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In witness whereof, the said Milton Savings Bank

has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by

Richard H. Schmidt

its Treasurer

this

1

day of

July

A. D. 19 53



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MILTON SAVINGS BANK

by

*Richard H. Schmidt*

Treasurer as aforesaid

The Commonwealth of Massachusetts

Norfolk

ss.

July

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Then personally appeared the above-named Richard H. Schmidt

and acknowledged the foregoing instrument to be the free act and deed of Milton Savings Bank

before me,

*George S. Drew*

George S. Drew,

Notary Public

Justice of the Peace

My commission expires

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Rec'd & entered for record July 1, 1953 at 2h.33m.P.M.

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 ninth day of June, 1953, by adjournment of their April meeting next preceding:-

The petition of EDWARD F. DEVINE 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 way known as CHESTNUT STREET, a public way in said town, be relocated between North and Main Streets for the purpose of making alterations in the course or width of said way.

Wherefore your petitioners pray that said way may be re-located within the limits above specified.

Dated May 4, 1950

Edward F. Devine  
Joseph V. Devine  
Edwin T. Donovan  
Horace E. Cornish  
Jeremiah F. Sullivan

Elizabeth M. Sim  
Robert A. Steele  
Joseph W. Belcher  
Harold B. Clark  
J. Clark Samuel

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This petition was presented to the Commissioners and

See Vol. 3130.94.  
Refer to Plan No. 874-1953 P.L. Grade 178.

duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the sixteenth day of May, 1950, by adjournment of their April meeting next preceding; and the sixth day of June, 1950 and three o'clock in the afternoon at the Court House in said Dedham were appointed by the 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 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 and of said 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 sixth day of June, 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 FOXBOROUGH was represented by its Selectmen; and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; 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 Dedham on the fifth day of August, 1952, when and where upon the adjudication aforesaid, the Commissioners appointed the second day of September, 1952 and two o'clock in the afternoon at the Selectmen's office in FOXBOROUGH 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 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 CHESTNUT STREET as prayed for in said petition.

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

The northerly line begins at a stone bound which is on the northeasterly line of Main Street as laid out by the Massachusetts Department of Public Works on July 22, 1908; thence easterly by a curve with a radius of 200.00 ft. a distance of 147.86 ft. to a stone bound; thence N-75-44-30-E a distance of 136.63 ft. to a stone bound; thence by a curve to the left with a radius of 71.49 ft. a distance of 101.25 ft. to a stone bound which is on the westerly line of North Street as laid out by the Norfolk County Commissioners by Return dated July 8, 1924.

The southerly line begins at a stone bound which is on the northeasterly line of Main Street as laid out by the Norfolk County Commissioners by Return dated May 1, 1900; said bound being S-61-54-E a distance of 77.49 ft. and S-77-00-10-E a distance of 101.73 ft. and S-42-23-50-E a distance of 70.63 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 82.48 ft. to a stone bound; thence N-75-44-30-E a distance of 60.75 ft. to a stone bound; thence by a curve to the right with a radius of 39.63 ft. a distance of 69.24 ft. to a stone bound which is on the westerly line of North Street as laid out by the Norfolk County Commissioners by Return dated July 8, 1924, said bound being S-5-24-30-E a distance of 61.22 ft; S-4-53-30-E a distance of 50.67 ft. and S-4-08-50-E a distance of 47.32 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 50.00 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

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Relocation and Widening of a Portion of Chestnut Street, Foxborough between Main Street and North Street as made by the Norfolk County Commissioners by Return dated June 9, 1953.

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 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 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 FOXBOROUGH.

And it is determined by the Commissioners that all the expense of making the relocation of way 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 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.

<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Award</u>
1.	Edward F. Devine et ux Mtg: Foxborough Cooperative Federal Savings and Loan Association	850 Slope easement	20.00
2.	Mary E. Hale Mtg: Foxborough Cooperative Federal Savings and Loan Association	200	1.00
3.	Edmund J. Roguski et ux Mtg: Mary E. Hale	350	10.00
4.	Alonzo A. Emery et ux Mtg: Foxborough Cooperative Federal Savings and Loan Association	2530 Slope easement	100.00
Total			\$ 131.00

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

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Dedham, on Tuesday, the ninth day of June, 1953, 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 FOXBOROUGH within which the limits of 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: *A. Christa Kelly* CLERK

Rec'd & entered for record July 1, 1953 at 3h.P.M.

WOLLASTON FEDERAL SAVINGS AND LOAN ASSOCIATION, the mortgagee in a certain mortgage given by Hugh O. Clancy and Mary E. Clancy

to the said Wollaston Federal Savings and Loan Association

dated February 23, 1949

and recorded with Norfolk Deeds, Book 2815 . Page 568

hereby acknowledges that it has received full payment and satisfaction of the same, and in consideration thereof it hereby cancels and discharges said mortgage .

In witness whereof, the said Wollaston Federal Savings and Loan Association has caused its corporate seal to be hereunto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by William S. Howard, Treasurer, this twenty-ninth day of June, 1953

WOLLASTON FEDERAL SAVINGS AND LOAN ASSOCIATION

By *William S. Howard*  
Treasurer  
Asst. Treasurer



Commonwealth of Massachusetts

Norfolk, ss. June 29, 1953

Then personally appeared the above named