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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 seventeenth 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 JOSEPH A. ROBERTS and others of MEDFIELD 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 MEDFIELD in said County, that common convenience and necessity require that the way known as NORTH STREET, a public way in said town, be relocated between School Street and Dover Town Line.

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

Dated March 27, 1962

- Joseph A. Roberts
- Joseph L. Marcionette
- Austin C. Buchanan
- Rachel I. Baker
- Richard E. Fenton
- Edward R. Perry
- Henry R. Bailey
- Roger E. Hardy
- Everett J. Wills

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the thirteenth day of August, 1968 by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law; and the twenty-fourth day of September, 1968 and two forty-five o'clock in the afternoon at the Court House in 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

See PL # 922 thru 929 of 1970 PLBk 227

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 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 QUINCY PATRIOT LEDGER, 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 September, 1968, the Commissioners, James J. Collins, Thomas K. McManus, and Russell T. Bates, 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 thence the same was continued and adjourned to a meeting of the Commissioners held at Dedham on the fifteenth day of October, 1968, by adjournment of their September meeting next preceding, at which time 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 ninth day of June, 1970, by adjournment of their April meeting next preceding, a notice of said meeting having been posted as required by law: when and where upon the adjudication aforesaid, the Commissioners, James J. Collins, Thomas K. McManus, and George B. McDonald, appointed the thirtieth day of June, 1970 and three o'clock in the afternoon at the Town offices in MEDFIELD as the time and place when they would proceed to and take such action in relation to said adjudication as by law they might be authorized to do.

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

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

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

The westerly line begins at a stone bound which is the last described bound on the westerly line of North Street as laid out by the Norfolk County Commissioners by return dated September 21, 1948; thence N-8-37-40-E a distance of 289.47 ft. to a stone bound; thence by a curve to the right with a radius of 1260.00 ft. a distance of 295.84 ft. to a stone bound; thence N-22-04-50-E a distance of 324.84 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 451.94 ft. to a stone bound; thence N-3-48-50-W a distance of 674.61 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 573.39 ft. to a stone bound; thence N-36-40-00-W a distance of 616.24 ft. to a stone bound; thence by a curve to the right with a radius of 910.00 ft. a distance of 420.31 ft. to a stone bound; thence continuing by the same curve a distance of 420.31 ft. to a stone bound; thence continuing by the same curve a distance of 86.78 ft. to a stone bound; thence by a curve to the left with a radius of 50.00 ft. a distance of 76.44 ft. to a stone bound which is on the southerly side of Farm Street; thence N-30-26-50-E a distance of 60.37 ft. to a stone bound which is on the northerly side of Farm Street; thence

easterly and northerly by a curve with a radius of 50.00 ft. a distance of 72.29 ft. to a stone bound; thence by a curve to the right with a radius of 910.00 ft. a distance of 181.55 ft. to a stone bound; thence continuing by the same curve a distance of 420.31 ft. to a stone bound; thence N-69-11-20-E a distance of 599.57 ft. to a stone bound; thence by a curve to the left with a radius of 804.16 ft. a distance of 517.24 ft. to a stone bound; thence N-32-20-10-E a distance of 156.17 ft. to a stone bound; thence by a curve to the right with a radius of 1060.00 ft. a distance of 435.02 ft. to a stone bound; thence N-55-51-00-E a distance of 308.22 ft. to a stone bound; thence by a curve to the left with a radius of 429.14 ft. a distance of 161.14 ft. to a stone bound which is on the Medfield-Dover Town Line and which is the first described bound on the westerly line of Center Street, Dover as laid out by the Norfolk County Commissioners by return dated May 20, 1958.

The easterly line begins at a stone bound which is the last described bound on the easterly line of North Street as laid out by the Norfolk County Commissioners by return dated September 21, 1948 and is S-81-22-20-E a distance of 60.00 ft. from the first bound on the westerly line as above described; thence N-8-37-40-E a distance of 289.47 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 281.75 ft. to a stone bound; thence N-22-04-50-E a distance of 179.12 to a stone bound; thence N-36-28-40-E a distance of 75.38 ft. to a stone bound; thence by a curve to the left with a radius of 561.10 ft. a distance of 379.35 ft. to a stone bound; thence N-2-15-32-W a distance of 86.49 ft. to a stone bound; thence by a curve to the left with a radius of 1477.85 ft. a distance of 150.30 ft. to a stone bound; thence N-8-05-10-W a distance of 139.31 ft. to a stone bound; thence N-3-48-50-W a distance of 487.93 ft. to a stone bound; thence by a curve to the left with a radius of 1060.00 ft. a distance of 169.92 ft. to a

