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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 seventh day of March 1979, by adjournment of their December meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of FRANK A. FARINACCI and others of WALPOLE 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 WALPOLE in said County, that common convenience and necessity require that the way known as BAKER STREET, a public way in said town, be relocated between a point about 1000 feet northerly of Old Post Road and a point about 1600 feet northerly of Old Post Road for the purpose of establishing the boundary lines of said way, making alterations in the course or width of said way.

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

Dated Jan. 16, 1979

Frank A. Farinacci  
John F. Campbell  
JoAnn Sprague  
Clifford E. Barnes, Jr.  
Louis E. Hoegler

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This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the seventeenth day of January, 1979 by adjournment of their December meeting next preceding; a notice of said meeting having

REFER TO PLAN NO. 173-1979 PL. COMM. 273

been posted as required by law; and the fourteenth day of February, 1979 and eleven o'clock in the morning 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 WALPOLE, 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 fourteenth day of February, 1979 the Commissioners, James J. Collins and David C. Ahearn, met at the time and place specified in said Order, when and where the petitioners appeared and the Town of WALPOLE 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 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, George B. McDonald and David C. Ahearn, by courses and distances, metes and bounds, do relocate said BAKER STREET as prayed for in said petition.

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

The westerly line of Baker Street begins at a stone bound which is on the westerly line of Baker Street as laid out by the Norfolk County Commissioners by return dated September 1832, said bound being at an angle in the westerly line of said Baker Street about 1000 feet northerly of Old Post Road; thence N-45°-08'-15"-W, 102.05 ft. to a stone bound; thence to the right by a 316.50 ft. radius curve 273.07 ft. to a stone bound; thence N-4°-17'-43"-E, 156.57 ft. to a stone bound which is on said westerly line of Baker Street, said bound being about 1500 feet northerly of Old Post Road.

The easterly line begins at a stone bound which is on the easterly line of Baker Street as laid out by the Norfolk County Commissioners by return dated September, 1832, said bound being N-65°-39'-59"-E, 35.30 ft. from the first bound on the westerly line as above described; thence N-45°-08'-15"-W, 114.59 ft. to a stone bound; thence to the right by a 283.50 ft. radius curve, 244.59 ft. to a stone bound; thence N-4°-17'-43"-E, 142.83 ft. to a stone bound which is on said easterly line of Baker Street, said bound being S-63°-05'-06"-E, 35.75 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 33.00 ft. easterly from and parallel to the westerly line.

And the said Commissioners do hereby take for the purposes of a highway all the easements and rights incident to a public highway in the lands included within the lines of location hereinbefore described, all as shown upon a plan entitled "Plan showing the relocation of Baker Street, Walpole between a point about 1000 feet northerly of Old Post Road and a point about 1500 feet northerly of Old Post Road, as made by the Norfolk County Commissioners by return dated March 7, 1979. Scale: 1 inch = 20 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 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 it is determined by the Commissioners that the inhabitants of the Town of WALPOLE 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 WALPOLE.

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 setoff, 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>Owner</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
	Walpole Country Club	None	-	-
	Alan D. and Carolyn D. Schmalz	None	-	-
1	Kenneth G. and Virginia L. Fettig Mtgs: The Lincoln Savings Bank	1100 S.F.	5.02	None
2	Richard A. and Nancy B. Chagnot	1200 S.F.	5.48	None
	J. Jeffrey and Martha A. Sullivan	None	-	-
		<b>Total</b>	<b>10.50</b>	

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

DAVID C. AHEARN

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners held at Dedham, on Wednesday, the seventh day of March, 1979, by adjournment of their December 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 WALPOLE 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

DAVID C. AHEARN

COUNTY COMMISSIONERS

A True Copy.

Attest:

*John Mulvey*  
Clerk

Clerk

Recorded Mar. 8, 1979 at 10h. 18m. A. M.