagor from the original liability arising hereunder, either at law or in equity, and notice of any such acts are hereby waived.

This mortgage is upon the Statutory Condition and upon the further conditions that all agreements on the part of the Mortgagor herein contained shall be kept and fully performed, for any breach of any of which conditions the Mortgagee shall have the Statutory Power of Sale.

XXXXXX
WITNESS our hands and seals this
of March A.D. 1958

twent y-eighth day

Edward B. Nash
as witness to each

Nils H. Almquist
Jeannette Almquist

COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

March 28, 19 58

Then personally appeared the above named Nils H. Almquist and Jeannette Almquist and acknowledged the foregoing instrument by them subscribed to be their free act and deed, before me,

Edward B. Nash

NOTARY PUBLIC.

Recorded Mar.31,1958 at 3h.59m.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 fourth day of March, 1958, by adjournment of their December meeting next preceding:-

The petition of NORMAN G. CARD and others of COHASSET 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 COHASSET in said County, that common convenience and necessity require that the portion of the way known as FISHER ROAD in said town, be laid out as a public highway between Hull Street and the Hingham Town Line for the purpose of establishing the boundary lines of said way in accordance with plan entitled "Plan of part of Fisher Road, Cohasset" dated January 12, 1957 by Louis W. Perkins & Sons, Engineers.

Refer to Town Vol. 273-1958 P.L. 205.

See Vol. 3629 P. 582.

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

Dated Sept. 30, 1957.

Norman C. Card
Helen E. Scripture
Ira B. P. Stoughton
Malcolm H. Stevens
Gordon E. Flint

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners held at Dedham, aforesaid on the twenty-ninth day of October, 1957 by adjournment of their September meeting next preceding; and the nineteenth day of November, 1957 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 COHASSET, being the town within which such location 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 COHASSET COTTAGER, a newspaper published in Rockland, said posting and publication having been seven days at least before the time and place 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 nineteenth day of November, 1957, 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 COHASSET 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 laid out 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 by courses and distances, metes and bounds, do layout as a public highway that portion of Fisher Road that is in the Town of Cohasset, County of Norfolk as prayed for in said petition.

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And the lines of said location of said Fisher Road are as follows:

The northerly line begins at a point on the Hingham-Cohasset Town Line and on a curve with a radius of 120.00 ft. thence northwesterly by said curve a distance of 70.28 ft. to a stone bound; thence N-65-04-30-W a distance of 320.01 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 47.60 ft. to a stone bound which is on the southeasterly line of Hull Street as laid out by the Norfolk County Commissioners by Return dated June 1, 1925.

The southerly line of this location begins at a point on the Hingham-Cohasset Town Line and on a curve with a radius of 120.00 ft., being the starting point of the northerly line as above described; thence by the Hingham-Cohasset Town Line N-65-04-³⁰-W a distance of 428.37 ft. to a point on the southeasterly line of Hull Street as laid out by the Norfolk County Commissioners by Return dated June 1, 1925; said point being S-44-00-40-W a distance of 56.27 ft. from the last bound on the northerly line as above described.

The northerly line heretofore described, in general, is twenty (20) feet northerly from and parallel to the Hingham-Cohasset Town Line.

This portion of Fisher Road is laid out to complete a forty foot (40) layout, that portion in the Town of Hingham, County of Plymouth, having been laid out by the Plymouth County Commissioners by their Decree #1225, dated February 18, 1958.

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 a portion of Fisher Road, Cohasset, Laid out as a Public Way between Hull Street and the Hingham Town Line as made by

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Horizontal Scale: 1 inch = 40 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 Return 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 located as aforesaid.

And it is determined by the Commissioners, that the Inhabitants of the Town of COHASSET, do within two 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.

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 COHASSET.

And it is determined by the Commissioners that all the expense of making the location 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 COHASSET.

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 have 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 COHASSET when the lands hereby taken

upon and possession taken, for the purpose of constructing said way.

| <u>Parcel Number</u> | <u>Owner</u> | <u>Approximate Sq. Ft. Taken</u> | <u>Award</u> |
|----------------------|------------------|----------------------------------|--------------|
| 1. | Frank S. Barbuto | 8300 | No award |

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

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 COHASSET 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

REC 3-31-58

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