

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 fifteenth day of October 1935 by adjournment of their September meeting next preceding: The petition of John L. Hunter and others of Bellingham 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 Bellingham in said County, that common convenience and necessity require that the way known as Lake Street, a public way in said town, be relocated between Franklin Street and the Franklin Town Line at or near the junction of Prospect and Maple Streets for the purpose of establishing the boundary lines of said way, making alterations in the course or width of said way and making repairs on said way. Wherefore your petitioners pray that said way may be relocated within the limits above specified. Dated March 25, 1935.

John L. Hunter	Wilfred Boiteau
Wilfrid N. Dufresne	Charles Hamenau
Samuel H. Bremner	Walter D. Richard
Harland E. Cook	Euclid A. Fleurette

Donat Laplante

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 March 1935, by adjournment of their December meeting next preceding; and the sixteenth day of April then next and two o'clock in the afternoon, 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 Bellingham 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 Franklin Sentinel, 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 said sixteenth day of April 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 Bellingham 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 a meeting of said Commissioners held at Bellingham on the thirteenth day of May 1935 when and where the Commissioners further heard the petitioners and owners of property to be taken or affected by said proceedings and thence the same was continued and adjourned from time to time to this meeting. And now the said Com-

Plan Borel 119, Plan 392, Plan 396, 1935

Commissioners, by courses and distances, metes, and bounds, do relocate said Lake Street as prayed for in said petition. And the lines of said relocation of said Lake Street are as follows: The westerly line begins at a stone bound in the northerly line of Franklin Street as laid out by the Norfolk County Commissioners, by Return dated December 28, 1926, said bound being at the westerly end of the curve at the northwesterly corner of Lake Street and Franklin Street; thence easterly and northerly by a 70.00 ft. radius curve 108.37 ft. to a stone bound; thence N-4-53-40-E 552.34 ft. to a stone bound; thence by the same course 550.00 ft. to a stone bound; thence by the same course 540.00 ft. to a stone bound; thence by a 5050.00 ft. radius curve to the right 331.26 ft. to a stone bound; thence N-8-39-10-E 493.10 ft. to a stone bound; thence by a 5000.00 ft. radius curve to the left 225.92 ft. to a stone bound; thence N-6-03-50-E. 483.75 ft. to a stone bound; thence by a 2500.00 ft. radius curve to the left 293.07 ft. to a stone bound; thence N-0-39-10-W 490.35 ft. to a stone bound; thence by an 80.00 ft. radius curve to the left 116.24 ft. to a stone bound in the approximate southerly line of Railroad Street; thence N-19-58-20-W 44.53 ft. across said Railroad Street to a stone bound on the northerly side of said Railroad Street; thence easterly and northerly by a 120.00 ft. radius curve 183.98 ft. to a stone bound; thence N-8-15-20-E 170.00 ft. to a stone bound; thence N-35-45-10-E 527.94 ft. to a stone bound; thence N-29-53-50-E 223.60 ft. to a stone bound; thence by a 1600.00 ft. radius curve to the left 302.13 ft. to a stone bound; thence continuing by the same curve 302.14 ft. to a stone bound; thence N-8-15-30-E 590.00 ft. to a stone bound; thence by the same course 382.88 ft. to a stone bound; thence by the same course 357.17 ft. to a stone bound in the southerly line of location of the N.Y.N.H. & H.R.R.; then beginning at a stone bound in the northerly line of location of said N.Y.N.H. & H.R.R., said bound bearing N-8-15-30-E 213.44 ft. from the last described bound; thence N-8-15-30-E 57.65 ft. to a stone bound; thence by an 800.00 ft. radius curve to the right 187.56 ft. to a stone bound; thence N-21-41-30-E 208.00 ft. to a stone bound; thence by a 678.25 ft. radius curve to the left 218.27 ft. to a stone bound; thence N-3-15-10-E 623.35 ft. to a stone bound; thence by a 50.00 ft. radius curve to the left 88.92 ft. to a stone bound on the southerly side of Cross Street; thence N-23-30-40-W 51.73 ft. across said Cross Street to a stone bound on the northerly side of said Cross Street; thence easterly and northeasterly by a 200.00 ft. radius curve 148.38 ft. to a stone bound; thence N-38-50-40-E 639.95 ft. to a stone bound; thence by a 1050.00 ft. radius curve to the right 268.19 ft. to a stone bound; thence continuing in the same curve 268.20 ft. to a stone bound; thence N-68-06-50-E 574.35 ft. to a stone bound; thence by a 500.00 ft. radius curve to the left 312.99 ft. to a stone bound; thence continuing by the same curve 313.00 ft. to a stone bound on the westerly side of Maple Street; thence N-86-22-50-E 13.48 ft. to a stone bound in the Bellingham-Franklin town line on the westerly side of Maple Street in said town of Franklin. The easterly line begins at the stone bound in the northerly line of Franklin Street, as laid out by the Norfolk County Commissioners by Return dated December 28, 1926, said bound being at the easterly end of the curve at the northeasterly corner of Franklin and Lake Streets and bearing S-86-24-10-E 179.81 ft. from the point of beginning of the westerly line as above described; thence westerly, and northerly by a

