

# 342

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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 eighth day of June, 1948 by adjournment of their April meeting next preceding:-

The petition of PATRICK A. MACK and others of HOLBROOK 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 HOLBROOK in said County, that common convenience and necessity require that the way known as SOUTH FRANKLIN STREET, a public way in said town, be relocated between the junction of Union and Plymouth Streets and southerly to the beginning of the State Highway for the purpose of constructing and altering the layout of said street.

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

Dated January 29, 1948.

Patrick A. Mack	Chairman, Board of Selectmen
Daniel F. Daly	Clerk, Selectmen
Thomas E. Durant	Selectman
Frederick H. Lutz	
Emily T. McGaughey	
Charles A. Chandler	

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This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the third day of February, 1948, by adjournment of their December meeting next preceding: and the thirteenth day of April then next and three 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 HOLBROOK, being the town within which such relocation of way was

Plan No. 549 to 555 Ind. Pl. B.R. 146  
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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 HOLBROOK TIMES, 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 thirteenth day of April, 1948, the Commissioners, Frederick A. Leavitt and Russell T. Bates met at the time and place specified in said order, when and where the petitioners appeared, and the town of HOLBROOK was represented by its Selectmen: and the 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 Holbrook on the twenty-seventh day of April, 1948, 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 L. Bates and Alice P. Kendall (Acting in Place of Edward W. Hunt) by courses and distances, metes and bounds, do relocate said SOUTH FRANKLIN STREET as prayed for in said petition.

And the lines of said relocation of said South Franklin Street, are: as follows:-

The westerly line begins at a stone bound which is on the northerly end of the State Highway as altered and laid out by the Massachusetts Department of Public Works on May 7, 1946; thence S-87-43-15-W a distance of 2.72 ft. to a stone bound; thence N-1-41-21-W a distance of 241.47 ft. to a stone bound; thence by a curve to the left with a radius of 950.00 ft. a distance of 63.37 ft. to a stone bound; thence by a curve to the left with a radius of 695.46 ft. a distance of 310.82 ft. to a stone bound; thence N-31-07-05-W a distance of 338.61 ft. to a stone bound; thence by a curve to the right with a radius of 1003.68 ft. a distance of 265.13 ft. to a stone bound; thence N-15-58-59-W a distance of 269.33 ft. to a stone bound; thence by a curve to the left with a radius of 3790.60 ft. a distance of 141.76 ft. to a stone bound; thence N-18-07-33-W a distance of 47.50 ft. to a stone bound; thence by a curve to the right with a radius of 5060.00 ft. a distance of 189.70 ft. to a stone bound; thence N-13-58-40-W a distance of 264.42 ft. to a stone bound; thence by a curve to the right with a radius of 1260.00 ft. a distance of 240.96 ft. to a stone bound; thence by a curve to the right with a radius of 2060.00 ft. a distance of 377.96 ft. to a stone bound; thence N-5-29-30-E a distance of 236.16 ft. to a stone bound; thence by a curve to the left with a radius of 4000.00 ft. a distance of 480.45 ft. to a stone bound; thence N-1-23-25-W a distance of 560.99 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 494.82 ft. to a stone bound; thence N-12-47-07-E a distance of 61.25 ft. to a stone bound; thence N-8-56-30-E a distance of 125.97 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 41.23 ft. to a stone bound which is on the southerly line of Adams Street; thence N-8-08-10E a distance of 50.10 ft. to a stone bound which is on the northerly line of Adams Street; thence northeasterly

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by a curve with a radius of 30.00 ft. a distance of 44.77 ft. to a stone bound; thence N-8-56-30-E a distance of 15.60 ft. to a stone bound; thence by a curve to the left with a radius of 1200.00 ft. a distance of 273.32 ft. to a stone bound; thence N-4-06-30-W a distance of 82.58 ft. to a stone bound; thence by a curve to the left with a radius of 30.00 ft. a distance of 44.14 ft. to a stone bound which is on the southerly line of Chandler Street; thence N-12-24-30-W a distance of 41.22 ft. to a stone bound which is on the northerly line of Chandler Street; thence northeasterly by a curve with a radius of 30.00 ft. a distance of 50.11 ft. to a stone bound; thence N-4-06-30-W a distance of 634.50 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 36.85 ft. to a stone bound which is on the southerly line of Snell Street; thence N-11-36-50-W a distance of 36.95 ft. to a stone bound which is on the northerly line of Snell Street; thence northeasterly by a curve with a radius of 25.00 ft. a distance of 41.69 ft. to a stone bound; thence N-4-06-30-W a distance of 14.01 ft. to a stone bound; thence N-3-43-30-W a distance of 313.73 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 30.19 ft. to a stone bound which is on the southerly line of Union Street as laid out by the Norfolk County Commissioners by Return dated November 12, 1929.

