

#258

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-third day of August, 1938, by adjournment of their June meeting next preceding:-

The petition of JOHN MCINTOSH and others, of WELLESLEY 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 WELLESLEY in said County, that common convenience and necessity require that the way known as WASHINGTON STREET, a public way in said town, be relocated between Dover Road and Pond 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 June 21, 1938.

John McIntosh
Arthur L. Stevenson
George W. Adams
Clarence Alfred Bunker
Paul G. Babson

Louis Harvey
Joseph B. Ross
Alf Severson
Gordon H. Ogilvie
Howard W. Wellwood, Jr.

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-first day of June, 1938, by adjournment of their April meeting next preceding: and the twelfth day of July 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 Wellesley 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 Wellesley Townsman, 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

See Plan Book 122, Pg. 516-1938

said petition, might then and there appear and be heard if they saw fit.

And on the said twelfth day of July 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 WELLESLEY 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 this meeting.

And now the said Commissioners, by courses and distances, metes and bounds, do relocate said Washington Street as prayed for in said petition.

And the lines of said relocation of said Washington Street are as follows:-

The westerly line begins at a bolt in the retaining wall on the westerly side of Washington Street, said bolt being distant 256.80 ft. northeasterly from the right outer corner of the wall at the entrance to the drive leading to the residence of Minna L. Hunnewell; thence northeasterly and easterly by a 525.00 ft. radius curve 146.89 ft. to a stone bound; thence N-53-55-05-E 192.88 ft. to a stone bound; thence by a 702.57 ft. radius curve to the right 171.91 ft. to a stone bound; thence N-67-56-15-E 90.00 ft. to a stone bound; thence by a 214.70 ft. radius curve to the left 238.27 ft. to a stone bound; thence N-4-21-10-E 59.65 ft. to a stone bound; thence by a 300.00 ft. radius curve to the right 130.32 ft. to a stone bound; thence N-29-14-30-E 161.48 ft. to a stone bound; thence by a 241.04 ft. radius curve to the left 120.88 ft. to a stone bound; thence S-89-29-30-E 50.00 ft. across said Washington Street to a stone bound in the present easterly line of said Washington Street and opposite house number 756.

The easterly line begins at the point of beginning of the westerly line as above described; thence S-52-06-45-E 50.00 ft. across said Washington Street to a stone bound in the present easterly line of said Washington Street; thence northeasterly and

easterly by a 475.00 ft. radius curve 132.90 ft. to a stone bound; thence N-53-55-05-E 192.88 ft. to a stone bound; thence by a 652.57 ft. radius curve to the right 159.67 ft. to a stone bound; thence N-67-56-15-E 90.00 ft. to a stone bound; thence by a 600.00 ft. radius curve to the left 50.00 ft. to a stone bound; thence continuing by a 337.32 ft. radius curve to the left 213.09 ft. to a stone bound; thence continuing by a 1123.86 ft. radius curve to the left 519.01 ft. 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 Washington St., Wellesley between Pond Road and Dover Road as made by the Norfolk County Commissioners by Return dated Aug. 23, 1938. Hartley L. White, County Engineer. Scale 1 inch = 40 ft." and marked "Frederick A. Leavitt, Chairman." which plan is filed herewith and made a part hereof.

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 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 Wellesley 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 thirty (30) 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 expense 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 Wellesley.

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 Wellesley when the lands hereby taken and over which said way is located, have been entered upon and possession taken, for the purpose of constructing said way.

Wellesley College	\$1.00
Jane W. Cheever	<u>1.00</u>
Total	\$2.00

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 fifteen (15) days from the date on which the work ordered by this return is begun.

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FREDERICK A. LEVITT

EDWARD W. HUNT

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

At a meeting of the County Commissioners, held at Dedham, on Tuesday, August 23, 1938, 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 Wellesley 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 the purpose.

FREDERICK A. LEVITT

EDWARD W. HUNT

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST: Willard Everett ASST. CLERK

Rec'd & entered for record Aug. 30, 1938 at 9h.19m.A.M.

F. Diehl & Son, Incorporated

holder of a mortgage

from Owen R. Patterson

to ourselves

dated October 31, 1929

recorded with Norfolk Registry

Deeds

Book 1871

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acknowledge satisfaction of the same