

341

2772

382

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 twentieth day of July, 1948, by adjournment of their June meeting next preceding:-

The petition of EARLE D. SULLIVAN and others of FOXBOROUGH, 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 FOXBOROUGH in said County, that common convenience and necessity require that the ways known as WEST AND GROVE STREETS, public ways in said town, be relocated between the Mansfield Town Line and the Wrentham Town Line for the purpose of establishing the boundary lines of said way, making alterations in the course or width of said ways; and making repairs on said ways

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

Dated May 7, 1947

Earle D. Sullivan
Edward M. Caton
Curtis S. Miller
Harold B. Clark
Russell J. Cook

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the thirteenth day of May, 1947 by adjournment of their April meeting next preceding: and the tenth day of June then next at three thirty o'clock in the afternoon at the Selectmen's Office in Foxborough 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 FOXBOROUGH, 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

Certificate Vol. 2783 P. 153
P.B. 146 P. Nos 671 to 676 incl - 1948

and of order of notice to be posted in two public places in said town: and to be published in the FOXBORO REPORTER, 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 tenth day of June, 1947, 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 Foxborough 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 ways be relocated as prayed for in said petition.

And upon the adjudication aforesaid, the Commissioners appointed the eighteenth day of May, 1948 and four o'clock in the afternoon at the Selectmen's Office in Foxborough 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 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 GROVE STREET as prayed for in said petition

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

The westerly line begins at a stone bound which is on the town line between Mansfield and Foxborough; thence N-7-53-W a distance of 447.70 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 291.08 ft. to a stone bound; thence N-24-33-40-W a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 589.66 ft. to a stone bound; thence by a curve to the left with a radius of 60.74 ft. a distance of 111.79 ft. to a stone bound which is on the southerly line of Green Street as laid out by the Norfolk County Commissioners by Return dated February 7, 1933.

Then beginning again at a stone bound which is on the northerly line of Green Street as laid out by the Norfolk County Commissioners by Return dated February 7, 1933, said bound being N-6-13-10-W a distance of 60.16 ft. from the last described bound; thence northeasterly by a curve with a radius of 75.67 ft. a distance of 95.95 ft. to a stone bound; thence N-22-39-50-W a distance of 486.25 ft. to a stone bound; thence by a curve to the left with a radius of 4000.00 ft. a distance of 442.54 ft. to a stone bound; thence N-29-00-10-W a distance of 279.52 ft. to a stone bound; thence by a curve to the left with a radius of 4000.00 ft. a distance of 213.32 ft. to a stone bound; thence N-32-03-30-W a distance of 450.00 ft. to a stone bound; thence continuing on the same course a distance of 445.00 ft. to a stone bound; thence continuing on the same course a distance of 452.38 ft. to a stone bound; thence by a curve to the left with a radius of 34.70 ft. a distance of 84.22 ft. to a stone bound which is on the easterly line of South Street as laid out by the Norfolk County Commissioners by Return dated December 26, 1928.

The easterly line begins at a stone bound which is on the town line between Mansfield and Foxborough, said bound being N-62-09-16-E a distance of 61.59 ft. from the first bound on the

westerly line as above described; thence northerly by a curve with a radius of 800.00 ft. a distance of 112.45 ft. to a stone bound; thence N-7-53-W a distance of 314.60 ft. to a stone bound; thence by a curve to the left with a radius of 1050.00 ft. a distance of 305.64 ft. to a stone bound; thence N-24-33-40-W a distance of 600.00 ft. to a stone bound; thence continuing on the same course a distance of 597.41 ft. to a stone bound; thence by a curve to the right with a radius of 79.10 ft. a distance of 123.32 ft. to a stone bound which is on the southerly line of Green Street as laid out by the Norfolk County Commissioners by Return dated February 7, 1933.

