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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 twenty-eighth day of March, 1967 by adjournment of their December meeting, next preceding; a notice of said meeting having been posted as required by law:

The petition of JOSEPH L. MARCIONETTE and others of MEDFIELD in said County represents as follows:

Commonwealth of Massachusetts

Norfolk, ss.

To then 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 PHILLIP STREET, a public way in said town, be relocated between South Street and Elm Street for the purpose of establishing the boundary lines of said way, making alteration 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. 15, 1955

Joseph L. Marcionette
Joseph A. Roberts
Herbert B. Burr
Charles C. Cain
Roger E. Hardy
Claire H. Smith
Everett J. Wills

Philip Street, Medfield
15 Miller Street, Medfield
4 Summer Street, Medfield
13 Pleasant Street, Medfield
Nobo Street, Medfield
North Street, Medfield
Pound Street, Medfield

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the third day of April, 1956; and the twenty-fourth day of April, 1956 and three-thirty 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 MEDFIELD, being the town within which such relocation of way was prayed for, fifteen days at least before the time ap-

Refer to pl # 358-365-1967 pl. B.K. 222

pointed 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 twenty-fourth day of April, 1956, 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 objected; and thereupon the said Commissioners did adjudge that common 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 a meeting of the Commissioners held at Dedham, on the fourteenth day of November, 1961, by adjournment of their September meeting, when and where upon the adjudication aforesaid the Commissioners appointed the fifth day of December, 1961, and three 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 they might be authorized to do.

And thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham, on the twenty-third day of August, 1966, by adjournment of their June meeting next preceding; when and where upon the adjudication aforesaid, the Commissioners appointed the twentieth day of September, 1966, 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 they might be authorized to do.

And having given notice of such adjudication and of the time and places 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 Commissioners met at the time and places appointed and then heard all persons and corporations interested and said hearings were continued and adjourned from time to time to this meeting.

And now the Commissioners, John Francis Murphy, James J. Collins and Russell T. Bates, by courses and distances, metes and bounds, do relocate said PHILIP STREET as prayed for in said petition.

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

The northerly line begins at a stone bound on the easterly line of South Street, thence southeasterly by a curve with a radius of 97.92 ft. a distance of 106.38 ft. to a stone bound; thence N-74-10-10-E a distance of 186.19 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 122.79 ft. to a stone bound; thence N-65-22-30-E a distance of 73.87 ft. to a stone bound; thence by a curve to the right with a radius of 760.00 ft. a distance of 350.29 ft. to a stone bound; thence S-88-13-00-E a distance of 557.36 ft. to a stone bound; thence S-49-53-30-E a distance of 241.91 ft. to a stone bound; thence S-62-11-40-E a distance of 271.15 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 175.20 ft. to a stone bound; thence S-50-31-20-E a distance of 111.07 ft. to a stone bound; thence by a curve to the left with a radius of 400.00 ft. a distance of 261.75 ft. to a stone bound; thence by a curve to the left with a radius of 600.00 ft. a distance of 168.73 ft. to a stone bound; thence N-75-52-20-E a distance of 558.41 ft. to a stone bound; thence by a curve to the left with a radius of 1200.00 ft. a distance of 98.60 ft. to a stone bound; thence by a curve

to the left with a radius of 39.50 ft. a distance of 59.27 ft. to a stone bound which is on the westerly line of Fairview Road; thence N-58-55-00-E a distance of 41.67 ft. to a concrete bound which is on the easterly line of Fairview Road; thence southeasterly by a curve with a radius of 37.17 ft. a distance of 64.18 ft. to a stone bound; thence N-66-16-00-E a distance of 486.82 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 201.44 ft. to a stone bound; thence by a curve to the left with a radius of 240.00 ft. a distance of 138.04 ft. to a stone bound which is on the westerly side of Foundry Street; thence S-68-13-50-E a distance of 60.00 ft. to a stone bound which is on the easterly side of Foundry Street; thence southwesterly by a curve with a radius of 300.00 ft. a distance of 172.55 ft. to a stone bound; thence by a curve to the right with a radius of 1060.00 ft. a distance of 213.53 ft. to a stone bound; thence S-66-16-00-W a distance of 78.65 ft. to a stone bound; thence by a curve to the left with a radius of 30.00 ft. a distance of 65.18 ft. to a stone bound; thence S-58-13-10-E a distance of 825.83 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 213.56 ft. to a stone bound; thence N-67-07-40-E a distance of 44.57 ft. to a stone bound; thence S-22-52-20-E a distance of 159.85 ft. to a stone bound; thence southeasterly by a curve with a radius of 860.00 ft. a distance of 152.12 ft. to a stone bound; thence S-22-47-00-E a distance of 650.00 ft. to a stone bound; thence continuing on the same course a distance of 734.77 ft. to a stone bound; thence by a curve to the left with a radius of 60.00 ft. a distance of 69.13 ft. to a stone bound which is on the northerly line of Elm Street.

