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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 third day of September 1980, by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of BARBARA M. HEBERT 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 an alteration be made in SAND STREET, in said town, consisting of the discontinuance of portions of the present layout as the Commissioners may determine, together with the alteration of portions of the present layout, for the purpose of eliminating the present intersection of Sand and Cocasset Streets and improving the intersection of Sand and Oak Streets.

Wherefore your petitioners pray that said way may be discontinued and altered within the limits above specified.

Dated December 4, 1979

Barbara M. Hebert
Louis A. Truax
Honora R. McLaughlin

Peter D. Stanton
J. Neil Forster
Harriet J. Blomberg
Vincent M. Igo

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the fifth day of March 1980, by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law; and the twenty-sixth day of March 1980

REFER TO PLAN NO. 683-1980 PL. BOOK 283

and two forty-five o'clock in the afternoon at the Engineering Department, Registry of Deeds Building, 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 FOXBORO REPORTER, 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-sixth day of March, 1980 the Commissioners, James J. Collins, George B. McDonald and David C. Ahearn, 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 an alteration be made in said way 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 make an alteration in said SAND STREET as prayed for in said petition.

And the lines of said alteration, consisting of the discontinuance of portions of the present layout together with the alteration of portions of the present layout, are as follows:

Discontinuance No. 1. The line begins at a stone bound on the southerly line of Sand Street as laid out by the Norfolk County Commissioners by Return dated June 25, 1963, said bound being the first bound on the southerly line of said 1963 layout; thence N-42°-34'-50"-E, 53.08 ft. to a stone bound; thence to the right by a 60.22 ft. radius curve, 88.74 ft. to a stone bound; thence to the left by a 2410.98 ft. radius curve, 50.41 ft. to a stone bound on the southerly line of the aforementioned 1963 layout of Sand Street; thence northwesterly, westerly and southwesterly by a 118.46 ft. radius curve, 172.09 ft. to the point of beginning. Said discontinuance is shown as "Parcel 4, 1734 S.F. Discontinued" on the plan hereinafter mentioned.

Discontinuance No. 2. The line begins at a stone bound on the southerly line of Sand Street as laid out by the Norfolk County Commissioners by Return dated June 25, 1963, said bound being S-59°-29'-20"-E, 282.12 ft. from a stone bound which is on the southerly line of said 1963 layout; thence easterly and northeasterly by a 60.00 ft. radius curve, 94.25 ft. to an unmarked point which is on the northerly line of said 1963 layout of Sand Street; thence S-59°-29'-20"-E, 60.13 ft. to a stone bound; thence to the right by a 360.00 ft. radius curve, 154.32 ft. to a stone bound; thence S-34°-55'-40"-E, 59.94 ft. to a stone bound; thence to the left by a 60.00 ft. radius curve, 54.41 ft. to a stone

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bound on the northerly side of Cocasset Street and being the last bound on the northerly line of said 1963 layout; thence westerly by a 2000.00 ft. radius curve to the right, 53.95 ft. to a point; thence N-85°-20'-40"-W, 149.98 ft. to a stone bound on the northerly side of Cocasset Street and being the last bound on the southerly line of Sand Street as laid out by the Norfolk County Commissioners by return dated June 25, 1963; thence northeasterly, northerly, and northwesterly by a 42.00 radius curve, 103.94 ft. to a stone bound; thence to the left by a 300.00 ft. radius curve, 64.68 ft. to a stone bound; thence N-59°-29'-20"-W, 120.13 ft. to the point of beginning. Said discontinuance is shown as "Parcel 2 10,030 S.F. Discontinued" and "Parcel 3, 9010 S.F. Discontinued" on the plan hereinafter referred to.

Alteration No. 1. The line begins at a stone bound on the northerly line of Sand Street as laid out by the Norfolk County Commissioners by return dated June 25, 1963, said bound being S-59°-29'-20"-E, 197.27 ft. from a stone bound which is on the northerly line of said 1963 layout; thence easterly and northeasterly by a 30.00 ft. radius curve, 36.93 ft. to a stone bound; thence to the right by a 60.00 ft. radius curve, 168.11 ft. to an unmarked point which is on the northerly line of said 1963 layout of Sand Street; thence by said northerly line N-59°-29'-20"-W, 144.85 ft. to the point of beginning. Said alteration is shown as "Parcel 1, 5762 S.F." on the plan hereinafter referred to.

And it is determined by the Commissioners that all lands within the lines above described as Discontinuance No. 1 and Discontinuance No. 2 are heroby discontinued as a highway. And the Commissioners do herewith retain, take and lay out an easement

for the benefit of and on behalf of the Town of Foxborough, for the purposes of constructing, maintaining and repairing any and all present or future municipal utilities, including sewer, water, drains, electricity, telephone and all other types of utilities within the area hereinbefore described as Discontinuance No. 2, 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 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 Alteration No. 1 hereinbefore described, 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 lines are shown upon a plan entitled "Plan showing the Alteration of Sand Street, Foxborough, between Oak Street and Cocasset Street, as made by the Norfolk County Commissioners by Return dated September 3, 1980 . 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.

And permanent stone bounds will be erected at the terminus and angles of said way altered as 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 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 alteration 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</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Frederick J. Grossmith, Jr. and Joan F. Grossmith	5,762 S.F. Taken	-	None
2	Frederick J. Grossmith, Jr. and Joan F. Grossmith	10,030 S.F. Disc.	-	None
3	Louis S. and Elsie M. Mosher	9,010 S.F. Disc.	-	None
4	Louis S. and Elsie M. Mosher	1,734 S.F. Disc.	-	None

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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 third day of September 1980, 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 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: M.A. Podolchi Asst Clerk

Recorded Sept. 4, 1980 at 1h. 06m. P.M.