

#172

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 first day of September 1931 by adjournment of their June meeting next preceding; The petition of Lawrence J. Bresnahan and others, of Medway, in said County represents as follows: Commonwealth of Massachusetts Norfolk ss.

County of Norfolk

Taking

To the Honorable the County Commissioners of the County of Norfolk; Respectfully represent your petitioners, inhabitants of the town of Medway in said County that public convenience and necessity require that the way known as Village Street, a public way in said town be relocated between town line at Millis and Main Street, West Medway, for the purpose of making alterations in the course or width of said way and repairing and rebuilding said way within the limits so specified. Wherefore your petitioners pray that said way may be relocated within the limits above specified. Dated May 4, 1931.

Lawrence J. Bresnahan

Herbert J. Mann

Charles P. O'Hara

A. T. Handverger

William J. Munroe

John R. Labaree

Leo F. Cassidy

Daniel M. Malloy

Clinton S. Howe

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the fifth day of May 1931 by adjournment of their April meeting next preceding; and the sixteenth day of June then next, and eleven thirty o'clock in the forenoon, at the Court House in said Dedham 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 Medway being the town within which such relocation of way 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 West Medway Gazette 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 sixteenth day of June, the Commissioners Edward W. Hunt, Frederick A. Leavitt and Russell T. Bates met at the time and place specified in said order, when and where the petitioners appeared, and the town of Medway 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 from time to time to this meeting; And now the said Commissioners, by courses and distance, metes and bound, do relocate said Village Street as prayed for in said petition. And the lines of said relocation of said Village Street are as follows: The

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northerly line begins at a stone bound in the present northerly line of Village Street, said bound bearing S 75-46-20-W 128.96 ft. from the southwesterly corner of the dwelling house of Mary E. Kenney; thence easterly and southerly by a 7316.60 ft. radius curve 241.56 ft. to a stone bound in the present northerly line of said Village Street; thence N-85-14-50-E 193.60 ft. in said northerly line to a stone bound; thence by a 500.00 ft. radius curve to the right 240.42 ft. to a stone bound; thence continuing by the same curve 240.42 ft. to a stone bound in said northerly line of said Village Street. The southerly line begins at a stone bound in the present southerly line of said Village Street at a point bearing S-6-38-40-E 50 ft. from the point of beginning of the northerly line as above described thence easterly and southerly by a 7266.60 ft. radius curve 120.48 ft. to a stone bound; thence continuing by a 32.27 ft. radius curve to the right 52.91 ft. to a stone bound on the westerly side of Walker Street, thence N. 89-11-20-E 46.72 ft. across said Walker Street to a stone bound on the easterly side of said Walker Street; thence northerly and Easterly by a 40.25 ft. radius curve 61.11 ft. to a stone bound in the present southerly line of said Village Street, said bound being the bound at the easterly end of the present curve at the easterly corner of said Village and Walker Streets; thence continuing by an 821.10 ft. radius curve to the right 394.81 ft. to a stone bound; thence continuing by the same curve 394.82 ft. to a stone bound in the present southerly line of said Village Street, said bound bearing S 25-10-20-E 199.94 ft. from the last bound in the northerly line as above described. Said lines are shown on a plan entitled "Plan showing the relocation and widening of Village St., Medway from a point about 150 feet west of Walker St for a distance of about 1000 feet easterly as made by the Norfolk County Commissioners by Return dated Sept. 1, 1931 Hartley L. White, County Engineer, Scale 1 inch 40 feet. 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 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 Medway 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. Said way 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, culverts, 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 way 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 Medway; and that the County of Norfolk shall pay to the Inhabitants of Medway the sum of six thousand dollars, 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 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; the same to be paid to said parties respectively by the Town of Medway when the lands hereby taken and over which said way is hereby located, have been entered upon and possession taken, for the purpose of constructing the said way.

Congregation Agudath Achim	\$1.00
Marian Henry	1.00
James H. McGinnis	10.00
John Saulen	200.00
Sarah J. Bresnahan	<u>1.00</u>

Total \$ 213.00

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 ten days from the date when said lands have been entered upon or possession thereof taken for the purpose of constructing said way.

Edward W. Hunt)
 Frederick A. Leavitt) County
 Russell T. Bates) Commissioners

Commonwealth of Massachusetts Norfolk ss. At a meeting of the County Commissioners, held at Dedham, on Tuesday, the first day of September 1931 by adjournment of their June meeting next preceding; 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 Medway within the limits of which 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.

Edward W. Hunt)
 Frederick A. Leavitt) County
 Russell T. Bates) Commissioners

A true copy of Return of County Commissioners . Attest: R.B. Worthington Clerk.

Rec'd & entered for record Sept. 4, 1931 at 11h. 42m. A.M. ✓