

#276

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 tenth day of December, 1940, by adjournment of their September meeting next preceding:-

The petition of CONSTANCE E. HILL and others, of NORFOLK for the relocation of MAIN STREET, 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 NORFOLK in said County, that common convenience and necessity require that the way known as MAIN STREET, a public way in said town, be relocated between Franklin Line - Main Street and Hanover Street for the purpose of reconditioning Main Street and re-establishing boundaries.

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

Dated May 9, 1940.

Constance E. Hill  
Walter T. Holmes  
Douglas Rockwood  
George F. Campbell  
Wentworth Stuart

\* \* \* \* \*

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the fourteenth day of May, 1940 by adjournment of their April meeting next preceding; and the eleventh day of June then next and two fifteen 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 Norfolk being the town within which such relocation of way was prayed for, fifteen days at least before the time appointed for

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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 eleventh day of June, 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 NORFOLK 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 now the said Commissioners, by courses and distances, metes and bounds, do relocate said MAIN STREET as prayed for in said petition.

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

The northerly line of Main Street begins at a stone bound on the town line between the towns of Franklin and Norfolk; thence N-53-00-E a distance of 600.14 ft. to a stone bound; thence continuing on the same course a distance of 494.12 ft. to a stone bound which is on the southerly line of School Street; thence N-21-09-E a distance of 40.50 ft. to a stone bound which is on the northerly line of School Street; thence easterly by a curve with a radius of 296.17 ft. a distance of 196.60 ft. to a stone bound; thence N-39-44-E a distance of 404.30 ft. to a stone bound; thence by a curve to the left with a radius of 228.44 ft. a distance of 77.84 ft. to a point; thence N-20-12-40-E a distance of

90.96 ft. to a stone bound; thence by a curve to the right with a radius of 360.00 ft. a distance of 285.31 ft. to a stone bound; thence continuing on the same curve a distance of 285.31 ft. to a stone bound; thence S-68-58-20-E a distance of 332.24 ft. to a stone bound; thence by a curve to the left with a radius of 150.00 ft. a distance of 244.91 ft. to a stone bound; thence S-72-31-20-E a distance of 15.00 ft. to a point which is on the westerly line of Hanover Street; thence S-1-37-40-E a distance of 106.94 ft. to a stone bound which is on the easterly line of Hanover Street, said bound being at the end of the curve with a radius of 70.00 ft. and a distance of 107.69 ft. as described in the layout of Main Street, as made by the Norfolk County Commissioners by Return dated November 4, 1930.

The southerly line of Main Street begins at a stone bound on the town line between the towns of Franklin and Norfolk; thence N-52-43-40-E a distance of 19.34 ft. to a stone bound, which course is the extension of the southerly line of Pleasant Street, Franklin, shown as N-52-40-50-E as laid out by the Norfolk County Commissioners by Return dated June 30, 1931; thence N-53-00-E a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 663.31 ft. to a stone bound; thence by a curve to the left with a radius of 476.80 ft. a distance of 110.40 ft. to a stone bound; thence N-52-12-W a distance of 20.01 ft. to a stone bound; thence N-39-44-E a distance of 366.56 ft. to a stone bound; thence S-47-21-E a distance of 20.03 ft. to a stone bound; thence northeasterly by a curve with a radius of 288.44 ft. a distance of 98.28 ft. to a stone bound; thence N-20-12-40-E a distance of 90.96 ft. to a point; thence by a curve to the right with a radius of 300.00 ft. a distance of 237.75 ft. to a stone bound; thence continuing on the same curve a distance of 237.76 ft. to a stone bound; thence S-68-58-20-E a distance of 616.15 ft. to a stone bound, said bound being S-73-52-20-E a ✓

distance of 1.33 ft. from the beginning of the curve with a radius of 1126.20 ft. as described in the layout of Main Street as made by the Norfolk County Commissioners by Return dated November 4, 1930.

The southerly line heretofore described, in general, is 60.00 ft. southerly from and parallel to the northerly line and is shown on a plan entitled "Plan and Profile showing the Relocation and Widening of Main St., Norfolk between the Franklin-Norfolk Town Line and Hanover Street as made by the Norfolk County Commissioners by Return dated Dec. 10, 1940. Horizontal Scale 1 inch = 40 feet. Vertical Scale 1 in = 8 feet. Wallace S. Carson, County Engineer." 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 accordance with Chapter 79 of the General Laws and all acts and amendments thereof and in addition thereto.

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 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 Norfolk do within two years from the date of this Return and order complete said way in a thorough and workmanlikemanner 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, in the opinion of the County Commissioners, they are needed, provided however, no trees more than one and one half inches in diameter one foot above the ground shall be removed in the course of work done under this paragraph until the County Commissioners have been given notice of the intention to remove such trees and their assent thereto in writing has been give to the Inhabitants of the town of Norfolk.

And it is determined by the Commissioners that all portions of the existing highway as laid out by the Norfolk County Commissioners by Returns dated November 4, 1930 and December 24, 1889, are hereby discontinued, but such discontinuance shall not take effect until a sufficient travelled way adjacent thereto with- in the new location has been completed and opened for use by the public.

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 expense of constructing said way, and all land and other damages and expenses incident thereto, be paid by the Inhabitants of the town of Norfolk,

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 Norfolk 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.	Guisepe Principessa et ux, Ld. Ct. Cert. #7236, Bk. 37, P. 36	1,350	2.00
2.	Bertha Bachner, Ld.Ct. Cert. #17841 Bk. 90, P. 41, Subj. to Sheriff's Deed to Jennie A. Ellis, Town of Norfolk Tax Deed	200	1.00
3.	American Felt Company	560)	1.00
4.	American Felt Company	60,800)	
5.	American Felt Company	2,650	1.00
6.	Ursula Peciukonis	1,200	25.00
7.	Edward Robinson	1,670	10.00
8.	Ruth M. Hannon et al	2,700	25.00
9.	Bertha Bachner, Ld.Ct. Cert. #17841 Bk. 90, P. 41, Subj. to Sheriff's Deed to Jennie A. Ellis, Town of Norfolk Tax Deed.	6,650	10.00
10.	Albert D'Ambrosio	1,300)	
12.	Albert D'Ambrosio	10)	5.00
11.	Pher Herman Carlson et ux	1,450	<u>10.00</u>
	Total		\$ 90.00

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.

FREDERICK A. LEAVITT

EDWARD W. HUNT

RUSSELL T. BATES

COUNTY COMMISSIONERS

2315

530

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the tenth day of December, 1940, by adjournment of their September 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 Norfolk 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: *Willard Everett* ASST. CLERK

Rec'd & entered for record Jan. 8, 1941 at 3h. 02m. P.M.

I, J. Reed Morss, holder of two mortgages given by Wayne E. Stiles to me one dated December 9, 1936 and recorded with Norfolk Deeds in Book 2129, Page 509, and the other dated September 23, 1937 and recorded with said Deeds, book 2159, page 90, acknowledge satisfaction of the same

Witness my hand and seal this *twenty seventh* day of November *27* 19*40*.

*J. Reed Morss* [Seal]

Commonwealth of Massachusetts.

*Massachusetts* ss. *Suffolk*

November *27* 19*40*