

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 nineteenth day of August, 1958, by adjournment of their June meeting next preceding:-

The petition of JOSEPH CREHAN and others of WEYMOUTH, 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 WEYMOUTH in said County, that common convenience and necessity require that the way known as COMMERCIAL STREET, a public way in said town, be relocated between Church Street and North 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 August 13, 1956

Joseph Crehan
Franklin Fryer
Ralph J. Amabile, Jr.
Warren P. Burrell
James T. O'Sullivan

Board of Selectmen

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the second day of April, 1957, by adjournment of their December meeting next preceding; and the twenty-third day of April, 1957 and three 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 WEYMOUTH, 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 WEYMOUTH GAZETTE, a newspaper published in said County, said posting and publication having been seven days at least before the time and place 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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Register Plate No. 905-007-1958 RL 0-0-0-206

See Vol. 3674 P. 411.

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And on the said twenty-third day of April, 1957, the Commissioners, Russell T. Bates, Everett M. Bowker and Ainslie K. Payne (acting in place of Clayton W. Nash of Weymouth who was disqualified by reason of residence), met at the time and place specified in said order: when and where the petitioners appeared and the Town of WEYMOUTH 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 twenty-ninth day of October, 1957, when and where upon the adjudication aforesaid, the Commissioners appointed the third day of December, 1957 and three o'clock in the afternoon at the Town Hall in WEYMOUTH, 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 COMMERCIAL STREET as prayed for in said petition.

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

The northerly line begins at a stone bound on the northerly line of Commercial Street as laid out by the Norfolk County Commissioners by Return dated March 12, 1957 and on the northwesterly line of Church Street; thence N-64-43-10-E a distance of 106.98 ft. to a stone bound which is on the southeasterly side of Church Street; thence southeasterly by a curve with a radius of 32.00 ft. a distance of 78.84 ft. to a stone bound; thence N-69-26-20-E a distance of 327.07 to a stone bound; thence by a curve to the right with a radius of 480.00 ft. a distance of 145.44 ft. to a stone bound; thence N-86-48-E a distance of

387.45 ft. to a stone bound; thence by a curve to the left with a radius of 400.00 ft. a distance of 202.11 ft. to a stone bound; thence by a curve to the left with a radius of 101.21 ft. a distance of 141.67 ft. to a stone bound which is on the westerly line of North Street.

The southerly line begins at a stone bound on the southerly line of Commercial Street as laid out by the Norfolk County Commissioners by Return dated March 12, 1957 and on the westerly line of Jaffrey Street; said bound being S-2-23-20-W a distance of 173.22 ft. and S-17-39-20-E a distance of 133.64 ft. from the first bound on the northerly line as above described; thence N-5-49-40-E a distance of 100.38 ft. to a stone bound which is on the easterly line of Jaffrey Street; thence northeasterly by a curve with a radius of 100.00 ft. a distance of 152.01 ft. to a stone bound; thence N-69-26-20-E a distance of 208.80 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 40.12 ft. to a stone bound which is on the westerly line of Rindge Street; thence N-67-00-30-E a distance of 40.12 ft. to a stone bound on the easterly line of Rindge Street; thence northeasterly by a curve with a radius of 25.00 ft. a distance of 38.42 ft. to a stone bound; thence N-69-26-20-E a distance of 84.73 ft. to a stone bound; thence by a curve to the right with a radius of 420.00 ft. a distance of 51.86 ft. to a stone bound; thence by a curve to the right with a radius of 100.00 ft. a distance of 98.02 ft. to a stone bound; thence N-85-06-40-E a distance of 54.20 ft. to a stone bound; thence northeasterly by a curve with a radius of 20.00 ft. a distance of 46.82 ft. to a stone bound; thence N-86-48-E a distance of 203.57 ft. to a stone bound; thence by a curve to the right with a radius of 30.00 ft. a distance of 79.60 ft. to a stone bound; thence S-31-10-10-E a distance of 42.34 ft. to a stone bound; thence N-59-52-50-E a distance of 215.65 ft. to a stone bound; thence N-57-51-E a distance of 148.63 ft. to a stone bound; thence by a curve to the right with a radius of 84.28 ft. a distance of 101.95 ft. to a stone bound which is on the westerly line of Commercial Street; said bound being S-22-21-05-E a distance of 85.23 ft., S-42-12-50-E a distance of 60.94 ft., and S-52-50-30-E a distance of 58.26 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general,

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And the said Commissioners do likewise hereby lay out as a separate way that portion of Commercial Street between Stations 75 + 50 and 78 + 50 as formerly located but not included in the above described relocation and the lines of said way so laid out are as follows:-

The easterly and northerly line begins at a stone bound on the southerly line of Commercial Street as above described; thence S-47-19-30-E a distance of 103.97 ft. to a stone bound; thence by a curve to the left with a radius of 40.00 ft. a distance of 51.55 ft. to a stone bound; thence N-58-49-50-E a distance of 126.96 ft. to a stone bound which is on the southerly line of Commercial Street as above described.

The westerly and southerly line begins at a stone bound on the southerly line of Commercial Street as above described; said bound being S-85-06-40-W a distance of 54.20 ft. from the first bound on the easterly and northerly line as above described; thence S-47-19-30-E a distance of 140.54 ft. to a stone bound; thence by a curve to the left with a radius of 80.00 ft. a distance of 101.64 ft. to a stone bound; thence N-59-52-50-E a distance of 128.44 ft. to a stone bound which is on the southerly line of Commercial Street as above described; said bound being S-31-10-10-E a distance of 42.34 ft. from the last bound on the easterly and northerly line as above described.

