

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 twentieth day of December, 1955, by adjournment of their September meeting next preceding:-

The petition of THOMAS C. POND and others of FRANKLIN 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 FRANKLIN in said County, that common convenience and necessity require that the way known as DEAN AVENUE EXTENSION, a public way in said town, be relocated between Hillside Road and Pleasant Street 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 January 19, 1954

Thomas E. Pond	157 Pleasant Street
Harry W. Vozella	70 East Central St.
Charles H. Robinson	75 Marvin Avenue
Joseph Pierrie	256 Chestnut Street
George A. Callam	241 Chestnut Street

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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 sixteenth day of March, 1954, by adjournment of their December meeting next preceding: and the thirteenth day of April, 1954 and two-thirty o'clock in the afternoon at the Court House in said 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 or notice thereon, to be served upon the Clerk of the Town of FRANKLIN 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 or against said petition, might then and there appear and be heard if they saw fit.

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Refer to Board No. 32-54-1956 Pl-Board 201.

Atty. Gen. 3449 P. 384

#419

And on the said thirteenth day of April, 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 FRANKLIN 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 the Commissioners held at the Town Hall in Franklin on the first day of June, 1954 at two 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 a meeting of the Commissioners held at Dedham aforesaid on the fifteenth day of February, 1955, when and where upon the adjudication aforesaid, the Commissioners appointed the fifth day of April, 1955 and two-thirty o'clock in the afternoon at the Court House in said 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 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, and the 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, Russell T. Bates, Clayton W. Nash and Everett M. Bowker, by courses and distances, metes and bounds do relocate said DEAN AVENUE EXTENSION as prayed for in said petition.

And the lines of said relocation of said DEAN AVENUE EXTENSION are as follows:-

The westerly line begins at a stone bound on the northeasterly line of Hillside Road; thence northeasterly by a curve with a radius of 27.27 ft. a distance of 41.11 ft. to a stone bound; thence by a curve to the left with a radius of 200.00 ft.

a distance of 181.32 ft. to a stone bound; thence N-00-19-50-E a distance of 327.32 ft. to a stone bound; thence by a curve to the right with a radius of 450.00 ft. a distance of 194.60 ft. to a stone bound; thence N-25-06-30-E a distance of 180.95 ft. to a stone bound; thence by a curve to the left with a radius of 300.00 ft. a distance of 297.30 ft. to a stone bound; thence N-31-40-20-W a distance of 137.87 ft. to a stone bound; thence by a curve to the right with a radius of 850.00 ft. a distance of 233.66 ft. to a stone bound; thence N-15-55-20-W a distance of 62.65 ft. to a stone bound; thence by a curve to the left with a radius of 25.00 ft. a distance of 41.54 ft. to a stone bound which is on the southerly line of Fales Street; thence N-9-32-30-W a distance of 40.83 ft. to a stone bound which is on the northerly line of Fales Street; thence northeasterly by a curve with a radius of 25.00 ft. a distance of 37.00 ft. to a stone bound; thence N-15-55-20-W a distance of 232.70 ft. to a stone bound; thence by a curve to the left with a radius of 53.73 ft. a distance of 90.45 ft. to a stone bound which is on the southerly line of Pleasant Street as laid out by the Norfolk County Commissioners by Return dated June 30, 1931.

The easterly line begins at a stone bound on the southerly line of Dean Avenue, said bound being S-41-20-40-E a distance of 75.70 ft. from the first bound on the westerly line as above described; thence N-52-16-30-E a distance of 22.44 ft. to a stone bound; thence by a curve to the left with a radius of 250.00 ft. a distance of 226.65 ft. to a stone bound; thence N-00-19-50-E a distance of 327.32 ft. to a stone bound; thence by a curve to the right with a radius of 400.00 ft. a distance of 172.98 ft. to a stone bound; thence N-25-06-30-E a distance of 180.95 ft. to a stone bound; thence by a curve to the left with a radius of 350.00 ft. a distance of 346.85 ft. to a stone bound; thence N-31-40-20-W a distance of 137.87 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 219.91 ft. to a stone bound; thence N-15-55-20-W a distance of 406.39 ft. to a stone bound; thence by a curve to the right with a radius of 65.14 ft. a distance of 85.02 ft. to a stone bound which is on the southerly line of Pleasant Street as laid out by the Norfolk County Commissioners by Return dated June 30, 1931; said bound being N-63-16-10-E a distance of 160.67 ft. from the last bound on the westerly line as above described.