60.00 ft. radius curve 95.61 ft. to a stone bound; thence N-4-53-40-E 558.26 ft. to a stone bound; thence by the same course 550.00 ft. to a stone bound; thence by the same course 540.00 ft. to a stone bound; thence by a 5000.00 ft. radius curve to the right 327.98 ft. to a stone bound; thence N-8-39-10-E 493.10 ft. to a stone bound; thence by a 5050.00 ft. radius curve to the left 228.18 ft. to a stone bound; thence N-6-03-50-E 483.75 ft. to a stone bound; thence by a 2550.00 ft. radius curve to the left 298.93 ft. to a stone bound; thence N-0-39-10-W 308.20 ft. to a stone bound; thence by a 1200.00 ft. radius curve to the right 319.92 ft. to a stone bound; thence continuing in the same curve 319.92 ft. to a stone bound; thence N-29-53-50-E 320.00 ft. to a stone bound; thence by the same course 323.60 ft. to a stone bound; thence by a 1650.00 ft. radius curve to the left 311.58 ft. to a stone bound; thence continuing in the same curve 311.58 ft. to a stone bound; thence N-8-15-30-E 590.00 ft. to a stone bound; thence by the same course 382.88 ft. to a stone bound; thence by a 1000.00 ft. radius curve to the right 149.52 ft. to a stone bound; thence N-16-49-30-E 133.70 ft. to a stone bound; thence by an 800.00 ft. radius curve to the left 119.61 ft. to a stone bound; thence N-8-15-30-E 97.21 ft. to a stone bound in the southerly line of location of the N.Y.N.H. & H.R.R., then beginning at a stone bound in the northerly line of location of said N.Y.H.H. & H.R.R., said bound bearing N-8-15-30-E 173.24 ft. from the last described bound; thence northerly and northeasterly by a 1092.47 ft. radius curve 170.65 ft. to a stone bound; thence N-17-12-30-E 155.80 ft. to a stone bound; thence by a 1000.00 ft. radius curve to the left 243.57 ft. to a stone bound; thence N-3-15-10-E 472.15 ft. to a stone bound; thence by an 800.00 ft. radius curve to the right 248.47 ft. to a stone bound; thence continuing in the same curve 248.48 ft. to a stone bound; thence N-38-50-40-E 432.05 ft. to a stone bound; thence by a 1000.00 ft. radius curve to the right 255.42 ft. to a stone bound; thence continuing in the same curve 255.43 ft. to a stone bound; thence N-68-06-50-E 574.35 ft. to a stone bound; thence by a 550.00 ft. radius curve to the left 209.85 ft. to a stone bound; thence by an 80.00 ft. radius curve to the right 185.45 ft. to a stone bound in the Bellingham-Franklin town line and being on the westerly side of Maple Street in said Franklin; thence N-0-55-40-W 299.69 ft. in said Bellingham-Franklin town line to a town bound; thence N-0-32-00-E 186.60 ft. in said Bellingham-Franklin Town line to a stone bound, said bound being the last bound in the westerly line as above described. Said lines are shown upon a plan entitled "Plan showing the Relocation and Widening of Lake St., Bellingham from Franklin St. to Maple St. as made by the Norfolk County Commissioners by Return dated Oct. 15, 1935. 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 the said Commissioners do likewise further take all the easements in lands adjoining the location of said way as hereby established, consisting of the right to have the lands of said location protected by having the surface of the adjoining land slope from the

lines of said location as indicated on said plan. 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 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 Bellingham, 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 eighteen (18) 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 Bellingham. 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 Bellingham 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.

Israel and Max Garelick	1.00
Napoleon Gelinas	1.00
George C. Rhodes et ux	1.00
Mildred A. Rhodes	1.00
Henry A. McCarthy	1.00
Harold C. Burr	1.00
Henry A. McCarthy	25.00
Carl M. Christiansen	1.00
Benjamin I. Barrows	1.00
George D. Crooks et al	35.00
George D. Crooks	1.00
Eva F. Crooks	1.00
Matthew C. O'Day	1.00
Will L. Crooks	<u>100.00</u>
Total	\$171.00

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 two months from the date on which the work ordered by this return is begun.

Commonwealth of Massachusetts) Edward W. Hunt
Norfolk, ss.) Frederick A. Leavitt
At a meeting of the County Commissioners,) Russell T. Bates
County Commissioners

held at Dedham, on Tuesday, the fifteenth day of October, 1935, by adjournment of their September meeting: 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 Bellingham 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 Oct. 26, 1935 at 9h. 20m. A.M.

I, Samuel Haworth, the mortgagee named in a certain mortgage dated February 13, 1935, and recorded with Norfolk Deeds, Book 2060, Page 425, in consideration of the payment to me this day by Mary A. Williams, the present owner of the premises described in said mortgage, of the interest to date, and of the further sum of one dollar, the receipt of all of which is hereby acknowledged, do hereby surrender to the said Mary A. Williams, and her heirs and assigns, the possession of real estate described in said mortgage, which possession was taken by me on the thirtieth day of September, 1935, for breach of the condition of said mortgage, the evidence of which taking of possession is recorded in said Norfolk Deeds on October 4, 1935, Book 2082, Page 402. But it is expressly agreed and understood that nothing herein contained shall in any way, except as hereinbefore specially provided, effect or impair my rights or interest under the said mortgage, to the whole amount of the principal sum thereby secured and which is still due and unpaid.

Haworth
to
Williams

WITNESS my hand and seal this fourteenth day of October, 1935.

) Samuel Haworth (----)

Commonwealth of Massachusetts Suffolk, ss. October 14th, 1935. Then personally appeared the above named Samuel Haworth and acknowledged the foregoing instrument to be his free act and deed, before me Leo J. Moore, Notary Public(-----)

Rec'd & entered for record Oct. 26, 1935 at 9h. 22m. A.M.