

3776
442

465

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 twentieth day of October, 1959, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law:-

The petition of EDWIN T. DONOVAN, and others of FOXBOROUGH, 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 FOXBOROUGH in said County, that common convenience and necessity require that the way known as BEACH STREET, a public way in said town, be relocated between Meadow Brook Road and Mechanic 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 2, 1955

Edwin T. Donovan	4 Oak Hill Avenue, Foxborough
Horace E. Cornish	13 Leonard St. Foxborough
Norbert Carl Annon	82 Central St. Foxborough
Elizabeth M. Clarkin	8 Church St. Foxborough
Harold B. Clark	30 Carpenter S. Foxborough
J. Clark Samuel	17 Neponset Ave. Foxborough

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the thirteenth day of December, 1955, by adjournment of their September meeting next preceding; and the seventeenth day of January, 1956 and two-thirty o'clock in the afternoon at the Court House in 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 FOXBOROUGH, 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 FOXBORO REPORTER, a newspaper published in said County, said posting and publication

Amendment 3 of 4668 8671 Code

Refer to Plan No. 1241-1250-1959 P.L. Code # 207

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.

3776
443

And on the seventeenth day of January, 1956, no one having appeared, the said Commissioners adjourned said hearing to a meeting of the Commissioners on the twenty-fourth day of January, 1956, when and where the Commissioners, Russell T. Bates, Clayton W. Nash and Everett M. Bowker met and the Town of FOXBOROUGH 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 the Commissioners held at Dedham on the twenty-ninth day of October, 1957, by adjournment of their September meeting: when and where upon the adjudication aforesaid, the Commissioners appointed the tenth day of December, 1957, and three o'clock in the afternoon at the Town Hall in FOXBOROUGH 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 BEACH STREET, as prayed for in said petition.

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

The northerly line begins at a stone bound on the northerly side of Beach Street; thence northeasterly by a curve with a radius of 60.00 ft. a distance of 65.37 ft. to a stone bound which is on the westerly line of Meadowview Road; thence —

3776
444

S-66-14-20-E a distance of 40.01 ft. to a stone bound which is on the easterly line of Meadowview Road; thence southeasterly by a curve with a radius of 30.00 ft. a distance of 51.82 ft. to a stone bound; thence by a curve to the right with a radius of 560.00 ft. a distance of 343.71 ft. to a stone bound; thence S-41-04-00-E a distance of 194.92 ft. to a stone bound; thence by a curve to the left with a radius of 700.00 ft. a distance of 450.55 ft. to a stone bound; thence by a curve to the left with a radius of 1600.00 ft. a distance of 189.35 ft. to a stone bound; thence S-84-43-30-E a distance of 293.80 ft. to a stone bound; thence by a curve to the right with a radius of 660.00 ft. a distance of 315.79 ft. to a stone bound; thence S-57-18-40-E a distance of 248.57 ft. to a stone bound; thence by a curve to the left with a radius of 500.00 ft. a distance of 324.10 ft. to a stone bound; thence N-85-33-00-E a distance of 397.81 ft. to a stone bound; thence by a curve to the right with a radius of 760.00 ft. a distance of 561.86 ft. to a stone bound; thence S-52-05-30-E a distance of 550.00 ft. to a stone bound; thence continuing on the same course a distance of 542.86 ft. to a stone bound; thence continuing on the same course a distance of 298.14 ft. to a stone bound; thence S-3-58-10-W a distance of 848.14 ft. to a stone bound; thence continuing on the same course a distance of 534.62 ft. to a stone bound; thence by a curve to the left with a radius of 900.00 ft. a distance of 422.20 ft. to a stone bound; thence continuing on the same curve a distance of 326.20 ft. to a stone bound; thence S-57-59-00-E a distance of 419.96 ft. to a stone bound; thence S-73-11-00-E a distance of 189.32 ft. to a stone bound; thence by a curve to the right with a radius of 140.00 ft. a distance of 149.32 ft. to a stone bound; thence S-12-04-30-E a distance of 134.79 ft. to a stone bound; thence S-39-50-30-E a distance of 231.61 ft. to a stone bound; thence S-49-47-10-E a distance of 447.81 ft. to a stone bound; thence continuing on the same course a distance of 400.00 ft. to a stone bound; thence by a curve to the left with a radius of 30.64 ft. a distance of 58.97 ft. to a stone bound which is on the westerly line of Mechanic Street as laid out by the Norfolk County Commissioners by Return dated, August 9, 1927.

