

#85

COMMONWEALTH OF MASSACHUSETTS

Norfolk County
Taking

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 December, 1924. The petition of Mark B. Smart, and others, Selectmen and others of Holbrook in said county, represents as follows; Commonwealth of Massachusetts. Norfolk ss. To the Honorable the County Commissioners for the County of Norfolk; Respectfully represent your petitioners, inhabitants, of the town of Holbrook in said county, that common convenience and necessity require that the ways known as Weymouth Street, Sycamore, Pine and Pond Streets, public ways in said town be relocated at or near the junction or intersection of said ways for the purpose of making alterations in the course and width of said ways and of establishing the boundary lines thereof; Wherefore your petitioners pray that said ways may be so relocated within the limits above specified. Dated July 1924.

Mark B. Smart)
 John W. Porter.) Selectmen of Holbrook
 John King)
 Henry G. Davies
 Lester S. Holbrook
 William West.

Plan Book 104. Plan 67 - (1925)

This petition was presented to the commissioners and duly entered at a meeting of said commissioners held at Dedham aforesaid on the thirtieth day of September, 1924, by adjournment of their September Meeting next preceding and the eleventh day of November, then next, and 2.30 o'clock in the afternoon at the Selectmen's Room in said Holbrook were appointed by the 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 this order thereon to be served upon the clerk of the town of Holbrook being the town within which such relocation of ways was prayed for thirty days at least before the time appointed for said view, and also caused copies of said petition and order to be posted in two public places in said town and also gave notice to all persons interested by causing a like copy to be published three weeks successively in the Holbrook Times a newspaper published, in said county, said posting, and the last publication of said copy having been fourteen 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 eleventh day of November the commissioners Evan F. Richardson, Edward W. Hunt, and Frederick A. Leavitt met at the time and place specified in said order when and there the petitioners appeared and the town of Holbrook

as 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 judge 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 this meeting. And now, the said commissioners, by courses and distances, metes and bounds, do relocate said Pine, Pond and Sycamore Streets as prayed for in said petition. And the lines of said relocation of said Pine, Pond and Sycamore Streets are as follows;

Pine Street. Beginning at a stone bound in the easterly line of Pine Street, said bound being 221.5 feet northerly from the present easterly corner of Weymouth and Pine Streets, thence S. 9-23 E. in the easterly line of said Pine Street 154.50 feet to a stone bound, thence by a 50.00 ft. radius curve to the left, 92.97 feet to a stone bound in the northerly line of Weymouth Street as laid out by the County Commissioners, July 15, 1924, thence S. 64-05 W. 206.92 feet in the northerly line of said Weymouth Street to a stone bound thence S. 66-22 W. 51.88 feet in said line of Weymouth Street to a stone bound, thence easterly and northerly by a 30.00 ft radius curve 24.56 feet to a stone bound, thence N. 19-28 E. 136.37 feet to a stone bound, thence by a 500 ft. radius curve to the left 250.02 feet to a stone bound, in the present westerly line of Pine Street, thence S. 30-09 E. 106.30 feet across said Pine Street to the stone bound in the easterly line of said Pine Street at the point of beginning as above described, meaning and intending in the above layout to take all of the land included within the above described lines. Pond and Sycamore Streets. Beginning at a stone bound in the southerly line of Weymouth Street as laid out by the Norfolk County Commissioners, July 15, 1924, said bound being 44.78 feet easterly from the present easterly corner of Sycamore and Weymouth Streets, thence westerly and southerly by a 60.00 ft. radius curve 76.93 feet to a stone bound, thence S. 9-23 E. 48.73 feet to a stone bound, thence by a 54.55 ft radius curve to the left 41.10 feet to a stone bound, thence by a 742.00 ft. radius curve to the right 189.94 feet to a stone bound in the present easterly line of Pond Street, thence S. 52 07 W. 42.00 feet across Pond Street to a stone bound in the westerly line of Pond Street, thence northely and northwesterly by a 700.00 ft. radius curve 103.09 feet to a stone bound, thence by a 25.54 ft. radius curve to the left 83.69 feet to a stone bound in the easterly line of Sycamore Street, thence N. 49 42 W. 41.86 feet across Sycamore Street to a stone bound in the westerly line of Sycamore Street, thence northerly and westerly by a 128.00 ft. radius curve 251.10 feet to a stone bound in the southerly line of Weymouth Street, thence N. 66 22 E. 97.92 feet in said

