

#291

ok
ma

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-ninth day of September, 1942, by adjournment of their September meeting next preceding:-

The petition of HENRY R. PASSEY and others of WRENTHAM 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 WRENTHAM in said County, that common convenience and necessity require that the way known as ~~SHEARS STREET~~, a public way in said town, be relocated between Franklin Street and the Norfolk Town Line 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 re-located within the limits above specified.

Dated May 24, 1939.

Henry R. Passey
Warren R. Gilmore
Raymond F. Hemenway
Charles J. Bishop
F. Ernest Ford
Walter E. Duffy

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-ninth day of May, 1939, by adjournment of their April meeting next preceding: and the twentieth day of June 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 WRENTHAM 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

See Plana 517 ff 524 incl. of 1942. G. B. R. 121

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 twentieth day of June, 1939, 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 WRENTHAM 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 the Town Offices in Wrentham on the twelfth day of September, 1939, 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 to a meeting of said Commissioners held at Dedham, aforesaid, on the tenth day of February, 1942, when and where upon the adjudication aforesaid, the Commissioners appointed the tenth day of March, 1942, and three o'clock in the afternoon, at the Town Hall in Wrentham as the time and place when and where they would proceed to and take such action in relation to said adjudication as by law they might be authorized to do.

And having given notice of such adjudication, and of the time and place appointed, and for the purpose aforesaid in the same manner as the notice and publication were given and made

before first proceeding to view, the said Commissioners met at the time and place appointed and then and there heard all persons and corporations interested, and said hearing was thence adjourned and continued from time to time to this meeting.

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

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

The westerly line begins at a Massachusetts Highway Bound on the northeasterly side of Franklin Street, as laid out by the Massachusetts Department of Public Works on June 14, 1927; thence northeasterly by a curve with a radius of 22.83 ft. a distance of 54.80 ft. to a stone bound; thence N-00-31-20-E a distance of 168.07 ft. to a stone bound; thence by a curve to the right with a radius of 1660.00 ft. a distance of 145.51 ft. to a stone bound; thence N-5-32-40-E a distance of 398.80 ft. to a stone bound; thence by a curve to the left with a radius of 1200.00 ft. a distance of 366.23 ft. to a stone bound; thence N-11-56-30-W a distance of 104.83 ft. to a stone bound; thence by a curve to the left with a radius of 50.00 ft. a distance of 77.42 ft. to a stone bound which is on the southerly side of May Street; thence N-10-39-30-W a distance of 40.00 ft. to a stone bound which is on the northerly line of May Street; thence northeasterly by a curve with a radius of 46.93 ft. a distance of 74.77 ft. to a stone bound; thence N-11-56-30-W a distance of 688.75 ft. to a stone bound; thence continuing on the same course a distance of 450.00 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 698.87 ft. to a stone bound; thence by a curve to the right with a radius of 1260.00 ft. a distance of 435.42 ft. to a stone bound; thence N-54-25-10-E a distance of 340.69 ft. to a stone bound; thence

by a curve to the right with a radius of 3260.00 ft. a distance of 193.45 ft. to a stone bound; thence N-57-49-10-E a distance of 129.09 ft. to a stone bound; thence by a curve to the left with a radius of 20.00 ft. a distance of 37.00 ft. to a stone bound which is on the southerly line of Short Road; thence N-67-26-15-E a distance of 44.36 ft. to a stone bound on the northerly line of Short Road; thence northeasterly by a curve with a radius of 25.00 ft. a distance of 32.28 ft. to a stone bound; thence N-57-49-10-E a distance of 672.26 ft. to a stone bound; thence by a curve to the left with a radius of 1200.00 ft. a distance of 375.07 ft. to a stone bound; thence N-39-54-40-E a distance of 284.90 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 32.02 ft. to a stone bound which is on the southerly line of Hemlock Road; thence N-28-57-20-E a distance of 48.46 ft. to a stone bound which is on the northerly line of Hemlock Road; thence easterly by a curve with a radius of 25.00 ft. a distance of 41.35 ft. to a stone bound; thence N-39-54-40-E a distance of 695.88 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 225.73 ft. to a stone bound; thence N-23-44-40-E a distance of 137.58 ft. to a stone bound; thence by a curve to the right with a radius of 760.00 ft. a distance of 384.74 ft. to a stone bound; thence N-52-45-E a distance of 121.37 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 151.26 ft. to a stone bound; thence N-41-55-E a distance of 212.37 ft. to a stone bound which is on the town line between the towns of Norfolk and Wrentham.

