

614

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 fourth day of May, 1977, by adjournment of their April meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of CAROLE A. BURNS 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 MECHANIC STREET, a public way in said town, be relocated between Railroad Avenue and Pleasant Street for the purpose of establishing the grade and acquiring temporary construction easements.

WHEREFORE YOUR PETITIONERS PRAY that said way may be relocated within the limits above specified.

Dated March 1, 1977

- Carole A. Burns
- Leo R. Norton
- Louis A. Truax
- Vincent M. Igo
- Witmore I. Turner
- Thomas P. Sheehan 3rd

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the ninth day of March 1977, by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law; and the thirteenth day of

REF to Pl# 295 of 1977 Pl BK 26

April, 1977 and two-thirty o'clock in the afternoon at the Town Hall in Foxborough 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 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 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 thirteenth day of April, 1977 the Commissioners, James J. Collins 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 thence the same 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, do establish the grade and 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 return dated April 1, 1930, consisting of the right to construct slopes, walls, retaining walls, walks, steps, drives, fences, curbing and railing between the lines of location of said way and the limit of easement, all as shown upon a plan entitled "Plan and Profile showing the Relocation of Mechanic Street, Foxborough between Railroad Avenue and Pleasant Street, as made by the Norfolk County Commissioners by Return dated May 4, 1977. 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 temporary 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 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 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>Owners</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Cities Service Oil Company	Temp.Easement	-	\$116.00
2	Ray Realty, Inc. Mtg: Foxborough Savings Bank	Temp.Easement	-	1.00
3	James E. & Patricia L. Hicks	Temp.Easement	-	1.00
4	James E. & Patricia L. Hicks Mtg: Foxborough Savings Bank	Temp.Easement	-	56.00
5	Manuel S. and Marjorie C. Oliveira Mtg: Bay Bank Norfolk County Trust Company	Temp.Easement	-	36.00

<u>Pcl. No.</u>	<u>Owners</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
6	Manuel S. and Marjorie C. Oliveira Mtg: Norfolk County Trust Company	Temp.Easement	-	\$104.00
7	Manuel S. and Marjorie C. Oliveira Mtg: Norfolk County Trust Company	Temp.Easement	-	46.00
8	J. Gibson and Laura M. Smith Mtg: Taunton Savings Bank	Temp.Easement	-	171.00
9	Gary D. and Cheryl J. Carter Mtg: Foxboro Federal Savings and Loan Association	Temp.Easement	-	300.00
10	The Foxboro Company	Temp.Easement	-	72.00
11	The Foxboro Company Land Court Cert. No. 88886 Book 445 Page 86	Temp.Easement	-	44.00
12	Charles H. and Jane P. Bridgham Mtg: Foxborough Savings Bank	Temp.Easement	-	84.00
13	Joseph and F. Virginia DeGirolamo Mtg: Foxborough Savings Bank	Temp.Easement	-	36.00
14	Alfred F. and Carole R. Preble Mtgs: Foxboro Federal Savings and Loan Association Carlton H. and Doris E. Smith	Temp.Easement	-	28.00
15	Henry A. and Elizabeth A. Travers Mtgs: Foxboro Federal Savings and Loan Association Foxborough Savings Bank	Temp.Easement	-	50.00

<u>Pcl. No.</u>	<u>Owners</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
16	Francis X. Cannata Trustee of the Middlesex Realty Trust	Temp.Easement	-	\$40.00
	Mtg: Mattapan Co-operative Bank Norwood Co-operative Bank Fidelity Co-operative Bank Taunton Co-operative Bank			
17	Frank J. and Theresa Ricker	Temp.Easement	-	88.00
	Mtg: Foxboro Federal Savings and Loan Association			
18	Eugene T. and Constance H. Blagden	Temp.Easement	-	20.00
	Mtg: Foxboro Federal Savings and Loan Association			
19	Frederick T. Iddings, Jr. Trustee of Nirvana Trust	Temp.Easement	-	34.00
	Mtg: Walpole Co-operative Bank			
20	J. Gibson and Laura M. Smith	Temp.Easement	-	246.00
	Mtg: Taunton Savings Bank			
21	Mary U. Smith	Temp.Easement	-	10.00
22	Valore F. Snell	Temp.Easement	-	22.00
	Mtg: Neponset Credit Union			
23	Warren E. and Regina E. Dodge	Temp.Easement	-	36.00
	Mtg: Foxboro Savings Bank			
24	Carl F. Tartaglia	Temp.Easement	-	78.00
25	Dean A. Swift and William R. Hearn	Temp.Easement	-	178.00
	Mtg: Foxborough Savings Bank			
		Total	-	\$1,897.00

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 one month from the date of possession for the purpose of constructing said way.

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 Wednesday, the fourth day of May, 1977, 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 of records kept in said town for that purpose.

JAMES J. COLLINS

THOMAS K. McMANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true Copy.

Attest *John P. McManus*

Recorded May 5, 1977 at 2h. 06m. P.M.