The westerly and southerly line heretofore described, in general, is 40.00 ft. westerly and southerly from and parallel to the easterly and 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 a portion of Commercial Street, Weymouth between Church Street and North Street as made by the Norfolk County Commissioners by Return dated August 19, 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 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 WEYMOUTH, 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 Commercial Street shall be constructed not less than forty (40) feet in width; and the travelled part of the separate way shall be constructed not less than twenty-four (24) 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 WEYMOUTH.

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 WEYMOUTH.

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

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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 WEYMOUTH 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>	Approximate <u>Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1.	Wilber B. Maskell et ux Mtg: Wollaston Federal Savings and Loan Association	350 Slope easement	.39	50.00
2.	Wilber B. Maskell et ux Mtg: Wollaston Federal Savings and Loan Association	2140 Slope easement	1.72	150.00
3.	Richard C. Williamson et ux Mtg: Quincy Cooperative Bank Mtg: Williams S. Emerson et ux	1130 Slope easement	1.13	150.00
4.	Frederick A. Estano et al Mtg: South Weymouth Savings Bank	600 Slope easement	.53	75.00
5.	Harriet R. Farrington et al	30 Slope easement	.03	1.00
6.	Harriet R. Farrington et al	3900 Slope easement	3.94	300.00
7.	Lucy E. Godfrey Mtg: Weymouth Savings Bank	15650 Slope easement	3.59	1500.00
8.	Carolyn B. Nash et al	7990 Slope easement	9.24	1300.00
9.	John J. Housman et ux Mtg: Quincy Savings Bank	560 Slope easement	.64	300.00
10.	John J. Housman et ux	920	1.06	150.00
11.	Helen H. Artis Mtg: Provident Institution for Savings	400 Slope easement	.45	50.00
12.	Walter Parry et ux Mtg: Washington Cooperative Bank	500 Slope easement	.51	225.00
<u>Pcl. No.</u>	<u>Owner</u>	Approximate <u>Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
13.	George A. Pickering et ux Mtg: Wollaston Federal Savings and Loan Association	940 Slope easement	1.01	350.00
14.	Eleanor M. Jenkins Mtg: Boston Five Cents Savings Bank	650 Slope easement	.91	250.00
15.	Henry J. LaCroix et al Mtg: Boston Five Cents Savings Bank	780	.81	220.00

16.	F. Cecil Manuel et ux	600	.75	100.00
17.	Richard D. Kirk et ux Mtg: Suffolk Savings Bank for Seamen and others Mtg: Andrew V. Mason et ux	2500	2.90	250.00
18.	Woodrow E. Stone et ux Mtg: Suffolk Savings Bank for Seamen and others	580	.55	100.00
19.	Harold M. Standing et ux Mtg: Suffolk Savings Bank for Seamen and others	110	.18	15.00
20.	Josephine C. Gambone	960	1.50	450.00
21.	Louis C. Bradford et ux Mtg: Weymouth Savings Bank	1750	2.01	350.00
22.	Ralph D. Magliozzi et ux Mtg: Boston Five Cents Savings Bank	50	.08	1.00
23.	Ralph D. Magliozzi et ux Mtg: Boston Five Cents Savings Bank	20	.03	1.00
24.	Eugene A. Mattie, Inc. Mtg: South Weymouth Savings Bank	150	.22	15.00
25.	Wesley P. Holbrook et ux Mtg: Suffolk Savings Bank for Seamen and others	30	.03	5.00
26.	Dominic W. Tiano et ux Mtg: Suffolk Savings Bank for Seamen and others	60	.06	10.00
TOTAL				\$ 6368.00

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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 three months from the date on which entry is made or possession taken for the purpose of construction said way.

RUSSELL T. BATES

EVERETT M. BOWKER

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the nineteenth day of August, 1958 by ad-

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Journalment of their June 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 WEYMOUTH 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

EVERETT M. BOWKER

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

A true copy,

ATTEST Walter A. Neal CLERK

Recorded Sept.15,1958 at 3h.40m.P.M.

SUFFOLK FRANKLIN SAVINGS BANK, formerly Suffolk Savings Bank for Seamen and Others and successor to Franklin Savings Bank of the City of Boston, said former Banks having been merged on October 31, 1957 pursuant to Section 72 of Chapter 168 of the General Laws and the Certificate of Merger having been duly recorded and registered, holder of a mortgage from

Morris M. Levine and Phyllis E. Levine, tenants by the entirety to one of said merged Banks, dated September 15, 1952

and recorded with Norfolk County Deeds, Book 3115, Page 502, acknowledges satisfaction of the same.

Executed under seal by SUFFOLK FRANKLIN SAVINGS BANK by Charles H. Douglass, Jr. its Assistant Treasurer hereunto duly authorized this 12th day of August A.D. 19 58.

SUFFOLK FRANKLIN SAVINGS BANK
by Charles H. Douglass, Jr.
Assistant Treasurer

Commonwealth of Massachusetts

Suffolk ss. August 12, 19 58.

Then personally appeared the above-named Charles H. Douglass, Jr. and acknowledged the foregoing instrument to be the free act and deed of SUFFOLK FRANKLIN SAVINGS BANK, before me,

See Certificate of Merger recorded Book 2601, page 283

Charlotte M. Harwood
Charlotte M. Harwood Notary Public

No. 44-2335

My commission expires: Sept. 5, 1958

Recorded Sept.15,1958 at 3h.44m.P.M.