The southerly line begins at a stone bound on the easterly line of South Street, said bound being S-43-35-00-E a distance of 59.12 ft, S-47-35-40-E a distance of 70.57 ft and S-36-22-40-E a distance of 43.28 ft. from the first bound on the

northerly as above described; thence northeasterly by a curve with a radius of 30.00 ft. a distance of 57.88 ft. to a stone bound; thence N-74-10-10-E a distance of 164.88 ft. to a stone bound; thence by a curve to the left with a radius of 860.00 ft. a distance of 132.00 ft. to a stone bound; thence N-65-22-30-E a distance of 73.87 ft. to a stone bound; thence by a curve to the right with a radius of 700.00 ft. a distance of 322.64 ft. to a stone bound; thence S-88-13-00-E a distance of 287.36 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 272.50 ft. to a stone bound; thence S-62-11-40-E a distance of 460.57 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 162.97 ft. to a stone bound; thence S-50-31-20-E a distance of 145.89 ft. to a stone bound; thence by a curve to the right with a radius of 41.76 ft. a distance of 55.23 ft. to a stone bound which is on the westerly line of Cross Street; thence S-44-42-40-E a distance of 42.58 ft. to a stone bound which is on the easterly line of Cross Street; thence northeasterly by a curve with a radius of 51.37 ft. a distance of 76.31 ft. to a stone bound; thence by a curve to the left with a radius of 460.00 ft. a distance of 147.54 ft. to a stone bound; thence by a curve to the left with a radius of 660.00 ft. a distance of 185.60 ft. to a stone bound; thence N-75-52-20-E a distance of 558.41 ft. to a stone bound; thence by a curve to the left with a radius of 1260.00 ft. a distance of 211.24 ft. to a stone bound; thence N-66-16-00-E a distance of 138.48 ft. to a stone bound; thence by a curve to the right with a radius of 300.00 ft. a distance of 290.67 ft. to a stone bound; thence S-58-13-10-E a distance of 766.17 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 494.78 ft. to a stone bound; thence S-22-47-00-E a distance of 650.00 ft. to a stone bound; thence continuing on the same course a distance of 680.15 ft. to a stone bound; thence by a curve to the right with a radius of 50.00 ft. a distance of 97.15 ft. to a stone bound which is on the northerly line of Elm Street; said bound being S-88-47-40-W

a distance of 51.05 ft, S-84-46-20-W a distance of 51.35 ft. and S-88-32-50-W a distance of 73.20 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general is 60.00 ft. southerly from and parallel to the northerly 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 Philip Street, Medfield between South Street and Elm Street, as made by the Norfolk County Commissioners by Return dated March 28, 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.

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 the said Commissioners order that that portion of Philip Street between Foundry Street and Station 47 + 63.40 is not to be discontinued until such time as the new location between Station 35+ 00 and Station 50 + 00 is constructed to their satisfaction.

