

#354

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

2871  
287

At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the first day of November, 1949, by adjournment of their September meeting next preceding:-

The petition of STEPHEN BRACONI and others of DEDHAM 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 DEDHAM in said County, that common convenience and necessity require that the way known as ELM STREET, a public way in said town, be relocated between Washington Street and the Westwood 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 Jan. 20, 1948

Stephen Braconi	157 Elm Street, Dedham
Francis A. Gemelli	207 Elm St. Dedham
Mr. & Mrs. Rowland J. Ward	195 Elm St. Dedham
Mr. & Mrs. Frank E. Redgate	193 Elm St. Dedham
Mr. & Mrs. William Lavangee	203 Elm St. Dedham
Ronald H. Bruce	259 Elm St., Dedham
Thomas Lilly	273 Washington St. Dedham
William P. Browne	135 Sanderson Ave. Dedham
Roger B. Conant Jr.	25 Village Ave. Dedham

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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 twentieth day of January, 1948 by adjournment of their December meeting next preceding; and the twentieth day of April, 1948 and three-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 Dedham, 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 DEDHAM TRANSCRIPT, a newspaper published in said County, said publication and posting having been seven days at least before the time appointed for said view, that all persons and corporations in-

Plan No. 1181 to 1184 incl. of 1949 P.L.R. 154  
Ordinance 289, 2891 P. 418

2871

288

terested for or against said petition, might then and there appear and be heard if they saw fit.

And on the twentieth day of April, 1948 the Commissioners, Frederick A. Leavitt, Russell T. Bates, and Alice P. Kendall, (acting in place of Edward W. Hunt) met at the time and place specified in said order, when and where the petitioners appeared, and the town of DEDHAM 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 thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham on Tuesday, the twenty-ninth day of March, 1949, when and where they did adjudge that public 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 third day of May, 1949, and two-thirty o'clock in the afternoon, at the Court House in Dedham as the time and place when 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 to 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 Commissioners, Frederick A. Leavitt, Russell T. Bates and Clayton W. Nash, by courses and distances, metes and bounds, do relocate said ELM STREET as prayed for in said petition.

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

The northerly line begins at a stone bound which is on the easterly line of Washington Street as laid out by the Massachusetts Department of Public Works on February 10, 1931; thence southeasterly by a curve with a radius of 60.00 ft. a distance of 65.32 ft. to a stone bound; thence S-41-07-40-E a distance of

679.95 ft. to a stone bound; thence by a curve to the left with a radius of 20.09 ft. a distance of 40.98 ft. to a stone bound which is on the westerly line of Orchard Street; thence S-34-43-30-E a distance of 47.85 ft. to a stone bound which is on the easterly line of Orchard Street; thence southeasterly by a curve with a radius of 50.07 ft. a distance of 49.14 ft. to a stone bound; thence S-34-14+10-E a distance of 292.31 ft. to a stone bound which is on the westerly line of the Veterans of Foreign Wars Parkway (Route #1) as laid out by the Massachusetts Department of Public Works on October 4, 1949.

Beginning again at a stone bound which is on the easterly line of the Veterans of Foreign Wars Parkway (Route #1) as laid out by the Massachusetts Department of Public Works on October 4, 1949; thence southeasterly by a curve with a radius of 1400.00 ft. a distance of 184.18 ft. to a stone bound; thence S-44-44-10-E a distance of 244.57 ft. to a stone bound; thence by a curve to the right with a radius of 2060.00 ft. a distance of 270.25 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 493.03 ft. to a stone bound; thence S-4-22-20-E a distance of 334.24 ft. to a stone bound; thence by a curve to the left with a radius of 4000.00 ft. a distance of 142.73 ft. to a stone bound; thence S-6-25-E a

distance of 145.24 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 143.12 ft. to a stone bound; thence S-10-31-E a distance of 110.78 ft. to a stone bound which is on the Dedham-Westwood Town Line.

The southerly line begins at a stone bound on the easterly line of Washington Street as laid out by the Massachusetts Department of Public Works on February 10, 1931, said bound being S-21-15-10-W a distance of 170.11 ft. from the first bound on the northerly line as above described; thence northeasterly by a curve with a radius of 40.00 ft. a distance of 82.11 ft. to a stone bound; thence S-41-07-40-E a distance of 572.17 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 240.56 ft. to a stone bound; thence S-34-14-10-E a distance of 105.18 ft. to a stone bound which is on the westerly line of the Veterans of Foreign Wars Parkway

2871

269

2871

290

(Route #1) as laid out by the Massachusetts Department of Public Works on October 4, 1949.

Beginning again at a stone bound which is on the easterly line of the Veteran of Foreign Wars Parkway (Route #1) as laid out by the Massachusetts Department of Public Works on October 4, 1949; thence southeasterly by a curve with a radius of 1460.00 ft. a distance of 192.07 ft. to a stone bound; thence S-44-44-10-E a distance of 244.57 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 262.38 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 458.63 ft. to a stone bound; thence S-4-22-20-E a distance of 334.24 ft. to a stone bound; thence by a curve to the left with a radius of 4060.00 ft. a distance of 144.87 ft. to a stone bound; thence S-6-25-E a distance of 145.24 ft. to a stone bound; thence by a curve to the left with a radius of 2060.00 ft. a distance of 147.41 ft. to a stone bound; thence S-10-31-E a distance of 76.30 ft. to a stone bound which is on the Dedham-Westwood Town Line; said bound being N-70-38-15-W a dis-

tance of 69.20 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 60.00 ft. southerly from and parallel to the northerly 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 Elm Street, Dedham between Washington Street and Veterans of Foreign Wars Parkway and between Veterans of Foreign Wars Parkway and the Westwood Town Line as made by the Norfolk County Commissioners by Return dated November 1, 1949. 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 DEDHAM, 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 DEDHAM.

