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NORFOLK, ss.

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

The petition of GORDON W. McPETRIDGE and others of MILLIS 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 MILLIS in said County, that common convenience and necessity require that the way known as ISLAND ROAD, a public way in said town, be relocated between Dover Road and Exchange Street for the purpose of Establishing the boundary lines of said way; Making alterations in the course or width of said way; Making repairs on said way.

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

Dated September 10, 1971

Chief of Police George J. Smith, Jr.
John J. Ward, Fire Chief
Gordon W. McPetridge
Chairman, Millis Board of Selectmen
Donald M. Kuhn
Clerk, Millis Board of Selectmen
Henry J. Lewandowski
Member, Millis Board of Selectmen
Richard C. Barrett, D.P.W. Foreman

Thomas S. Lydon
Chairman, Millis DPW
George DeAngelis
Clerk, Millis DPW
Jean Salvucci
Member, Millis DPW
Paul N. Robinson
Chairman, Millis Planning Board
C. John Greco
Member, Millis Planning Board
Harold E. Curran
Member, Millis Planning Board
Arthur B. Blackett
Clerk, Millis Planning Board

REFER TO PLAN NO. 654-1978 PL. BOOK 269

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the twelfth day of March 1974, by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law; and the twenty-third day of April 1974 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 MILLIS, 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 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 twenty-third day of April, 1974 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 MILLIS 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, appointed the twenty-second day of February, 1978 and two-thirty o'clock in the afternoon at the Court House in said Dedham as the time and place for again 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 Millis, 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 order of notice to be posted in two public places in said town; and to be published in The 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 twenty-second day of February, 1978 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 Millis was represented by its Selectmen; and the said Commissioners again 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 first day of

March, 1978, a notice of said meeting having been posted as required by law, at which time the Commissioners, James J. Collins, George B. McDonald and David C. Ahearn, 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 fifth day of April, 1978 and two-thirty o'clock in the afternoon at the Millis Jr.-Sr. High School Cafeteria in Millis 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 notices and publications were given and made previously, the Commissioners, David C. Ahearn and Henry W. Ainslie, Jr., acting in place of James J. Collins, 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 ISLAND ROAD as prayed for in said petition.

And the lines of said relocation of ISLAND ROAD are as follows:

The northerly line begins at a stone bound on the northerly line of Island Road; said bound being 657.75 ft. northeasterly of a stone bound which is at the corner of Island Road and Exchange Street and is on the easterly line of Exchange Street as laid out by the Norfolk County Commissioners by Return dated

July 23, 1929; thence N-58°-32'-27"E, 114.85 ft. to a stone bound; thence to the right by a 425.00 ft. radius curve 294.30 ft. to a stone bound; thence continuing by the same curve 294.31 ft. to a stone bound; thence S-42°-06'-25"-E, 93.29 ft. to a stone bound; thence to the left by a 475.00 ft. radius curve 320.58 ft. to a stone bound; thence continuing by the same curve 320.58 ft. to a stone bound; thence N-60°-33'-17"-E, 253.66 ft. to a stone bound; thence to the right by a 625.00 ft. radius curve 117.41 ft. to a stone bound; thence N-71°-19'-05"-E, 252.25 ft. to a stone bound; thence N-63°-40'-13"-E, 317.69 ft. to a stone bound; thence S-61°-00'-00"-E, 206.40 ft. to a stone bound; thence S-77°-13'-17"-E, 107.55 ft. to a stone bound; thence to the left by a 800.00 ft. radius curve 238.72 ft. to a stone bound; thence continuing by the same curve 238.73 ft. to a stone bound; thence N-68°-35'-02"-E, 62.45 ft. to a concrete bound; thence N-59°-53'-44"-E, 237.98 ft. to a stone bound; thence N-69°-35'-02"-E, 299.82 ft. to a stone bound; thence N-79°-55'-02"-E, 159.08 ft. to a stone bound; thence S-78°-10'-46"-E, 290.54 ft. to a stone bound; thence S-51°-44'-17"-E, 75.87 ft. to a stone bound; thence S-26°-06'-32"-E, 93.47 ft. to a stone bound; thence southeasterly and southerly by a 440.00 ft. radius curve 167.87 ft. to a stone bound; thence S-15°-35'-40"-E, 258.91 ft. to a stone bound; thence to the left by a 282.27 ft. radius curve 389.97 ft. to a stone bound; thence N-85°-14'-57"-E, 119.06 ft. to a stone bound; thence continuing by the same course 122.67 ft. to a stone bound; thence continuing by the same course 90.40 ft. to a stone bound; thence to the left by a 375.00 ft. radius curve 273.21 ft. to a stone bound; thence N-43°-30'-23"-E,