The easterly line begins at a stone bound which is on the northerly end of the State Highway as altered and laid out by the Massachusetts Department of Public Works on May 7, 1946 which bound is N-87-43-15-E a distance of 50.00 ft. from the first bound on the westerly line as above described; thence N-87-43-15-E a distance of 7.28 ft. to a stone bound; thence N-1-41-21-W a distance of 240.85 ft. to a stone bound; thence by



a curve to the left with a radius of 1010.00 ft. a distance of 518.77 ft. to a stone bound; thence N-31-07-05-W a distance of 156.94 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 453.51 ft. to a stone bound; thence N-18-07-33-W a distance of 322.62 ft. to a stone bound; thence by a curve to the right with a radius of 5000.00 ft. a distance of 187.45 ft. to a stone bound; thence N-15-58-40-W a distance of 264.42 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 229.48 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 366.96 ft. to a stone bound; thence N-5-29-30-E a distance of 236.16 ft. to a stone bound; thence by a curve to the left with a radius of 4060.00 ft. a distance of 487.65 ft. to a stone bound; thence N-1-23-25-W a distance of 507.61 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 360.65 ft. to a stone bound; thence N-3-56-30-E a distance of 483.42 ft. to a stone bound; thence by a curve to the left with a radius of 1260.00 ft. a distance of 286.93 ft. to a stone bound; thence N-4-08-30-E a distance of 839.03 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 41.32 ft. to a stone bound which is on the southerly line of Norfolk Road; thence N-8-12-10-W a distance of 40.48 ft. to a stone bound which is on the northerly line of Norfolk Road; thence northwesterly by a curve with a radius of 25.00 ft. a distance of 39.59 ft. to a stone bound; thence N-1-19-00-E a distance of 327.07 ft. to a stone bound which is on the southerly line of Plymouth Street as laid out by the Norfolk County Commissioners by Return dated July 15, 1924; said bound being N-84-41-10-E a distance of 106.12 ft. from the last bound on the westerly line as above described.

The westerly line heretofore described, in general, 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 South Franklin Street, Holbrook from State Highway (Sta. 71 + 45.51) to Union and Plymouth Streets, as made by the Norfolk County Commissioners by Return dated June 8, 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 termini 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 HOLBROOK, 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 forty (40) 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 HOLBROOK.

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 HOLBROOK.

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 HOLBROOK 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 said way.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate</u>	
		<u>Sq.Ft. Taken</u>	<u>Award</u>
1.	Ethel B. Goodnow, Ld.Ct. Cert. #11391, Bk.57; P. 191 Mtg: Brockton Savings Bank	35	\$ 1.00
2.	Harriet L. Dean Mtg: Randolph Savings Bank	240	10.00
3.	Michael A. Giovanniello et ux	100	5.00
4.	Marion A. Clooney and Peter LeGresley	60	1.00
5.	Edward Sconsoni et ux	110	1.00
6.	Nels Thorud et ux	5	1.00
7.	Leonard P. and Jennie D. Kempton	Slope easement	1.00
8.	John H. Card Mtg: Linda M. French	5	1.00
9.	John H. Card Mtg: Linda M. French	30	1.00
10.	Julia H. Woodman Mtg: Home Owners' Loan Corp.	50	5.00
11.	William Connolly	Slope easement	1.00
12.	Michael A. Walsh et ux Mtg: Security Federal Savings and Loan Association of Brockton	70	1.00
13.	Charles T. Simmons, Dorothy B. Simmons, Conservator	375	15.00
14.	Michael A. Walsh et ux Mtg: Security Federal Savings and Loan Association of Brockton	1250	1.00
15.	John J. Kelleher	100	1.00
16.	John C. Sarhanis and Irene George Mtg: Holbrook Cooperative Bank	Slope Easement	1.00
17.	Eubert W. Frazier Mtg: South Weymouth Savings Bank	Slope Easement	1.00
18.	Robina A. Mitchell Mtg: Volunteers Cooperative Bank	20	1.00
19.	Hobart M. Morgan Mtg: Randolph Trust Company	400	15.00
20.	George H. Dealey et ux Mtg: Holbrook Cooperative Bank	350	20.00



