

COMMONWEALTH OF MASSACHUSETTS

3317

269

#409

NORFOLK, SS.

At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the twenty-sixth day of October, 1954, by adjournment of their September meeting next preceding:-

The petition of ZEPHIRIN J. REMILLARD and others of BELLINGHAM 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 BELLINGHAM in said County, that common convenience and necessity require that the way known as WRENTHAM STREET, a public way in said town, be relocated between Muron Street and Elbow Street for the purpose of establishing the boundary lines of said way; making alterations in the course of width of said way; and making specific repairs on said way (construction of bridge and wing walls together with changing the course of Peters River)

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

Dated May 25, 1954

| | |
|-----------------------|--------------------|
| Zephirin J. Remillard | 165 Bellingham St. |
| Leo A. Gosselin | 11 Governor Avenue |
| Walter P. Lewinski | Maple St. |
| Wilfred E. Arcand | 255 Wrentham St. |
| Walter Kornicki | 230 Wrentham Road |
| Lionel R. Trudeau | 21 Mann Street |
| William A. Crouse | 101 So. Main St. |
| Joseph O. Fleurette | 415 Pulaski Blvd. |

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the first day of June, 1954, by adjournment of their April meeting next preceding; and the sixth day of July, 1954 and two-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 BELLINGHAM 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 FRANKLIN SENTINEL, 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

Reports of Board 1493-1954 Pt. B-191

certified by 33340486

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

And on the said sixth day of July, 1954, 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 BELLINGHAM 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 now the said Commissioners, by courses and distances, metes and bounds do relocate said WRENTHAM STREET as prayed for in said petition.

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

The northerly line begins at a stone bound on the northerly line of Wrentham Street as laid out by the Norfolk County Commissioners by Return dated December 16, 1930, said bound being at Station 6 + 64.17; thence N-40-04-35-E a distance of 31.71 ft. to a stone bound; thence N-82-24-35-E a distance of 108.00 ft. to the center of Peters River; thence S-3-26-35-E a distance of 20.05 ft. to a stone bound which is on the northerly line of Wrentham Street as laid out by the Norfolk County Commissioners by Return dated December 16, 1930, which bound is at Station 7 + 93.64.

The southerly line begins at a stone bound on the southerly line of Wrentham Street as laid out by the Norfolk County Commissioners by Return dated December 16, 1930, said bound being at Station 5 + 89.02; thence S-57-58-05-E a distance of 30.50 ft. to a stone bound; thence N-81-03-15-E a distance of 68.16 ft. to a stone bound; thence N-40-04-35-E a distance of 30.50 ft. to a stone bound which is on the southerly line of Wrentham Street as laid out by the Norfolk County Commissioners by Return dated December 16, 1930, which bound is at Station 7 + 03.71.

And the said Commissioners do hereby take for the purposes of a highway all the fee and rights incident to a public highway in the lands included within the lines of loca-

tion hereinbefore described and the lines of Wrentham Street as laid out by the Norfolk County Commissioners by Return dated December 16, 1930.

And the said Commissioners do hereby further take the fee in additional land for the proper care and drainage of said highway, bounded and described as follows:-

Beginning at a stone bound on the northerly line of Wrentham Street as above described; thence N-55-15-35-E a distance of 106.01 ft. to a stone bound; thence N-82-24-35-E a distance of 20 feet, more or less to the center of Peters River; thence southerly by the center of Peters River a distance of 49 feet, more or less; thence S-82-24-35-W a distance of 108.00 ft. to the northerly line of Wrentham Street as above described to the point of beginning.

All lines are shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Wrentham Street, Bellingham at Peters River and Land Taken for Drainage Purposes as made by the Norfolk County Commissioners by Return dated October 26, 1954. 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 the Inhabitants of the Town of BELLINGHAM, 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.

Suitable sidewalks, gutters, culverts, retaining walls, fences and railings shall be constructed, wherever, in

3317

271

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 BELLINGHAM.

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 expense of constructing said way, and all land and other damages and expenses incident thereto, be paid by the Inhabitants of the Town of BELLINGHAM.

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 BELLINGHAM 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>Pcl. No.</u> | <u>Owner</u> | <u>Approximate Sq.Ft. Taken</u> | <u>Tax Allowance</u> | <u>Award</u> |
|-----------------|---|---------------------------------|----------------------|---------------|
| 1. | George C. Rhodes | 660 | .12 | 15.00 |
| 2. | Lyndon F. Murray et ux | 2490 Slope easement | .46 | 25.00 |
| 3. | Lyndon F. Murray et ux | 1900 Slope easement | .35 | 25.00 |
| 4. | Antoine Cote et ux Mtg: Uxbridge Savings Bank | 400 Slope easement | .03 | 1.00 |
| 5. | Leo J. Allard et ux Mtg: Uxbridge Savings Bank | 800 Slope easement | .26 | 100.00 |
| 5. | Leo G. Levitre et ux | 1040 Slope easement | .10 | 10.00 |
| Total | | | \$ | 176.00 |

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 thirty days from the date on which entry is made or possession taken for the purpose of constructing said way.

3317
273

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 twenty-sixth day of October, 1954 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 BELLINGHAM 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: Wills A. Neal CLERK

Recorded Nov.12,1954 at 11h.22m.A.M.

I, Henry T. McAuliffe,

of Norwood,

Norfolk

County, Massachusetts,

being unmarried, for consideration paid, grant to Daniel O'Gorman and Nora J. O'Gorman, husband and wife as tenants by the entirety, both of Norwood, of Norfolk County, Massachusetts

with quitclaim covenants

to have and to hold a certain parcel of land situated on Forrest Avenue in said

copy 284170 P-36