301.06 ft. to a stone bound; thence to the right by a 625.00 ft. radius curve 371.74 ft. to a stone bound; thence N-77°-35'-07"-E, 183.17 ft. to a stone bound; thence to the left by a 575.00 ft. radius curve 115.60 ft. to a stone bound; thence N-66°-04'-00"-E, 175.67 ft. to a stone bound; thence to the right by a 625.00 ft. radius curve 140.87 ft. to a stone bound; thence N-78°-58'-52"-E, 300.00 ft. to a stone bound; thence continuing by the same course 50.00 ft. to a stone bound; thence N-11°-01'-08"-W, 25.00 ft. to a stone bound; thence N-78°-58'-52"-E, 55.00 ft. to a stone bound; thence S-11°-01'-03"-E, 25.00 ft. to a stone bound; thence N-78°-58'-52"-E, 180.73 ft. to a stone bound which is on the westerly line of Dover Road as laid out by the Norfolk County Commissioners by return dated July 28, 1964, said bound being 245.42 ft. southwesterly of the southerly end of a 286.30 ft. radius curve.

The southerly line begins at a stone bound on the southerly side of Island Road; said bound being S-31°-50'-07"-E, 50.00 ft. from the first bound on the northerly line as above described; thence N-58°-32'-27"-E, 114.52 ft. to a stone bound; thence to the right by a 375.00 ft. radius curve 259.68 ft. to a stone bound; thence continuing by the same curve 259.68 ft. to a stone bound; thence S-42°-06'-25"-E, 251.29 ft. to a stone bound; thence S-77°-51'-45"-E, 95.40 ft. to a stone bound; thence southeasterly and easterly by a 525.00 ft. radius curve 110.20 ft. to a stone bound; thence continuing by the same curve 354.33 ft. to a stone bound; thence N-60°-33'-17"-E, 253.66 ft. to a stone bound; thence to the right by a 575.00 ft. radius curve 108.02 ft. to a stone bound; thence N-71°-19'-05"-E, 406.04 ft. to a stone bound;

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thence to the right by a 375.00 ft. radius curve 205.91 ft. to a stone bound; thence S-77°-13'-17"-E, 199.26 ft. to a stone bound; thence to the left by a 850.00 ft. radius curve 253.64 ft. to a stone bound; thence continuing by the same curve 253.65 ft. to a stone bound; thence N-68°-35'-02"-E, 297.68 ft. to a stone bound; thence continuing by the same course 321.86 ft. to a stone bound; thence to the right by a 390.00 ft. radius curve 513.91 ft. to a stone bound; thence S-4°-01'-34"-W, 277.56 ft. to a stone bound; thence S-13°-56'-54"-E, 82.46 ft. to a stone bound; thence S-35°-47'-08"-E, 225.04 ft. to a stone bound; thence S-72°-00'-24"-E, 224.76 ft. to a stone bound; thence S-58°-33'-43"-E, 146.25 ft. to a stone bound; thence S-01°-27'-32"-E, 100.04 ft. to a stone bound; thence S-48°-26'-08"-E, 63.52 ft. to a stone bound; thence N-42°-59'-16"-E, 205.51 ft. to a stone bound; thence N-85°-14'-57"-E, 50.99 ft. to a stone bound; thence to the left by a 425.00 ft. radius curve 309.63 ft. to a stone bound; thence N-43°-30'-23"-E, 301.06 ft. to a stone bound; thence to the right by a 575.00 ft. radius curve 342.00 ft. to a stone bound; thence N-77°-35'-07"-E, 183.17 ft. to a stone bound; thence to the left by a 625.00 ft. radius curve 125.65 ft. to a stone bound; thence N-66°-04'-00"-E, 175.67 ft. to a stone bound; thence to the right by a 575.00 ft. radius curve 129.60 ft. to a stone bound; thence N-78°-58'-52"-E, 300.00 ft. to a stone bound; thence continuing by the same course 308.50 ft. to a stone bound; thence to the right by a 23.90 ft. radius curve 46.43 ft. to a stone bound which is on the westerly line of Dover Road as laid out by the Norfolk County Commissioners by return dated July 28, 1964, said bound being S-60°-07'-41"-E, 76.38 ft. and S-10°-17'-04"-W, 34.97 ft. respectively 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 easements and rights incident to a public highway in the lands included within the lines of location hereinbefore described, (except Parcels 7A and 22) all as shown upon a plan entitled "Plan showing the Relocation and Widening of Island Road, Millis, between Dover Road and a point about 700 feet easterly of Exchange Street, as made by the Norfolk County Commissioners by Return dated August 2, 1978. Scale: 1 inch = 40 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 a temporary easement in Parcel 12TR, containing 2825 square feet of land, delineated on said plan for the purpose of facilitating the removal of structures on Parcel 11 should the owner neglect or refuse to remove them within the time specified by this Order of Taking, including the right to grade and slope the said land in order that it might be graded with the surrounding land. Said temporary easement to terminate when said structures are removed.

