

#214

County of Norfolk
Taking

ss. At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the third day of July 1934 by adjournment of their June meeting next preceding; The petition of Charles P.Roundy and others, of Walpole 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 Walpole in said County, that common convenience and necessity require that the way known as Norfolk Street, a public way in said town be relocated between West St. and Main St. and with suitable connections with all intersecting streets, for the purpose of establishing boundaries of said way, making alterations in the course or width of said way, making repairs on said way Wherefore your petitioners pray that said way may be relocated within the limits above specified. Dated September 20, 1933

- Charles P.Roundy
- Willis D.McLean
- John J.Easton
- Thomas B.Ahearn
- Frederick F.Libby
- John Dalton

See Plans 335 & 336 - 1934 Pl. Book 118

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty sixth day of September; and the twenty fourth day of October then next and eleven 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 order of notice thereon, to be served upon the Clerk of the Town of Walpole 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 Walpole Times 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 twenty fourth day of October the Commissioners Edward W.Hunt, Frederick A.Leavitt and Russell T.Bates met at the time and place specified in said order, and no one having appeared the said Commissioners postponed said hearing to a meeting of the Commissioners held on the thirty first day of October when and where the petitioners appeared, and the town of Walpole 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 upon the adjudication aforesaid, the said Commissioners appointed Tuesday the twenty second day of May 1934 and eleven o'clock forenoon, at the Court House in said

Dedham as the time and place when and where 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 said Commissioners met at the time and place appointed and then and there heard all persons and corporations interested, and said hearing was thence continued and adjourned from time to time to this meeting. And now the said Commissioners by courses and distances, metes and bounds, do relocate Norfolk Street, Walpole as prayed for in said petition and the lines of said relocation of said Norfolk Street are as follows: The northerly line begins at a stone bound in the easterly line of West Street at the northerly end of the curve at the northerly corner of West and Norfolk Streets as laid out by the Norfolk County Commissioners by Return dated December 16, 1924 said bound bearing N-69-32 W 30.57 ft. from the northwesterly corner of the pumping station belonging to the town of Walpole at said corner; thence southerly and easterly in said easterly line by said curve having a radius of 56.53 ft. 88.17 ft. to the stone bound at the easterly end of said curve; thence S-68-46-45-E. 529.48 ft. to a stone bound; thence by the same course 460.00 ft. to a stone bound; thence by the same course 500.00 ft. to a stone bound; thence by the same course 472.95 ft. to a stone bound; thence by a 100.00 ft radius curve to the left 84.50 ft. to a stone bound on the westerly side of Allen Street; thence S.76-16-25-E. 61.06 ft. across said Allen Street to a stone bound on the easterly side of said Allen Street; thence southwesterly, southerly and easterly by a 25.00 ft. radius curve 57.41 ft. to a stone bound; thence S.68-46-45-E 490.00 ft. to a stone bound; thence by the same course 492.69 ft. to a stone bound; thence by a 100.00 ft radius curve to the left 149.74 ft. to a stone bound in the present westerly line of Main Street as laid out by the Massachusetts Highway Commission April 24, 1923. The southerly line begins at a stone bound in the southerly line of West Street as laid out by the Norfolk County Commissioners by Return dated December 16, 1924 said bound bearing S-67-17-43 W.184.45 ft. from the point of beginning of the northerly line as above described; thence easterly and southeasterly by a 3000.00 ft radius curve 269.22 ft. to a stone bound; thence S 68-46-45-E.450.00 ft. to a stone bound; thence by the same course 460.00 ft. to a stone bound; thence by the same course 500.00 ft to a stone bound; thence by the same course 627.00 ft to a stone bound; thence by the same course 480 490.00 ft. to a stone bound; thence by the same course 480.22 ft. to a stone bound; thence by an 85.00 ft. radius curve to the right 143.89 ft. to a stone bound in said westerly line of Main Street as laid out by the aforesaid Massachusetts Highway Commission on August 23, 1900; thence N.-28-12-35-E. 154.94 ft. in said westerly line of Main Street to a Massachusetts Highway bound; thence by a 1933.01 ft. radius curve to the left 94.65 ft. in said westerly line of Main Street as laid out April 24, 1923 to the last bound in the northerly line as above described. Said lines are shown upon a plan entitled "Plan showing the Relocation and Widening of Norfolk St., Walpole between West St. and Main St. as made by the Norfolk County Commissioners by Return dated July 3, 1934 Hartley L. White, County Engineer. Scale 1 inch = 40 feet." and

marked "Edward W. Hunt, Chairman," which plan is filed herewith and made a part of this return. 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 Walpole, 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 twenty four (24) feet in width. 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 as 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 Walpole. 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, 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 Inhabitants of the Town of Walpole 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.

Sarah L. Thomas	\$1.00
Mikal Anderson	5.00
Frank A. Fisher	<u>23.00</u>
Total	\$29.00

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 on which the work ordered by this return is begun.

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

Commonwealth of Massachusetts Norfolk ss. At a meeting of the County Commissioners, held at Dedham, on Tuesday, the third day of July 1934 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 Walpole 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
)
) Russell T. Bates
)
) County Commissioners

A true copy Attest: R.B. Worthington Clerk.

Rec'd & entered for record July 10, 1934 at 4h.41m. P.M.

I, Emma F. Mann of Brookline, County of Norfolk the holder of a first mortgage by Herbert E. Prescott to me, dated April 30, 1932 recorded with Norfolk Registry of Deeds, Book 1960 page 288 for consideration paid, RELEASE to said Herbert E. Prescott, all interest acquired under said mortgage in the following described portion of the mortgaged premises. A certain parcel of land in BROOKLINE County of Norfolk bounded and described as follows: Beginning at a point on the dividing line between the Town of Brookline and City of Boston, 312.74 feet more or less Northeasterly on Lanark Road, and also 123 feet more or less Southwesterly from Colliston Road, along the dividing line between the premises of said Prescott and property formerly belonging to Whiton and from said point in the same course as the last mentioned dividing line in a southeasterly direction by land of said Prescott, 38 feet. Thence turning and running northeasterly by land of parties unknown 20 feet. Thence turning and running northwesterly by land formerly of said Whiton 38 feet, and, thence turning and running on the dividing line above referred to between the Town of Brookline and City of Boston, by land formerly of Whiton 20 feet in Southwesterly direction to the point of beginning. Being the northeasterly portion of Lot #1 on plan of land in Brookline, F.R. and Dana Estes, June 1915." Recorded with Norfolk Registry of Deeds and containing about 760 square feet be it more or less by all of said measurements. Meaning and intending to release only the portion of the land above described in the covenants of said mortgage and specifically intended to be of no effect as to the remaining portion of the mortgaged premises. WITNESS my hand and seal, this 2nd day of July 1934

Mann
to
Prescott

) Emma F. Mann (seal)

Commonwealth of Massachusetts Norfolk ss. July 2, 1934 Then personally appeared the above named Emma F. Mann and acknowledged the foregoing instrument to be her free act and deed, before me Ralph B. Heavens Notary Public (-----) My commission expires July 25th, 1935

Rec'd & entered for record July 11, 1934 at 9h.00m. A.M.