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 DEDHAM.

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 DEDHAM 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.	Richard F. Keelan et ux Mtg: Dedham Cooperative Bank	140	\$ 10.00
		Slope easement	
2.	Ernest L. Onion Mtg: Dedham Institution for Savings		1.00
		Slope easement	
3.	Albert R. Gilman et ux Mtg: Dedham Institution for Savings		1.00
		Slope easement	
4.	Raymond E. Mackey et ux Mtg: Dedham Cooperative Bank		1.00
		Slope easement	
5.	Eleanor V. Woodward Nellie E. & Einar J. Schriwer, Life Estate Mtg: Roxbury Cooperative Bank		1.00
		Slope easement	
6.	Maurice T. Whiting et ux		1.00
		Slope easement	
7.	Edsum Realty Inc. Ld.Ct.Cert. #39434, Bk.198,P.34 Mtg: Highland Sand and Gravel Company Inc.	17724	1.00
		Slope easement	
8.	Edsum Realty Inc. Ld.Ct.Cert. #39434, Bk.198,P.34 Dedham Drive-In Theatre, Inc.Lessee Mtg: Pilgrim Trust Company	16181	1.00
		Slope easement	
9.	Nicola Columbo et al	19000	5.00
		Slope easement	
10.	Highland Sand & Gravel Co., Inc. Ld.Ct.Cert.#39433, Bk.198,P.33 (Right of Way)	700	1.00
		Slope easement	
11.	Prescott H. Wildes et ux		1.00
		Slope easement	
12.	Now or formerly George L. Dillaway et al, Trustees(Right of way)		1.00
		Slope easement	
13.	Francis A. Gemelli et ux Mtg: Merchants Cooperative Bank Mtg: L. Grossman & Sons, Inc.	90	1.00
		Slope easement	
14.	Francis A. Gemelli et ux Mtg: Merchants Cooperative Bank Mtg: L. Grossman & Sons, Inc.	90	1.00
		Slope easement	
15.	John J. McDermott	20	1.00
		Slope easement	
16.	John J. McDermott, Jr.		1.00
		Slope easement	
17.	Frank E. Redgate et ux Mtg: Watertown Cooperative Bank	100	1.00
		Slope easement	

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
18.	Winifred K. Alexander Mtg: George L. Dillaway et al Trustees	90	1.00
19.	William J. Alexander et ux Mtg: Dedham Cooperative Bank	Slope easement 30	1.00
20.	Winifred K. Alexander Mtg: George L. Dillaway et al Trustees	Slope easement	1.00
21.	Now or formerly George L. Dilla- way et al, Trustees (Right of Way)	Slope easement	1.00
22.	Alice M. Bushnell Mtg: Dedham Institution for Savings	Slope easement	1.00
23.	Stephen Braconi et ux Mtg: Dedham Institution for Savings	Slope easement	1.00
24.	Town of Dedham	Slope easement	No award
25.	Joseph T. Brennan and Donald K. Mackay, Trustees Mtg: Granite Trust Company Mtg: Howard D. Johnson Mtg: Howard D. Johnson Company	Slope easement 2880	200.00
26	Caracasis Corporation Mtg: Granite Trust Company Mtg: Howard D. Johnson	Slope easement 15900	400.00
		TOTAL	\$ 636.00

2871

293

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

FREDERICK A. LEAVITT

RUSSELL T. BATES

CLAYTON W. NASH

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham,

2871

29A

on Tuesday, the first day of November, 1949, 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 thereof be transmitted to the Clerk of the Town of DEDHAM 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

RUSSELL T. BATES

CLAYTON W. NASH

COUNTY COMMISSIONERS

A true copy

ATTEST: Willard Barrett CLERK

Rec'd & entered for record Nov. 17, 1949 at 11h. 35m. A.M.

We, Thomas M. Murphy and Margaret T. Murphy, husband and wife as tenants by the entirety, both of Braintree, Norfolk County, Massachusetts, ~~being~~ for consideration paid, grant to THE QUINCY CO-OPERATIVE BANK, situated in Quincy, Norfolk County, Massachusetts, with MORTGAGE COVENANTS to secure the payment of TWENTY-NINE HUNDRED (\$2900) Dollars payable in monthly installments of \$ 21.98 each on the Sixteenth day of each and every month hereafter which payments shall be applied first to the payment of interest and the balance to the payment of principal sum then due, all as provided in a note of even date, the land, with the buildings thereon, situated on Birchcroft Road in said Braintree, bounded and described as follows:

NORTHERLY by Lot 54, as shown on a plan hereinafter referred to, One Hundred Thirty-two (132) feet;

EASTERLY by Birchcroft Road in a curved line, as shown on said plan, Sixty-four and 61/100 (64.61) feet;

SOUTHERLY by Lot 56, as shown on said plan, One Hundred Forty-one (141) feet; and

WESTERLY by land of owner unknown, Ninety (90) feet.

Said premises contain 10,510 square feet and are shown as Lot 55 on a plan of land in Braintree belonging to Karl V. Wolsey, Trustee, Charles H. Connors, C.E., dated August 16, 1941, recorded with Norfolk Deeds in Book 2363, Page 47.

Said premises are subject to restrictions of record now in force and applicable.

*Discharge vol. 31870. 576.*