No takings are made by this instrument in parcels numbered 7A and 22 owned by the Massachusetts Bay Transportation Authority and the United States of America, respectively, and which are shown on the aforesaid plan only for the purposes of identification and continuity.

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 between the termini of this layout lying outside the lines herein established are hereby discontinued and that the portion of the existing highway laying within the area designated as parcel 1A on the plan hereinbefore described is herewith discontinued but only to its use of travel for highway purposes. And the Commissioners do herewith retain, take and lay out an easement for the benefit of, and on behalf of, the town of Millis, for the purposes of constructing, maintaining and repairing of any and all present or future municipal utilities, including sewer, water, drains, electricity, telephone and all other types of utilities.

And it is determined by the Commissioners that the Inhabitants of the Town of MILLIS 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 twenty-six (26) 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 MILLIS.

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>Approximate S.F. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Dorothea Seaver Powel Mtg: Medway Savings Bank	9,788	5.49	685.00
2	Dorothea Seaver Powel Mtg: Medway Savings Bank	8,512	4.78	195.00
3	Diversified Associates, Inc. Mtg: The Needham Co-operative Bank	2,776	0.86	65.00
4	Diversified Associates, Inc. Mtg: The Needham Co-operative Bank	4,383	1.35	265.00
5	Diversified Associates, Inc. Mtg: The Needham Co-operative Bank	4,064	1.25	245.00

<u>Pol. No.</u>		<u>Approximate S. F. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
6	Estate of George C. Thrasher	44,599		1,025.00
7	Estate of Augustus Moran	28,212	2.95	1,410.00
8	American Telephone and Telegraph Company	15,600	11.50	360.00
9	Town of Millis	60,000	-	None
10	Alan R. and Elizabeth M. Works	3,000	1.79	210.00
11	Herbert F. and Helen G. Works	7,900)	11.98	7,500.00
12TR	Herbert F. and Helen G. Works	2,825)		
13	Thomas and Mary Ellen Brennan Land Court Cert. No. 103510 Book 518 Page 110 Mtg: Natick Federal Savings and Loan Association	574	6.72	225.00
14	Joseph P. and Gay M. Coppola Land Court Cert. No. 102048 Book 511 Page 48 Mtg: Medway Co-operative Bank	640	6.70	220.00
15	William C. and Suzanne S. Curran Land Court Cert. No. 104435 Book 523 Page 35 Mtg: Benjamin Franklin Savings Bank	1,280	11.15	510.00
16	Harvey W. and Carol R. Keene Land Court Cert. No. 104580 Book 523 Page 180 Mtg: Framingham Savings Bank	1,848	16.10	720.00
17	Susan V. Button Land Court Cert. No. 105181 Book 526 Page 181 Mtg: Benjamin Franklin Savings Bank	1,925	16.88	770.00

<u>Pcl. No.</u>		<u>Approximate S.F. Taken</u>	<u>Tax Al- lowance</u>	<u>Award</u>
18	James C., Jr. and Joan L. Ashe Land Court Cert. No. 105130 Book 526 Page 130 Mtg: Baybank Norfolk County Trust Co.	2,664	20.79	935.00
19	George W. and Linda A. Todd Mtgs: New England Merchants National Bank	1,200	5.75	180.00
21	Town of Millis	43,358	-	None
23	Town of Millis	21,000	-	None
24	Dorothea Seaver Powel	2,793	0.89	65.00
25	Dorothea Seaver Powel	2,303	0.73	55.00
26	Dorothea Seaver Powel	70	0.02	5.00
27	Dorothea Seaver Powel	17,000	23.55	1,190.00
		<u>Totals</u>	<u>151.23</u>	<u>\$16,835.00</u>

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 second day of August 1978, 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 MILLIS 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:

Michael J. Bartlett Clerk

Recorded Aug. 4, 1978 at 2h.41m.P.M.