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COMMONWEALTH OF MASSACHUSETTS

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NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the eighteenth day of January, 1966, by adjournment of their December 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 NORWOOD 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.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST: John P. Conner CLERK

Recorded Feb.16,1966 at 3h.02m.P.M.

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 eighteenth day of January, 1966, by adjournment of their December meeting next preceding, a notice of said meeting having been posted as required by law:

The petition of ROBERT G. SMITH and others of WESTWOOD 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 WESTWOOD in said County, that common convenience and necessity require that the way known as EVERETT STREET, a public way in said town be relocated between The New York, New Haven and Hartford R. R. location and the Norwood Town Line for the purposes 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 October 22, 1965

Robert G. Smith
Richard H. Youlden
Kenneth J. Ritchie
Nancy O. Hawkins
Paul H. Doerly

30 Lakeside Drive
115 Westchester Drive, Westwood
102 Phillips Brooks Rd.
600 High Street
46 Churchill Road

refer to Plan # 154 of 1966 Pg. 220

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the sixteenth day of November, 1965, by adjournment of their September meeting, next preceding, a notice of said meeting having been posted as required by law; and the seventh day of December, 1965 and three o'clock in the afternoon at the Court House in said Dedham were appointed by the 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 WESTWOOD, 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 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 seventh day of December, 1965, the Commissioners, John Francis Murphy, James J. Collins and Russell T. Eates met at the time and place specified in said order; when and where the petitioners appeared and the Town of WESTWOOD was represented by its Selectmen; and the said Commissioners then and there 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 convenience and necessity require that said way may be relocated as prayed for in said petition.

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

And now the Commissioners, by courses and distances, metes and bounds do relocate said EVERETT STREET as prayed for in said petition.

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

The northerly line begins at a stone bound which is on the easterly line of location of the New York, New Haven and Hartford Railroad Company; thence S-75-58-30-E a distance of 423.21 ft. to a stone bound which is on the Westwood-Norwood Town Line.

The southerly line begins at a stone bound which is on the Town Line between the Towns of Westwood and Norwood; also on the easterly line of location of the New York, New Haven and Hartford Railroad Company, said bound being

S-31-31-50-W a distance of 38.87 ft. from the first bound on the northerly line as above described; thence S-84-49-46-E a distance of 193.48 ft. to a stone bound on said Town Line; thence S-77-41-10-E a distance of 243.84 ft. to a stone bound which is the last bound on the northerly 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 Widening of Everett Street, Westwood between The N. Y., N. H., & H. Railroad Location and the Norwood Town Line as made by the Norfolk County Commissioners by Return dated Jan. 18, 1966. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer" and signed by "John Francis Murphy, 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 relocation 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 WESTWOOD, 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.

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 WESTWOOD.

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 expense incident thereto, be paid by the Inhabitants of the Town of WESTWOOD.

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 in accordance with the requirements of General Laws, Chapter 79, possession becoming effective upon the recording of this Return and Order of Taking in the Norfolk Registry of Deeds.

<u>Pol. No.</u>	<u>Owner</u>	<u>Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1.	Eleanor H. Foster Ld. Ct. Cert. #58939, Bk. 295, P. 139	4025 Slope easement	9.52	1000.00
2.	Foster Bros., Inc. Ld. Ct. Cert. #58940, Bk. 295 P. 140 Mtg: Dedham Institution for Savings.	886 Slope easement	2.73	100.00
2A.	Eleanor H. Foster Ld. Ct. Cert. #58939, Bk. 295, P. 139	Slope easement -	-	1.00
2B.	John J. McCarthy et al Trustees of the Fairlane Acceptance Company Ld. Ct. Cert. 67353, Bk. 337, P. 153 Mtg: First National Bank of Boston	Slope easement -	-	1.00
Total				\$ 1102.00

/ 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 of possession for the purpose of constructing said way.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

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