Then beginning again at a stone bound which is on the northerly line of Green Street as laid out by the Norfolk County Commissioners by Return dated February 7, 1933, said bound being N-32-00-30-W a distance of 50.35 ft. from the last described bound; thence northwesterly by a curve with a radius of 62.91 ft. a distance of 101.64 ft. to a stone bound; thence N-22-39-50-W a distance of 468.58 ft. to a stone bound; thence by a curve to the left with a radius of 4060.00 ft. a distance of 449.18 ft. to a stone bound; thence N-29-00-10-W a distance of 279.52 ft. to a stone bound; thence by a curve to the left with a radius of 4060.00 ft. a distance of 216.52 ft. to a stone bound; thence N-32-03-30-W a distance of 450.00 ft. to a stone bound; thence continuing on the same course a distance of 445.00 ft. to a stone bound; thence continuing on the same course a distance of 559.62 ft. to a stone bound; thence by a curve to the right with a radius of 92.16 ft. a distance of 66.53 ft. to a stone bound which is on the easterly line of South Street as laid out by the Norfolk County Commissioners by Return dated December 26, 1928, said bound being N-8-52-20-E a distance of 92.98 ft. and N-15-46-30-E a distance of 111.97 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, between the Mansfield town line and Green Street is 50.00 feet westerly from and parallel to the easterly line; and between Green Street and South Street is 60.00 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 location hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Grove Street, Foxborough from the Mansfield Town Line to South Street as made by the Norfolk County Commissioners by Return dated July 20, 1948. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer." and signed "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 terminus and angles of said way located 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 FOXBOROUGH, 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 twenty-seven (27) 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 FOXBOROUGH.

And it is determined by the Commissioners that all the expense of making the location 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 FOXBOROUGH.

And the said 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 FOXBOROUGH 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 Number	Owner	Approximate Sq. Ft.	
		Taken	Award
1.	Stella L. Sherman Mtg: Foxborough Cooperative Bank	Slope 100 easement	\$ 1.00
2.	Ellen Fuller, Trustee Mtg: Foxborough Cooperative Federal Savings and Loan Association	Slope 3800 easement	25.00
3.	Wilfred H. Deschamps	Slope 350 easement	1.00
4.	Franklin L. Dean et ux	Slope 14700 easement	10.00
5.	Arthur O. Benoit et ux Mtg: Ralph C. Estes et al, Trustees	Slope 3370 easement	20.00
6.	Frederick H. Olney et ux	Slope 2900 easement	5.00
7.	Franklin L. Dean	Slope 5200 easement	2.00
8.	Mary E. White Mtg: Foxborough Cooperative Federal Savings and Loan Association	Slope 8600 easement	1.00
9.	Mary E. White	Slope 5050 easement	1.00
10.	South Foxborough Union Church Samuel Law et al, Trustees	Slope 1450 easement	25.00
11.	South Foxboro Community Club John I. Perkins et al, Trustees	2150	25.00
12.	Annie G. Stevens	Slope 13950 easement	5.00
13.	Mary E. White Mtg: Foxborough Cooperative Federal Savings and Loan Association	420	1.00
14.	Annie G. Stevens	Slope 4950 easement	2.00
15.	Ralph W. Peters	Slope 4200 easement	2.00
16.	Ralph W. Peters et al	Slope 16100 easement	5.00
17.	Franklin L. Dean	Slope 11600 easement	15.00
18.	Franklin L. Dean	Slope 1300 easement	1.00
19.	John W. Downing et ux Mtg: Mansfield Cooperative Bank	Slope 1000 easement	10.00
20.	Franklin L. Dean	Slope 200 easement	1.00
21.	Franklin L. Dean	Slope 8650 easement	5.00
		TOTAL	\$ 163.00

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 entry is made or possession taken for the purpose of constructing said way.

FREDERICK A. LEAVITT

ALICE P. KENDALL

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twentieth day of July, 1948, by adjournment of their June 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 Foxborough 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

A true copy,

ATTEST: A. Clinton Kellogg ^{Asst} CLERK

Rec'd & entered for record Aug. 3, 1948 at 10h.09m.A.M.