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

The petition of ROBERT S. CARTER and others of WEYMOUTH, 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 WEYMOUTH in said County, that common convenience and necessity require that the way known as COMMERCIAL STREET, a public way in said town, be relocated between the intersection of Madison Street to and including Jackson Square 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 Nov. 2, 1961

Board of Selectmen  
Town of Weymouth

Robert S. Carter  
George E. Lane  
Franklin Fryer

Planning Board  
Town of Weymouth

William F. White, Sec.  
Walter B. Hefferman, Chm.  
Ralph A. Larsen

Board of Public Works  
Town of Weymouth

George F. Brady  
Joseph M. Nover, Jr.  
John C. Nourse  
Allan R. McKinnon  
John E. McCaffrey  
Everett J. McIntosh

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This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the twenty-sixth day of February, 1963 by adjournment of their December meeting next preceding, a notice of said meeting having been posted as required by law: and the nineteenth day of March, 1963 and three-thirty o'clock in the afternoon at the Court House in said Dedham were appointed by said Commissioners as the time

Ref. to # 946-947-948-949-950

Case 4102 R 100

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 WEYMOUTH, 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 WEYMOUTH GAZETTE, 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 nineteenth day of March, 1963, the Commissioners Russell T. Bates, John Francis Murphy and Ainslie K. Payne (acting in place of Clayton W. Nash of Weymouth who is disqualified by reason of residence) met at the time and place specified in said order: when and where the petitioners appeared and the Town of WEYMOUTH 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 meet of said Commissioners held at the Town Hall in Weymouth on the second day of July, 1963 at three-thirty o'clock in the afternoon, when and where the Commissioners further heard the petitioners and owners of property to be taken or affected by said proceedings and thence the same 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 COMMERCIAL STREET as prayed for in said petition.

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

The easterly line begins at a stone bound on the southerly line of East Street; thence southeasterly by a curve with a radius of 86.06 ft. a distance of 111.16 ft. to a stone bound; thence S-28-21-10-E a distance of 197.26 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 39.40 ft. to a stone bound which is on the northerly line of Somerset Street; thence S-26-17-00-E a distance of 24.77 ft. to a stone bound which is on the southerly line of Somerset Street; thence southerly by a curve with a radius of 25.00 ft. a distance of 37.98 ft. to a stone bound; thence by a curve to the right with a radius of 560.00 ft. a distance of 26.42 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 41.66 ft. to a stone bound which is on the northerly line of Station Street; thence S-33-08-40-E a distance of 40.13 ft. to a stone bound which is on the southerly line of Station Street; thence southerly by a curve with a radius of 50.00 ft. a distance of 64.35 ft. to a stone bound; thence by a curve to the right with a radius of 560.00 ft. a distance of 126.35 ft. to a stone bound; thence S-00-43-50-W a distance of 95.27 ft. to a stone bound; thence by a curve to the left with a radius of 200.00 ft. a distance of 73.38 ft. to a stone bound; thence by a curve to the left with a radius of 350.00 ft. a distance of 0.78 ft. to a point; thence S-50-35-45-E a distance of 62.15 ft. to a stone bound; thence southerly by a curve with a radius of 25.00 ft. a distance of 41.98 ft. to a stone bound; thence by a curve to the left with a radius of 350.00 ft. a distance of 109.96 ft. to a stone bound; thence S-52-23-40-E a distance of 112.34 ft. to a stone bound; thence by a curve to the right with a radius of 380.00 ft. a distance of 127.06 ft. to a stone bound; thence S-33-14-10-E a distance of 31.16 ft. to a stone bound; thence by a curve to the right

with a radius of 500.00 ft. a distance of 53.21 ft. to a stone bound; thence S-27-08-20-E a distance of 121.89 ft. to a stone bound;

The westerly line begins at a stone bound on the northerly line of Madison Street; said bound being S-45-39-20-W a distance of 64.86 ft; S-36-35-40-W a distance of 66.80 ft. and S-43-36-10-W a distance of 30.14 ft. from the first bound on the easterly line as above described; thence S-26-07-40-E a distance of 54.65 ft. to a stone bound which is on the southerly line of Madison Street; thence northeasterly by a curve with a radius of 30.00 ft. a distance of 48.42 ft. to a stone bound; thence S-28-21-10-E a distance of 187.45 ft. to a stone bound; thence by a curve to the right with a radius of 500.00 ft. a distance of 253.80 ft. to a stone bound; thence S-00-43-50-W a distance of 51.64 ft. to a stone bound; thence by a curve to the right with a radius of 38.50 ft. a distance of 27.63 ft. to a stone bound which is on the northerly line of Cottage Street; thence S-12-22-10-W a distance of 95.50 ft. to a stone bound which is on the southerly line of Cottage Street; thence northeasterly by a curve with a radius of 25.00 ft. a distance of 52.07 ft. to a stone bound; thence by a curve to the left with a radius of 410.00 ft. a distance of 10.63 ft. to a stone bound; thence continuing on the same curve a distance of 229.72 ft. to a stone bound; thence S-52-23-40-E a distance of 112.34 ft. to a stone bound; thence by a curve to the right with a radius of 320.00 ft. a distance of 107.00 ft. to a stone bound; thence S-33-14-10-E a distance of 31.16 ft. to a stone bound; thence by a curve to the right with a radius of 45.00 ft. a distance of 111.30 ft. to a stone bound which is on the northerly line of Broad Street, said bound being N-77-57-00-W a distance of 62.84 ft. and N-71-31-20-W a distance of 129.64 ft. from the last bound on the easterly line as above described.

