

292

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-eighth day of April, 1942, by adjournment of their April meeting next preceding:-

The petition of JOHN R. GILLESPIE and others, of SHARON for the relocation of WALPOLE 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 SHARON in said County, that common convenience and necessity require that the way known as WALPOLE STREET, a public way in said town, be relocated between Moosehill Street and property of McDonald and Cram for the purpose of relocation and construction.

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

Dated September 18, 1941

John R. Gillespie
Harry R. Andrews
David M. Smith
George E. Moore
Calvin Hosmer, Jr.
Warren W. Capen

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-third day of September, 1941: and the twenty-eighth day of October 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 appointed for said view: and also caused copies of an

Plan 231-234 invd. of 1942 Plan Book 130

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 twenty-eighth day of October, 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 this meeting.

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

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

The northeasterly line begins at a stone bound, which bound is on a curve with a radius of 1800.00 ft. and being 645.25 ft. southeasterly from the point of curve; thence tangent to said curve S-43-43-40-E a distance of 776.37 ft. to a stone bound; thence by a curve to the left with a radius of 1600.00 ft. a distance of 652.21 ft. to a stone bound; thence continuing on the same curve a distance of 652.21 ft. to a stone bound; thence N-89-33-40-E a distance of 645.15 ft. to a stone bound; thence by a curve to the right with a radius of 1250.00 ft. a distance of 438.09 ft. to a stone bound; which point is on the northeasterly line of Walpole Street as laid out by the Norfolk County Commis-

sioners by Return dated October 27, 1936, said bound being ^{from} N-70-21-30-W a distance of 349.26 ft./a stone bound at the point of curve at the intersection of Moose Hill Street.

The southwesterly line begins at a stone bound, which bound is on a curve with a radius of 1850.00 ft; said bound being 663.17 ft. southeasterly from the point of curve and also being S-46-16-20-W a distance of 50.00 ft. from the first bound on the northeasterly line as above described; thence tangent to said curve S-43-43-40-E a distance of 776.37 ft. to a stone bound; thence by a curve to the left with a radius of 1650.00 ft. a distance of 672.59 ft. to a stone bound; thence continuing on the same curve a distance of 672.59 ft. to a stone bound; thence N-89-33-40-E a distance of 645.15 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 420.57 ft. to a stone bound; said bound being S-19-38-30-W a distance of 50.00 ft. from the last bound on the northeasterly line as above described and being on the southeasterly line of Walpole Street as laid out by the Norfolk County Commissioners by Return dated October 27, 1936.

The southwesterly line heretofore described, in general, is 50.00 ft. southwesterly from and parallel to the northeasterly line, all as shown on a plan entitled "Plan and Profile showing the Relocation of a portion of Walpole Street, Sharon, between Old Post Road and Moose Hill Street, being between Stations 32 + 83.21 and 64 + 88.86, ad made by the Norfolk County Commissioners by Return dated April 28, 1942. Horizontal Scale 1 inch = 40 feet. Vertical Scale: 1 inch = 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 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 here-

inbefore 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, but such discontinuance shall not take effect until a sufficient travelled way adjacent thereto within the new location has been completed and opened for use by the public.

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 thirty (30) 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 Sharon.

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>	Approximate	
		<u>Sq. Ft. Taken</u>	<u>Award</u>
1.	J. Carroll McDonald and Paul P. Cram	3,100	\$ 1.00
2.	Henry P. Kendall	92,800	1.00
3.	Town of Sharon	400	No award
4.	Anna C. P. Wright, Estate of Alexander Robb (Tax Deed)	1,470	1.00
5.	Henry P. Kendall	9,100	1.00
6.	Anna C. P. Wright, Estate of Alexander Robb (Tax Deed)	<u>420</u>	<u>1.00</u>
TOTAL			\$ 5.00

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, S.S.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-eighth day of April, 1942, 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: *Willard Everett* CLERK

Rec'd & entered for record May.7,1942 at 10h.23m.A.M.

Dedham Co-operative Bank
of Dedham Massachusetts, holder of a mortgage
from Thomas J. Conway and Anna Maxwell Conway, husband and wife as Joint
Tenants and not as Tenants by the Entirety
to Dedham Co-operative Bank

dated March 19, 1940
recorded with Norfolk County Registry of Deeds

Book 2274 Page 81 acknowledges satisfaction of the same

In witness whereof, the said Dedham Co-operative Bank
has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged, and
delivered in its name and behalf by Anne F. Smith

its Treasurer this 7th day of May A. D. 1942

Signed and sealed in presence of

} Dedham Co-operative Bank
By *Anne F. Smith*
Treasurer

