

#496

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 seventeenth day of July, 1962, by adjournment of their June meeting next preceding, a notice of said meeting having been posted as required by law:-

The petition of WILLIAM E. McCARTHY and others of MEDFIELD 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 MEDFIELD in said County, that common convenience and necessity require that the way known as HARDING STREET, a public way in said town, be relocated between North Street and Hospital Road for the purpose of establishing the boundaries and specific repairs.

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

Dated February 15, 1955.

William E. McCarthy  
Marie M. Burke  
Mary Moir Etienne  
Harry E. Conway

J. Roger Petrie  
Sally E. DeVanangi  
Joseph L. Marclonette  
Joseph A. Roberts

\*\*\*\*\*

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the first day of March, 1955, by adjournment of their December meeting next preceding; and the twelfth day of April, 1955, and two-thirty o'clock in the afternoon at the Court House in 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 MEDFIELD 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

Refer to Plans to 848-852-1962 Q1B-213

See Vol. 4011 B. 555. Entry

to be published in the DEDHAM TRANSCRIPT, 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 twelfth day of April, 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 MEDFIELD 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 fourteenth day of November, 1961, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law: when and where upon the adjudication aforesaid, the Commissioners appointed the fifth day of December, 1961, and three-thirty o'clock in the afternoon at the Town Hall in MEDFIELD 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 HARDING STREET as prayed for

in said petition.

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

The northeasterly line begins at a stone bound on the easterly side of Harding Street; thence S-9-17-50-E a distance of 321.41 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 158.81 ft. to a stone bound; thence S-1-17-00-W a distance of 113.40 ft. to a stone bound; thence by a curve to the left with a radius of 700.00 ft. a distance of 457.50 ft. to a stone bound; thence S-36-09-50-E a distance of 75.28 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 232.90 ft. to a stone bound; thence S-52-50-40-E a distance of 202.45 ft. to a stone bound; thence by a curve to the left with a radius of 1199.58 ft. a distance of 195.93 ft. to a stone bound; thence by a curve to the left with a radius of 466.29 ft. a distance of 112.96 ft. to a stone bound; thence S-76-05-00-E a distance of 201.38 ft. to a stone bound which is on the northerly side of Wight Street; thence S-43-14-30-E a distance of 50.00 ft. to a stone bound which is on the southerly side of Dwight Street; thence southwesterly by a curve with a radius of 25.00 ft. a distance of 63.63 ft. to a stone bound; thence S-62-12-10-E a distance of 879.86 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 63.92 ft. to a stone bound which is on the southwesterly side of Wight Street; thence N-61-17-50-E a distance of 40.00 ft. to a stone bound which is on the northeasterly side of Wight Street; thence S-45-23-30-E a distance of 214.73 ft. to a stone bound; thence by a curve to the left with a radius of 400.00 ft. a distance of 117.36 ft. to a stone bound; thence S-62-12-10-E a distance of 400.54 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 401.72 ft. to a stone bound; thence S-85-13-10-E a distance of 80.04 ft. to a stone bound; thence by a curve to the left with a radius of 91.20 ft.

a distance of 155.79 ft. to a stone bound which is on the westerly line of North Street as laid out by the Norfolk County Commissioners by Return dated September 21, 1948.

The southwesterly line begins at a stone bound on the westerly side of Harding Street, said bound being S-80-42-10-W a distance of 60.00 ft. from the first bound on the northeasterly line as above described; thence southwesterly by a curve with a radius of 40.00 ft. a distance of 91.51 ft. to a stone bound which is on the northeasterly side of Hospital Road; thence S-7-36-40-E a distance of 77.64 ft. to a stone bound which is on the southwesterly side of Hospital Road; thence southeasterly by a curve with a radius of 200.00 ft. a distance of 170.75 ft. to a stone bound; thence S-9-17-50-E a distance of 62.89 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 147.73 ft. to a stone bound; thence S-1-17-00-W a distance of 113.40 ft. to a stone bound; thence by a curve to the left with a radius of 760.00 ft. a distance of 496.72 ft. to a stone bound; thence S-36-09-50-E a distance of 195.93 ft. to a stone bound; thence by a curve to the right with a radius of 60.00 ft. a distance of 74.18 ft. to a stone bound which is on the westerly line of West Mill Street; thence S-46-39-40-E a distance of 66.76 ft. to a stone bound which is on the easterly line of West Mill Street; thence northeasterly by a curve with a radius of 58.00 ft. a distance of 93.62 ft. to a stone bound; thence S-52-50-40-E a distance of 166.70 ft. to a stone bound; thence by a curve to the left with a radius of 1259.58 ft. a distance of 205.73 ft. to a stone bound; thence S-62-12-10-E a distance of 368.69 ft. to a stone bound; thence continuing on the same course a distance of 879.86 ft. to a stone bound; thence continuing on the same course a distance of 676.86 ft. to a stone bound; thence by a curve to the right with a radius of 40.00 ft. a distance of 106.76 ft. to a stone bound which is on the northerly side of West Street; thence S-50-48-00-E

