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and acknowledged the foregoing instrument to be their free act and deed before me.



Notary Public - Justice of the Peace
My commission expires OCTOBER 8, 1971

Recorded June 6, 1969 at 9h.13m.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 twentieth day of May, 1969, by adjournment of their April meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of James F. Hennessey and others of Foxborough, 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 Foxborough in said County, that common convenience and necessity require that the way known as Oak Street, a public way in said town, be relocated between Station 38 and Station 67 (as laid out by the Norfolk County Commissioners by Return dated November 18, 1952) for the purpose of re-establishing the grade and acquiring slope easements.

Wherefore your petitioners pray that said way may be relocated within the limits above specified.

Dated February 18, 1969

Planning Board

William H. Burt
Harold D. Tallman
Thomas B. Murphy

Board of Selectmen

James F. Hennessey
Edward C. Fox
N. Carl Annon

Building Inspector

Witmore I. Turner

Highway Sup't.

Louis A. Truax

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the fifteenth day of April 1969, at their April meeting: a notice of said Meeting having been posted as required by law: and the thirteenth day of May, 1969 and two-thirty o'clock in the afternoon at the Court House in said Dedham were appointed

See RR # 419 below 421 of 1969 R136 725

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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 Foxborough, 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 and of said petition and order of notice to be posted in two public places in said town: and to be published in the Foxborough Reporter, a newspaper published in said Foxborough, said posting and publication having been seven days at least before the time and place 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 thirteenth day of May, 1969 the Commissioners, James J. Collins, Thomas K. McManus and George B. McDonald, met at the time and place specified in said order; when and where the petitioners appeared and the Town of Foxborough 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 the said way be relocated as prayed for in said petition.

And now the said Commissioners do re-establish the grade and limits of slope as prayed for in said petition. The limits of slope, in general, are established on a basis of four feet horizontally to one foot vertically where the variation of grade is less than three feet and two feet horizontally to one foot vertically where the variation of grade is over three feet.

And the said Commissioners do hereby take for highway purposes temporary easements, in addition to the easements taken in 1952, in lands adjoining the location of said way as laid out by the Norfolk County Commissioners by return dated November 18,

1952 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, all as shown upon a plan entitled "Plan and Profile showing the Relocation of Oak Street, Foxborough, between Station 38 and Station 67 as made by the Norfolk County Commissioners by return dated May 20, 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.

All of said easements are to be in effect only until said way is constructed to the full width of the layout and a certificate to that effect has been duly filed by the County Commissioners with their official records.

And it is determined by the Commissioners, that the Inhabitants of the Town of FOXBOROUGH do within two 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.

And it is determined by the Commissioners that all the expense of making the relocation of way as prescribed in this Return and Order including the expenses of constructing said way, and all land and other damages and expenses incident thereto be paid by the Inhabitants of the Town of Foxborough.

And the said 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 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

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to said parties respectively in the sums hereafter named in accordance with the requirements of the General Laws, Chapter 79, possession becoming effective upon the recording of this Return and Order of Taking in the Norfolk County Registry of Deeds.

<u>Pcl. No.</u>		<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Roy O. Greep Mtg: Ephraim M. Miller	Slope Easement	-	None
2	Roy O. Greep Mtg: First Federal Savings & Loan Assoc. of Boston	Slope Easement	-	None
3	Katharine W. Bieler	Slope Easement	-	\$50.00
4	William J. & Janet A. Regan Mtg: The Provident Inst. for Savings in the Town of Boston	Slope Easement	-	None
5	Ralph D. & Geraldine Brady Mtg: Suffolk Franklin Savings Bank Mtg: Daniel J. & Ruth M. Brady	Slope Easement	-	None
6	Charles E. Englert & Gilmore G. Gessner, Trustees of The Engess Realty Trust Mtg: Taunton Co-operative Bank	Slope Easement	-	None
7	Ernest W. & Dorothy M. Sutherland Mtg: Natick Federal Savings & Loan Association	Slope Easement	-	None
8	Eli L. & Audrey V. Gaumont Mtg: Natick Federal Savings & Loan Association	Slope Easement	-	75.00
9	Francis J. & Christine R. Dullea Mtg: Boston Federal Savings & Loan Association	Slope Easement	-	None
10	Peter M. & Lynne M. Martin Mtg: Home Owners Federal Savings & Loan Association	Slope Easement	-	None
11	Alexander J. & Irene M. MacLeod	Slope Easement	-	None
12	Harold E. & Helen M. Spellman Mtg: Codman Co-operative Bank	Slope Easement	-	None
13	Catherine L. Barbrick Mtg: Natick Federal Savings & Loan Association	Slope Easement	-	None

Pcl. No.		Approx. Sq.Ft. Taken	Tax Al- lowance	Award	5. 349
13A	Irving F. & Evelyn L. Press Mtg: Natick Federal Savings & Loan Association Mtg: Residential Mortgage Corporation	Slope Easement	-	None	
14	Anthony A. & Eleanor L. Perry Mtg: Natick Federal Savings & Loan Association	Slope Easement	-	None	
15	Benjamin A. & Salvatore B. Simeone Trustees of S.B.J. Realty Trust	Slope Easement	-	None	
16	Richard H. Nielsen et al	Slope Easement	-	None	
17	Marie Y. Breen Mtg: Foxborough Savings Bank	Slope Easement	-	None	
18	Charles A. & Burnice M. Hatfield Mtg: The Brookline Savings Bank	Slope Easement	-	None	
19	Sunset Valley, Inc. Town of Foxborough Tax Taking Mtg: Alfonso Cannata	Slope Easement	-	None	
20	Gerard W. & Joan I. Roque Mtg: Union Savings Bank of Boston	Slope Easement	-	None	
21	Arthur A. & Nancy R. Levesque Mtg: Union Savings Bank of Boston	Slope Easement	-	None	
22	Howard P. & Marie L. Gould Mtg: Worcester County Inst. for Savings	Slope Easement	-	None	
23	William J. DiCicco Mtg: Norfolk County Trust Co.	Slope Easement	-	None	
24	Robert E. & Janet M. Gauthier Mtg: Bay State Federal Savings & Loan Assoc. Mtg: Prudall Associates, Inc. Mtg: Avco Delta Mortgage Corporation	Slope Easement	-	None	
25	Albert H., Jr. & Barbara F. Mooney Mtg: Brookline Federal Savings & Loan Assoc.	Slope Easement	-	None	
26	Stanley & Carolyn J. Tomershea Mtg: Bay State Federal Savings & Loan Assoc. Att: Carolyn J. Tomershea	Slope Easement	-	None	
					- \$125.00

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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 two months from the date of possession for the purpose of constructing said way.

JAMES J. COLLINS

THOMAS K. MC MANUS

GEORGE B. MC DONALD

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, May 20, 1969, by adjournment of their April 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 FOXBOROUGH, within the limits of which said highway described therein lies, that the same may be recorded by said Clerk, within ten days, in the book or records kept in said town for that purpose.

JAMES J. COLLINS

THOMAS K. MC MANUS

GEORGE B. MC DONALD

COUNTY COMMISSIONERS

A true copy, ATTEST: *John P. Casanova* Clerk

Recorded June 6, 1969 at 9h.27m.A.M.