

#312

Witness our hands and seals this thirty-first day of December 19 43

John T. Holmes
Isabelle H. Holmes

The Commonwealth of Massachusetts

Norfolk ss. December 16, 1944. ~~1943~~

Then personally appeared the above named John T. Holmes

and acknowledged the foregoing instrument to be his free act and deed, before me

Lee G. Abbott

Notary Public - ~~XXXXXXXXXX~~

My commission expires January 5, 19 50

Rec'd & entered for record Dec. 20, 1944 at 9h. 54m. A.M.

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-eighth day of November, 1944, by adjournment of their September meeting next preceding:-

The petition of GREGORY W. GROVER and others of CANTON, 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 CANTON in said County, that common convenience and necessity require that the way known as WASHINGTON STREET, a public way in said town be relocated between Church Street and Revere Street for the purpose of making alterations in the course or width of said way.

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

Dated August 6, 1943.

- | | |
|--------------------|-----------------------------|
| Gregory W. Grover | 671 Washington St., Canton |
| Albert A. Ward | 110 Rockland St., Canton |
| Katharine Sullivan | 1973 Washington St., Canton |
| Humphrey Nolen | 1378 Washington St., Canton |
| A. Stewart Rogers | 253 Chapman St., Canton |
| John J. Lynch | 266 Mechanic St., Canton |
| Richard H. Henley | 640 Chapman St., Canton |
| Frank J. Carroll | 44 Walnut St., Canton |
| Albert J. Dahlke | Cedar Drive, Canton |

See (19) (13) 134 (2) 521, 522, 523 - 1944
Certif Vol. 2537 P. 453

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the ninth day of November, 1943, by adjournment of their September meeting next preceding; and the twenty-first day of December 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

Canton, 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 order of notice to be posted in two public places in said town: and to be published in the Canton Journal, 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-first day of December, 1943, 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 CANTON 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 Canton on the fourth day of January, 1944, 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 a meeting of said Commissioners held at Dedham on

the twelfth day of September, 1944 when and where upon the adjudication aforesaid, the said Commissioners appointed Tuesday, the tenth day of October, 1944 and two-thirty o'clock in the afternoon, at the Court House in said Dedham 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 WASHINGTON STREET as prayed for in said petition.

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

The westerly line begins at a stone bound on the westerly line of Washington Street as laid out by the Norfolk County Commissioners by Return dated October 23, 1928, being at the northerly end of a curve with a radius of 670.00 ft; thence northerly by a curve with a radius of 613.76 ft. a distance of 150.83 ft. to a stone bound; thence by a curve to the left with a radius of 20.00 ft. a distance of 33.65 ft. to a stone bound on the southerly line of Revere Street as laid out by the town of Canton on March 6, 1905, said bound being N-86-34-30-E a distance of 111.21 ft. from a stone bound on the southerly line of said Revere Street.

The easterly line begins at a stone bound on the easterly line of Washington Street as laid out by the Norfolk County Commissioners by Return dated October 23, 1928, said bound being on a curve with a radius of 1200.00 ft. a distance of 71.97 ft. northerly from a bolt at the P. C; thence N-46-05-50-E a distance of 149.60 ft. to a stone bound; thence by a curve to the right with a radius of 25.00

ft. a distance of 36.75 ft. to a stone bound which is on the southerly line of Mechanic Street; thence N-42-39-40-E a distance of 30.03 ft. to a stone bound on the northerly line of Mechanic Street; thence northwesterly by a curve with a radius of 25.00 ft. a distance of 38.73 ft. to a stone bound; thence N-39-04-20-E a distance of 163.04 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 41.16 ft. to a stone bound on the southerly line of Bolivar Street; thence N-39-53-40-E a distance of 60.11 ft. to a stone bound on the northerly side of Bolivar Street; thence northwesterly by a curve with a radius of 30.00 ft. a distance of 44.86 ft. to a stone bound; thence N-39-04-20-E a distance of 24.45 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 128.03 ft. to a stone bound; thence N-29-54-10-E a distance of 55.21 ft. to a stone bound; thence by a curve to the left with a radius of 740.00 ft. a distance of 166.04 ft. to an unmarked point; thence by a curve with a radius of 683.76 ft. a distance of 225.88 ft. to a stone bound on the easterly line of Washington Street as laid out by the Norfolk County Commissioners by Return dated November 5, 1875, said bound being N-1-52-50-W a distance of 2.10 ft. from a stone bound on said easterly line.

The easterly line heretofore described, in general, is 70.00 ft. easterly from and parallel to the westerly line.

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 the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of a portion

of Washington Street, Canton between Church Street and Revere Street as made by the Norfolk County Commissioners by Return dated November 28, 1944. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 feet. Wallace S. Carson, County Engineer" and marked "Frederick A. Leavitt, Chairman" which plan is filed herewith and made a part of this Return, in accordance with the provisions of 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 CANTON, 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 fifty (50) 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 CANTON.

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 CANTON.

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 re-

gard 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 CANTON 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>
1A.	Canton Realty Corporation (Canton Amusement Co, Inc. Lessee)	1200	\$ 4900.00
1B.	Canton Realty Corporation (Colonial Beacon Oil Co. Lessee)	249	75.00
2.	Rodney M. Tolman et al Helen M. Tolman, Life Estate	2	1.00
3.	Canton Institution for Savings	165	200.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
4.	Estate of Annie E. Sawyer (Sawyer Hardware Co, Lessee)	632	\$ 3325.00
5.	First Universalist Parish	855	700.00
6.	Eda Decembrele	791	400.00
7.	Howard S. Cosgrove	1119	600.00
8.	Town of Canton	3275	No award
9.	Dennis G. & John F. Trayers	2023	6000.00
10.	Canton Realty Corporation	965	2500.00
11.	Ponkapoag Realty Corporation	380	50.00
12.	Canton Realty Corporation	35	10.00
13.	Louis Caplan	15	5.00
14.	Fannie M. O'Connell	2	1.00

TOTAL \$ 18,767.00

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 three 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-eighth day of November, 1944, 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 CANTON 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 Dec. 20, 1944 at 10h. 03m. A.M.

MORTGAGE
(Massachusetts)

We, LAURENCE L. CARTER and LILLIAN C. CARTER, husband and wife as tenants by the entirety, both

of Milton Norfolk County,
Commonwealth of Massachusetts, Mortgagor, for consideration paid, grant to the BEACON MORTGAGE CO.,
INC., a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts and having its