

#321

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 October, 1946, by adjournment of their September meeting next preceding:-

The petition of JOHN B. CATALDO and others of FRANKLIN 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 FRANKLIN in said County, that common convenience and necessity require that the way known as LINCOLN STREET, a public way in said town, be relocated between Main Street and the Medway town line 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 Dec. 21, 1944.

John B. Cataldo  
Raymond E. Feeley  
Adam Mackintosh  
Harold T. Gilbert  
Laura B. Cataldo  
Harlan R. Mackenzie  
Rachel E. Greene

Robert H. Doe  
Donald B. Doe  
Kenneth P. Doe  
Alma E. Anderson  
William R. Feeley  
William J. Dickson  
Leslie H. Ware

\* \* \* \* \*

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the second day of January, 1945, by adjournment of their December meeting next preceding; and the thirtieth day of January, 1945 and two-thirty o'clock in the afternoon at the Court House in Dedham were appointed by said 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 Franklin being the

See Plac. 1070  
1070 to 1082 and of 1946 Pl. Ct. 139  
-vt. 2652 F 505 - entry

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 thirtieth day of January, 1945, 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 FRANKLIN 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 upon the adjudication aforesaid, the said Commissioners appointed the thirteenth day of August, 1946 and three-thirty o'clock in the afternoon, at the Fire Station in Franklin 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 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 LINCOLN STREET from the Medway Town Line to Brook Street.

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

The easterly line begins at the Medway-Franklin Town Line which is the center of the Charles River; thence S-39-22-10-W a distance of 11.14 ft; thence by a curve to the left with a radius of 800.00 ft. a distance of 216.35 ft. to a stone bound; thence continuing on the same curve a distance of 216.34 ft. to a stone bound; thence S-8-22-50-W a distance of 215.56 ft. to a stone bound; thence by a curve to the right with a radius of 2060.00 ft. a distance of 281.64 ft. to a stone bound; thence S-16-12-50-W a distance of 620.58 ft. to a stone bound; thence by a curve to the left with a radius of 1500.00 ft. a distance of 627.74 ft. to a stone bound; thence S-7-45-50-E a distance of 461.89 ft. to a stone bound; thence by a curve to the left with a radius of 30.00 ft. a distance of 65.56 ft. to a stone bound which is on the northerly line of Bent Street; thence S-51-22-10-E a distance of 51.04 ft. to a stone bound which is on the southerly line of Bent Street; thence southwesterly by a curve with a radius of 160.00 ft. a distance of 152.99 ft. to a stone bound; thence S-7-45-50-E a distance of 486.67 ft. to a stone bound; thence by a curve to the left with a radius of 5000.00 ft. a distance of 284.59 ft. to a stone bound; thence S-11-01-30-E a distance of 361.10 ft. to a stone bound; thence continuing on the same course a distance of 512.91 ft. to a stone bound; thence by a curve to the left with a radius of 200.00 ft. a distance of 202.55 ft. to a stone bound; which is on the northerly side of Daniels Street; thence S-20-57-W a distance of 40.00 ft. to a stone bound on the southerly side of Daniels Street; thence southwesterly by

a curve with a radius of 47.67 ft. a distance of 101.48 ft. to a stone bound; thence S-11-01-30-E a distance of 407.57 ft. to a stone bound; thence continuing on the same course a distance of 319.03 ft. to a stone bound; thence by a curve to the left with a radius of 3000.00 ft. a distance of 650.43 ft. to a stone bound; thence S-15-41-00-E a distance of 290.22 ft. to a stone bound; thence continuing on the same course a distance of 578.37 ft. to a stone bound; thence continuing on the same course a distance of 310.90 ft. to a stone bound; thence continuing on the same course a distance of 204.22 ft. to a stone bound; thence by a curve to the right with a radius of 1260.00 ft. a distance of 419.60 ft. to a stone bound; thence S-3-23-50-W a distance of 306.15 ft. to a stone bound; thence by a curve to the left with a radius of 6500.00 ft. a distance of 691.08 ft. to a stone bound; thence continuing on the same curve a distance of 691.08 ft. to a stone bound; thence S-8-47-10-E a distance of 342.76 ft. to a stone bound; thence continuing on the same course a distance of 483.12 ft. to a stone bound; thence continuing on the same course a distance of 506.61 ft. to a stone bound; thence by a curve to the left with a radius of 4000.00 ft. a distance of 174.92 ft. to a stone bound; thence by a curve to the left with a radius of 120.00 ft. a distance of 182.79 ft. to a stone bound which is on the northerly side of Brook Street; thence S-9-04-30-E a distance of 50.00 ft. to a stone bound which is on the southerly side of Brook Street; thence S-81-41-W a distance of 32.34 ft. to a stone bound which is on the easterly line of Lincoln Street as laid out by the Norfolk County Commissioners by Return dated March 29, 1921; thence southwesterly by a curve with a radius of 99.23 ft. a distance of 107.93 ft. to a stone bound which is on the easterly line of Lincoln Street as laid out by said Commissioners on March 29, 1921.