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stone bound; thence by a curve to the right with a radius of 500.00 ft. a distance of 80.15 ft. to a stone bound; thence N-3-48-50-W a distance of 258.18 ft. to a stone bound; thence S-86-11-10-W a distance of 40.00 ft. to a stone bound; thence southwesterly and northwesterly by a curve with a radius of 30.00 ft. a distance of 77.05 ft. to a stone bound; thence N-36-40-00-W a distance of 716.38 ft. to a stone bound; thence by a curve to the right with a radius of 850.00 ft. a distance of 392.60 ft. to a stone bound; thence continuing by the same curve a distance of 392.60 ft. to a stone bound; thence continuing by the same curve a distance of 392.60 ft. to a stone bound; thence continuing by the same curve a distance of 392.60 ft. to a stone bound; thence N-69-11-20-E a distance of 529.50 ft. to a stone bound; thence by a curve to the right with a radius of 27.00 ft. a distance of 77.85 ft. to a stone bound; thence S-49-44-50-E a distance of 41.25 ft. to a stone bound; thence N-48-01-20-E a distance of 317.23 ft. to a stone bound; thence by a curve to the left with a radius of 1113.06 ft. a distance of 304.73 ft. to a stone bound; thence N-32-20-10-E a distance of 156.17 ft. to a stone bound; thence by a curve to the right with a radius of 1000.00 ft. a distance of 410.39 ft. to a stone bound; thence N-55-51-00-E a distance of 308.22 ft. to a stone bound; thence by a curve to the left with a radius of 736.83 ft. a distance of 206.58 ft. to a stone bound; thence N-39-47-10-E a distance of 33.12 ft. to a stone bound which is on the Medfield-Dover Town Line and which is the first described bound on the easterly line of Center Street, Dover as laid out by the Norfolk County Commissioners by return dated May 20, 1958, said bound being N-89-24-30-E a distance of 94.01 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 60.00 ft. easterly from and parallel to the westerly 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 North Street, Medfield from School Street to the Dover Town Line as made by the Norfolk County Commissioners by Return dated November 17, 1970. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Charles C. Cain, County Engineer." and signed by "Janos 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 take temporary 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. Said temporary easements to be in effect only until said way is constructed to the full width of the layout as above described and a certificate to that effect has been duly filed by the County Commissioners with their official records.

And the said Commissioners do likewise further take for the protection of said way the easements and rights in Parcels 24 and 25 as indicated on said plan being more fully described as follows:

Beginning at a point on the westerly line of said NORTH STREET as above described, said point being opposite station 96 + 50 on said plan; thence N-56-51-10-W a distance of 40.00 ft. to a point; thence northeasterly by a curve with a radius of 950.00 ft. a distance of 539.77 ft. to a point; thence S-24-17-54-E a distance of 40.00 ft. to a point opposite station 101 + 50 on the westerly line of said NORTH STREET as above described; thence southwesterly by said westerly line of NORTH STREET by a

curve with a radius of 910.00 ft. a distance of 364.93 ft. to a stone bound; thence continuing by the same curve a distance of 152.11 ft. to the point of beginning.

And permanent stone bounds will be erected at the termini and angles of said way relocated 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 thirty-four (34) feet in width.

Suitable sidewalks, gutters, culverts, retaining walls, fences and railing 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 expenses 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 interest, 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 promises, 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. 697

<u>Pcl. No.</u>		<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Evelyn Byng	Slope Easement	-	None
1A	Frances M. Cunning	5910 S.F. Slope Easement	.70	\$300.00
	Mtg: The Needham Cooperative Bank			
2	Noel Morss and John L. Cooper, Trustees of the Wardner Farm Trust	24,855 S.F. Slope Easement	1.41	1,750.00
	Land Ct.Cert. #11138 Book 56 Page 138			
3.	Joseph C., Jr. and Caroline G. Donnelly	6,453 S.F. Slope Easement	1.31	430.00
	Land Ct.Cert. #79072 Book 396 Page 72			
	Mtg: Concord Cooperative Bank			
4	Joseph C., Jr. and Caroline G. Donnelly	5,760 S.F. Slope Easement	1.17	400.00
	Land Ct.Cert. #79072 Book 396 Page 72			
	Mtg: Concord Cooperative Bank			
5	Noel Morss and John L. Cooper, Trustees of the Wardner Farm Trust	64,610 S.F. Slope Easement	3.68	None
	Land Ct.Cert. #11138 Book 56 Page 138			
6	Fredric C. and Elizabeth E. Temple	7,470 S.F. Slope Easement	2.99	None
	Mtg: The South Boston Savings Bank			

