

3627
482

#441

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 fourth day of March, 1958, by adjournment of their December meeting next preceding:-

The petition of ALFRED MAGALETTA and others of WESTWOOD, 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 WESTWOOD in said County, that common convenience and necessity require that the way known as EVERETT STREET, a public way in said town, be relocated between Canton Street and the Norwood 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 re-located within the limits above specified.

Dated February 7, 1956.

Alfred Magaletta	50 Hillview Rd, Westwood
John A. Reis	30 Greenhill Rd. Westwood
Richard J. Hart	94 Croft Regis Rd. Westwood
Ellen H. Damrell	931 High St., Westwood
Amy C. Thurston	9 Wicklow Drive, Westwood
Marie R. Scherer	46 Arcadia St, Westwood
Rita F. Vincent	52 Greenacre Road, Westwood.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the twenty-eighth day of August, 1956, by adjournment of their June meeting next preceding: and the twenty-fifth day of September, 1956 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 of notice thereon, to be served upon the Clerk of the Town of WESTWOOD, 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 notice and publication having been seven days at least

Refer to Plan No. 274-275-1958 Pl. Book 205.
-Dak. 56343. 115.

might then and there appear and be heard if they saw fit.

And on the said twenty-fifth day of September, 1956, the Commissioners, Russell T. Bates, Clayton W. Nash and Everett M. Bowker, met at the time and place specified in said order; when and where the petitioners appeared and the Town of WESTWOOD 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 Dedham aforesaid on the second day of April, 1957 when and where upon the adjudication aforesaid, the Commissioners appointed the thirtieth day of April, 1957 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, 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 EVERETT STREET as prayed for in said petition.

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

The northerly line begins at a stone bound on the Norwood-Westwood Town Line; thence N-86-28-30-E a distance of 562.59 ft. to a stone bound; thence N-85-59-30-E a distance of 575.00ft. to a stone bound; thence continuing on the same course a distance of 782.08 ft. to a stone bound; thence by a curve to the left with a radius of 50.00 ft. a distance of 78.80 ft. to

3627

483

3627

4 8 41

laid out by the Norfolk County Commissioners by Return dated March 4, 1958.

The southerly line begins at a stone bound on the Norwood-Westwood Town Line, said bound being S-48-42-03-E a distance of 85.11 ft. from the first bound on the northerly line as above described; thence N-86-28-30-E a distance of 502.49 ft. to a stone bound; thence N-85-59-30-E a distance of 575.26 ft. to a stone bound; thence continuing on the same course a distance of 54.03 ft. to a stone bound; thence by a curve to the right with a radius of 30.01 ft. a distance of 47.23 ft. to a stone bound which is on the westerly line of Lyons Drive; thence N-86-09-40-E a distance of 50.00 ft. to a stone bound on the easterly line of Lyons Drive; thence northeasterly by a curve with a radius of 30.34 ft. a distance of 47.57 ft. to a stone bound; thence N-85-59-30-E a distance of 633.14 ft. to a stone bound; thence by a curve to the right with a radius of 41.70 ft. a distance of 63.08 ft. to a stone bound which is on the westerly line of Canton Street as laid out by the Norfolk County Commissioners by Return dated March 4, 1958; said bound being S-4-18-30-E a distance of 30.82 ft. and S-7-20-30-E a distance of 118.91 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general is 60.00 feet southerly from and parallel to the northerly 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 Everett Street, Westwood between the Norwood Town Line and Canton Street as made by the Norfolk County Commissioners by Return dated March 4, 1958. 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 70

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 WESTWOOD, 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 WESTWOOD.

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 WESTWOOD.

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

3627

485

3627
4 8 6

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 WESTWOOD 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.	Edward O'Toole	5940 Slope easement	1.12	25.00
2.	Earl J. Weir et ux	1900	2.17	50.00
3.	Carl J. Haine et ux Mtg: Dedham Cooperative Bank	310	.29	5.00
4.	Arvid Andersen et ux Mtg. Boston Five Cents Savings Bank	2350 Slope easement	2.58	75.00
5.	Richard H. White et ux Mtg: Metropolitan Life Insurance Co.	1310 Slope easement	.91	75.00
6.	Howard E. North et ux Mtg: Suffolk Savings Bank for Seamen and Others	1640	1.21	50.00
7.	Roger F. Turner, Trustee	2930	3.47	100.00
8.	Harold R. Thomas et ux Mtg: Dedham Cooperative Bank	1140	1.21	100.00
9.	Edith W. Colburn and Ellen V. White	1630	1.60	50.00
10.	John E. Pineau et ux Mtg: Dedham Institution for Savings	1360	1.35	100.00
11.	Katherine E. Winchester Mtg: Roslindale Cooperative Bank Mtg: Georgina H. Cleary	4025	5.24	100.00
12.	Gertrude M. Tracey et al	10	-	1.00
13.	Ralph S. Lyons et ux (Wight Lane)	60	-	1.00
14.	Hartley G. Batchelder Jr. et ux Mtg: Dedham Institution for Savings	1500	3.54	75.00
15.	Ralph S. Lyons et ux	1920	3.17	75.00
16.	Ralph S. Lyons et ux	960	2.27	50.00
17.	Joseph J. Crespi et ux Mtg: Ralph S. Lyons et ux	870	2.09	50.00
18.	Ralph S. Lyons et ux (Lyons Drive)	2690	-	1.00

<u>Pol. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
20.	George G. Bigelow et ux Mtg: Norwood Cooperative Bank	1130	2.95	100.00
21.	Alexander J. Fraser et ux Mtg: Norwood Cooperative Bank	1240 Slope easement	3.23	100.00
22.	Ralph S. Lyons et ux	1320 Slope easement	3.12	25.00
23.	Ralph S. Lyons et ux	1120	2.18	25.00
24.	Edward O'Toole	10430 Slope easement	1.96	50.00
TOTAL \$				1358.00

3627
487

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 fourth day of March, 1958, by adjournment of their December 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 WESTWOOD 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. BOWKER

COUNTY COMMISSIONERS

A true copy,

REC. MAR 31, 1958 4 PM