The westerly line begins at the Medway-Franklin Town Line which is the center of the Charles River, which point is N-50-08-20-W a distance of 60.00 ft, from the first point on the easterly line as above described; thence S-39-22-10-W a distance of 11.65 ft; thence by a curve to the left with a radius of 860.00 ft. a distance of 60.05 ft. to a stone bound; thence continuing on the same curve a distance of 172.52 ft. to a stone bound; thence continuing on the same curve a distance of 232.57 ft. to a stone bound; thence S-8-22-50-W a distance of 215.56 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 273.44 ft. to a stone bound; thence S-16-12-50-W a distance of 620.58 ft. to a stone bound; thence by a curve to the left with a radius of 1560.00 ft. a distance of 652.85 ft. to a stone bound; thence S-7-45-50-E a distance of 461.89 ft. to a stone bound; thence continuing on the same course a distance of 688.68 ft. to a stone bound; thence by a curve to the left with a radius of 5060.00 ft. a distance of 288.00 ft. to a stone bound; thence S-11-01-30-E a distance of 361.10 ft. to a stone bound; thence continuing on the same course a distance of 538.13 ft. to a stone bound; thence by a curve to the right with a radius of 60.00 ft. a distance of 95.47 ft. to a stone bound which is on the northerly side of Elm Street; thence S-25-41-55-W a distance of 61.46 ft. to a stone bound which is on the southerly side of Elm Street; thence southeasterly by a curve with a radius of 100.00 ft. a distance of 155.04 ft. to a stone bound; thence S-11-01-30-E a distance of 417.14 ft. to a stone bound; thence continuing on the same course a distance of 319.03 ft. to a stone bound; thence by a curve to the left with a radius of 8060.00 ft. a distance of 655.30 ft. to a stone bound; thence S-15-41-00-E a distance of 290.22 ft. to a stone bound; thence continuing on the same course a distance of 578.37 ft. to a stone bound; thence continuing on the same

course a distance of 610.80 ft. to a stone bound; thence continuing on the same course a distance of 204.22 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 339.82 ft. to a stone bound; thence S-3-23-50-W a distance of 306.15 ft. to a stone bound; thence by a curve to the left with a radius of 6560.00 ft. a distance of 697.45 ft. to a stone bound; thence continuing on the same curve a distance of 697.46 ft. to a stone bound; thence S-2-47-10-E a distance of 342.76 ft. to a stone bound; thence continuing on the same course a distance of 483.12 ft. to a stone bound; thence continuing on the same course a distance of 681.81 ft. to a stone bound; thence by a curve to the right with a radius of 740.63 ft. a distance of 237.70 ft. to a stone bound which is on the westerly line of Lincoln Street as laid out by the Norfolk County Commissioners by Return dated March 29, 1921, said bound being S-40-36-40-W a distance of 101.35 ft. from the last bound on the easterly line as above described.

The westerly line heretofore described, in general, is 80.00 ft. westerly from and parallel to the easterly 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 Lincoln Street, Franklin from the Medway Town Line to Brook Street as made by the Norfolk County Commissioners by Return dated October 29, 1946. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer" and signed by "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 FRANKLIN, do within five 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 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 FRANKLIN.

