

#580

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 eighth day of August 1972, by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of Benedict Horowitz and others of Needham, 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 Needham in said County, that common convenience and necessity require that the way known as CENTRAL AVENUE, a public way in said town, be relocated between a point about 100 ft. Southorly of Bess Road and Hunnewell Street for the purpose of establishing the grade and acquiring slope easements.

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

Dated 27, Sept. 1971

Benedict Horowitz)
H. Phillip Garrity)
John C. Hatch) Selectmen
Henry D. Hersey)
Richard M. Salamone)

Frederick M. Slaney Inspector Fire Dept.
Daniel C. Henderson Chief of Police
John D. Marr Town Engr.
Robert A. MacEwon Supt. of P.W.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-fifth day of April, 1972, by adjournment of their April meeting next preceding; a notice of said meeting having been posted as required by law: and the twenty-third day of May, 1972, 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

See R & M 683-1972 R & B 232

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 Needham, 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 order of notice to be posted in two public places in said town; and to be published in the Needham Chronicle, 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 twenty-third day of May, 1972, 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 Needham was represented by its Selectmen; and the said Commissioners then viewed the route and premises and heard all persons and corporations interested; 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 thence the same was continued and adjourned to a meeting of the Commissioners held at Dedham on the sixth day of June, 1972, 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 said Commissioners appointed the eleventh day of July, 1972 and two-thirty 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 by law they might be authorized to do.

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 Commissioners met at the time and place appointed and then and there heard all persons and corporations interested and said hearing was continued to this meeting.

And now the said Commissioners do establish the grade and limits of slope. 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 lands adjoining the location of said way, as laid out by the Norfolk County Commissioners by Returns dated January 24, 1922 and September 15, 1925, 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 Central Avenue, Needham between a Point about 100 feet Southerly of Bess Road and Hunnewell Street, as made by the Norfolk County Commissioners by return dated August 8, 1972. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Alvah L. Downs, 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 Needham 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 Needham.

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	Babson Institute	Slope Easement	-	None
2	Ronald E. and Barbara E. Hopkins Mtg: The Needham Co-operative Bank Mtg: Archibald W. and Ronald D. Friswell	Slope Easement	-	None
3	Charles W. and Marion M. Hersey	Slope Easement	-	None
4	Babson Institute	Slope Easement	-	None
5	Ferdinand A. and Anne M. Volante Land Ct. Cert. #75112 Book 376 Page 112	Slope Easement	-	None
6	Blanche J. Chapman	Slope Easement	-	None
7	Joseph E. Thorpe Trustee of Thorpe Realty Trust	Slope Easement	-	None

Pcl. No.	Approx. Sq.Ft. Taken	Tax Allowance	Award
8 Harold C. and Muriel E. Wallace Mtg: Natick Federal Savings and Loan Association	Slope Easement	-	None
9 Henry W., Jr. and M. Christine Longley Mtg: The Needham Co-operative Bank Mtg: Robert E. Allen Trustee of Shawsher Realty Trust	Slope Easement	-	None
10 Norman E. and Shirley M. Bleakney	Slope Easement	-	None
11 Alfred W. Greymont Mtg: Joseph E. and Evelyn B. Thorpe	Slope Easement	-	None
12 Joseph A. Marino Land Ct. Cert. #76464 Book 383 Page 64	Slope Easement	-	None
13 Adelaide M. and Adelaide C. O'Neil	Slope Easement	-	None
14 Philomena, Francesca M. and Paul D. Borrelli	Slope Easement	-	None
15 William D. and Frances M. Jones	Slope Easement	-	None
16 Anthony E. Cefalo	Slope Easement	-	None
17 Anthony E. and Dora G. Cefalo Mtg: The Needham Co-operative Bank	Slope Easement	-	None
18 Anthony E. Cefalo	Slope Easement	-	None
19 Raymond R. and Patricia A. Baker Mtg: The Needham Co-operative Bank	Slope Easement	-	None
20 Andrew J. and Adele D. Newman Mtg: The Needham Co-operative Bank Mtg: Volunteer Co-operative Bank	Slope Easement	-	None
21 Wondell H. and Elizabeth W. Spencer	Slope Easement	-	None

<u>Pcl. No.</u>		<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
22	John P. and Catherine F. O'Connor Mtg: New Haven Railroad Employees Credit Union	Slope Easement	-	None
23	Walter H. and Elizabeth Owen Mtgs: The Needham Co-operative Bank	Slope Easement	-	None
24	Walter H. and Elizabeth Owen Mtgs: The Needham Co-operative Bank	Slope Easement	-	None
25	Raymond H. and Barbara L. Owen Mtg: The Needham Co-operative Bank	Slope Easement	-	None
26	John K. and Edith M. MacPherson Mtg: Malden Savings Bank	Slope Easement	-	None
27	Gerry L. and Barbara E. Tripp Mtg: The Needham Co-operative Bank	Slope Easement	-	None
28	Philip V. and Alice E. Robey Mtg: Cambridgeport Savings Bank	Slope Easement	-	None
29	George A. and Patricia H. Dennett Mtg: Union Savings Bank of Boston	Slope Easement	-	None
30	John V. and Margaret A. Driscoll	Slope Easement	-	None
31	Solomon J. and Ruth S. Leabman Mtg: Newton Savings Bank	Slope Easement	-	None
32	Henry M. and Phyllis J. McCarthy Mtg: The Needham Co-operative Bank	Slope Easement	-	None
33	Vincenzo and Antonia Ferrara Mtg: Needham Co-operative Bank	Slope Easement	-	None

