

#269

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 eighteenth day of June, 1940 by adjournment of their April meeting next preceding:

The petition of JOHN R. GILLESPIE AND OTHERS, of SHARON 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 SHARON in said County, that common convenience and necessity require that the way known as DEPOT STREET, a public way in said town, be relocated between South Main Street and Upland Road for the purpose of establishing boundaries of said way, making repairs on said way and resurfacing.

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

Dated November 23, 1939.

John R. Gillespie  
Harry R. Andrews  
David M. Smith  
E. Gilmore Richards  
Alfred W. Curtis  
Albert H. Urann  
T. Francis O'Leary

\* \* \* \* \*

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-eighth day of November, 1939, by adjournment of their September meeting next preceding; and the nineteenth 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 SHARON being the town within which such relocation of way was prayed for, fifteen days at least before the time ap-

See Plan Book 126, Plan # 388-1440

pointed 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 Sharon Advocate 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 nineteenth 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 Sharon 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 Sharon on the sixteenth day of January, 1940, 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 Depot Street as prayed for in said petition.

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

The northerly line begins at a stone bound which is at the easterly end of the Highway as laid out by the Massachusetts Department of Public Works on April 28, 1936; thence by a straight line with a bearing of S-67-42-30-E a distance of 68.91 ft. to a

stone bound; thence by a straight line with a bearing of S-69-17-E a distance of 121.24 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 40.80 ft. to a stone bound; which point is on the westerly side of Hillside Avenue; thence by a straight line with a bearing of S-68-57-E a distance of 38.67 ft. to a bolt in the wall; which point is on the easterly side of Hillside Avenue; thence by a curve in a southeasterly direction with a radius of 25.00 ft. a distance of 39.57 ft. to a stone bound; thence by a straight line with a bearing of S-76-33-30-E a distance of 186.91 ft. to a stone bound; thence by a curve to the left with a radius of 40.00 ft. a distance of 56.64 ft. to a stone bound; which bound is on the westerly side of Pleasant Street; thence by a straight line with a bearing of N-87-14-20-E a distance of 44.16 ft. to a stone bound; which point is on the easterly side of Pleasant Street; thence by a curve in a southeasterly direction with a radius of 40.00 ft. a distance of 69.02 ft. to a stone bound; thence by a straight line with a bearing of S-76-33-30-E a distance of 84.14 ft. to a stone bound; thence by a curve to the right with a radius of 629.89 ft. a distance of 100.32 ft. to a stone bound; thence by a straight line with a bearing of S-67-26-E a distance of 179.02 ft. to a stone bound; thence by a curve to the left with a radius of 16.54 ft. a distance of 25.06 ft. to a stone bound; which point is on the westerly side of North Main Street, as laid out by the Norfolk County Commissioners by Return dated July 31, 1883.

The southerly line begins at a stone bound which is at the easterly end of the Highway as laid out by the Massachusetts Department of Public Works on April 28, 1936, being S-22-14-W a distance of 54.34 ft. from the point of beginning of the northerly line as above described; thence by a straight line with a bearing of S-68-17-30-E a distance of 56.88 ft. to a stone bound; thence by a curve to the right with a radius of 150.00 ft. a distance of 98.44 ft. to a stone bound; which point is on the south-

westerly side of Station Street; thence by a straight line with a bearing of S-56-01-10-E a distance of 93.50 ft. to a stone bound; which point is on the northeasterly side of Station Street; thence by a curve in a northeasterly direction with a radius of 32.70 ft. a distance of 76.55 ft. to a stone bound; thence by a straight line with a bearing of S-76-33-30-E a distance of 207.76 ft. to a stone bound; thence by a curve to the right with a radius of 40.00 ft. a distance of 63.03 ft. to a stone bound; which point is on the westerly side of South Pleasant Street; thence by a straight line with a bearing of S-77-07-50-E a distance of 40.00 ft. to a stone bound; which point is on the easterly side of South Pleasant Street; thence by a curve in a northeasterly direction with a radius of 40.00 ft. a distance of 62.63 ft. to a stone bound; thence by a straight line with a bearing of S-76-33-30-E a distance of 99.37 ft. to a stone bound; thence by a curve to the right with a radius of 400.00 ft. a distance of 150.95 ft. to a stone bound; thence by a straight line with a bearing of S-54-56-10-E a distance of 113.70 ft. to a stone bound; thence by a curve to the right with a radius of 25.12 ft. a distance of 34.39 ft. to a stone bound; which point is on the westerly side of South Main Street, as laid out by the Norfolk County Commissioners by Return dated April 17, 1894; said point being S-25-39-W a distance of 127.11 ft. from the last bound in the northerly line as above described.

Said lines being the re-establishment of lines as laid out by the Norfolk County Commissioners by Returns dated June 13, 1871, July 21, 1896 and March 11, 1924, together with widenings at various locations.

Said lines are shown upon a plan entitled "Plan showing the Re-establishing and Widening of a portion of Depot St., Sharon from west of Station St. to South Main St. as made by the Norfolk County Commissioners by Return dated June 18, 1940. Wallace S. Carson, 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 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 bounds, not less than three and on half feet long, will be erected at the termini and angles of the way relocated as aforesaid.

And it is determined by the Commissioners that the Inhabitants of the Town of Sharon, 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 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 Sharon.

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 Sharon 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.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
1.	Dwight P. Colburn, Land Court Certificate #21515, Bk. 108, P. 115	150	\$ 1.00
2.	Dwight P. Colburn	155	15.00
3.	Albert B. Curphey et ux	138	10.00
4.	Dwight P. Colburn	237	25.00
5.	Harold A. Levenson	488	50.00
6.	Canton Institution for Savings	750	50.00
7.	Lillie M. Cole	1,650	100.00
8.	Martha H. Green	348	25.00
9.	Belle F. Brownlee	340	35.00
10.	Mary D. Ironmonger	130	1.00
11.	Jahn J. Rafter et ux	10	1.00
	<b>Total</b>		<b>\$313.00</b>

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.

FREDERICK A. LEAVITT

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, the eighteenth day of June, 1940 by adjournment of their April 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 Sharon 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

EDWARD W. HUNT

RUSSELL T. BATES /

COUNTY COMMISSIONERS

A true copy,  
 ATTEST: R. B. Worthington CLERK

Rec'd & entered for record July 1, 1940 at 3h. 3m. P.M.