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REFER TO PLAN NO. 2105-1478 PL. BOOK 268

NORFOLK, ss.

At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the thirty-first day of May 1978, by adjournment of their April meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of N. CARL ANNON 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 BEACH STREET, a public way in said town, be relocated between North Street and Meadowview Road for the purpose of Reconstruction (a) Establishing the boundary lines of said way; (b) making alterations in the course or width of said way; (c) Making repairs on said way.

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

Dated September 11, 1970

N. Carl Annon
James F. Hennessey
Gerald R. Rodman
Edwin T. Donovan

Thelma J. MacNeill
Francis A. Lombardi
Ida E. Foster
Louis A. Truax
Elizabeth M. Clarkin
Edna V. Sallie
Ada M. White

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the twenty-sixth day of October 1977, by adjournment of their September meeting next preceding; a notice of said meeting having been posted as required by law; and the thirtieth day of November

1977 and two-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 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 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 PATRIOT LEDGER, 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 thirtieth day of November, 1977 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 thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham on the seventh day of December, 1977, a notice of said meeting having been posted as required by law, at which time the Commissioners, James J. Collins, Thomas K. McManus and George B. McDonald, did

adjudge that common convenience and necessity require that said way be relocated as prayed for in said petition: when and where upon said adjudication, the Commissioners appointed the eighth day of February, 1978 and two-thirty o'clock in the afternoon at the Town Hall in Foxborough 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.

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 was given for said hearing; however, this meeting was cancelled due to a State of Emergency declared by the Governor of the Commonwealth of Massachusetts.

And thence the same was continued and adjourned to a meeting of the Commissioners held at Dedham on the fifteenth day of February, 1978, a notice of said meeting having been posted as required by law: when and where upon the adjudication aforesaid, the Commissioners appointed the fifteenth day of March, 1978 and two-thirty o'clock in the afternoon at the Town Hall in Foxborough 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, James J. Collins, George B. McDonald and David C. Ahearn, 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, George B. McDonald and David C. Ahearn, by courses and distances, metes and bounds, do relocate said BEACH STREET as prayed for in said petition.

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

The northerly line begins at a stone bound which is on the easterly line of North Street as laid out by the Norfolk County Commissioners by return dated May 1, 1900; said bound being 12.80 ft. southerly of a stone bound on said easterly line of North Street; thence southerly and easterly by a 50.00 ft. radius curve, 64.61 ft. to a stone bound; thence N-83°-58'-13"-E, 524.95 ft. to a stone bound; thence N-84°-20'-57"-E, 578.16 ft. to a stone bound; thence continuing on the same course 81.50 ft. to a point, said point being 3.68 ft. southwesterly of the first bound on the northerly line of Beach Street as laid out by the Norfolk County Commissioners by return dated October 20, 1959.

The southerly line begins at a stone bound which is on the easterly line of North Street as laid out by the Norfolk County Commissioners by return dated May 1, 1900; said bound being S-21°-59'-30"-E, 142.76 ft. from the first bound on the northerly line as above described; thence northerly and easterly by a 40.00 ft. radius curve, 73.98 ft. to a stone bound; thence N-83°-58'-13"-E, 495.15 ft. to a stone bound; thence N-84°-20'-57"-E,

578.00 ft. to a stone bound; thence to the right by a 508.82 ft. radius curve 18.23 ft. to a point, said point being 10.17 ft. northeasterly of the first bound on the southerly line of Beach Street as laid out by the Norfolk County Commissioners by return dated October 20, 1959 and S-45°-50'-50"-W, 80.84 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 50.00 ft. southerly from and parallel to the northerly 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 Beach Street, Foxborough, between North Street and Meadowview Road, as made by the Norfolk County Commissioners by Return dated May 31, 1978. 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.

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 construct slopes, walls, retaining walls, walks, steps, drives, fences, curbing and railing between the lines of said location and the limit of easement as shown 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 permanent stone bounds will be erected at the termini and angles of said way relocated aforesaid.

And it is determined by the Commissioners that the Inhabitants of the Town of FOXBOROUGH 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-two (32) feet in width.

Suitable sidewalks, gutters, culverts, slopes, walls, retaining walls, walks, steps, drives, fences, curbing and railings shall be constructed, wherever, in the opinion of the County Commissioners, they are needed.

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 and maintaining said way, and all land and other damages and expenses incident thereto be paid by the Inhabitants of the Town of FOXBOROUGH.

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 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>Owners</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Renaldo R. Rossi and Arthur H. Marinelli Mtg: The Norwood Co-operative Bank	5,000 S.F. Temp.Easement	1.93	1,024.00
2	Clinton D. and Helen M. Legg Mtg: East Boston Savings Bank	50 S.F. Temp.Easement	0.01	5.00
3	Robert B. and Margaret R. Riley Mtg: Mansfield Co-operative Bank	1,400 S.F. Temp.Easement	0.75	660.00
4	Robert J. and Anna E. Kelleher Mtg: Home Savings Bank	1,300 S.F. Temp.Easement	0.76	639.00
5	Barbara A. Johnsen	1,300 S.F. Temp.Easement	0.76	678.00
6	Gerald and Dorothy M. Bilyew Mtg: The Norwood Co-operative Bank	1,300 S.F. Temp.Easement	0.76	670.00
7	Frank E. and Jean V. Tripp Mtg: Worcester County Institution for Savings	1,300 S.F.	0.76	637.00
8	Edwin D. and Dorothy V. Sullivan Mtg: The Prudential Insurance Company of America	1,300 S.F.	0.76	637.00
9	Donald L. and Josephine M. Cherry Mtg: Lynn Institution for Savings	1,300 S.F. Temp.Easement	0.76	650.00

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<u>Pcl. No.</u>	<u>Owners</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
10	Carl and Cheryl Beltzer Mtg: Canton Co-operative Bank	1,300 S.F. Temp.Easement	0.76	640.00
11	Lawrence E. and Susan B. Barlow Mtg: Blue Hill Credit Union	800 S.F. Temp.Easement	0.45	356.00
12	Estate of Joseph F. Dean	80 S.F.	0.03	4.00
13	Louis J. and Angelina A. Restaino Mtg: Bay Bank/Norfolk County Trust Company	2,600 S.F. Temp.Easement	0.66	445.00
14	Herbert F. Parris Mtg: The National Shawmut Bank of Boston	3,500 S.F. Temp.Easement	0.82	460.00
15	David C. and Marlane V. Congdon (Lessee: Mabel B. Congdon)	4,100 S.F. Temp.Easement	0.89	2,500.00
16	Malcolm R. and Grace G. White Mtg: Home Savings Bank	3,500 S.F.	1.63	770.00
Totals			\$ 12.49	\$10,775.00

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 six months from the date of possession.

JAMES J. COLLINS

GEORGE B. McDONALD

DAVID C. AHEARN
COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners held at Dedham, on Wednesday, the thirty-first day of May 1978, 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 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

DAVID C. AHEARN
COUNTY COMMISSIONERS

A true copy.

Attest: *Jimmy Huber* ^{Asst} Clerk