<u>Pcl. No.</u>		<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
34	Lucia Del Sonne Ferrara	Slope Easement	-	None
35	Joseph J. and Patricia M. Foley Mtg: The Needham Co-operative Bank	Slope Easement	-	None
36	Paul J. and Mary T. Woods Mtg: Newton Savings Bank	Slope Easement	-	None
37	Edward B. and Valeria M. Frederick Mtg: Newton Savings Bank	Slope Easement	-	None
38	Angelo and Antoinette Savignano	Slope Easement	-	None
39	Arthur and Louis J. Seigel Mtg: The Needham Co-operative Bank	Slope Easement	-	None
40	Ralph C. and Mary A. Sears	Slope Easement	-	None
41	Arthur and Louis J. Seigel Mtg: The Noodham Co-operative Bank	Slope Easement	-	None
42	Louis J. and Eleanor P. Seigel Mtg: The Needham Co-operative Bank	Slope Easement	-	None
43	Arthur and Louis J. Seigel Mtg: The Needham Co-operative Bank	Slope Easement	-	None
44	Arthur Siegel Mtg: Blue Hill Credit Union	Slope Easement	-	None
45	Louis J. and Arthur Seigel Mtg: Blue Hill Credit Union	Slope Easement	-	None
46	Julia Ferrara	Slope Easement	-	None
47	Estate of Joseph Cefalo	Slope Easement	-	None
48	Frances M. Jones	Slope Easement	-	None
49	William D., Jr. and Marilyn J. Jones Mtg: The Needham Co-operative Bank	Slope Easement	-	None
50	Raymond Cefalo	Slope Easement	-	None

Pcl. No.		Approx. Sq.Ft. Taken	Tax Allowance	Award
51	George A. and Lucy M. Dibblee Mtg: The Needham Co-operative Bank	Slope Easement	-	None
52	Harold W. and Ruth D. Gleason	Slope Easement	-	None
53	Town of Needham	Slope Easement	-	None
54	William L. and Lillian Sweet	Slope Easement	-	None
55	John B. and Jacqueline C. Landry Mtg: The National Shawmut Bank of Boston	Slope Easement	-	None
56	Joseph E. and Evelyn B. Thorpe Land Ct. Cert. #55286 Book 277 Page 86	Slope Easement	-	None
57	Stanley M. and Carole L. Steinberg Land Ct. Cert. #67206 Book 337 Page 6 Mtg: The Brookline Savings Bank Mtg: Anna Steinberg	Slope Easement	-	None
58	Chester and Mildred S. Wallace Land Ct. Cert. #69736 Book 349 Page 136	Slope Easement	-	None
59	Arthur J. and Florence Volk Land Ct. Cert. #55291 Book 277 Page 91 Mtg: The Needham Co-operative Bank	Slope Easement	-	None
60	Joseph B. and Rose M. Dutra Land Ct. Cert. #55290 Book 277 Page 90 Mtg: Brookline Federal Savings and Loan Association	Slope Easement	-	None
61	Beatrice M. Rathgeber Land Ct. Cert. #55289 Book 277 Page 89 Mtg: The Needham Co-operative Bank	Slope Easement	-	None
62	Anthony J. and Lenora C. D'Innocenzo Land Ct. Cert. #68161 Book 341 Page 161 Mtg: Eliot Savings Bank	Slope Easement	-	None

Pcl. No.	Approx. Sq.Ft. Taken	Tax Al- lowance	9. Award
63 Edward C. Roman Trustee of the Roman Realty Trust	Slope Easement	-	None
Land Ct. Cert. #65007 Book 326 Page 7			
Mtg: The Needham Co-operative Bank			
64 Robert and Victoria F. O'Grady	Slope Easement	-	None
Land Ct. Cert. #68331 Book 342 Page 131			
Mtg: Eliot Savings Bank			
65 William W. and Lillian M. Arbuckle	Slope Easement	-	None
Land Ct. Cert. #55287 Book 277 Page 87			
Mtg: The Needham Co-operative Bank			
66 Norman L. and Cynthia R. Shapiro	Slope Easement	-	None
Land Ct. Cert. #77963 Book 390 Page 163			
Mtg: Lexington Federal Savings and Loan Association			
67 Virginia M. Enos (Robert E. Enos, deceased)	Slope Easement	-	None
Land Ct. Cert. #60447 Book 303 Page 47			
Mtg: People's Savings Bank of Boston			
68 Norman K. and Arline I. Miskin	Slope Easement	-	None
Land Ct. Cert. #59264 Book 297 Page 64			
Mtg: People's Savings Bank of Brockton			
69 Jean M. Houghton	Slope Easement	-	None
Land Ct. Cert. #87561 Book 438 Page 161			
Mtg: Newton Savings Bank			
70 Arthur H. and Anne R. Brownlow	Slope Easement	-	None
Mtg: Cambridgeport Savings Bank			
71 John and Bertha M. L. Muzi	Slope Easement	-	None

And having heard the proprietors of lands and property, right 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.

JAMES J. COLLINS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners held at Dedham, on Tuesday, the eighth day of August, 1972, by adjournment of their June 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 NEEDHAM 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

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true Copy.

Attest: *C.A. Thomas* Deputy Clerk

Recorded Aug. 28, 1972 at 12h. 44m. P. M.

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