southerly line of Weymouth Street to a stone bound, thence continuing in the southerly line of Weymouth Street N.64 05 E. 170.86 feet to the stone bound at the point of beginning as above described. Meaning and intending in the above layout to take all the land included within the above described lines. Said lines are shown upon a plan entitled "Plan showing the Relocation and Widening of Pine, Pond and Sycamore Streets at Weymouth Street in the Town of Holbrook as made by the Norfolk County Commissioners," and signed "Evan F. Richardson, Chairman," which plan is filed herewith and made a part of their return. And the said Commissioners do hereby take for the purposes of a highway all the lands included within the lines of relocation hereinbefore described and as shown on the plan hereinbefore referred to and made a part hereof in so far as such lands may lie outside the limits of said way as heretofore defined. And permanent stone or concrete bounds not less than three feet long two feet of which at least shall be inserted in the earth will be erected at the termini and angles of the way relocated as aforesaid, when practicable and when not so, a heap of stones, a living tree, a permanent rock or the corner of an edifice will be a substitute or said bounds may be permanent stone or concrete bounds not less than three feet long with holes drilled therein and filled with lead placed a few inches below the travelled part of the street or way. And it is determined by the commissioners that the inhabitants of the town of Holbrook do within one year from the date of this return and order complete said ways in a thorough and workmanlike manner and to the acceptance of the county commissioners. Said ways shall be constructed to the full width indicated on said plan throughout the entire length of the portion relocated by this return, and order. Suitable sidewalks, gutters, retaining walls, fences and railings shall be constructed wherever needed. And it is determined by the commissioners that all the expenses of making the relocation of ways prescribed in this return and order, including the expenses of constructing said way and all land and other damages and expenses incident thereto be paid by the inhabitants of the town of Holbrook and that the County of Norfolk shall pay to the inhabitants of the town of Holbrook the sum of two hundred and eighty dollars (\$280) payment thereof to be made at such time as the commissioners may determine, having regard to the amount of the work done and the proportion of the expense to be paid by the county. And the commissioners have heard the proprietors of lands and property, rights and interests, 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 by the

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 the same to be paid to said parties respectively by the inhabitants, of the town of Holbrook when the lands hereby taken and over which said ways are hereby relocated have been entered upon the possession taken for the purpose of constructing the said ways.

Daniel S. Rogers	
c/o Ernest Rogers	15.00
Willis G. Bates	15.00
Percy C. Peckman	<u>250.00</u>
	\$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 six months from the date of this return and order.

Evan F. Richardson)	
Edward W. Hunt)	County Commissioners.
Frederick A. Leavitt)	

Commonwealth of Massachusetts. Norfolk ss. At a meeting of the county commissioners held at Dedham, on Wednesday, the thirty first day of December, 1924; 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 Holbrook within the limits of which said highways 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

Evan F. Richardson)	
Edward W. Hunt)	County Commissioners
Frederick A. Leavitt)	

A true copy of Return and Order of Taking of County Commissioners,

Attest: R.B. Worthington, Clerk.

Rec'd. & entered for record Jan. 29, 1925, at 9h. 20m. A.M.

Brookline Trust Company, holder of a mortgage by John C. Flynn, to said Brookline Trust Company, dated July 1, 1920, recorded with Norfolk Deeds, book 1460, page 376, and Aaron Johnson and Emily J. Johnson, tenants by the entirety, owners of the equity of redemption of the mortgaged premises, agree each for its, his and herself, its and their heirs, successors and representatives and assigns, that the time provided in	Brookline Trust Co. with Johnson & al.
--	--