The southerly line begins at a stone bound on the southerly side of Beach Street; said bound being S-45-50-50-W a distance of 94.69 ft. from the first bound on the northerly line as above described; thence easterly by a curve with a radius of

500.00 ft. a distance of 469.18 ft. to a stone bound; thence S-41-04-00-E a distance of 194.92 ft. to a stone bound; thence by a curve to the left with a radius of 760.00 ft. a distance of 489.17 ft. to a stone bound; thence by a curve to the left with a radius of 1660.00 ft. a distance of 196.45 ft. to a stone bound; thence S-84-43-30-E a distance of 293.80 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 287.08 ft. to a stone bound; thence S-57-18-40-E a distance of 248.57 ft. to a stone bound; thence by a curve to the left with a radius of 560.00 ft. a distance of 362.99 ft. to a stone bound; thence N-85-33-00-E a distance of 397.81 ft. to a stone bound; thence by a curve to the right with a radius of 700.00 ft. a distance of 517.50 ft. to a stone bound; thence S-52-05-30-E a distance of 550.00 ft. to a stone bound; thence continuing on the same course a distance of 542.86 ft. to a stone bound; thence by a curve to the right with a radius of 500.00 ft. a distance of 489.23 ft. to a stone bound; thence S-3-58-10-W a distance of 550.00 ft. to a stone bound; thence continuing on the same course a distance of 534.62 ft. to a stone bound; thence by a curve to the left with a radius of 960.00 ft. a distance of 450.34 ft. to a stone bound; thence continuing on the same curve a distance of 450.34 ft. to a stone bound; thence S-49-47-10-E a distance of 319.86 ft. to a stone bound; thence continuing on the same course a distance of 649.73 ft. to a stone bound; thence continuing on the same course a distance of 447.81 ft. to a stone bound; thence continuing on the same course a distance of 428.59 ft. to a stone bound; thence by a curve to the right with a radius of 60.00 ft. a distance of 69.86 ft. to a stone bound which is on the westerly line of Mechanic Street as laid out by the Norfolk County Commissioners by Return dated, August 9, 1927, said bound being a distance of 148.11 ft. on a curve with a radius of 2810.00 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 60.00 ft. southerly from and parallel to the northerly 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

3776
445

3776

4 4 6

and Widening of a portion of Beach Street, Foxborough, between Meadowview Road and Mechanic Street as made by the Norfolk County Commissioners by Return dated October 20, 1959. 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 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 FOXBOROUGH, 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, 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 FOXBOROUGH.

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 FOXBOROUGH.

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 FOXBOROUGH 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.	George C. Terrell et ux Mtg: The Norwood Cooperative Bank	760	.26	50.00
2.	Louis J. Schneider Mtg: Canton Institution for Savings	115	.02	5.00
3.	Mary A. Whalen and Mary J. Cavey Town of Foxborough Old Age Assistance Lein	11000 Slope easement	.17	250.00
4.	Charles M. Wheeler et ux Mtg: Foxboro Federal Savings and Loan Association	1580 Slope easement	.29	60.00
5.	Francis H. Millard Mtg: Hyde Park Savings Bank	940 Slope easement	.19	35.00
6.	Francis H. Millard	2120 Slope easement	.40	75.00
7.	Mary A. Whalen and Mary J. Cavey	700 Slope easement	.01	1.00
8.	Chandler J. Abbott et ux Mtg: William J. Hildebrand et ux	17900 Slope easement	.50	250.00
9.	Albert G. Baltazar et ux Ld. Ct. Cert. #64044, Bk. 321, P. 44	3124 Slope easement	.22	50.00
10.	Donald H. Ingraham et ux Ld. Ct. Cert. #63248, Bk. 317, P. 48	4474 Slope easement	.39	90.00
11.	John Duquette et ux Ld. Ct. Cert. #63247, Bk. 317, P. 47	4088 Slope easement	.30	75.00
12.	Alexander H. Komnenko et ux Ld. Ct. Cert. #63246, Bk. 317, P. 46	4543 Slope easement	.23	90.00
13.	Robert L. Willis	18400 Slope easement	.10	150.00

