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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.

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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, June 2, 1959, by adjournment of their April meeting next preceding, a notice of said meeting having been posted as required by law:-

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 COHASSET 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,

ATTEST: *Lawrence St. Hodgdon* CLERK

Recorded June 29, 1959 at 9h.56m.A.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 second day of June, 1959, by adjournment of their April meeting next preceding, a notice of said meeting having been posted as required by law:

See Vol. 374-70. 142.

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The petition of GEORGE V. BROWN, JR., and others of
BROOKLINE 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 BROOKLINE in said County, that common convenience and necessity require that the way known as TAPPAN STREET, a public way in said town, be relocated at the intersection of Cypress 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 re-located within the limits above specified.

Dated December 8, 1958.

George V. Brown, Jr.	40 Heath Hill, Brookline
Alan P. Morse	32 Borland Street, Brookline
Matthew Brown	419 Clinton Road, Brookline
Thomas J. Noonan	53 Craftsland Road, Brookline
Arthur A. O'Shea	144 Walnut Hill Road, Brookline

* * * * *

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the tenth day of March, 1959, by adjournment of their December meeting, a notice of said meeting having been posted as required by law: and the thirty-first day of March, 1959 and two-thirty 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 BROOKLINE 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 BROOKLINE CHRONICLE, 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 said thirty-first day of March, 1959, the Commissioners, Russell T. Bates and Clayton W. Nash, met at the

Refer to Blank no. 758 - 1959 Cl. Book 207.

time and place specified in said order, when and where the petitioners appeared, and the Town of BROOKLINE 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 objected: and the Commissioners adjourned said hearing to a meeting of said Commissioners held at Dedham on the seventh day of April, 1959 when and where the Commissioners, Russell T. Bates, Clayton W. Nash and Ainslie K. Payne (acting in place of Everett M. Bowker who was disqualified by reason of residence) 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 TAPPAN STREET as prayed for in said petition.

And the line of said relocation of said TAPPAN STREET is as follows:-

The southerly line begins at a stone bound on the southerly line of Tappan Street as laid out by the Norfolk County Commissioners by Return dated July 1888; thence easterly by a curve with a radius of 36.00 ft. a distance of 74.80 ft. to a stone bound; thence S-68-53-50-E a distance of 10.00 ft. to a stone bound on the westerly line of Cypress Street as laid out by the Norfolk County Commissioners by Return dated July 1888.

The southerly line of Tappan Street is established contingent to a transfer of Parcel #1 from Metropolitan Transit Authority, in accordance with the provisions of General Laws, Chapter 30, Section 44-a.

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 between the southerly line of Tappan Street as established in July, 1888 and the above described southerly line, and the grade thereof is established all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Tappan Street, Brookline at the Intersection of Cypress Street, as made by the Norfolk County Commissioners by Return dated June 2, 1959. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 feet. Wallace S. Carson, County Engineer" and signed by Russell T. Bates, Chairman: which plan

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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, subject to the provisions of General Laws, Chapter 30, Section 44-a

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, subject to the provisions of General Laws, Chapter 30, Section 44-a

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 BROOKLINE, 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.

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 BROOKLINE.

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 BROOKLINE.

And the Commissioners have heard the proprietors of lands and property, rights and interests, taken or affected by these proceeding, 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 BROOKLINE 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.

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<u>Parcel Number</u>	<u>Owner</u>	<u>Area</u>
1.	Metropolitan Transit Authority	830 sq. ft. Slope easement

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 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

AINSLIE K. PAYNE

COUNTY COMMISSIONERS
COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the second day of June, 1959, by adjournment of their April meeting next preceding, a notice of said meeting having been posted as required by law:-

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 BROOKLINE 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

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

A true copy

ATTEST: Lawrence A. Hodgdon Clerk

Recorded June 29, 1959 at 9h.56m.A.M.