<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
21.	Joseph Septelka et ux Mtg: Security Federal Savings and Loan Association of Brookton Mtg: George A. & Evelyn M. Franke	280	15.00
22.	Susan M. and Mary E. Meara	560	15.00
23.	Robert A. Colburn et ux Mtg: Holbrook Cooperative Bank	530	15.00
24.	William E. Levangie	200	2.00
25.	Paul J. Downey et ux Mtg: Braintree Cooperative Bank	40	1.00
26.	Evelyn F. McLaughlin	5	1.00
27.	Albert Coppolo et ux Mtg: Braintree National Bank Ld.Ct.Cert.#31816	Slope Easement	1.00
28.	Albert Coppolo et ux Mtg: Braintree National Bank Bk.160,P.16	Slope Easement	1.00
29.	Francis M. Chase et ux	90	5.00
30.	Fred D. Caswell	380	25.00
31.	Alice L. Fouche	450	40.00
32.	Philip B. Fraher	550	40.00
33.	Frances E. Emery	540	10.00
34.	Thomas C. Dykeman et ux Mtg: Holbrook Cooperative Bank	400	25.00
35.	Raymond V. Lutz et ux Mtg: Holbrook Cooperative Bank	550	35.00
36.	Monoog Keyian et ux Mtg: Holbrook Cooperative Bank	420	20.00
37.	Alma M. Brewer Mtg: Randolph Savings Bank	180	12.00
38.	Dennis E. McCarthy	495	35.00
39.	Helen G. O'Neil <sup>1</sup>	185	15.00
40.	Alfred L. Wright et ux Mtg: Annie M. Flye	180	15.00
41.	Alfred L. Wright et ux	6	1.00
42.	Robert A. Babcock et ux	55	1.00
43.	Robert A. Babcock et ux Mtg: Holbrook Cooperative Bank	300	25.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
44.	Annie L. Flye	380	50.00
45.	Grace C. Blanchard et al, Trustees	200	10.00
46.	Josephine M. Lincoln Mtg: Randolph Trust Company	70	1.00
47.	Arthur E. Cole et ux Mtg: National Shawmut Bank of Boston Mtg: Arthur J. Cole	140	25.00
48.	Willard K. and George E. Hamilton Mtg: Randolph Savings Bank	550	50.00
49.	Town of Holbrook	580	No award
50.	George H. Fairweather et ux Mtg: Holbrook Cooperative Bank	170	10.00
51.	William P. Conlan et ux	170	10.00
52.	Elston A. Dunbar et ux Mtg: Holbrook Cooperative Bank	150	10.00
53.	John A. Woodford Mtg: Holbrook Cooperative Bank	75	5.00
54.	Frank E. Stewart et ux Mtg: Mutual Federal Savings and Loan Association of Whitman	200	10.00
55.	Fred B. Bettle	130	5.00
56.	John Toomey et ux Mtg: Holbrook Cooperative Bank	Slope Easement	1.00
57.	The Roman Catholic Archbishop of Boston	Slope Easement	1.00
58.	Giuseppe Tenore et ux Mtg: Holbrook Cooperative Bank	Slope Easement	1.00
59.	Nicholas Marella et ux Mtg: Mt. Vernon Cooperative Bank	Slope Easement	1.00
60.	Gordon E. Alden et ux Mtg: Holbrook Cooperative Bank	Slope Easement	1.00
61.	Hazel D. Hooke	Slope Easement	1.00
62.	Florence B. Tibbetts Mtg: Montello Cooperative Bank	Slope Easement	1.00
63.	Edward J. Cousins et ux Mtg: Wollaston Federal Savings and Loan Association	5	1.00
64.	Kalikst M. Kostick et ux	20	1.00

