

286

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners held at Dedham, within and for the county of Norfolk on the twenty-fifth of November by adjournment of their September meeting next preceding:-

The petition of ANTHONY MARINO and others, of AVON for the relocation of CENTRAL 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 AVON in said County, that common convenience and necessity require that the way known as CENTRAL STREET, a public way in said town, be relocated between Pond Street and South Street 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 March 4, 1941.

Anthony Marino
Ernest Marino
Rose Marie Capozzi
William W. Littlefield

Eddy Hendricks
Edward C. Ledin, Selectman
David J. Stratton, "
Fred B. Howard, "

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-second day of April, 1941, by adjournment of their April meeting next preceding: and the thirteenth day of May then next and two-thirty 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 Avon 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 pe-

See Plan Book 129 Volume 914-918 in vol. of 1941

tion and of said order of notice to be posted in two public places in said town: and to be published in the Randolph-Sentinel News, 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 thirteenth day of May, the Commissioners Frederick A. Leavitt, Edward W. Hunt, and Russell T. Bates, met at the time and place specified in said order, and no one representing the petitioners having appeared, the said Commissioners adjourned said hearing to a meeting of said Commissioners held on the third day of June, when and where the petitioners appeared, and the town of AVON 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 CENTRAL STREET as prayed for in said petition.

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

The easterly line begins at a point which is at the intersection of the tangent of a curve on the northerly line of Pond Street as laid out by the Norfolk County Commissioners by Return dated November 10, 1925: thence S-25-32-E a distance of 198.53 ft. to a stone bound which is on the southerly line of Pond Street as laid out by the Norfolk County Commissioners by Return dated November 10, 1925; thence in a southerly direction

by a curve with a radius of 212.35 ft. a distance of 108.22 ft. to a stone bound; thence S-31-16-30-E a distance of 777.11 ft. to a stone bound; thence by a curve to the right with a radius of 200.00 ft. a distance of 165.98 ft. to a stone bound; thence S-16-16-30-W a distance of 337.51 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 312.45 ft. to a stone bound; thence S-6-06-10-E a distance of 158.81 ft. to a stone bound; thence by a curve to the left with a radius of 600.00 ft. a distance of 276.49 ft. to a stone bound; thence S-32-30-20-E a distance of 556.00 ft. to a stone bound; thence by a curve to the right with a radius of 1250.00 ft. a distance of 295.98 ft. to a stone bound; thence S-18-56-20-E a distance of 463.66 ft. to a stone bound; thence by a curve to the left with a radius of 1600.00 ft. a distance of 516.70 ft. to a stone bound; thence S-37-26-30-E a distance of 402.37 ft. to a stone bound; thence by a curve to the left with a radius of 40.00 ft. a distance of 64.07 ft. to a stone bound, which bound is on the northerly line of South Street.

The westerly line begins at a stone bound which is at the end of the westerly line of Central Street as laid out by the Norfolk County Commissioners by Return dated April 23, 1929; said bound being N-47-46-40-W a distance of 156.96 ft. from the first point in the easterly line as above described; thence in a southerly direction by a curve with a radius of 999.60 ft. a distance of 136.37 ft. to a stone bound; thence S-21-23-10-E a distance of 123.88 ft. to a stone bound; thence by a curve to the left with a radius of 1129.82 ft. a distance of 195.00 ft. to a stone bound; thence S-31-16-30-E a distance of 467.71 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 577.20 ft. to a stone bound; thence S-10-03-50-W a distance of 246.73 ft. to a stone bound; thence by a curve to the left with a radius of 850.00 ft. a distance of 239.84 ft. to a stone bound; thence S-6-06-10-E a distance of

158.81 ft. to a stone bound; thence by a curve to the left with a radius of 650.00 ft. a distance of 299.53 ft. to a stone bound; thence S-32-30-20-E a distance of 556.00 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 284.14 ft. to a stone bound; thence S-18-56-20-E a distance of 463.66 ft. to a stone bound; thence by a curve to the left with a radius of 1650.00 ft. a distance of 532.84 ft. to a stone bound; thence S-37-26-30-E a distance of 401.45 ft. to a stone bound; thence by a curve to the right with a radius of 50.00 ft. a distance of 65.48 ft. to a stone bound, which bound is on the northerly line of South Street and being S-50-47-30-W a distance of 41.25 ft; S-56-53-30-W a distance of 50.14 ft. and S-37-35-30-W a distance of 38.39 ft. from the last bound in the easterly line as above described.

The westerly line heretofore described, in general, is 50.00 ft. westerly from and parallel to the easterly line all as shown on a plan entitled "Plan and Profile showing the Relocation and Widening of a portion of Central Street, Avon between Pond Street and South Street as made by the Norfolk County Commissioners by Return dated Nov. 25, 1941. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer." and signed 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 it is determined by the Commissioners that all portions of the existing highway lying outside the lines herein established are hereby discontinued.

And permanent stone bounds will be erected at the termini and angles of said way relocated as aforesaid.

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 given to the inhabitants of the town of Avon.

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 Avon.

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 Avon 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.	Albert L. Whittier et ux	400	\$.1.00
2.	Maurice Hansel et ux	700	1.00
3.	Maurice Hansel et ux	150	1.00
4.	David K. Crichton et ux	350	5.00
5.	Wallace S. Reynolds	1,000	1.00
6.	Maurice Hansel et ux	8,400	1.00
7.	Town of Avon	10,500	No award
8.	Elizabeth Demolis	5,000	1.00
9.	City of Brockton	4,000	1.00
10.	Elena Petrus	9,100	50.00
11.	Elizabeth Demolis	2,300	1.00
12.	Elizabeth Demolis	300	1.00
13.	Wallace S. Reynolds	250	1.00
14.	Everett E. Barton et ux	2,200	5.00
15.	Wallace S. Reynolds	7,300	25.00
16.	Maurice Hansel et ux	6,000	1.00
17.	Elizabeth Demolis	48,500	25.00
18.	Benjamin G. Hamman	1,200	1.00
Total			\$ 122.00

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

COMMONWEALTH OF MASSACHUSETTS

NORFOLK SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-fifth day of November 1941, 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 Avon 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 Dec. 10, 1941 at 10h. 11m. A.M.