

246

2157
49

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 sixth day of July, 1937 by adjournment of their June meeting next preceding:-

The petition of F. EARLE NEGUS and others, of PLAINVILLE 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 PLAINVILLE in said County, that common convenience and necessity require that the way known as EAST BACON STREET, a public way in said town, be relocated between Grove Street and Washington Street together with making suitable connections with all intersecting ways 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 December 22, 1938.

- | | |
|--------------------|---------------------|
| F. Earle Negus | Alec Frederickson |
| Sidney A. Maddocks | C. M. Bohning |
| Elmer C. Pease | Earle F. Barney |
| Joseph Shepherd | Charles H. Peasley |
| Edward A. Gardner | Herbert M. Thompson |

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twelfth day of January 1937, by adjournment of their December meeting next preceding; and the twenty-eighth day of January then next, and ten 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 PLAINVILLE being the town within which such relocation of way was prayed for, fifteen days at least before the time appointed for said view:

Plainville: Plain # 422 + 473 - 1937

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 twenty-eighth day of January, the Commissioners, Edward V. 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 Plainville was represented; 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 the Court House in said Dedham on Tuesday the twenty-fifth day of May, 1927 at two o'clock in the afternoon, 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 Commissioners, by courses and distances, metes and bounds, do relocate said EAST BACON STREET as prayed for in said petition.

And lines of said relocation of said EAST BACON STREET are as follows:-

The northerly line begins at a stone bound on the northerly side of East Bacon Street, and on the easterly side of a way known as Grove Street, said bound bearing S-42-03-W 24.00 ft. from the southwest corner of the main house at 56 East Bacon Street; thence N-69-00-45-E 336.26 ft. to a stone bound; thence N-69-33-45-E

449.92 ft. to a stone bound; thence N-69-38-55-E 505.77 ft. to a stone bound; thence by the same course 500.00 ft. to a stone bound; thence N-69-06-55-E 394.28 ft. to a stone bound in the 260.00 ft. radius curve at the northerly corner of said East Bacon Street and Washington Street, as laid out by the Norfolk County Commissioners by Return dated October 20, 1931; thence continuing in said curve 215.47 ft. to the stone bound at the westerly end of said curve, said bound being in the westerly line of Washington Street as laid out by the Massachusetts Department of Public Works on January 6, 1931.

The southerly line begins at the point of beginning of the northerly line as above described; thence S-20-59-15-E 50.00 ft. to an unmarked point; thence S-21-16-45-E 20.10 ft. to a stone bound in the easterly line of Grove Street; thence northerly and easterly by a 20.00 ft. radius curve 31.52 ft. to a stone bound; thence N-69-00-45-E 366.32 ft. to a stone bound; thence N-68-38-45-E 449.84 ft. to a stone bound; thence N-69-38-55-E 505.33 ft. to a stone bound; thence continuing by the same course 500.24 ft. to a stone bound; thence N-69-06-55-E 349.56 ft. to a stone bound; thence by a 50.00 ft. radius curve to the right 115.84 ft. to a stone bound in the westerly line of Washington Street as laid out as aforesaid; thence N-21-37-55-E 295.87 ft. in said westerly line of said Washington Street 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 East Bacon St., Plainville between Grove St. and Washington St. as made by the Norfolk County Commissioners by Return dated July 8, 1937. Hartley L. White, County Engineer. Scale 1 inch = 40 feet." and marked "Frederick A. Leavitt, 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 PLAINVILLE, 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 PLAINVILLE.

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 Plainville 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.

Alec H. and Elsie M. Fredrickson	\$ 35.00
Edward A. and Jennie A. Gardner	35.00
Harvey W. Gay	10.00
Sidney A. and Isabel M. Maddocks	25.00
Heirs of Hosmer F. Keeney, Inez G. Steinkuhler, Administratrix	35.00
William C. and Angenette C. Ward	25.00
Almon L. Mason	5.00
Clarence M. and Ruth D. Bohning	25.00
Heirs of Jennie M. Heckman, William M. Sturdy, Administrator	35.00
Plainville Savings and Loan Association	10.00
Earle A. and Elsie F. Rose	20.00
F. Earle Negus and Ethelwyn T. Negus	25.00
Owen N. Johnson	5.00
Henry C. McDuff Estate	25.00
Albert E. Bolton	20.00
William S. Metcalf	1.00
Herbert C. and Lola H. Darling	1.00
Albert and Bertha L. Beyersdorfer	15.00
Wolfgang Benker	10.00
Fred Benker	25.00

TOTAL \$ 387.00

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

FREDERICK A. LEAVITT

EDWARD W. HUNT

RUSSELL T. BATES

COUNTY COMMISSIONERS

Rec'd 7-14-37