The easterly line begins at a stone bound on the easterly line of Franklin Street as laid out by the Norfolk County Commissioners by Return dated September 12, 1922; said bound being a distance of 128.74 ft. on a curve with a radius of 330.81 ft. and S-68-39-W a distance of 9.94 ft. on the northerly and easterly line of Franklin Street as laid out by the Massachusetts Department of Public Works on June 14, 1927; thence S-20-46-55-E a dis-

tance of 94.35 ft. on the easterly line of Franklin Street as laid out by the Norfolk County Commissioners by Return dated September 12, 1922, from the first bound in the westerly line as above described; thence northerly by a curve with a radius of 2311.50 ft. a distance of 193.48 ft. to a stone bound; thence N-00-31-20-E a distance of 191.08 ft. to a stone bound; thence by a curve to the right with a radius of 1600.00 ft. a distance of 140.25 ft. to a stone bound; thence N-5-32-40-E a distance of 398.80 ft. to a stone bound; thence by a curve to the left with a radius of 1260.00 ft. a distance of 384.54 ft. to a stone bound; thence N-11-56-30-W a distance of 367.05 ft. to a stone bound; thence by a curve to the right with a radius of 97.93 ft. a distance of 121.35 ft. to a stone bound which is on the southerly side of Emerald Street; thence N-30-56-30-W a distance of 40.00 ft. to a stone bound which is on the northerly side of Emerald Street; thence northwesterly by a curve with a radius of 40.00 ft. a distance of 76.10 ft. to a stone bound; thence N-11-56-30-W a distance of 395.19 ft. to a stone bound; thence continuing on the same course a distance of 450.00 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 650.12 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 414.69 ft. to a stone bound; thence N-54-25-10-E a distance of 340.69 ft. to a stone bound; thence by a curve to the right with a radius of 3200.00 ft. a distance of 189.89 ft. to a stone bound; thence N-57-49-10-E a distance of 888.35 ft. to a stone bound; thence by a curve to the left with a radius of 1260.00 ft. a distance of 393.82 ft. to a stone bound; thence N-39-54-40-E a distance of 1077.23 ft. to a stone bound; thence by a curve to the left with a radius of 860.00 ft. a distance of 242.66 ft. to a stone bound; thence N-23-44-40-E a distance of 137.58 ft. to a stone bound; thence by a curve to the right with a radius of

700.00 ft. a distance of 354.37 ft. to a stone bound; thence N-52-45-E a distance of 121.37 ft. to a stone bound; thence by a curve to the left with a radius of 860.00 ft. a distance of 162.61 ft. to a stone bound; thence N-41-55-E a distance of 268.53 ft. to a stone bound which is on the town line between the towns of Norfolk and Wrentham, said bound being N-88-48-54-E a distance of 82.18 ft. from the last bound on the westerly line as above described.

The easterly line is established contingent to a transfer of Parcels #30, #31, #32, and #33 from the Commonwealth of Massachusetts, Department of Public Health, in accordance with the provisions of General Laws, Chapter 30, Section 44-A.

The easterly line heretofore described, in general, is 60.00 ft. easterly from and parallel to the westerly line, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Shears Street, Wrentham between Franklin Street and the Norfolk Town Line as made by the Norfolk County Commissioners by Return dated September 29, 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 said Commissioners do hereby take for the purpose 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 said way relocated as aforesaid.

And it is determined by the Commissioners that all portions of the existing highway lying outside the lines herein established are hereby discontinued.

And it is determined by the Commissioners that the Inhabitants of the town of WRENTHAM, 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 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 WRENTHAM.

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 WRENTHAM.

