

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

ALICE P. KENDALL

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST: Willard Everett CLERK

Rec'd & entered for record Apr. 14, 1943 at 10h. A.M.

2436

263

299

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-third day of March, 1943, by adjournment of their December meeting next preceding:-

The petition of MATTHEW PHELAN and others of NORFOLK 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 SHEARS STREET, a public way in said town, be relocated between North Street and the Wrentham-Norfolk Town Line for the purpose of widening and establishing boundary lines.

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

See Plans 85786 of 1943 P.L. 131

Dated August 10, 1942

Matthew J. Phelan
Edward E. Hale
Walter T. Holmes
Anna H. Pearson
Harold E. Campbell
William A. Jones
Burgess T. Callahan

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-fifth day of August, 1942, by adjournment of their June meeting next preceding: and the twenty-ninth day of September 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 NORFOLK 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 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 twenty-ninth day of September, 1942, 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 thence the same was continued and adjourned from time to time to a meeting of said Commissioners held at the Town Offices in Norfolk on the twenty-seventh day of October, 1942, 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 Commissioners, Frederick A. Leavitt, Russell T. Bates, and Alice P. Kendall (acting in place of Edward W. Hunt) 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 stone bound, which bound is on the town line between Wrentham and Norfolk; thence N-41-55-E a distance of 56.17 ft. to a stone bound; thence by a curve to the left with a radius of 709.53 ft. a distance of 333.84 ft. to a stone bound; thence N-14-57-30-E a distance of 470.13 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 53.14 ft. to a stone bound which bound is on the southerly line of Mirror Lake Avenue; thence N-30-37-43-E a distance of 59.15 ft. to a stone bound, which bound is on the northerly line of Mirror Lake Avenue; thence northeasterly by a curve with a radius of 47.45 ft. a distance of 53.30 ft. to a stone bound, which bound is on the northwesterly line of North Street as laid out by the Norfolk County Commissioners by Return dated November 23, 1926.

The easterly line begins at a stone bound, which bound is on the town line between Wrentham and Norfolk; being N-88-48-54-E a distance of 82.18 ft. from the first bound on the westerly line as above described; thence northerly by a curve with a radius of 769.53 ft. a distance of 362.07 ft. to a stone bound; thence N-14-57-30-E a distance of 479.18 ft. to a stone bound; thence by a curve to the right with a radius of 39.64 ft. a distance of 97.04 ft. to a stone bound, which bound is on the westerly line of North Street as laid out by the Norfolk County Commissioners by Return dated November 23, 1926, said bound being S-70-23-E

a distance of 60.20 ft. and S-24-47-E a distance of 109.69 ft. from the last bound on the westerly line as above described.

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, Norfolk between the Wrentham Town Line and North Street as made by the Norfolk County Commissioners by Return dated March 23, 1943. 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 NORFOLK, 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 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 Norfolk.

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 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>Approx. Sq. Ft. Taken</u>	<u>Award</u>
1.	Ernest B. Mayshaw et ux	550	\$ 10.00
2.	Daniel V. Troppoli	410	10.00
3.	Herman Hindenlang, Trustee of the Bay State Realty Exchange	450	10.00
4.	Robert L. Mycue et ux	510	10.00
5.	Herman Hindenlang, Trustee of the Bay State Realty Exchange	400	5.00
6.	Auguste L. Parker	15	1.00
7.	Herman Hindenlang, Trustee of the Bay State Realty Exchange	350	5.00
8.	Theodore Ristaino	1350	55.00
9.	Osborne R. O'Leary et ux	80	5.00
10.	Commonwealth of Massachusetts (Wrentham State School)	23000	No award
TOTAL			\$ 111.00

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

ALICE P. KENDALL

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

2436

269

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-third day of March, 1943, by adjournment of their December 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 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

ALICE P. KENDALL

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST: *Willard Everett* CLERK

Rec'd & entered for record Apr. 14, 1943 at 10h. A.M.

Ma. Carl C. Cherubini and Barbara Corti Cherubini, his wife, in her own right, both

Quincy, Norfolk County, Massachusetts,

for consideration paid, grant to Leslie O. MacWilliams and Frances M. MacWilliams, husband and wife, both of said Quincy, as tenants by the entirety and not as tenants in common.

SK

and covenants

situated in said Quincy, and

a certain parcel of land with the buildings thereon, shown

lots numbered 236 and 235 and one half of lot No. 234 on a plan

entitled "Plan of Choice Building Lots at Bigelow Park in the City of

Quincy, owned by the Bigelow Park Real Estate Trust", by H. T. Whitman,

dated November 1902, recorded with Norfolk Deeds, plan book 34,

No. 1586, and bounded and described as follows:-