And it is determined by the Commissioners that all expenses of making the relocation of way as prescribed in this Return and Order including the expense of con-

structing said way, and all land and other damages and expenses incident thereto, be paid by the Inhabitants of the town of FRANKLIN.

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 FRANKLIN 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.

| Parcel<br>Number | Owner   | Approximate      |        |
|------------------|---|------------------|--------|
|                  |   | Sq. Ft.<br>Taken | Award  |
| 1.               | John Koshivos<br>Ld. Ct. Cert. #33394, B.167, P.194   | 2950             | 1.00   |
| 2.               | George O. Raney et ux<br>Ld. Ct. Cert. #33272, B.167, P.72<br>Mtg: Framingham Cooperative Bank  | 120              | 1.00   |
| 3.               | George O. Raney et ux<br>Ld. Ct. Cert. #33272, B.167, P.72<br>Mtg: Framingham Cooperative Bank  | 11700            | 20.00  |
| 4.               | Mary A. Smith<br>Mtg: Holliston Savings Bank  | 26700            | 100.00 |
| 5.               | J. Prescott Adams   | 5540             | 1.00   |
| 6.               | Medway and Dedham Street Railroad<br>Company Inc.<br>(Town of Franklin Tax Deed)                | 3450             | 1.00   |
| 7.               | Maxwell W. Emery  | 3100             | 5.00   |
| 8.               | Pasqualino Cerumdo and Pasquale<br>Davria<br>Mtg: Charles S. Cornwall and<br>Lester W. Cornwall | 560              | 1.00   |



| <u>Parcel Number</u> | <u>Owner</u>  | <u>Approximate Sq. Ft. Taken</u> | <u>Award</u> |
|----------------------|---|----------------------------------|--------------|
| 9.                   | Thomas Cantrill et ux<br>Mtg: Medway Cooperative Bank   | 340                              | \$ 10.00     |
| 10.                  | Pasqualino Cerundolo and Pasquale Davria<br>Mtg: Charles S. Cornwall and Lester W. Cornwall                           | 3200                             | 5.00         |
| 11.                  | May L. French   | 12600                            | 10.00        |
| 12.                  | George A. Westcott et ux<br>Mtg: Medway Cooperative Bank<br>Mtg: Ernest D. & Stanley D. Olmstead                      | 9300                             | 10.00        |
| 13.                  | George M. Wise et ux<br>Mtg: Home Owners' Loan Corp.  | 4750                             | 25.00        |
| 14.                  | George A. Westcott et ux<br>Mtg: Medway Cooperative Bank<br>Mtg: Ernest D. & Stanley D. Olmstead                      | 10300                            | 10.00        |
| 15.                  | Earl C. Leeman et ux<br>(Under Doc. #78941, noted on Ld.<br>Ct. Cert. #12379, B.62, P.179)<br>Mtg: Wilton A. Fond     | 16800                            | 100.00       |
| 16.                  | Elliot J. O'Brien   | 9800                             | 5.00         |
| 17.                  | Gasper Roccoforte et ux   | 17650                            | 25.00        |
| 18.                  | Giuseppe Tortorella et ux<br>Mtg: Henry Siskind, Trustee<br>u/w of Sadie A. Smith                                     | 4600                             | 10.00        |
| 19.                  | Dennis F. Sweeney et ux<br>(Florence A. Green, Lessee)<br>Mtg: Foxboro Cooperative Federal Savings & Loan Association | 1450                             | 50.00        |
| 20.                  | Albert Rafuse et ux   | 4750                             | 25.00        |
| 21.                  | Wilton A. Fond et ux  | 780                              | 1.00         |
| 22.                  | Helen F. Roberts<br>Mtg: Benjamin Franklin Savings Bank   | 25                               | 1.00         |
| 23.                  | Herbert L. Metcalfe<br>Mtg: John S. Metcalfe  | 9250                             | 5.00         |
| 24.                  | Phillip Baiona<br>Mtg: Victoria Masciandaro   | 200                              | 1.00         |
| 25.                  | Herbert L. Metcalfe et al<br>(Katherine E. Rogers, Tax Deed)  | 560                              | 1.00         |
| 26.                  | Edna L. Rafuse  | 1360                             | 1.00         |
| 27.                  | Edna L. Rafuse  | 1600                             | 5.00         |
| 28.                  | William J. Dacey et ux<br>Mtg: John J. Dacey  | 190                              | 1.00         |

