

#490

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 sixth day of February, 1962, by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of the BOARD OF SELECTMEN of the Town of MEDWAY in said County represents as follows:-

Commonwealth of Massachusetts

Norfolk, ss.

To the Honorable the County Commissioners of the County of Norfolk:

Under the provisions of Chapter 159, sec. 59 of the General Laws, as amended, the Board of Selectmen of the Town of MEDWAY deem it necessary for the security and convenience of the public, that an alteration not involving the abolition of a crossing at grade, should be made in the bridge carrying Holliston Street over the main line tracks of the New York, New Haven and Hartford Railroad Company in the Town of Medway; and herewith respectfully petition your Board to prescribe the manner and limits within which said alteration should be made in accordance with the above mentioned statute.

BOARD OF SELECTMEN

Joseph H. Potenza
Charles W. Bresnahan
Richard J. Coakley

Sept. 18, 1961

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the third day of October, 1962, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law; and the twenty-fourth day of October, 1962 and two-thirty o'clock in the afternoon at the Court House in said Dedham 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 MEDWAY, being the town within which such alteration of crossing was prayed for, and upon the Trustees of the New York, New Haven and Hartford Railroad Company fifteen

Reports from No. 152-1962 G. P. ... 212

PB 212/152

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 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 twenty-fourth day of October, 1962, 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 MEDWAY was represented by Mr. John McGowan, Supt. of Streets; and the Trustees of the New York, New Haven and Hartford Railroad company were represented by Mr. Harry B. Bussing, District Engineer; and the said Commissioners heard all persons and corporations interested; and no party interested objected; and thereupon the said Commissioners did decide that the alteration as prayed for in said petition is necessary.

And thence the same was continued and adjourned from time to time to this meeting.

And now the said Commissioners, in accordance with the provisions of General Laws, Chapter 159, Sections 59 and 60, do decide that said crossing be altered as prayed for in said petition, and do prescribe the manner and limits within which such alterations shall be made.

The northeasterly line begins at a stone bound on the northeasterly line of Holliston Street as laid out by the Norfolk County Commissioners by Return dated January 17, 1936; said bound being on the northwesterly line of location of the New York, New Haven and Hartford Railroad Company; thence S-41-05-25-2 a distance of 95.91 ft. to a stone bound which is on the southeasterly line of location of the New York, New Haven and Hartford

Railroad Company; thence continuing on the same course a distance of 61.61 ft. to a stone bound which is on the northeasterly line of Holliston Street as laid out by the Norfolk County Commissioners by Return dated January 17, 1936.

The southwesterly line begins at a stone bound on the southwesterly line of Holliston Street as laid out by the Norfolk County Commissioners by Return dated January 17, 1936; said bound being on the northwesterly line of location of the New York, New Haven and Hartford Railroad Company, and being S-79-34-25-W a distance of 58.64 ft. from the first bound on the northeasterly line as above described; thence S-41-55-15-E a distance of 30.27 ft. to a point; thence S-41-05-25-E a distance of 65.90 ft. to a stone bound which is on the southwesterly line of location of the New York, New Haven and Hartford Railroad Company, and the northerly line of Lovers Lane; thence S-79-34-25-W a distance of 1.79 ft. to a point on said line; thence S-9-28-55-E a distance of 51.43 ft. to a stone bound which is on the southerly line of Lovers Lane; thence easterly by a curve with a radius of 60.00 ft. a distance of 59.19 ft. to a stone bound which is on the southwesterly line of Holliston Street as laid out by the Norfolk County Commissioners by Return dated January 17, 1936, said bound being S-47-58-35-W a distance of 50.01 ft. from the last bound on the northeasterly line as above described.

And the said Commissioners do hereby take for the purposes of a highway all the easements and rights incident to a public highway in the lands included within the lines of location hereinbefore described, all as shown upon a plan entitled "Plan of Alterations of Bridge at crossing of Holliston Street, Medway and the New York, New Haven and Hartford Railroad

as made by the Norfolk County Commissioners by Decision dated February 6, 1962. Scale: 1 inch = 20 feet. Wallace S. Caroon, County Engineer." and signed by "Russell T. Bates, Chairman" which plan is filed herewith and made a part of this

Decision in accordance with the provisions of Chapter 79 of the General Laws, and all acts and amendments thereof and in addition thereto.

And it is determined by the County Commissioners that a sidewalk shall be constructed on the northerly side of said bridge in accordance with Section: "AA" as shown on said plan. The Sidewalk shall be constructed not less than four (4) feet in width.

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:

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
1.	Richard Joyce Smith, William J. Kirk, Harry W. Dorigan, Trustees of the Property of the New York, New Haven and Hartford Railroad Company, Debtor Mtg: The Chase National Bank of the City of New York Mtg: Manufacturers Trust Company	4802	1.00
2.	Erville C. Osborne Mtg: Medway Cooperative Bank	65	1.00

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the sixth day of February, 1962, by adjournment of their December meeting next preceding, a notice of said meeting having been posted as required by law:

ORDERED, that the foregoing Decision be filed, accepted and recorded, and that an attested copy thereof be transmitted to the Clerk of the Town of Medway, the Department of Public Utilities and the New York, New Haven and Hartford Railroad Company.

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWKER

COUNTY COMMISSIONERS

A true copy,

ATTEST: *William A. ...* CLERK

Recorded Feb. 16, 1962 at 10h. 21m. A.M.