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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 third day of November, 1970, by adjournment of their September meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of EDWARD A. BOREK and others of MEDWAY, 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 MEDWAY in said County, that common convenience and necessity require that the way known as LOVERING STREET, a public way in said town, be relocated between Winthrop Street and Maple Street (as laid out by the Norfolk County Commissioners by Return dated July 12, 1955) 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 August 10, 1970

Edward A. Borek
Richard J. O'Leary
Abraham T. Handverger
George F. Archer
Allan G. Osborne

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the eighteenth day of August, 1970, 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 October, 1970 and two-thirty 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

See RA# 897 thru 901 of 1970 RA Bks 227

order of notice thereon to be served upon the Clerk of the Town of Medway, 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 FRANKLIN SENTINEL, a newspaper published in said County, 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 sixth day of October, 1970 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 MEDWAY 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 thence on the thirteenth day of October, 1970, by adjournment of their September meeting next preceding: 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 1955, in lands adjoining the location of said way as laid out by the Norfolk County Commissioners by return dated July 12, 1955

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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 Lovering Street, Medway, between Winthrop Street and Maple Street, as made by the Norfolk County Commissioners by Return dated November 3, 1970. 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 MEDWAY 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 MEDWAY.

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

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 | Stetson C. and Jean C. Winkfield Mtg: Medway Co-operative Bank | Slope Easement | - | None |
| 2 | Robert E. and Mildred E. Ball Mtg: Workingmens Co-operative Bank | Slope Easement | - | None |
| 3 | David A. and Wilma J. Newton Mtg: Natick Five Cents Savings Bank | Slope Easement | - | None |
| 4 | Robert L. and Jean M. Nolan Mtg: Workingmens Co-operative Bank | Slope Easement | - | None |
| 5 | Donald F. Lloy and Donald Lloy, Trustees of L.L. Trust Mtg: Natick Five Cents Savings Bank Att: Rita M. Lloy | Slope Easement | - | None |
| 6 | Daniel Mahoney, Inc. Mtg: First National Bank of Natick | Slope Easement | - | None |
| 7 | Charles E. and Maureen V. Moppett Mtg: Milford Savings Bank | Slope Easement | - | None |
| 8 | Paul R. and Lenore B. Wilson Mtg: Medway Co-operative Bank | Slope Easement | - | None |
| 9 | Jessie S. Wilson | Slope Easement | - | None |
| 10 | Paul R. and Lenore B. Wilson Mtg: Medway Co-operative Bank | Slope Easement | - | None |

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| <u>Pcl. No.</u> | | <u>Approx. Sq.Ft. Taken</u> | <u>Tax Allowance</u> | <u>Award</u> |
|-----------------|--|-----------------------------|----------------------|--------------|
| 11 | Medway Housing Authority | Slope Easement | - | None |
| 11A | Ford and Hilda Jewer Mtg: Natick Five Cents Savings Bank | Slope Easement | - | None |
| 12 | Robert F. and Mary N. Anderson Mtg: William J. and Agnes Hildebrand | Slope Easement | - | None |
| 13 | Vincent and Ruth Intelisano Mtg: The Norwood Cooperative Bank | Slope Easement | - | None |
| 14 | Raymond J. and Helen E. O'Donnell Mtg: Workingmens Co-operative Bank | Slope Easement | - | None |
| 15 | William B. and Regina M. Kohlhepp Mtg: Home Savings Bank | Slope Easement | - | None |
| 16 | David, Jr. and Marcia E. Busby Mtg: Home Owner Federal Savings and Loan Association | Slope Easement | - | None |
| 17 | Joanne M. Taylor | Slope Easement | - | None |
| 18 | Louis S. and Sandra J. Tanczer Mtg: Workingmens Co-operative Bank | Slope Easement | - | None |
| 19 | Paul R. and Lenore B. Wilson Mtg: Medway Co-operative Bank | Slope Easement | - | None |
| 20 | John D. and Mary M. Coleman Mtg: Workingmens Co-operative Bank | Slope Easement | - | None |
| 21 | Charles S. and Mary Ellen Love Mtg: The Provident Institution for Savings in the Town of Boston | Slope Easement | - | None |

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| <u>Pcl. No.</u> | | <u>Approx. Sq.Ft. Taken</u> | <u>Tax Allowance</u> | <u>Award</u> |
|-----------------|---|-----------------------------|----------------------|--------------|
| 22 | Beverly J. Jones Mtg: Workingmens Co-operative Bank | Slope Easement | - | None |
| 23 | Edward M. and Elizabeth M. Korona Mtg: Workingmens Co-operative Bank | Slope Easement | - | None |

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. McMANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true copy. Attest: *John B. Baker* Clerk

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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

At a meeting of the County Commissioners held at Dedham, on Tuesday, November 3, 1970, by adjournment of their September 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 MEDWAY, 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. McMANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true copy. Attest: *John B. Baker* Clerk

Recorded Nov. 23, 1970 at 11h.57m.A.M.