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 WRENTHAM 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.	Maria F. Smith and Estate of Mary A. Smith	6,720	\$ 200.00
2.	John W. Lewis et ux	1,140	50.00
3.	Horace C. Barker et ux	3,200	10.00
4.	Howard W. Kee	870	5.00
5.	Union Light & Power Company	940	5.00
6.	Howard W. Kee	6,150	30.00
7.	George Hagopian	30)	
8.	George Hagopian	1,150)	1.00
9.	George Hagopian	1,550)	
10.	Pamela C. Fay	1,110	10.00
11.	Kenneth R. Ashe et ux	1,010	30.00
12.	Fred C. Dart	7,460	50.00
13.	Herman Hindenlang, Trustee of the Bay State Realty Exchange Ld.Ct.Cert.#13987, B.70, P.187	322	1.00
14.	Herman Hindenlang, Trustee of the Bay State Realty Exchange Ld.Ct.Cert.#13987, B.70, P.187	826	1.00
15.	Harold T. White, Ld.Ct.Cert.#18193, Bk.91, P.193	800	1.00
16.	G.Milton Avery, Trustee for Jennie M. Crosby, Ld.Ct.Cert.#26209, Bk.132, P.9	551	1.00
17.	Eva H. Abare, Ld.Ct.Cert.#25818, Bk.130, P.18	246	1.00
18.	Herman Hindenlang, Trustee of the Bay State Realty Exchange, Ld.Ct.Cert #13987, B.70, P.187	572	1.00
19.	Herman Hindenlang, Trustee of the Bay State Realty Exchange	200	1.00
20.	Henry B. Knox	140	1.00

<u>Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
21.	Herman Hindenlang, Trustee of the Bay State Realty Exchange	300	1.00
22.	Andrew R. Heckman	120	1.00
23.	Herman Hindenlang, Trustee of the Bay State Realty Exchange	780	1.00
24.	Henry B. Knox	60	1.00
25.	Henry B. and Elizabeth E. Knox	40	1.00
26.	Herman Hindenlang, Trustee of the Bay State Realty Exchange	4,200	1.00
27.	Clayton N. Abar et ux	240	1.00
28.	Ernest B. Mayshaw et ux	17,330)	
29.	Ernest B. Mayshaw et ux	5,780)	150.00
30.	Commonwealth of Massachusetts (Wrentham State School)	21,390	No award
31.	Commonwealth of Massachusetts (Wrentham State School)	119,600	No award
32.	Commonwealth of Massachusetts (Wrentham State School)	10,020	No award
33.	Commonwealth of Massachusetts (Wrentham State School)	2,600	No award
34.	Maria F. Smith and Estate of Mary A. Smith	1,790	45.00
35.	Walter F. Mullen et ux	1,430	75.00
36.	Maria F. Smith and Estate of Mary A. Smith	4,960	150.00
		TOTAL	\$ 826.00

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

Rec 10-15-42

2417

152

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-ninth day of September, 1942, 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 be transmitted to the Clerk of the Town of WRENTHAM 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 Oct. 15, 1942 at 10h. 31m. A.M.

We Louis G Asack and Toini L Asack, husband and wife as tenants by the entirety

of Milton Norfolk County, Massachusetts, being ~~un~~married, for consideration paid, grant to

George P Asack of Brockton, County of Plymouth

with mortgage covenants, to secure the payment of Fortysix hundred Dollars

in five years with four per centum interest per annum payable semi-annually

as provided in our note of even date, the land ~~xx~~ with buildings thereon situated in that part of Milton called

East Milton and being the premises now numbered 27 Riverside Ave comprising the westerly portion of Lot 23 and the easterly portion of Lot 22 on a plan of the easterly part of the Faulkner estate, East Milton, Mass, dated April 8, 1893, H C Mildram, Surveyor, recorded in Norfolk Registry Deeds Plan Book 25, # 1135 and bounded and described as follows:

Northerly by Riverside Ave, 75 feet;

Westerly by land now or formerly of Edith W Huthuson, 125.61 feet;

Discharge Vol. 2802 P. 244