| <u>Parcel Number</u> | <u>Owner</u>   | <u>Approximate Sq. Ft. Taken</u> | <u>Award</u> |
|----------------------|--|----------------------------------|--------------|
| 29.                  | Max and Israel Garelick<br>Mtg: Benjamin Franklin Savings Bank | 2500                             | \$ 1.00      |
| 30.                  | Max and Israel Garelick<br>Mtg: Benjamin Franklin Savings Bank | 3450                             | 5.00         |
| 31.                  | Ambrose R. Saunders et ux<br>Mtg: Dean Cooperative Bank        | 2050                             | 50.00        |
| 32.                  | Max and Israel Garelick<br>Mtg: Benjamin Franklin Savings Bank | 11200                            | 5.00         |
| 33.                  | Maxwell W. Emery<br>Mtg: Medway Savings Bank                   | 2150                             | 5.00         |
| 34.                  | Grace W. Pressey<br>Mtg: Dean Cooperative Bank                 | 60                               | 1.00         |
| 35.                  | Alric M. Topham et ux<br>Mtg: Medway Cooperative Bank          | 160                              | 1.00         |
| 36.                  | John H. Raney et ux  | 6500                             | 5.00         |
| 37.                  | Joseph M. Sousa et ux<br>Mtg: Medway Cooperative Bank          | 70                               | 1.00         |

TOTAL

505.00

\$ 505.00

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-ninth day of October, 1946, by adjournment of their September meeting next preceding:-

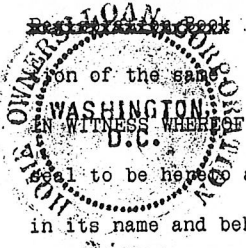
HOLC Form 154, Massachusetts  
Revised 4-28-44

HOME OWNERS' LOAN CORPORATION, of Washington, D. C., a corporate instrumentality of the United States of America, the mortgagee named in and the present holder of a mortgage from Charles E. Preble and Jeanette Preble, husband and wife, as tenants by the entirety to it, dated August 7, 1944 recorded with Norfolk County Registry of Deeds, book 2500, page 330, ~~registered as Document No.~~

~~Registered as Document No. \_\_\_\_\_, District of the Land Office and noted on Certificate of Title No. \_\_\_\_\_~~

~~Registered as Document No. \_\_\_\_\_, page \_\_\_\_\_, acknowledges satisfac-~~

~~tion of the same.~~  
IN WITNESS WHEREOF, the said Home Owners' Loan Corporation has caused its corporate seal to be hereunto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by D. L. Shields, Assistant ~~Regional~~ Treasurer, at New York, New York, this 21st day of October, 1946.



HOME OWNERS' LOAN CORPORATION

*D. L. Shields*  
BY D. L. Shields  
Assistant ~~Regional~~ Treasurer

STATE OF NEW YORK )  
                          )ss.  
COUNTY OF NEW YORK )

On this 21 day of October, 1946, before me appeared D. L. Shields, to me personally known, who, being by me duly sworn did say that he is the Assistant ~~Regional~~ Treasurer of the Home Owners Loan Corporation, the Corporation named in the foregoing instrument and that the seal affixed to said instrument is the corporate seal of said Corporation and was so affixed by authority of its Board of Directors, and said D. L. Shields acknowledged said instrument to be the free act and deed of said Corporation.

*Elisa M. Antonino*  
Notary Public

My commission expires \_\_\_\_\_



ELISA M. ANTONINO  
Notary Public, State of New York  
Residing in Kings County  
Kings Co. No. 99, Reg. No. 228-A-8  
Certificate Filed in N. Y. Co. No. 210; Reg. No. 341-A-8  
Cert. filed in Queens Co. No. 435; Reg. No. 133-A-8  
Cert. filed in Bronx Co. Clk's No. 14; Reg. No. 105-A-8  
Cert. filed in Nassau Co. No. 14-A-48  
Cert. filed in \_\_\_\_\_ Co.  
Commission Expires March 30, 1948