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 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 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 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 expense 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 proceed^{ings}, 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 benefit, 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>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1.	Helmut Friend et ux	300 Slope easement	1.07	25.00
2.	Michael Ray et ux Mtg: The Boston Five Cents Savings Bank Mtg: Auburn Finance Corp.	2100 Slope easement	6.60	200.00
3.	Frank W. Mead et ux Mtg: Dedham Institution for Savings	1470 Slope easement	4.93	150.00
4.	Town of Medfield	1900 Slope easement	-	-
5.	Town of Medfield	5780 Slope easement	-	-
6.	Ernest A. Petrie et ux	1560 Slope easement	2.77	150.00
6A.	Ernest A. Petrie et ux	970 Slope easement	.67	50.00
7.	Howard A. Powers Mtg: West Newton Savings Bank	540 Slope easement	1.18	25.00
8.	Town of Medfield	260 Slope easement	-	-
8A.	Robert L. Milk Mtg: First Federal Savings and Loan Association of Boston	- Slope easement	-	1.00
9.	Frank N. Duest et ux Mtg: Needham Cooperative Bank	6680 Slope easement	4.45	600.00
10.	Howard N. Kane et ux Mtg: Dedham Institution for Savings	4370 Slope easement	5.52	400.00
11.	Frederick Anderson et ux	2170 Slope easement	4.28	200.00
12.	Wilfred H. Wills et ux Mtg: Needham Cooperative Bank	680 Slope easement	1.76	50.00
13.	Arthur E. Wills et ux	220 Slope easement	.13	1.00
14.	Arthur E. Wills et ux	410 Slope easement	.24	1.00
15.	Arthur E. Wills et ux	70 Slope easement	.04	1.00
16.	Arthur E. Wills et ux	120 Slope easement	.07	1.00
16-A.	Arthur E. Wills et ux	- Slope easement	-	1.00

<u>Pcl. No.</u>	<u>Owner</u>	<u>Taken Sq.Ft.</u>	<u>Tax Al- lowance</u>	<u>Award</u>
16B.	Arthur E. Wills	Slope easement	-	1.00
17.	Charles Kenny et ux Mtg: Warren Institution for Savings	5630.	2.49	308.00
18.	Ewan Cebrowski et ux Mtg: The Needham Cooperative Bank	37800 Slope easement	53.06	1500.00
19.	Charles Kenny et ux Mtg: Warren Institution for Savings	40200 Slope easement	9.83	800.00
20.	Charles Kenny et ux Mtg: Warren Institution for Savings	4400 Slope easement	1.08	50.00
21.	Richard N. Pigeon et ux	15260 Slope easement	10.17	300.00
22.	Antone J. Ortins et ux	4600 Slope easement	2.95	150.00
23.	Valentine W. Balutis et ux	10730 Slope easement	3.77	200.00
24.	Wilbur F. Stern et ux	4000. Slope easement	1.12	50.00
25.	Antone J. Ortins et ux	13600 Slope easement	3.82	200.00
26.	Josephine Williams	10200 Slope easement	10.74	500.00
27.	Josephine Williams	6370 Slope easement	6.71	350.00
28.	LeBaron C. Colt Jr. et ux Mtg: Charlestown Savings Bank	10750 Slope easement	6.48	1000.00
29.	Bernard P. Soward et ux Mtg: The Needham Cooperative Bank	10100 Slope easement	7.97	1000.00
30.	Ewen Cebrowski	7700 Slope easement	6.18	500.00
31.	Frederick H. Loader et ux Mtg: Dedham Institution for Savings	780 Slope easement	3.27	150.00
32.	Julie E. Tibbetts Mtg: The Needham Cooperative Bank Mtg: Mario Onorato et al	2750 Slope easement	8.71	350.00
33.	Joseph W. Limric et ux Mtg: Dedham Institution for Savings	530 Slope easement	1.30	1.00

<u>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
				189
34.	George Kessler Mtg: Union Savings Bank of Boston	2580 Slope easement	10.70	400.00
35.	Stanley C. Fisher et ux	2790 Slope easement	.88	25.00
36.	Donald L. Phipps et ux Mtg: Waltham Savings Bank	8400 Slope easement	21.48	800.00
37.	Stanley C. Fisher et ux	12800 Slope easement	4.06	700.00
38.	Stanley C. Fisher et ux	50 Slope easement	.02	1.00
39.	Donald P. Hann et ux Mtg: The Needham Cooperative Bank Mtg: Kane Financial Corpora- tion	1580 Slope easement	1.43	200.00
40.	John W. Hagman et ux	1750 Slope easement	5.89	200.00
41.	Richard W. Havens et ux Mtg: Benjamin Franklin Savings Bank	2330 Slope easement	8.34	250.00
				\$ 11834.00

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 purposes of constructing said way.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-eighth day of March, 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 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.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST John P. Coakley CLERK

Recorded Apr. 17, 1967 at 3h.06m.P.M.