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COMMONWEALTH OF MASSACHUSETTS

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Norfolk, ss.

December
November 17, 1968.

Then personally appeared the above-named H. EVELYN BRESINSKI, and acknowledged execution of the foregoing instrument to be her free act and deed, before me

Carl M. Sopus
Notary Public

Recorded Feb. 5, 1969 at 9h.46m.A.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 fourteenth day of January, 1969, by adjournment of their December meeting, next preceding: a notice of said meeting having been posted as required by law:

The petition of GEORGE L. WOODS JR. and others of FRANKLIN 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 FRANKLIN in said County, that common convenience and necessity require that the way known as FORGE HILL ROAD, a public way in said town, be relocated between Grove Street and about 1500 feet southwesterly 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 March 28, 1967

George L. Woods, Jr., Selectman
Vincent J. DeBaggis, Selectman
John J. McCahill, Selectman
Norman C. Ristaino, P.B.
Paul M. DeBaggis, P.B.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the fourth day of April 1967, by adjournment of their December meeting next preceding: a notice of said meeting having been posted as required by law: and the ninth day of May 1967 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 Franklin, being the town within which such relocation of way was prayed for, fifteen days

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See RI# 95 + 96 of 1969 RI Rule 225

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 FRANKLIN SENTINEL, 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 ninth day of May, 1967, the Commissioners, John Francis Murphy, James J. Collins and Russell T. Bates met at the time and place specified in said order, when and where the petitioners appeared and the Town of FRANKLIN 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 meeting of the Commissioners held at Dedham, on the fifth day of March, 1968, by adjournment of their December meeting, when and where upon the adjudication aforesaid the Commissioners appointed the twenty-sixth day of March 1968, and two forty-five o'clock in the afternoon at the Court House in DEDHAM 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.

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And now the Commissioners, James J. Collins, Thomas K. McManus and George B. McDonald, by courses and distances, metes and bounds, do relocate said FORGE HILL ROAD as prayed for in said petition.

And the lines of said relocation of said FORGE HILL ROAD are as follows:

The northwesterly line begins at a stone bound on the northwesterly side of Forge Hill Road, said bound being S-81-33-10-W a distance of 131.5 ft. from the southwesterly corner of house now or formerly of Ferne H. Lee; thence N-26-18-10-E a distance of 398.45 ft. to a stone bound; thence N-22-56-40-E a distance of 272.99 ft. to a stone bound; thence by a curve to the right with a radius of 850.00 ft. a distance of 147.36 ft. to a stone bound; thence N-32-52-40-E a distance of 156.45 ft. to a stone bound; thence by a curve to the left with a radius of 316.60 ft. a distance of 163.90 ft. to a stone bound which is on the westerly side of the old way; thence N-74-01-10-E a distance of 34.94 ft. to a stone bound which is on the easterly side of said old way; thence southerly and easterly by a curve with a radius of 31.18 ft. a distance of 71.82 ft. to a stone bound; thence by a curve to the right with a radius of 750.00 ft. a distance of 176.93 ft. to a stone bound; thence N-64-45-30-E a distance of 111.30 ft. to a stone bound; thence by a curve to the left with a radius of 29.99 ft. a distance of 44.91 ft. to a stone bound which is on the westerly line of Grove Street as laid out by the Norfolk County Commissioners by return dated October 8, 1957.

The southeasterly line begins at a concrete bound on the southeasterly line of Forge Hill Road, said bound being S-63-41-50-E a distance of 50.00 ft, from the first bound on the northwesterly line as above described; thence N-26-18-10-E a distance of 399.92 ft. to a concrete bound; thence N-22-56-40-E a distance of 274.46 ft. to a concrete bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 138.70 ft. to a stone bound; thence N-32-52-40-E a distance of 108.77 ft. to

a stone bound; thence by a curve to the right with a radius of 700.00 ft. a distance of 389.49 ft. to a stone bound; thence N-64-45-30-E a distance of 98.61 ft. to a stone bound; thence by a curve to the right with a radius of 40.48 ft. a distance of 62.10 ft. to a stone bound which is on the westerly line of Grove Street as laid out by the Norfolk County Commissioners by return dated October 8, 1957, said bound being a distance of 116.86 ft. on a curve with a radius of 1060.00 ft. from the last bound on the northwesterly line as above described.

The southeasterly line heretofore described, in general, is 50.00 ft. southeasterly from and parallel to the northwesterly line.

The northwesterly line of Forge Hill Road is established contingent to the transfer of Parcel 3 from the Commonwealth of Massachusetts (Department of Conservation) in accordance with provisions of G.L. Chapter 30 Section 44-a.

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, except Parcel 3 as mentioned above, 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 Forge Hill Road, Franklin from Grove Street southwesterly to station 14 + 96.78 as made by the Norfolk County Commissioners by Return dated January 14, 1969. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Charles C. Cain, County Engineer" and signed by "James J. Collins, 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

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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 FRANKLIN, 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 thirty (30) 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 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 FRANKLIN.

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 FRANKLIN.

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>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1.	Robert A. Fairbairn, Norman T. Byrnes and David E. Place, Trustees of Forge Management Trust Ld. Ct. Cert. #76976 Book 385 Page 176	18,600 Slope Easement	.41	\$100.00
2.	Alice H. Turcotte	1,200 Slope Easement	1.70	35.00
3.	Commonwealth of Massachusetts (Dept. of Conservation)	1,500 Slope Easement		None
4.	Lloyd K. and Shirley A. Turcotte	19,500 Slope Easement	7.27	1,100.00
5.	Lloyd K. and Shirley A. Turcotte Mtg: Dean Cooperative Bank	10 Slope Easement		None
6.	Max Garelick, Inc. Mtg: Benjamin Franklin Savings Bank	70 Slope Easement	.08	6.00
8.	Alice H. Turcotte	120	.17	30.00
			<u>\$ 9.63</u>	<u>\$1,271.00</u>

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.

JAMES J. COLLINS

THOMAS K. MC MANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the fourteenth day of January, 1969, 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 FRANKLIN, 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.

JAMES J. COLLINS

THOMAS K. MC MANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true copy

Attest: J. P. [Signature]
Clerk

Recorded Feb. 5, 1969 at 10h.07m.A.M.