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<u>Pcl. No.</u>		<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
7	Richard V. and Lucile F. Sturtevant Mtg: West Roxbury Cooperative Bank	7,420 S.F. Slope Easement	2.94	None
8	Philip A. and Eleanor E. Huff Land Ct.Cert.#59494 Book 298 Page 94 Mtg: Needham Cooperative Bank	2,435 S.F. Slope Easement	1.72	200.00
9	Carlton S. Cheney Land Ct.Cert.#89658 Book 449 Page 58	159 S.F. Slope Easement	0.01	None
10	Carlton S. Cheney Land Ct.Cert.#89658 Book 449 Page 58	34,800 S.F. Slope Easement	1.69	None
11	Carlton S. and Priscilla M. Cheney	28,100 S.F. Slope Easement	1.36	None
12	Bruce A. and Marie A. Simpson Land Ct.Cert.#86560 Book 433 Page 160 Mtg: Medway Savings Bank	752 S.F. Slope Easement	0.26	None
13	(Arthur L. Lewis, deceased) Union Market National Bank of Watertown, John H. Lewis, Trustees Land Ct.Cert.#26682 Book 134 Page 82	52,568 S.F. Slope Easement	3.06	None
14	John W. and Gayle N. Edgar Land Ct.Cert.#81225 Book 407 Page 25 Mtg: Milton Cooperative Bank	17,274 S.F. Slope Easement	3.61	1200.00
15.	William O. and Sally Coxo Taylor Land Ct.Cert.#67769 Book 339 Page 169	633 S.F. Slope Easement	0.22	None

<u>Pcl. No.</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
15A Massachusetts Land Corporation et al	Slope Easement	-	None
15B Edward C. Donnelly, Jr. John Donnelly Mary A. Stuart Trustees of John Donnelly & Sons	Slope Easement	-	None
16 Noel Morss and John L. Cooper, Trustees of the Wardner Farm Trust	2,150 S.F. Slope Easement	0.06	\$175.00
17 Union Market National Bank of Watertown John H. Lewis, Trustees	11,740 S.F. Slope Easement	0.58	900.00
18 (Arthur L. Lewis, deceased) Union Market National Bank of Watertown, John H. Lewis, Trustees Land Ct.Cert.#21643 Book 109 Page 43	7,240 S.F. Slope Easement	0.36	500.00
19 (Joseph L. and Ella C. Marcionette, deceased) Blanche M. Kingsbury Land Ct.Cert.#20846 Book 105 Page 46	13,000 S.F. Slope Easement	0.91	850.00
20 Ruby M. Keefer. (Lucy E. Allon, deceased) Land Ct.Cert.#3796 Book 19 Page 196	35 S.F. Slope Easement	-	None
21 John and Seddon R. Wylde Mtg: Eliot Savings Bank	11,250 S.F. Slope Easement	1.89	750.00
22 Roland W. and Hope Day	3,860 S.F. Slope Easement	1.13	300.00
23 Roland W. and Hope Day	4,200 S.F. Slope Easement	1.23	275.00
24 Carlton S. and Priscilla M. Cheney	19,072 S.F.	0.92	None
25 (Arthur L. Lewis, deceased) Union Market National Bank of Watertown John H. Lewis, Trustees Land Ct.Cert.#26682 Book 134 Page 82	2,064 S.F.	0.12	None
	Total	\$33.33	\$8,030.00

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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 three months from the date of possession.

JAMES J. COLLINS

THOMAS K. McMANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the seventeenth day of November, 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 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.

JAMES J. COLLINS

THOMAS K. McMANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true copy. Attest: *Ch. Thomas, Deputy* Clerk

Recorded Dec. 2, 1970 at 1h. 40a. P.M.