The easterly line heretofore described, in general, is 60.00 ft. easterly from and parallel to the westerly 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 and Widening of a portion of Commercial Street, Weymouth between Madison Street and Jackson Square as made by the Norfolk County Commissioners by Return dated August 20, 1963. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 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 WEYMOUTH, 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 forty (40) 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 WEYMOUTH.

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 WEYMOUTH.

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 determined 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 WEYMOUTH 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.	Dorothy A. DeYoung	300	.67	60.00
		Slope easement		
2.	John F. Dwyer	120	.30	25.00
		Slope easement		
3.	Mabel J. Young	10	.02	1.00
		Slope easement		
4.	Annie W. and Louise E. Watts	130	.29	25.00
5.	Phyllis M. Hall, Nellie M Geddes, Life Estate	470	1.56	100.00
		Slope easement		
6.	Martin T. O'Toole et ux Mtg: Weymouth Savings Bank	700	1.58	150.00
		Slope easement		
7.	Ruth M. Lang Ld. Ct. Cert. #32058, Bk. 161, P. 58	783	1.71	300.00
		Slope easement		
8.	A. Joseph E. Vachon, Trustee Ld. Ct. Cert. #63355, Bk. 317, P. 155 Mtg: The North Weymouth Cooperative Bank	404	1.29	300.00
		Slope easement		
9.	Town Weymouth	1230	2.35	-
10.	Tristanio T. and Jessie P. Mariano	1000	2.85	250.00
		Slope easement		
11.	Martha E. Maddy	240	.64	75.00
		Slope easement		
12.	Marjorie A. Loud	460	1.42	125.00
13.	Hugh F. Burgess et ux	690	1.52	150.00
		Slope easement		
14.	Alphonso Pecoraro et ux Mtg: South Weymouth Co-operative Bank	690	2.44	175.00
		Slope easement		
15.	Aileen L. Fowler Mtg: North Weymouth Co-operative Bank	290	3.87	6800.00
		Slope easement		
16.	The Congregational Church of East Weymouth Mtg: Rockland Savings Bank Mtg: South Weymouth Savings Bank	1310	4.50	500.00
		Slope easement		
17.	Agnes J. Wheeler	10	.13	1.00
18.	Joseph E. Healy et ux Mtg: Weymouth Savings Bank	220	.74	100.00
		Slope easement		
19.	William F. Crane	280	.93	150.00
		Slope easement		

<u>Pol. No.</u>	<u>Omar</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
20.	John J. Pecceraro	390	1.30	150.00
	Slope easement			
21.	Ruth B. and Olive D. Sylvester	330	1.09	100.00
	Slope easement			
22.	Joseph L. Santacroce et ux Mtg: East Weymouth Savings Bank	210	.70	50.00
	Slope easement			
23.	Benjamin and Nicholas Santacroce Mtg: East Weymouth Savings Bank	80	.24	25.00
	Slope easement			
24.	Crescent Lodge Hall Association	480	1.59	125.00
	Slope easement			
25.	Julio Venti et ux Mtg: Quincy Savings Bank	100	.26	25.00
	Slope easement			
26.	Julio Venti et ux Mtg: Quincy Savings Bank	30	.08	10.00
	Slope easement			
27.	Weymouth American Legion Corporation Ld. Ct. Cert. #9093, Bk. 46, P. 93	455	.65	100.00
	Slope easement			
28.	The Roman Catholic Archbishop of Boston	1600	2.76	400.00
	Slope easement			
29.	Dominic Ventre et ux Mtg: The North Weymouth Cooperative Bank	810	2.41	175.00
	Slope easement			
30.	The Roman Catholic Archbishop of Boston	1740	1.92	350.00
	Slope easement			
TOTAL				\$ 10,797.00



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

JOHN FRANCIS MURPHY

AINSLIE K. PAYNE ACTING

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twentieth day of August, 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 WEYMOUTH 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

JOHN FRANCIS MURPHY

AINSLIE K. PAYNE ACTING

COUNTY COMMISSIONERS

A true copy,

ATTEST: Willis A. Neal CLERK

Recorded Sept. 6, 1963 at 12h. 49m. P.M.