3776
447

<u>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
14.	Alfred A. Ruggiero Mtg: Mary Pauline Lys and Nancy Payer	23500 Slope easement	.27	50.00
15.	Sidney A. Arnold et ux Mtg: Canton Cooperative Bank	4000 Slope easement	.02	10.00
16.	Sidney A. Arnold et ux Mtg: Canton Cooperative Bank	10300 Slope easement	.04	25.00
17.	Walter H. Fitts	1020 Slope easement	-	1.00
18.	Walter H. Fitts	11500 Slope easement	.05	10.00
19.	Carl E. Hilton et ux Mtg: Marion A. Hussey	9750 Slope easement	.11	25.00
20.	Ellen F. Harrison et al	5500 Slope easement	.10	25.00
21.	Estate of John E. Clark	1360	.01	5.00
22.	Kenneth E. McIntyre et ux	150	.01	1.00
23.	Kenneth E. McIntyre et ux	560 Slope easement	.04	1.00
24.	Sherwood Avenue	900	-	-
25.	Frederick S. Briggs et ux Mtg: Home Savings Bank	1910	.93	150.00
26.	Louis Polansky et ux Ld. Ct. Cert. #54361, Bk. 272, P. 161 Mtg: Harry Ratner Mtg: Harry and Lena Penansky	6022 Slope easement	.43	125.00
27.	Mabel C. Bradley	6100	.55	100.00
28.	Mabel C. Bradley	665	.01	1.00
29.	Mabel C. Bradley	63620 Slope easement	.93	200.00
30.	John E. Clark	7900 Slope easement	.92	300.00
31.	Melville D. Mossman et ux Mtg: Sharon Cooperative Bank	15230 Slope easement	2.08	100.00
32.	Ellen F. Harrison et al	2950 Slope easement	.29	1.00
33.	Carl E. Hilton et ux Mtg: Marlon A. Hussey	300 Slope easement	.04	1.00

3776

449

<u>Pol. No.</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
34.	Walter H. Fitts	3500 Slope easement	.11	1.00
35.	Alfred A. Ruggiero Mtg: Mary Pauline Lys Mtg: Nancy Payer	20550 Slope easement	.11	25.00
36.	Alfred A. Ruggiero Mtg: Mary Pauline Lys Mtg: Nancy Payer	3050 Slope easement	.02	5.00
37.	Allecap Equipment & Supply Corp. Mtg: Canton Cooperative Bank	16400 Slope easement	.06	25.00
38.	Alfred A. Ruggiero Mtg: Mary Pauline Lys Mtg: Nancy Payer	215 Slope easement	-	1.00
39.	Alfred A. Ruggiero Mtg: Mary Pauline Lys Mtg: Nancy Payer	1180 Slope easement	.01	1.00
40.	Alfred A. Ruggiero Mary P. Lys Life Estate Mtg: Mary Pauline Lys Mtg: Nancy Payer	1150 Slope easement	.01	1.00
41.	Alfred A. Ruggiero Mtg: Mary Pauline Lys Mtg: Nancy Payer	280 Slope easement	-	1.00
41a.	Clarence R. Congdon et ux Mtg: Foxborough Savings Bank	Slope easement		1.00
41b.	Bernard R. Congdon et ux Mtg: William J. Hildebrand et ux	Slope easement		1.00
42.	Chandler J. Abbott et ux Mtg: William J. Hildebrand et ux	3940 Slope easement	.08	10.00
43.	Mary A. Whalen and Mary J. Cavey Town of Foxborough Old Age Assistance Lien	8000 Slope easement	.06	200.00
44.	Mary A. Whalen Town of Foxborough Old Age Assistance Lien	3110 Slope easement	.44	100.00
45.	Leo L. Wells et ux Mtg: Union Savings Bank of Boston	20 Slope easement	-	1.00
46.	Leo L. Wells et ux Mtg: Union Savings Bank of Boston	30 Slope easement	.01	1.00
47.	Joseph F. Dean Mary A. Whalen, Tax Title	2060 Slope easement	.19	25.00
48.	Norman C. Rosberg et ux Mtg: Foxborough Savings Bank	35 Slope easement	-	1.00
TOTAL			\$	2712.00

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

EVERETT M. BOWKER

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twentieth day of October, 1959, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law:

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 FOXBOROUGH 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 Nov. 13, 1959 at 3h.30m.P.M.