

#255

See Plaine Map. 96 for loc. map of 1937. Exam. record 127
Ordinance of 24th 1939

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 twenty-fourth day of January, 1939, by adjournment of their December meeting next preceding:-

The petition of PAUL ROBIDOUX 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 SOUTH MAIN STREET, a public way in said town, be relocated between Center St. at Crooks Corner, South Bellingham (Throughtout its entire length) and to Route 140 at Bellingham Center, for the purpose of establishing the boundary lines of said way, and making alterations in the course or width of said way. The road to be located as much as possible on the present roadway.

Wherefore your petitioners pray that said way may be relocated within the limits above specified.

Paul Robidoux	Donat Laplante
John J. Clancy	Edward M. Reid
Edmund Goggin	Leo A. Stearns
Henri E. Trudeau	Joseph Mulvee
Walter D. Richard	Elizabeth M. Bruce

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the second day of November, 1937, by adjournment of their September meeting next preceding: and the fourteenth day of December 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 peti-

tion 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 fourteenth day of December the Commissioners Frederick A. Leavitt, Edward W. Hunt, 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 twenty-third day of February, 1938, 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 a meeting of said Commissioners held at Dedham on the fourth day of October, 1938 when and where upon the adjudication aforesaid, the said Commissioners appointed the twenty-fifth day of October, 1938 and two o'clock in the afternoon, 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 be-

fore 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 said SOUTH MAIN STREET, as prayed for in said petition.

And the lines of said relocation of said SOUTH MAIN STREET are as follows:-

The westerly line of the section of South Main Street between Centre Street and Mendon Road begins at a stone bound in the westerly line of Centre Street, Bellingham, as laid out by the Norfolk County Commissioners by Return dated June 19, 1928, said bound bearing S-58-11-E 45.86 ft. from the northeasterly corner of a dwelling house belonging to Caroline E. Pickering; thence northeasterly and northerly by a 186.52 ft. radius curve 127.48 ft. to a stone bound; thence continuing by a 2000.00 ft. radius curve to the left 277.60 ft. to a stone bound; thence N-27-26-25-W 538.83 ft. to a stone bound; thence by a 1456.00 ft. radius curve to the right 314.54 ft. to a stone bound; thence N-15-03-45-W 337.22 ft. to a stone bound; thence by a 4056.00 ft. radius curve to the right 240.69 ft. to a stone bound; thence N-11-39-45-W 573.43 ft. to a Massachusetts Highway Bound, said bound being at the southerly end of the westerly line of that portion of South Main Street as laid out by the State Department of Public Works December 7, 1938 in connection with the abolition of the railroad crossing in Mendon Road and the reconstruction of the highway bridge in said South Main Street over the N. Y. N. H. & H. R. R.

The easterly line of this section of South Main Street begins at a stone bound in the westerly line of Centre Street as laid out by the Norfolk County Commissioners by Return dated December 28, 1926, said bound bearing N-34-44-20-E 214.42 ft.

from the point of beginning of the westerly line as above described; thence southwesterly, westerly, and northwesterly by a 45.55 ft. radius curve 104.68 ft. to a stone bound; thence continuing by a 2056.00 ft. radius curve to the left 245.31 ft. to a stone bound; thence N-27-26-25-W 538.83 ft. to a stone bound; thence by a 1400.00 ft. radius curve to the right 302.45 ft. to a stone bound; thence N-15-03-45-W 337.22 ft. to a stone bound; thence by a 4000.00 ft. radius curve to the right 237.36 ft. to a stone bound; thence N-11-39-45-W 573.43 ft. to a Massachusetts Highway Bound, said bound bearing N-78-20-15-E 56.00 ft. from the last bound in the westerly line of this portion of South Main St., as above described, said bound being also at the southerly end of that portion of South Main Street as laid out by the State Department of Public Works on December 7, 1938 as aforesaid.

The westerly line of the second portion of South Main Street is bounded beginning at a Massachusetts Highway Bound bearing N-42-09-50-W 165.2 ft. from the northerly corner of the dwelling house of Ovilla Dulude et ux, said bound being at the northerly end of the westerly line of that portion of South Main Street as laid out by the State Department of Public Works on December 7, 1938 as aforesaid; thence N-23-15-10-E 525.45 ft. to a stone bound; thence by an 1830.00 ft. radius curve to the right 475.10 ft. to a stone bound; thence continuing by the same curve 475.10 ft. to a stone bound; thence N-53-00-10-E 166.95 ft. to a stone bound; thence by a 1000.00 ft. radius curve to the left 526.22 ft. to a stone bound; thence continuing by a 4000.00 ft. radius curve to the left 511.19 ft. to a stone bound; thence continuing by the same curve 511.19 ft. to a stone bound; thence continuing by the same curve 464.64 ft. to a stone bound; thence N-1-33-10-E 236.80 ft. to a stone bound; thence by an 1140.00 ft. radius curve to the right 425.27 ft. to a stone bound; thence continuing by a 27.21 ft. radius curve to the left 51.78 ft. to a stone bound on the southerly side of Chestnut Street; thence

N-3-54-10-E 40.00 ft. across said Chestnut Street to a stone bound on the northerly side of said Chestnut Street; thence easterly and northerly by a 78.46 ft. radius curve 94.72 ft. to a stonebound.

