

#477

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Comaissioners for the County of Norfolk, held at Dedham, within and for said County on the twenty-seventh day of June, 1961, a notice of said meeting having been posted as required by law:

The petition of EARLE T. STEWART AND OTHERS of WRENTHAM, 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 WRENTHAM in said County, that common convenience and necessity require that the way known as JENKS STREET, a public way in said town, be relocated between West Street and the Massachusetts-Rhode Island State Line 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 June 23, 1958

Earle T. Stewart	Selectman
Charles F. Winter	Selectman
William R. Wilson	Selectman
John Woodham	Planning Board
Angus R. McKinnion	Planning Board
C. Robert Oman	Planning Board
James I. Mullen	Planning Board
Ralph H. Winters	Planning Board

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This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the nineteenth day of August, 1958, by adjournment of their June meeting next preceding; and the twenty-third day of September, 1958 at three o'clock in the afternoon at the Town Hall in Wrentham were appointed by the 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 WRENTHAM, being the town within which such relocation of way was prayed for, fifteen days at least before the time appointed for said view;

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Received June 30 1961 8:10 AM - EARLE T. STEWART

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 FRANKLIN SENTINEL, 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 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-third day of September, 1958, 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 WRENTHAM 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 fourth day of April, 1961, by adjournment of their December meeting, a notice of said meeting having been posted as required by law: when and where upon the adjudication aforesaid the Commissioners appointed the ninth day of May, 1961 at two-thirty o'clock in the afternoon at the Town Hall in Wrentham, 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 JENKS STREET as prayed for in said petition.

And the lines of said relocation of said JENKS STREET are as follows:

The westerly line begins at a stone bound which is on the town line between Cumberland, Rhode Island and Wrentham, said line also being the State Line between Rhode Island and Massachusetts; thence N-2-37-00-W a distance of 98.76 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 190.63 ft. to a stone bound; thence N-13-32-20-W a distance of 680.38 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 280.95 ft. to a stone bound; thence N-29-38-10-W a distance of 482.14 ft. to a stone bound; thence by a curve to the left with a radius of 1400.00 ft. a distance of 154.07 ft. to a stone bound; thence N-35-56-30-W a distance of 129.02 ft. to a stone bound; thence by a curve to the right with a radius of 660.00 ft. a distance of 496.25 ft. to a stone bound; thence N-7-08-20-E a distance of 72.12 ft. to a stone bound; thence by a curve to the left with a radius of 49.93 ft. a distance of 87.57 ft. to a stone bound which is on the southerly line of West Street as laid out by the Norfolk County Commissioners by Return dated June 2, 1931.

The easterly line begins at a stone bound which is on the Town line between Cumberland, Rhode Island and Wrentham, said line also being the State line between Rhode Island and Massachusetts, said bound being N-88-51-54-E a distance of 60.02 ft. from the first bound on the westerly line as above described; thence N-2-37-00-W a distance of 100.32 ft. to a stone bound; thence by a curve to the left with a radius of 1060.00 ft. a distance of 202.07 ft. to a stone bound; thence N-13-32-20-W a distance of 680.38 ft. to a stone bound; thence by a curve to the left with a radius of 1060.00 ft. a distance of 297.81 ft. to a stone bound; thence N-29-38-10-W a distance of 482.14 ft. to a stone

bound; thence by a curve to the left with a radius of 1460.00 ft. a distance of 160.68 ft. to a stone bound; thence N-35-56-30-W a distance of 129.02 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 451.14 ft. to a stone bound; thence N-7-08-20-E a distance of 88.89 ft. to a stone bound; thence by a curve to the right with a radius of 65.80 ft. a distance of 89.23 ft. to a stone bound which is on the southerly line of West Street as laid out by the Norfolk County Commissioners by Return dated June 2, 1931; said bound being N-86-39-20-E a distance of 154.73 ft. and on a curve with a radius of 600.00 ft. a distance of 19.02 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 60.00 feet easterly from and parallel to 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 Jenks Street, Wrentham from The Cumberland Town Line to West Street as made by the Norfolk County Commissioners by Return dated June 27, 1961. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer" and signed by "Russel 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 with the exception of that portion between Station 22 + 0 and 24 + 0 which discontinuance shall not take effect until a sufficient travelled way adjacent thereto within the new location has been completed and opened for use by the public.

And it is determined by the Commissioners, that the Inhabitants of the Town of WRENTHAM, 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 WRENTHAM.

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 WRENTHAM.

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 WRENTHAM 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>Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1.	Heirs of Frank L. Staples	14200 Slope easement	.40	25.00
2.	John Hogarth et ux Mtg: Adelbert H. Whipple Mtg: Ruth A. Wales	31800 Slope easement	.48	35.00
3.	Elmer F. Whipple Arthur M. Whipple, Life Estate	8700 Slope easement	.48	15.00
4.	Elmer F. Whipple Arthur M. Whipple, Life Estate	1350 Slope easement	.07	10.00
5.	Harold Hogarth et ux	1250 Slope easement	.09	10.00
6.	Elmer F. Whipple Arthur M. Whipple, Life Estate	12700 Slope easement	.14	10.00
7.	Harold Hogarth et ux	520 Slope easement	.04	1.00
8.	Theodore Legare and Violet Ruhland	550 Slope easement	.01	1.00
9.	Now or formerly Amanda J. Grant	Slope easement	-	1.00
Total				\$ 108.00

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 three 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 twenty-seventh day of June, 1961, 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 WRENTHAM 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: Peter C. Hutchinson CLERK

Recorded July 17, 1961 at 1h.P.M.