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
65.	Harold F. Walsh et ux Mtg: Holbrook Cooperative Bank	70	2.00
66.	Horace R. Stodder et ux Mtg: Holbrook Cooperative Bank	200	5.00
67.	Newton R. Hastings et ux Mtg: Holbrook Cooperative Bank	270	5.00
68.	Katherine Keith	500	10.00
69.	Mildred L. Howard et al	2500	10.00
70.	Hugh Skilling et al	850	25.00
71.	Albert Skilling	300	15.00
72.	Hugh Skilling et al	520	10.00
73.	Guy A. Colburn et ux Mtg: Home Owners' Loan Corporation	360	20.00
74.	Thomas H. Veale et ux	1000	35.00
75.	Edward P. Tassinari et ux (Right of Way)	240	1.00
76.	Edward P. Tassinari et ux Mtg: Avon Cooperative Bank	840	15.00
77.	Cecelia J. Daly Mtg: Holbrook Cooperative Bank	890	15.00
78.	Clifford A. Loud et ux Mtg: Holbrook Cooperative Bank	1000	15.00
79.	William F. Thurberg et ux Mtg: Julia I. Mitchell	1600	25.00
80.	Donald S. Chase et ux Mtg: Holbrook Cooperative Bank	1700	1.00
81.	Benjamin A. Johnson et al	380	1.00
82.	Florence B. McKay Mtg: Montello Cooperative Bank	2550	50.00
83.	Richard Stewart et ux Mtg: Randolph Cooperative Bank	35	1.00
84.	Irene P. Simmons	Slope Easement	1.00
85.	Margaret Keller Mtg: Holbrook Cooperative Bank	Slope Easement	1.00
86.	Benjamin A. Johnson et al	20	1.00
87.	Benjamin A. Johnson et al	30	1.00
88.	Collins Road	240	No award

Parcel Number	Owner	Approximate	
		Sq.Ft. Taken	Award
89.	Fritz Needer et ux	430	5.00
90.	Fritz Needer et ux	500	5.00
91.	Dresser Avenue	1000	No award
92.	Benjamin A. Johnson et al	3050	50.00
93.	Benjamin A. Johnson et al	2550	15.00
94.	Benjamin A. Johnson et al	5950	30.00
95.	Arthur H. Knowles et al	1350	5.00
96.	Tawn of Holbrook	2630	No award
97.	Dean Street	1900	No award
98.	Jerry C. Grey	3600	20.00
99.	Frederick F. Walls Mtg: Home Owners' Loan Corporation	5050	50.00
100.	Enio Inglese et ux (Reed's Lane) Mtg: Holbrook Cooperative Bank	500	1.00
101.	Robert G. Dean et ux Mtg: Holbrook Cooperative Bank	1500	30.00
102.	J. Arthur and Lillian M. Welch Mtg: Security Cooperative Bank of Brockton	620	15.00
103.	J. Arthur and Lillian M. Welch Mtg: Security Cooperative Bank of Brockton	550	15.00
104.	Austin T. Benson et ux	550	10.00
105.	Austin T. Benson et ux	240	5.00
TOTAL		\$	1155.00

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

RUSSELL T. BATES

ALICE P. KENDALL

COUNTY COMMISSIONERS



COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the eighth day of June, 1948, by adjournment of their April 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 HOLBROOK 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 of that purpose.

FREDERICK A. LEAVITT

RUSSELL T. BATES

ALICE P. KENDALL

COUNTY COMMISSIONERS

A true copy,

ATTEST: *Willard Everett* CLERK

Rec'd & entered for record Jun.30,1948 at 9h.A.M.

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THE COMMONWEALTH OF MASSACHUSETTS.

LAND COURT,

This is to certify that the proceedings upon the petition of Town of Milton

numbered 21017 a memorandum of which was recorded in the Registry of Deeds for the County of Norfolk on the 31st day of December 1947, 1947, in Book 2731 Page 492 have been closed by the entry of a decree in favor of petitioner that the title to the land described in said decree be registered and confirmed in said petitioner

under the provisions of Chapter 185 of the General Laws.

In witness whereof, I have hereunto subscribed my name and affixed the seal of said Court, this twenty-ninth day of June in the year nineteen hundred and forty-eight

*R. J. E. Lavelle*  
Recorder.

Rec'd & entered for record Jun.30,1948 at 9h.10m.A.M.