The easterly line of this portion of South Main Street begins at a Massachusetts Highway bound, said bound bearing S-66-44-50-E 60.00 ft. from the point of beginning of the westerly line as above described; thence N-23-15-10-E 525.45 ft. to a stone bound; thence by a 1770.00 ft. radius curve to the right 459.52 ft. to a stone bound; thence continuing by the same curve 459.53 ft. to a stone bound; thence N-52-00-10-E 651.05 ft. to a stone bound; thence N-35-49-50-W 40.78 ft. across the present South Main Street to a stone bound; thence southwestwardly, westerly and northerly by a 35.00 ft. radius curve 90.83 ft. to a stone bound; thence N-22-51-10-E 74.40 ft. to a stone bound; thence by a 4060.00 ft. radius curve to the left 518.85 ft. to a stone bound; thence continuing by the same curve 518.86 ft. to a stone bound; thence continuing by a 26.49 ft. radius curve to the right 71.14 ft. to a stone bound; thence N-22-08-E 62.14 ft. across the present South Main Street to a stone bound; thence northwestwardly and northerly by an 800.00 ft. radius curve 272.04 ft. to a stone bound; thence N-1-33-10-E 376.60 ft. to a stone bound; thence by a 1080.00 ft. radius curve to the right 437.00 ft. to a stone bound; thence N-24-44-10-E 99.28 ft. to a stone bound; thence N-65-15-50-W 60.00 ft. across said South Main Street to 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 a portion of South Main St., Bellingham between Centre St. and Chestnut St. as made by the Norfolk County Commissioners by Return dated Jan. 24, 1939. 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 pur-

poses 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 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 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 the 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.

Caroline E. Pickering	10.00
Charles L. Drury et ux	18.00
George W. Cook, Subject to agreement with Ralph L. Nutting et ux	10.00
Frank R. Houseman et ux	15.00
Arthur W. Wales et ux	20.00
Dean Coop. Bank	25.00
Martha Bennett	25.00
Benjamin Franklin Savings Bank	20.00
Ellsworth A. Crooks	5.00
Clara Belanger	1.00
Home Owners' Loan Corporation	10.00
Waldo I. Cook	5.00
George H. Eccleston et ux	20.00
Walter D. Bates	15.00
Walter D. Bates et ux	5.00
George W. Cook	15.00
Bertha I. Mowry	15.00
Fred Longton et ux	15.00
George W. Cook	1.00
Richard J. and Alice M. Jacks	5.00
Richard J. Jacks	1.00
Mary I. Guyette	10.00
Edward M. Hammann	8.00
South Bellingham Realty Co. (Victor Messere Tax Deed)	1.00
Gedeon Marcoux	1.00
Ermelinda Meotti	1.00
Medway Savings Bank	15.00
Eva C. Angell	5.00
Anna DeVoto	10.00
Albert S. Casavant	1.00
Wilmat Casavant	1.00
Emelia Casavant	1.00
Ernesto Munari et ux	1.00
Wilfred Remillard et ux	1.00
John Rose Jr., and Emma Welk	1.00
Clarence W. Hoyt et ux	1.00
Napoleon and Frank Rattie	35.00
Arthur E. James et ux	15.00
Fred B. Howes	50.00
John Bergman et ux	10.00
Lillian E. Cotter	75.00
Warren E. Whiting	1.00
Annie C. Whiting et al	10.00
Edgar C. Scott	75.00
Hattie I. Fisher et al	1.00
Florence P. Snelson	50.00
Rose A. Peloquin (Subject to agreement with Eugene Farley et ux)	10.00
Rose A. Peloquin (Subject to agreement with Alfred Farley et ux)	10.00
Napoleon Cormier et ux	15.00
Charles F. Whipple	50.00
Francis J. Moughton	520.00
Robert Schafer, Trustee	50.00
Alexander Morris	25.00
Rose A. Peloquin	10.00

TOTAL

\$ 1326.00

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

RUSSELL T. BATES

EDWARD W. HUNT

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS.

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-fourth day of January, 1939, by adjournment of their December 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 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.

FREDERICK A. LEAVITT

RUSSELL T. BATES

EDWARD W. HUNT

COUNTY COMMISSIONERS

A true copy,

ATTEST: *R. B. Woodington* CLERK

Rec'd & entered for record Feb. 21, 1939 at 9h. 39m. A.M.