

#483

County. Vol 4265 P 372

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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 twenty-third day of July, 1963, by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of WALTER E. DUFFY 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 MAY STREET, a public way in said town, be relocated between Franklin Street and Shears 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 re-located within the limits above specified.

Dated Jan. 19, 1955.

Walter E. Duffy	209 Creek St. Wrentham
Harold M. Roche	May Street, Wrentham, Mass.
Angus Ronald McKinnon	324 Taunton St. Wrentham
John Woodham	681 East St. Wrentham
Vernard W. Gilmore	87 Taunton St. Wrentham

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the first day of February, 1955, by adjournment of their December meeting next preceding, and the fifteenth day of March, 1955 and three 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 WRENTHAM, being the town within which such relocation of way was prayed for, fifteen days at least before the time appointed

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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 FRANKLIN SENTINEL, 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 fifteenth day of March, 1955, 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 the Commissioners held at Dedham, on the nineteenth day of August, 1958 by adjournment of their June meeting, when and where upon the adjudication aforesaid, the Commissioners appointed the twenty-third day of September, 1958, and three 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 Commissioners, Russell T. Bates, Clayton W. Nash and John Francis Murphy, by courses and distances, metes and bounds, do relocate said MAY STREET as prayed for in said petition.

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

The northerly line begins at a stone bound on the northerly line of Franklin Street as laid out by the Massachusetts Department of Public Works on June 14, 1927; thence N-61-46-50-E a distance of 235.14 ft. to a stone bound; thence continuing on the same course a distance of 346.98 ft. to a stone bound; thence by a curve to the right with a radius of 1060.00 ft. a distance of 316.15 ft. to a stone bound; thence N-78-52-10-E a distance of 396.59 ft. to a stone bound; thence by a curve to the left with a radius of 42.59 ft. a distance of 67.50 ft. to a stone bound which is on the westerly line of Shears Street as laid out by the Norfolk County Commissioners by Return dated September 29, 1942.

The southerly line begins at a stone bound on the northerly line of Franklin Street as laid out by the Massachusetts Department of Public Works on June 14, 1927, said bound being southeasterly by a curve with a radius of 960.00 ft. a distance of 318.46 ft. from the first bound on the northerly line as above described; thence northerly by a curve with a radius of 50.00 ft. a distance of 72.29 ft. to a stone bound; thence by a curve to the right with a radius of 237.32 ft. a distance of 197.49 ft. to a stone bound; thence N-61-46-50-E a distance of 162.68 ft. to a stone bound; thence by a curve to the right with a radius of 1000.00 ft. a distance of 298.26 ft. to a stone bound; thence N-78-52-10-E a distance of 381.49 ft. to a stone bound; thence by a curve to the right with a radius of 60.00 ft. a distance of 93.40 ft. to a stone bound which is on the westerly line of Shears Street as laid out by

the Norfolk County Commissioners by Return dated September 29, 1942, said bound being S-11-56-30-E a distance of 162.36 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 heretofore described and the grade thereof is established all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of May Street, Wrentham from Franklin^{Street} to Shears Street as made by the Norfolk County Commissioners by Return dated July 23, 1963. 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 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, right 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 setoff, 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>Pol. No.</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Tax-Allowance</u>	<u>Award</u>
1.	G. D. Poultry Inc. Mtg: Federal Land Bank of Springfield Mtg: Bay State Poultry Farms, Inc.	1210 Slope easement	.05	10.00
2.	Howard W. Kee Jr.	17500 Slope easement	1.81	200.00
3.	LeRoy N. Brown	35 Slope easement	.02	1.00
4.	Arthur A. Rhodes	30300 Slope easement	5.60	500.00
Total			\$	711.00

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

JOHN FRANCIS MURPHY

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-third day of July, 1963, by adjournment of their June 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 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

JOHN FRANCIS MURPHY

COUNTY COMMISSIONERS

A true copy,

ATTEST: [Signature] CLERK

Recorded Aug. 8, 1963 at 11h.55m-A.M.