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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 thirty-first day of July, 1985, by adjournment of their June meeting next preceding:

The petition of LOUIS A. TRUAX 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 CHESTNUT STREET, a public way in said town, be relocated between North Street and Cocasset 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 September 5, 1978

Leo R. Norton
Peter D. Stanton
John P. Gaudet
Louis A. Truax
Patricia Ann Heydecker

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the thirteenth day of September, 1978, by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law: and the eighteenth day of October, 1978, and two-thirty o'clock in the afternoon at

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REFER TO PLAN NO. 985-198 PL. BOOK

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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 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 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 eighteenth day of October, 1978, 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 thence the same was continued and adjourned to a meeting of the Commissioners held at Dedham on the twenty-seventh day of December, 1978, 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 twenty-first day of February, 1979 and two-thirty o'clock in the afternoon at the Town Hall in Foxborough as the time and place when they would proceed to 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 thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham on the fifth day of September, 1984, 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, appointed the twenty-sixth day of September, 1984 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 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 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 September, 1984 the said Commissioners 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 again 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 still require that said way be relocated, as prayed for in said petition.

And now the said Commissioners, by courses and distances, metes and bounds, do relocate a portion of said Chestnut Street as prayed for in said petition.

And the lines of said relocation of Chestnut Street are as follows:

The northeasterly line of Chestnut Street begins at a stone bound which is on the northerly side of Chestnut Street about 200 feet westerly of its intersection with Mechanic Street; thence S-42°-23'-45"-E, 168.19 ft. to a stone bound; thence to the left by a 30.00 ft. radius curve, 49.60 ft. to a stone bound which is on the northerly line of Mechanic Street as laid out by the Norfolk County Commissioners by Return dated August 9, 1927; thence S-36°-56'-53"-E, 57.33 ft. to a stone bound which is on the southerly line of said 1927 layout of Mechanic Street; thence southwesterly and southeasterly by a 30.00 ft. radius curve, 44.31 ft. to a stone bound; thence to the right by a 2050.00 ft. radius curve, 142.65 ft. to a stone bound; thence S-36°-29'-37"-E, 261.32 ft. to a stone bound.

The southwesterly line of Chestnut Street begins at a stone bound which is on the southerly side of Chestnut Street, said bound being S-42°-40'-33"-W, 11.08 ft.; S-10°-39'-59"-W,

45.52 ft.; and S-44°-33'-39"-W, 2.57 ft. respectively from the first bound on the northeasterly line as above described; thence S-42°-23'-45"-E, 145.82 ft. to a stone bound; thence to the right by a 27.03 ft. radius curve, 40.96 ft. to a stone bound which is on the northerly line of Mechanic Street as laid out by the Norfolk County Commissioners by Return dated April 1, 1930; thence S-40°-23'-31"-E, 55.22 ft. to a stone bound which is on the southerly line of said 1930 layout of Mechanic Street; thence N-44°-27'-07"-E, 34.15 ft. to a stone bound; thence S-36°-29'-37"-E, 433.55 ft. to a stone bound; said bound being S-42°-59'-57"-W, 25.45 ft. and S-53°-30'-23"-W, 24.98 ft. respectively from the last bound on the northeasterly line as above described.

The Southwesterly line heretofore described, in general, is 50.00 ft. southwesterly from and parallel to the northeasterly 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 and Widening of Chestnut Street, Foxborough, between a point about 200 feet westerly of Mechanic Street and a point about 450 feet easterly of Mechanic Street, as made by the Norfolk County Commissioners by return dated July 31, 1985. 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 permanent stone bounds will be erected at the termini and angles of said way relocated 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-eight (28) 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 shall be paid out of the treasury of the Town of FOXBOROUGH, 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.

<u>Pol. No.</u>	<u>Owners</u>	<u>Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
	Christopher J. Glynn	None	-	-
37	Alexander L. Spier, Gerald R. Rodman and Donald E. Rodman	1,752 S.F.	\$12.67	\$1750.00
	Mtg: Foxboro Federal Savings and Loan Association			
38	First Baptist Church of Foxborough, Mass.	8,135 S.F.	-	\$2700.00
	Mtgs: Foxborough Savings Bank			
	Ethel J. Dixon	None	-	-
	The Roman Catholic Archbishop of Boston	None	-	-
84	Maureen E. Headd	663 S.F.	\$11.41	\$ 660.00
	Mtg: Walpole Cooperative Bank			
	Thomas F., III and Barbara M. Sheehan	None	-	-
			<u>\$24.08</u>	<u>\$5110.00</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 one month 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

DAVID C. AHEARN

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Wednesday, the thirty-first day of July 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

Richard Barlaam
Clerk

