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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 thirteenth day of November, 1962, by adjournment of their September meeting next preceding: a notice of said meeting having been posted as required by law:-

The petition of HAROLD W. BEMIS and others of MEDWAY 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 MEDWAY in said County, that common convenience and necessity require that the way known as LOVERING STREET, a public way in said town, be relocated between Winthrop Street and Summer 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 November 1959.

- | | |
|----------------------------|--------------------------|
| Harold W. Bemis | 55 Milford St. |
| Joseph D. Malloy | 65 Broad St. |
| Allen S. Richardson | 15 Highland St. |
| Echarles Soforenko, D.M.D. | 66 Lincoln St. W. Medway |
| Joseph H. Potenza | Legion Ave. |
| Robert J. O'Donnell | Village St. Medway |
| Richard J. Coakley | Main St. |

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid on the fourth day of April, 1961, by adjournment of their December meeting next preceding, a notice of said meeting having been posted as required by law: and the sixteenth day of May, 1961 and two-thirty o'clock in the afternoon at the Court House, in 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 MEDWAY being the town within which such relocation of way was

Refer to Plan No 1263-1962 P. Book 213

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.

And on the said sixteenth day of May, 1961, no one having appeared the Commissioners adjourned said hearing to a meeting of the Commissioners to be held at Dedham on the thirty-first day of May, 1961 at four o'clock in the afternoon, when and where the Commissioners, Russell T. Bates, Clayton W. Nash and Everett M. Bowker met and the Town of MEDWAY 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 upon the adjudication aforesaid, the Commissioners appointed the sixth day of March, 1962 and three o'clock in the afternoon at the Town Hall in MEDWAY 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 purposes 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.

And now the said Commissioners, by courses and distances, metes and bounds, do relocate said LOVERING STREET as prayed for in said petition.

And the lines of said relocation of said LOVERING STREET are as follows:

The northerly line begins at a stone bound on the easterly line of Summer Street as laid out by the Norfolk County Commissioners by Return dated December 23, 1947; thence southeasterly by a curve with a radius of 51.51 ft. a distance of 80.98 ft. to a stone bound; thence N-88-24-40-E a distance of 257.23 ft. to a stone bound; thence by a curve to the right with a radius of 8060.00 ft. a distance of 169.98 ft. to a stone bound; thence N-89-37-10-E a distance of 567.79 ft. to a stone bound; thence by a curve to the right with a radius of 8060.00 ft. a distance of 427.88 ft. to a stone bound; thence S-87-20-20-E a distance of 444.80 ft. to a stone bound; thence by a curve to the left with a radius of 6000.00 ft. a distance of 204.79 ft. to a stone bound; thence S-89-17-40-E a distance of 518.96 ft. to a stone bound; thence by a curve to the left with a radius of 280.00 ft. a distance of 183.73 ft. to a stone bound; thence S-85-06-40-E a distance of 60.04 ft. to a stone bound; thence southeasterly by a curve with a radius of 30.00 ft. a distance of 74.56 ft. to a stone bound; thence S-89-17-40-E a distance of 833.85 ft. to a stone bound; thence by a curve to the left with a radius of 30.00 ft. a distance of 78.49 ft. to a stone bound; thence N-30-47-50-E a distance of 40.00 ft. to a stone bound; thence S-59-12-10-E a distance of 436.91 ft. to a stone bound; thence S-61-45-35-E a distance of 150.45 ft. to a stone bound; thence by a curve to the left with a radius of 48.54 ft. a distance of 103.00 ft. to a stone bound which is on the westerly line of Winthrop Street as laid out by the Norfolk County Commissioners by Return dated June 7, 1955.