The easterly line heretofore described, in general, is 50.00 ft. easterly from and parallel to the westerly line.

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 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 a portion of Dean Avenue, Franklin between Hillside Road and Pleasant Street, as made by the Norfolk County Commissioners by Return dated Dec. 20, 1955. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer and signed by "Russell T. Bates, 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 FRANKLIN, 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 FRANKLIN.

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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 FRANKLIN.

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 FRANKLIN 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.	Thomson National Trust Company Id.Ct.Cert.#11705, Bk.59, P.105 Mtg: American Type Founders Co.	11264 Slope easement	.16	1.00
2.	Basil M. Parsons et ux	2500 Slope easement	.06	50.00
3.	Charles B. Hussey et ux	180 Slope easement	.01	1.00
4.	Charles B. Hussey et ux	320 Slope easement	.01	5.00
5.	Fred Pasini et ux	3030 Slope easement	.04	25.00
6.	Fred L. Pasini et ux	2650 Slope easement	.04	25.00
7.	Fred L. Pasini, Jr. et ux Mtg: Dean Cooperative Bank	700 Slope easement	.03	25.00
8.	Fred L. Pasini et ux	1200 Slope easement	.02	10.00
9.	Mary L. Bly	1000 Slope easement	.02	10.00
10.	Mary L. Bly	730 Slope easement	.01	10.00

<u>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
11.	Town of Franklin	940 Slope easement	-	None
12.	Eliza A. Dauphinee	940 Slope easement	-	10.00
13.	C. Elmer Fales	1450 Slope easement	.03	20.00
14.	Mary L. Willard et al	1450	.03	20.00
15.	Barney G. Pasquantonio et ux Mtg: Benjamin Franklin Savings Bank	830	.05	25.00
16.	Thomas C. Pond et ux	400	.02	10.00
17.	Charles J. Schmidt et ux Mtg: Benjamin Franklin Savings Bank	220 Slope easement	.01	5.00
18.	Oscar J. Johnson Mtg: Benjamin Franklin Savings Bank	50 Slope easement	-	1.00
18a.	John R. Goodwin et al	Slope easement	-	1.00
19.	John R. Goodwin et al	240 Slope easement	-	1.00
20.	Pine Tree Lumber and Swenson Bros., Inc.	150 Slope easement	-	1.00
21.	Pine Tree Lumber and Swenson Bros., Inc.	660 Slope easement	.01	1.00
22.	Pine Tree Lumber and Swenson Bros., Inc.	120 Slope easement	-	1.00
23.	Ermina S. Pasini	1350 Slope easement	.02	1.00
TOTAL				\$ 259.00

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.

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWKER

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twentieth day of December, 1955, 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 FRANKLIN 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.

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWMER

COUNTY COMMISSIONERS

A true copy,

ATTEST: William J. Leahy CLERK

Recorded Jan.13,1956 at 2h.59m.P.M.

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Know all men by these presents

that the Randolph Co-operative Bank of Randolph, Mass., the mortgagee named in a certain mortgage given by Carl A. Moeller and Dorothy E. Moeller

Dated March 21 A.D. 19 55, and recorded with Norfolk County Deeds

Lib. 3352, Fol. 2 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 Randolph Co-operative Bank 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 J. Leahy,

its Treasurer, this twelfth day of January, A.D. 19 56

Randolph Co-operative Bank

By William J. Leahy Treasurer



Commonwealth of Massachusetts

Norfolk, s.s. Randolph, Jan. 12 19 56

Then personally appeared

the above named William J. Leahy, Treasurer, and acknowledged the foregoing instrument to be the free act and deed of the Randolph Co-operative Bank before me

William J. Leahy
Notary Public Justice of the peace

My Commission Expires Jan 20 1956

Recorded Jan.13,1956 at 3h.05m.P.M.