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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 seventh day of November, 1950 by adjournment of their September meeting next preceding:-

The petition of JOSEPH M. MAGALDI and others of BRAINTREE, 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 BRAINTREE in said County, that common convenience and necessity require that the way known as PEARL STREET, a public way in said town be relocated between Hancock Street and the present Town of Braintree layout of March 13, 1916 for the purpose of relocating and widening.

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

Dated April 18, 1950.

Joseph M. Magaldi	65 Wayne Ave., So. Braintree
Charles R. Furlong	174 Tremont St., So. Braintree
Robert Howe, Jr.	250 Plain St., So. Braintree
George E. Howes	487 Washington St., So. Braintree
Andrew J. Bardetti	40 Pearl St., So. Braintree
Frederick B. Wetherbee, Jr.	11 Safford St., So. Braintree
Anthony Puglisi	215 Pond St., So. Braintree
Michael DeFurncisco	164 Pond St., So. Braintree
Charles E. Morse	71 Hancock Street, So. Braintree

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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 eighteenth day of April, 1950: and the ninth day of May, 1950, 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 of BRAINTREE, 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 BRAINTREE OBSERVER, 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.

See Plans No. 1431 to 1433 of 1950 P. B. 160
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And on the ninth day of May, 1950, the Commissioners Frederick A. Leavitt, Russell T. Bates and Clayton W. Nash, met at the time and place specified in said order, when and where the petitioners appeared, and the town of BRAINTREE 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 the Town Hall in Braintree, on Tuesday, the sixth day of June, 1950 at four o'clock in the afternoon 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 said Commissioners by courses and distances, metes and bounds, do relocate said PEARL STREET as prayed for in said petition.

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

The northerly line begins at a stone bound on the easterly line of Washington Street as laid out by the Norfolk County Commissioners by Return dated January 29, 1884; thence southeasterly by a curve with a radius of 8.00 ft. a distance of 12.72 ft. to a stone bound; thence N-87-13-20-E a distance of 341.48 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 25.56 ft. to a stone bound; thence by a curve to the left with a radius of 15.00 ft. a distance of 23.37 ft. to a stone bound which is on the westerly line of Randall Avenue; thence N-72-19-30-E a distance of 25.88 ft. to a stone bound which is on the easterly line of Randall Avenue; thence southeasterly by a curve with a radius of 20.00 ft. a distance of 32.28 ft. to a stone bound; thence easterly by a curve with a radius of 2000.00 ft. a distance of 119.10 ft. to a stone bound; thence N-81-25-20-E a distance of 438.19 ft. to a brass bolt; thence by a curve to the left with a radius of 1000.00 ft. a distance of 293.17 ft. to a stone bound which is on the norther-

ly line of Pearl Street as laid out by the Town of Braintree on March 13, 1916.

The southerly line begins at a stone bound which is on the easterly line of Hancock Street as laid out by the Norfolk County Commissioners by Return dated April 15, 1902, said bound being S-1-37-40-E a distance of 8.15 ft; and S-1-53-20-W a distance of 60.19 ft. and S-0-36-20-W a distance of 28.32 ft. from the first bound on the northerly line as above described; thence northeasterly by a curve with a radius of 30.00 ft. a distance of 45.40 ft. to a stone bound; thence N-87-18-20-E a distance of 148.53 ft. to a stone bound; thence by a curve to the right with a radius of 20.00 ft. a distance of 30.33 ft. to a stone bound which is on the westerly line of Crescent Avenue; thence S-87-35-40-E a distance of 24.25 ft. to a stone bound on the easterly line of Crescent Avenue; thence northeasterly by a curve with a radius of 20.00 ft. a distance of 32.50 ft. to a stone bound; thence N-87-18-20-E a distance of 113.49 ft. to a stone bound; thence by a curve to the left with a radius of 2060.00 ft. a distance of 211.53 ft. to a stone bound; thence N-81-25-20-E a distance of 399.69 ft. to a stone bound; thence by a curve to the

left with a radius of 1000.00 ft. a distance of 211.09 ft. to a stone bound; thence N-69-19-40-E a distance of 45.00 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 82.08 ft. to a stone bound which is on the southerly line of Pearl Street as laid out by the Town of Braintree on March 13, 1916, said bound being S-14-47-40-E a distance of 50.86 ft. from the last bound on the northerly line as above described.

The northerly line heretofore described, in general, is 60.00 feet northerly from and parallel to the southerly 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, except that portion of land belonging to the New York, New Haven, and Hartford Railroad Company which is considered their right of way, over which side lines are established, all as shown upon

a plan entitled "Plan and Profile showing the Relocation and Widening of a portion of Pearl Street, Braintree, from Hancock Street to Station 13 + 28.32. as made by the Norfolk County Commissioners by Return dated November 7, 1950, Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 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 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 BRAINTREE, 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 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 BRAINTREE.

And it is determined by the Commissioners that all the expense 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 BRAINTREE.

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 BRAINTREE 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 Sq.Ft. Taken</u>	<u>Award</u>
1.	Anna M. Rogers et al	14	1.00
2.	Pearl St., Motors, Inc. Mtg: Quincy Savings Bank	47	100.00
3.	Randall Avenue	450	No award
4.	Mary A. Tricomi	280	100.00
5.	L. & S. Inc. Mtg: Braintree Cooperative Bank	800	2700.00
6.	The New York, New Haven and Hartford Railroad Company Mtg: Chase National Bank, New York Mtg: Manufacturers Trust Company	500	100.00
7.	The New York, New Haven and Hartford Railroad Company Mtg: Chase National Bank, New York Mtg: Manufacturers Trust Company	3050 Slope easement	800.00
8.	Chester W. Nelson Ld.Ct.Cert #30035, Bk.151, P.35	1623 Slope easement	500.00
8a.	Helen Roberts Mtg: Granite Trust Company	Slope easement	1.00
9.	Colbert Avenue	Slope easement 380	No award
10.	Ambrose A. Comeau et ux Mtg: Benjamin H. Woodsum et al Trustees	680 Slope easement	65.00
11.	William B. Clare Mtg: Braintree Cooperative Bank	2 Slope easement	1.00
11a.	Abrasive Products, Inc.	Slope easement	1.00
12.	Abrasive Products, Inc. Ld.Ct.Cert. #17683, Bk.89, P.83	619 Slope easement	100.00
13.	Abrasive Products, Inc.	1180 Slope easement	300.00

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<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
14.	The New York, New Haven and Hartford Railroad Company Mtg: Chase National Bank, New York Mtg: Manufacturers Trust Company	100 Slope easement	1.00
15.	The New York, New Haven and Hartford Railroad Company Mtg: Chase National Bank, New York Mtg: Manufacturers Trust Company	640	75.00
16.	James B. Tedesco et ux	1120 Slope easement	125.00
17.	Salvatore Mavilia et ux Mtg: Boston Five Cents Savings Bank	830 Slope easement	375.00
18.	Joseph Bardetti et ux	1420 Slope easement	300.00
19.	Nunziata DeBerardinis	1470 Slope easement	375.00
20.	Vincent Santosuosso	1280	450.00
21.	Mary Anna Tricomi	650	3500.00
22.	Meyer Winer, Trustee	1410.	3500.00
TOTAL			\$ 13,470.00

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

CLAYTON W. NASH

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the seventh day of November, 1950 by adjournment of their September meeting next preceding:-