a distance of 112.07 ft. to a stone bound which is on the southerly side of West Street; thence easterly by a curve with a radius of 100.00 ft. a distance of 66.21 ft. to a stone bound; thence by a curve to the right with a radius of 96.61 ft. a distance of 49.45 ft. to a stone bound; thence S-85-13-10-E a distance of 260.35 ft. to a stone bound; thence continuing on the same course a distance of 120.11 ft. to a stone bound; thence by a curve to the right with a radius of 250.00 ft. a distance of 212.87 ft. to a stone bound which is on the westerly line of North Street as laid out by the Norfolk County Commissioners by Return dated September 21, 1948, said bound being S-3-05-40-E a distance of 104.68 ft; S-5-46-30-E a distance of 61.03 ft; and S-36-26-00-E a distance of 113.37 ft. from the last bound on the northeasterly line as above described.

The southwesterly line heretofore described, in general, is 60.00 ft. southwesterly from and parallel to the northeasterly 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, except that portion of land belonging to the New York, New Haven and Hartford Railroad Company which is considered their right of way, over which side lines are established, and the grade thereof is established all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of a portion of Harding Street, Medfield from Hospital Road to North Street as made by the Norfolk County Commissioners by Return dated July 17, 1962. 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 bound will be erected at the termini and angles of said way relocated 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 MEDFIELD, 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 railing 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 MEDFIELD.

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 MEDFIELD.

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 MEDFIELD 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.	Henry M. Heald, Jr. Trustee of Heald Homes Trust Mtg: Needham Cooperative Bank Mtg: Dominic Ferrara et ux	85		1.00
2.	Cornelius P. McSweeney et ux	4430 Slope easement	1.88	300.00
3.	Robert W. Murphy, Jr. et ux	720	.22	25.00
4.	Robert W. Murphy, Jr. et ux Mtg: Medfield Cooperative Bank	1820 Slope easement	.55	100.00
5.	Herbert H. Smith, Madelin E Smith, Life Estate Edgar A. Smith et al Temporary Interest Mtg: Puritan Engineering Corp.	2370 Slope easement	.76	100.00
6.	Elizabeth T. Nourse	1970 Slope easement	.47	50.00
7.	Elizabeth T. Nourse	1350	.32	50.00
8.	Chester A. Werner	420	.44	25.00
9.	Paul F. Chevarie et ux Mtg: Natick Federal Savings and Loan Association	1090 Slope easement	.39	50.00
10.	Evelyn Byng	4100 Slope easement	.35	40.00
11.	Evelyn Byng	21200 Slope easement	5.70	200.00

712

Pol. No.	Owner	Approximate		Award
		Sq. Ft. Taken	Tax Allowance	
12.	James F. Ours	7880 Slope easement	1.28	50.00
13.	Clayton W. Adams et ux Mtg: The Provident Institution for Savings in the Town of Boston	4410 Slope easement	1.26	100.00
14.	Henry R. Bailey et ux Mtg: Massachusetts Savings Bank	4150 Slope easement	2.11	100.00
15.	Natale Sostilio	90	.03	1.00
16.	James F. Ours et ux	2700 Slope easement	1.31	50.00
16-a	Willie Catenacci Mtg: Framingham Trust Company	Slope easement		1.00
16-b	Vincent A. Palumbo et ux	Slope easement		1.00
16-c	Lawrence G. Rossi et ux	Slope easement		1.00
16-d	Vincent A. Palumbo et ux	Slope easement		1.00
16-e	New England Merchants National Bank, Trustee under its Customers Trust Number 517 Mtg: Lillian G. Fanger	Slope easement		1.00
16-f	Millis Transportation Co, Inc.	Slope easement		1.00
16-g	Alice M. Crawford	Slope easement		1.00
17.	Peter D. Vroom	2210 Slope easement	.78	350.00
18.	Peter D. Vroom	390 Slope easement	.19	25.00
19.	Henry L. Sittig et ux Mtg: Suffolk Franklin Savings Bank	830	.10	50.00
19-a	New England Merchants National Bank, Trustee under its Customers Trust Number 517 Mtg: The Provident Institution for Savings in the Town of Boston	1340	.15	25.00
20.	Elizabeth M. Sweeney Mtg: Medfield Cooperative Bank	440 Slope easement	.29	25.00
Pol. No.	Owner	Approximate		Award
		Sq. Ft. Taken	Tax Allowance	
21.	George Hinkley	1670 Slope easement	.30	150.00
22.	Margaret A. Miller et al	1100 Slope easement	.64	250.00
23.	Sarah C. and Panney Campbell Mtg: Medfield Cooperative Bank	2450	1.13	100.00
TOTAL				\$ 2224.00



And having heard the proprietors of lands and property, right 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 seventeenth day of July, 1962, 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 MEDFIELD 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: A. C. Kellum  
Asst. CLERK

Recorded Aug. 3, 1962 at 10h. 46m. A.M.