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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 tenth day of February, 1982, by adjournment of their December meeting next preceding:

The petition of JOSEPH F. SPAS and others of BELLINGHAM, 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 BELLINGHAM in said County, that common convenience and necessity require that the way known as South Main Street, a public way in said town, be relocated between a point about 300 feet westerly of Centre Street and a point about 450 feet easterly of Centre Street for the purpose of establishing the boundary lines of said way; making alterations in the course or width of said way and making repairs on said way.

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

Dated August 24, 1981

Joseph F. Spas
Wilfred Arcand, Jr.
William P. Bissonnette
Lawrence J. Cibley

Gerard L. Daigle

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-sixth day of August, 1981, by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law: and the twenty-third day of September, 1981, and two-thirty o'clock in the afternoon at the

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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 BELLINGHAM, 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 Milford Daily News, a newspaper published in Milford, said posting and publication having been seven days at least before the time 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 September, 1981, 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 said Commissioners then 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 thirtieth day of September, 1981, a notice of said meeting having been posted as required by law, at which time the said Commissioners did adjudge that common convenience and necessity require that said way be relocated as prayed for in said petition and appointed the fourth day of November, 1981 and three o'clock in the afternoon at the Engineering Department, Registry of Deeds Building in said Dedham 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 said Commissioners 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 said Commissioners do hereby take for the purpose of properly draining said South Main Street easements and rights in Parcels D1 and D2, as indicated on the plan hereinafter mentioned and being more fully described as follows:

Beginning at a point on the westerly line of South Main Street as laid out by the Norfolk County Commissioners by return dated March 26, 1940, said point being opposite station 96+93; thence N-24°-01'-30"-W, 20.00 ft. to a point; thence N-65°-58'-30"-E, 30.00 ft. to a point; thence S-24°-01'-30"-E, 20.00 ft. to a point on said westerly line of South Main Street, said point being opposite station 96+63; thence southwesterly by said westerly line of South Main Street, 30.00 ft. to the point of beginning. Being shown as Parcel D1 on the plan hereinafter mentioned.

Beginning at a point on the easterly line of South Main Street as laid out by the Norfolk County Commissioners by return dated March 26, 1940, said point being opposite station 96+76; thence S-24°-01'-30"-E, 20.00 ft. to a point; thence S-65°-58'-30"-W, 30.00 ft. to a point; thence N-24°-01'-30"-W, 20.00 ft. to a point on said easterly line of South Main Street, said point being

opposite station 97+06; thence northeasterly by said easterly line of South Main Street, 30.00 ft. to the point of beginning. Being shown as Parcel D2 on the plan hereinafter referred to.

All as shown upon a plan entitled "Plan showing the Relocation of South Main Street, Bellingham, between a point about 250 feet westerly of Centre Street and a point about 400 feet easterly of Centre Street, as made by the Norfolk County Commissioners by Return dated February 10, 1982. 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 further take a temporary easement in Parcel TE-1 as shown on the aforesaid plan, consisting of the right to construct slopes, walls, retaining walls, walks, steps, drives, fences, curbing, railing and remove trees and any other things that may be reasonably necessary to accomplish the purpose of the order of taking. Said temporary easement is 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 and recorded by the County Commissioners.

And it is determined by the Commissioners that the Inhabitants of the Town of BELLINGHAM 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.

The travelled part of said way shall be constructed not less than twenty-eight (28) feet in width.

5.

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.

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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 shall be paid out of the treasury of the Town of BELLINGHAM within fifteen days after demand therefor by any person entitled thereto is made, and should the County be put to any legal expense, or any other expense relating to damages, or any further damages be recovered, they shall be paid out of the treasury of said town.

And the said 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.

6.

<u>Pcl. No.</u>	<u>Owners</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
D1	Roger V. & Lorraine A. Chartier Mtg: Marquette Credit Union	600 S.F.	-	\$45.00
D2	Edgar P. and Medora M. Guilbert Mtg: Uxbridge Savings Bank	600 S.F.	-	60.00
TE-1	The Bellingham Post No. 7272 Veterans of Foreign Wars of the United States, Inc. Mtg: The American Legion Arnold-Spencer Post No. 218, Building Association, Inc.	1770 S.F.	-	175.00
Total			-	\$280.00

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 three months from the date of possession; and if they shall not be so removed, the Commissioners shall have the option to do so.

JAMES J. COLLINS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Wednesday, the tenth day of February, 1982, 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 BELLINGHAM 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

COUNTY COMMISSIONERS

A true Copy.
Attest:

John P. Conner
CLERK

Recorded Feb. 12, 1982 at 10h. 44m. A. M.