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BK 11463PG164

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 thirty-first day of July 1996, by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of Mark E. Kelley and others of STOUGHTON 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 STOUGHTON in said County, that common convenience and necessity require that the ways known as Pleasant and Turnpike Streets, public ways in said town, be relocated at their intersection for the purpose of Establishing the boundary lines of said ways, making alterations in the course or width of said ways and making repairs on said ways.

WHEREFORE YOUR PETITIONERS PRAY that said way may be relocated within the limits above specified.

Dated Feb. 6, 1995

BOARD OF SELECTMEN  
Mark E. Kelley  
Edward F. Finn, Jr.  
Joseph M. Mokrisky  
Diane G. Soave

RECORDED  
NORFOLK COUNTY REGISTER OF DEEDS  
DEDHAM, MA  
CERTIFY  
*[Signature]*  
HARRY T. HANNON, REGISTER

PLANNING BOARD  
William Angelos  
Almon M. Fredericks  
Michael F. Sammarco

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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 first day of March, 1995, by adjournment of their December meeting, next preceding, a notice of said meeting having been posted as required by law: and the fifth day of April, 1995 and seven o'clock in the evening at the Stoughton Town Hall, 10 Pearl Street, Stoughton were appointed by the Commissioners as the time and place for commencing and proceeding to view the

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NORFOLK COUNTY  
1996 AUG - 1 AM 11:48 REFER TO PLAN NO. S2801194 PL. BOOK 546

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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 STOUGHTON, being the town within which such relocation 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 STOUGHTON CHRONICLE, a newspaper published in Stoughton, Mass., said postings 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 fifth day of April, 1995, the Commissioners, William P. O'Donnell, John M. Gillis and Peter H. Collins, met at the time and place specified in said order, when and where the petitioners appeared and the Town of STOUGHTON was represented by its Selectmen and Planning Board; and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; and no party interested objected.

And thence the same was continued and adjourned to a meeting of the Commissioners held at Dedham on the twelveth day of April, 1995, 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 ways be relocated as prayed for in said petition.

And thence the same was continued and adjourned from time to time to a meeting of the Commissioners held on the fifth day of June 1996 by adjournment of their April meeting next preceding; when and where upon the adjudication aforesaid the Commissioners appointed the seventeenth day of July, 1996 and 7:15 o'clock P.M.

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at the Stoughton Town Hall in STOUGHTON 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 publication being in the Patriot Ledger, a newspaper published in Quincy, Mass.) 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, by courses and distances, metes and bounds, do hereby relocate a portion of said PLEASANT STREET, as prayed for in said petition.

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

Beginning at a stone bound on the southerly line of Pleasant Street, as laid out by the Norfolk County Commissioners by Return dated February 17, 1925, said bound being 47.38 ft. westerly of a stone bound on said southerly line of Pleasant Street; thence S.  $36^{\circ}-42'-17''$  E., 10.03 ft. to a stone bound; thence N.  $57^{\circ}-49'-10''$  E., 326.99 ft. to a stone bound; thence continuing on the same course, 192.30 ft. to a stone bound; thence by a 50.00 ft. radius curve to the right, 99.22 ft. to a stone bound; thence by a 389.98 ft. radius curve to the right, 114.39 ft. to a stone bound which is on the westerly line of Turnpike Street, as laid out by the Norfolk County Commissioners by Return dated March 13, 1973, said bound being 167.23 ft. southerly of a stone bound on said westerly line of Turnpike Street at Pleasant Street.

And the said Commissioners do hereby take for the purposes of

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a highway all the fee and rights incident to a public highway in the lands included between the above- described lines and the lines previously established and shown as parcels 1 and 2 upon a plan entitled "Plan showing the Relocation and Widening of a Portion of Pleasant Street, Stoughton, at it's intersection with Turnpike Street, as made by the Norfolk County Commissioners by Return dated July 31, 1996 Scale: 1 inch = 40 feet. John M. Paronich, County Engineer" and signed by "William P. O'Donnell, 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, where feasible.

And it is determined by the Commissioners that the Inhabitants of the Town of STOUGHTON 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 thirty-six (36) 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 STOUGHTON, and should the County be put to any legal expense or any other

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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. No.</u>	<u>Owners</u>	<u>Area Taken</u>	<u>Award</u>
1	Town of Stoughton	3275 S.F.	None
2	Town of Stoughton	6950 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 three months from the date of possession; and if they shall not be so removed, the Commissioners shall have the option to do so.

William P. O'Donnell

John M. Gillis

Peter H. Collins  
COUNTY COMMISSIONERS

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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners held at Dedham, on Wednesday, the thirty-first day of July, 1996 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 STOUGHTON 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.

William P. O'Donnell

John M. Gillis

Peter H. Collins  
COUNTY COMMISSIONERS

A true copy.

Attest:   
Clerk