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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 June, 1966, a notice of said meeting having been posted as required by law:

The petition of the BOARD OF SELECTMEN of the Town of WEYMOUTH in said County, represents as follows:

Commonwealth of Massachusetts

Norfolk, ss.

To the Honorable the County Commissioners of the County of Norfolk:

Under the provisions of Chapter 159, Section 59, of the General Laws, as amended, the Board of Selectmen deem it necessary for the security and convenience of the public that an alteration should be made in connection with the crossing of Narragansett Avenue and Piedmont Street, Weymouth, and its approaches with the New York, New Haven and Hartford Railroad Company (Old Colony Branch) and herewith respectfully petition your Board to prescribe the manner and limits within which said alteration shall be made in accordance with the above mentioned statute.

FRANCIS L. KELLY
HERBERT A. CHUBBUCK
RALPH J. AMABLE, JR.
FRANKLIN FRYER
GEORGE E. LANE

BOARD OF SELECTMEN OF THE
TOWN OF WEYMOUTH

March 3, 1965

At a meeting of the County Commissioners held on April 27, 1965 it was voted to amend this petition to be considered under the provisions of General Laws, Chapter 160, Section 104.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-third day of March, 1965 by adjournment of their December meeting next preceding, a notice of said meeting having been posted as required by law: and the twenty-seventh day of April, 1965 and three o'clock in the afternoon at the Court House in said 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 Weymouth,

See p. 799-1966 P. 18K-221

being the town within which such alteration of crossing was prayed for and upon Richard J. Smith, William J. Kirk and Harry W. Dorigan, Trustees of the property of the New York, New Haven and Hartford Railroad Company 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 twenty-seventh day of April, 1963, the Commissioners, John Francis Murphy, James J. Collins and Russell to Bates met at the time and place specified in said order, when and where the petitioners appeared and the Town of Weymouth was represented by Arthur Bilodeau, Director of Public Works, Frank McDonough, Chairman of the Board of Public Works and Frank S. Lagrotteria, Town Engineer, and the New York, New Haven and Hartford Railroad Company was represented by Mr. Walsh, their attorney; and the Commissioners voted to amend the petition to be considered under the provisions of General Laws, Chapter 160, Section 104 by agreement of both parties concerned; and the said Commissioners heard all persons and corporations interested; and no party interested objected; and thereupon the said Commissioners did decide that the crossing as prayed for in said petition is necessary.

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

And the County Commissioners do hereby proceed on approval of Robert P. Anderson, United States Circuit Judge, sitting by designation in the United States District Court for the District of Connecticut, modifying the injunctive provisions of paragraph 8 of Order No. 1, dated November 30, 1964 and on file with the County Commissioners.

And now the Commissioners, in accordance with the provisions of General Laws, Chapter 160, Section 104, do decide that said crossing be laid out as prayed for in said petition, and do prescribe the manner and limits within which such alteration shall be made.

The easterly line begins at a stone bound which is on the northerly line of location of the New York, New Haven and Hartford Railroad Company; thence S-24-31-20-E a distance of 128.03 ft. to a stone bound which is on the southerly line of location of the New York, New Haven and Hartford Railroad Company.

The westerly line begins at a stone bound which is on the northerly line of location of the New York, New Haven and Hartford Railroad Company, said bound being S-51-39-30-W a distance of 61.79 ft. from the first bound on the easterly line as above described; thence S-24-31-20-E a distance of 124.51 ft. to a stone bound which is on the southerly line of location of the New York, New Haven and Hartford Railroad Company, said bound being S-54-51-50-W a distance of 61.04 ft. from the last bound on the easterly line as above described.

And the said Commissioners do hereby take for the purposes of a highway all the easements and rights incident to a public highway in the lands included within the lines of layout hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile of the Layout of Narragansett Avenue and Piedmont Street, Weymouth across the New York, New Haven and Hartford Railroad as made by the Norfolk County Commissioners by Decision dated June 28, 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 Decision in accordance with the provisions of Chapter 79 of the General Laws and all acts and amendments thereof and in addition thereto.

And permanent stone bounds will be erected at the termini and angles of said way laid out as aforesaid.

And it is determined by the Commissioners that a new bridge shall be constructed on Narragansett Avenue and Piedmont Street over the tracks of the New York, New Haven and Hartford Railroad Company, said bridge shall be a beam type bridge with a Bituminous concrete deck; the roadway shall be constructed thirty (30) feet wide with granite curb; and a five (5) foot concrete sidewalk on the easterly side and a three (3) foot concrete sidewalk on the westerly side; the span over the railroad tracks shall have a minimum horizontal clearance between each abutment, this clearance from the center line of the nearest track to each abutment shall not be less than twelve (12) feet; the span over the railroad tracks shall have a minimum vertical clearance above the top of the highest rail, this clearance to be not less than eighteen (18) feet, six (6) inches; said bridge shall be built in accordance with plans made by Metcalf & Eddy, Engineers, Boston, Massachusetts, on file with the County Commissioners.

And it is further determined by the Commissioners that the approaches on Narragansett Avenue and Piedmont Street to said bridge shall be constructed between Commercial Street and Biscayne Avenue, said approaches to have a roadway of bituminous concrete with a width of not less than thirty (30) feet, with granite curb, three (3) foot grass plots and not less than five (5) foot bituminous sidewalks on either side; highway guard rail shall be erected at all steep and dangerous locations, suitable drainage shall be installed wherever necessary for proper drainage.

And it is further determined by the Commissioners that the grade of the base of the rail and the location of the railroad tracks shall remain unchanged as at present; that all signals and other appliances for the safer operation of the railroad shall be changed to conform to the requirements of the Department of Public Utilities for the protection of the public.

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.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	
1.	Trustees of the properties of the New York, New Haven and Hartford Railroad Company Atg: The Chase Manhattan Bank & Manufacturers Trust Company	7576	No award

JOHN FRANCIS MURPHY

JAMES J. COLLINS

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held on the twenty-eighth day of June, 1966, a notice of said meeting having been posted as required by law:

ORDERED, that the foregoing Decision be filed, accepted and recorded, and that an attested copy thereof be transmitted to the Clerk of the Town of Weymouth, the Department of Public Utilities and the New York, New Haven and Hartford Railroad Company.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST John P. Conner
Clerk

July 19, 1966

To the Register of Deeds for Norfolk County:

The attachment of the real estate of Frederick G. Telabach at and as more fully described in Book 4353, Page 225, 47 Water Street, South Walpole, alleged to have been made on June 15, 1966, in an action commenced in the Municipal Court of the City of Boston by Morrell Builders' Supply Co., Inc., recorded in Book 4358, Page 749, is hereby discharged; however, all other attachments made on said date and recorded in said Book 4358, Page 749, are to remain in effect.

Max L. Rubin
Max L. Rubin, Attorney for
Morrell Builders' Supply Co., Inc.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

July 19, 1966

Personally appeared Max L. Rubin and acknowledged the foregoing instrument to be his free act and deed, before me

Norman Ostroff
Norman Ostroff - Notary Public
My commission expires

My Commission Expires August 2, 1969



Recorded July 22, 1966 at 9h.52m.A.M.

