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COMMONWEALTH OF MASSACHUSETTS

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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 twenty-seventh day of April, 1988, by adjournment of their April meeting next preceding:

The petition of MARJORIE L. CRISPIN and others of BRAINTREE 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 BRAINTREE in said County, that common convenience and necessity require that the way known as ALLEN STREET, a public way in said town, be relocated on the northerly side between Hobart Street and Sheppard Avenue 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 November 3, 1987

Marjorie L. Crispin
James J. Galvin
Joseph C. Sullivan
Anthony J. Mollica

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-fourth day of February, 1988, by adjournment of their December meeting next preceding: a notice of said meeting having been posted as required by law: and the thirtieth day of March, 1988, and two-thirty o'clock in the afternoon at their Administration Offices, 614 High Street 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 BRAINTREE, 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 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.

MAY 11 1988
RECEIVED & RECORDED
8:00 A.M.

REFER TO PLAN NO. 440-1987 PL. BOOK 367

And on the said thirtieth day of March, 1988, 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 BRAINTREE 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 said Commissioners, by courses and distances, metes and bounds, do relocate a portion of said Allen Street as prayed for in said petition.

And the lines of said relocation of said Allen Street are as follows: Beginning at a stone bound near Front Street on the northerly line of Allen Street as laid out by the Norfolk County Commissioners by return dated December 1, 1870, said bound also being the first bound in PARCEL D of the Town of Braintree Layout of May 12, 1987; thence N-69° -16' -07" E., 140.17 ft. to a bolt in a stone post; thence N-64° -17' -20"E., 404.89 ft. to a stone bound on the northerly line of Allen Street as laid out by the Norfolk County Commissioners by return dated December 1, 1870, said bound being about 180 ft. easterly of Sheppard Avenue.

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 between the above-described line and the northerly line as laid out on December 1, 1870, all as shown upon a plan entitled "Plan Showing the Relocation and Widening of Allen Street, Braintree, between Front Street and a point about 180 ft. easterly of Sheppard Avenue, as made by the Norfolk County Commissioners by return dated April 27, 1988. 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 it is determined by the Commissioners that the Inhabitants of the Town of BRAINTREE 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 BRAINTREE, 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>Pcl.</u>	<u>No.</u>	<u>Owners</u>	<u>Area Taken</u>	<u>Award</u>
	1	William W. Crockan and Patricia L. Doherty Land Court Cert. No. 120286 Book 602 Page 86 Mtg: Union Warren Savings Bank	41 S.F.	None
	2	Antonio and Claudia Meola	150 S.F.	None
	3	Peter A. and Joan A. Hurlburt Mtg: Home Savings Bank Now:-Yankee Bank for Finance and Savings	170 S.F.	None
	4	Glenn L. and Rosemarie Lorenzen Mtg: Presidential Co-operative Bank Now:-The Granite Co-op. Bank	100 S.F.	None
	5	John T. and Jeanne C. Sidlauskas Mtg: Weymouth Savings Bank	60 S.F.	None
	6	Gloria D. Imrie Mtg: Merchants Co-operative Bank Now:-Merchants Bank of Boston	30 S.F.	None
	7	Joseph F. Cushing Mtg: South Weymouth Savings Bank	10 S.F.	None

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. MC DONALD

DAVID C. AHEARN

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Wednesday, the twenty-seventh day of April, 1988 by adjournment of their April 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 BRAINTREE 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. MC DONALD

DAVID C. AHEARN

COUNTY COMMISSIONERS

A true Copy

Attest: *John A. Berkeley* Clerk

