

537

444

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-first day of February, 1967, 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 BROOK STREET, a public way in said Town, be relocated between Norwood Town Line and Walpole Town Line 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 Dec. 7, 1965.

Robert G. Smith	30 Lakeview Drive, Westwood
Richard H. Youlden	115 Westchester Dr. Westwood
Kenneth J. Ritchie	102 Phillips Brooks Rd, Westwood
Mason M. Taber, Jr.	1689 High Street, Westwood
Nancy O. Hawkins	600 High St., Westwood

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the sixteenth day of August, 1966, by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law; and the sixth day of September, 1966, 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 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

Amendment of 4478 P12

See pl # 214-215-1967 P1 BIC 222

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.

445

And on the sixth day of September, 1966, the Commissioners, John Francis Murphy, James J. Collins and Russell T. Bates met at the time and places 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 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 this meeting.

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

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

The northerly line begins at a stone bound which is on the Town Line between the Towns of Walpole and Westwood; thence N-78-13-10-E a distance of 306.10 ft. to a stone bound; thence N-80-35-45-E a distance of 109.63 ft. to a stone bound; thence by a curve to the right with a radius of 302.54 ft. a distance of 153.87 ft. to a stone bound; thence by a curve to the left with a radius of 40.00 ft. a distance of 64.50 ft. to a stone bound which is on the westerly line of Clearwater Drive; thence S-36-25-24-E a distance of 49.58 ft. to a stone bound which is on the easterly line of Clearwater Drive; thence southeasterly

446

by a curve with a radius of 37.21 ft. a distance of 41.89 ft. to a stone bound; thence S-47-08-57-E a distance of 38.92 ft. to a stone bound; thence S-34-06-42-E a distance of 212.50 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 167.13 ft. to a stone bound; thence N-66-33-58-E a distance of 192.68 ft. to a stone bound; thence by a curve to the left with a radius of 38.06 ft. a distance of 59.77 ft. to a stone bound which is on the westerly line of Woodridge Road; thence N-66-35-30-E a distance of 40.00 ft. to a stone bound which is on the easterly line of Woodridge Road; thence southeasterly by a curve with a radius of 42.08 ft. a distance of 65.12 ft. to a stone bound; thence N-67-55-30-E a distance of 73.98 ft. to a stone bound which is on the westerly line of Oak Street as laid out by the Norfolk County Commissioners by Return dated May 31, 1944; thence S-67-53-46-E a distance of 172.37 ft. to the Town Bound between the Towns of Westwood and Norwood.

The southerly line begins at a stone bound which is on the Town Line between the Towns of Westwood and Walpole; said bound being S-10-53-10-W a distance of 15.30 ft., S-5-14-30-E a distance of 15.98 ft; and S-11-46-50-E a distance of 30.00 ft. from the first bound on the northerly line as above described; thence easterly by a curve with a radius of 800.00 ft. a distance of 526.24 ft. to a stone bound; thence S-64-05-30-E a distance of 193.16 ft. to a stone bound; thence by a curve to the left with a radius of 860.00 ft. a distance of 316.33 ft. to a stone bound; thence S-85-10-00-E a distance of 252.92 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 88.30 ft. to a stone bound which is on the Town Line between the towns of Norwood and Westwood, said bound being S-38-03-00-W a distance of 231.72 ft. from the last bound on the northerly line as above described.

The southerly line is variable widths southerly from the northerly line as aboved 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 herebefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Brook Street, Westwood from the Walpole Town Line to the Norwood Town Line as made by the Norfolk County Commissioners by Return dated February 21, 1967. 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. 447

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 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.

The travelled part of said way shall be constructed not less than forty (40) feet in width.

448

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 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.

Pcl. No.	Owner	Approximate Sq. Ft. Taken	Tax Allowance	Award
1.	Neponset Reservoir Corporation	2740 Slope easement	.30	1.00
2.	Marion R. Hepburn Mtg: Second Federal Savings and Loan Association of Boston	2510 Slope easement	5.69	300.00
3.	Martha W. Willett et al	24790 Slope easement	6.15	1250.00
4.	Martha W. Willett et al	26650 Slope easement	70.36	1300.00
5.	Martha W. Willett et al	6870 Slope easement	18.21	200.00
6.	Willett Pond Drive	3350 Slope easement	-	1.00
7.	Martha W. Willett et al	14350 Slope easement	16.96	700.00
8.	Martha W. Willett et al	28210 Slope easement	31.21	1400.00
9.	Martha W. Willett et al	19630 Slope easement	37.29	1000.00
10.	Neponset Reservoir Corporation	9570 Slope easement	1.05	25.00
Total				\$6177.00

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

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-first day of February, 1967, 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 WESTWOOD within which the

450

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

COUNTY COMMISSIONERS

A true copy,

ATTEST: John P. Conner CLERK.

Recorded Mar. 17, 1967 at 12h.25m.P.M.

SUFFOLK FRANKLIN SAVINGS BANK, formerly Suffolk Savings Bank for Seamen and Others and successor to Franklin Savings Bank of the City of Boston, said former Banks having been merged on October 31, 1957 pursuant to Section 72 of Chapter 168 of the General Laws and the Certificate of Merger having been duly recorded and registered, holder of a mortgage from Edward Rubin and Anna Rubin to one of said merged Banks, dated August 30, 1955 and recorded with Norfolk Registry of in Book 3400 , Page 471 , Deeds, acknowledges satisfaction of the same.

Executed under seal by SUFFOLK FRANKLIN SAVINGS BANK by Charles H. Douglass, Jr. its Vice President hereunto duly authorized, this 16th day of March

SUFFOLK FRANKLIN SAVINGS BANK

by Charles H. Douglass, Jr.
Vice President



Commonwealth of Massachusetts

Suffolk, ss. March 16, 19 67 .

Then personally appeared the above-named Charles H. Douglass, Jr. and acknowledged the foregoing instrument to be the free act and deed of SUFFOLK FRANKLIN SAVINGS BANK, before me, See certificate of merger recorded in book 3599 page 515.

Charlotte M. Soutter
Charlotte M. Soutter
Notary Public

My commission expires: August 18, 1972

No. 4-11771-22
sjr

Recorded Mar. 17, 1967 at 12h.25m.P.M.