The southerly line begins at a stone bound on the easterly line of Summer Street as laid out by the Norfolk County Commissioners by Return dated December 23, 1947; said bound being S-1-30-50-E a distance of 132.38 ft. and S-1-03-10-E a distance of 37.26 ft. from the first bound on the northerly line as above described; thence northeasterly by a curve with a radius of 58.61 ft. a distance of 91.52 ft. to a stone bound; thence N-88-24-40-E a distance of 250.66 ft. to a stone bound; thence by a curve to the right with a radius of 8000.00 ft. a distance of 168.72 ft. to a stone bound; thence N-89-37-10-E a distance of 567.79 ft. to a stone bound; thence by a curve to the right with a radius of 8000.00 ft. a distance of 424.70 ft. to a stone bound; thence S-87-20-20-E a distance of 444.80 ft. to a stone bound; thence by a curve to the left with a radius of 6060.00 ft. a distance of 206.83 ft. to a stone bound; thence S-89-17-40-E a distance of 767.97 ft. to a stone bound; thence continuing on the same course a distance of 740.79 ft. to a stone bound; thence by a curve to the right with a radius of 1000.00 ft. a distance of 480.57 ft. to a stone bound; thence S-61-45-35-E a distance of 238.05 ft. to a stone bound; thence by a curve to the right with a radius of 97.15 ft. a distance of 99.06 ft. to a stone bound which is on the westerly line of Winthrop Street as laid out by the Norfolk County Commissioners by Return dated June 7, 1955, said bound being S-3-20-20-E a distance of 211.56 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 60.00 ft. southerly from and parallel to the northerly line.

The travelled way shall be constructed not less than thirty (30) feet in width.

And the said Commissioners do likewise hereby layout as a separate way that portion of Lovering Street between Station 28 + 0 and Station 33 + 0 as formerly located but not

included in the above described relocation and the lines of said way so laid out are as follows:

The northerly line begins at a stone bound on the northerly line of Lovering Street as above described; thence N-53-06-30-E a distance of 145.28 ft. to a stone bound; thence by a curve to the right with a radius of 1240.00 ft. a distance of 349.58 ft. to a stone bound; thence N-69-15-40-E a distance of 47.48 ft. to a stone bound; thence by a curve to the left with a radius of 60.00 ft. a distance of 46.38 ft. to a stone bound which is on the westerly line of Partridge Street; thence S-79-36-50-E a distance of 41.33 ft. to a stone bound which is on the easterly side of Partridge Street; thence southeasterly by a curve with a radius of 30.00 ft. a distance of 44.08 ft. to a stone bound; thence S-59-12-10-E a distance of 461.16 ft. to a stone bound which is on the northerly line of Lovering Street as above described.

The southerly line begins at a stone bound on the northerly line of Lovering Street as above described; said bound being S-85-06-40-E a distance of 60.04 ft. from the first bound on the northerly line as above described; thence N-53-06-30-E a distance of 100.51 ft. to a stone bound; thence by a curve to the right with a radius of 1200.00 ft. a distance of 338.30 ft. to a stone bound; thence by a curve to the right with a radius of 140.00 ft. a distance of 125.93 ft. to a stone bound; thence S-59-12-10-E a distance of 431.04 ft. to a stone bound which is on the northerly line of Lovering Street as above described; said bound; being S-30-47-50-W a distance of 40.00 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 40.00 feet southerly from and parallel to the northerly line.

The travelled part of said way shall be constructed not less than twenty-four (24) feet in width.

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 relocation 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 Lovering Street, Medway between Summer Street and Winthrop Street as made by the Norfolk County Commissioners by Return dated November 13, 1962. 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 MEDWAY, 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 MEDWAY.

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 MEDWAY.

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 MEDWAY 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.

Pol. No.	Owner	Approximate		Award
		Sq. Ft. Taken	Tax Al- lowance	
				89
1.	Walter W. Walker et al Mtg: South Middlesex Coop. Bank	16750	.56	100.00
2.	Helen G. Hoag	24580	.31	100.00
2A.	Bruce Hamilton Mtg: Brighton Five Cents Savings Bank		-	1.00
2B.	Bronislaus F. Siderski, Trustee Mtg: Medway Cooperative Bank		-	1.00
3.	Bronislaus F. Siderski, Trustee Mtg: Medway Cooperative Bank	77200	.76	750.00
4.	Bronislaus F. Siderski, Trustee Mtg: Medway Cooperative Bank	2340	.02	25.00
5.	Robert B. Bowman	170	.02	5.00
6.	Herbert K. Mattson et ux Mtg: Workingmens Coopera- tive Bank	780	.26	75.00
7.	James S. Norton, Jr. et ux Mtg: Workingmens Coopera- tive Bank	940	.31	100.00
8.	William J. Munro Jr. et ux Mtg: Workingmens Coopera- tive Bank	1200	.40	125.00
9.	Ralph E. Anderson et ux Mtg: Framingham Trust Co.	6100	1.02	200.00
10.	Bernard Grudak Mtg: The Needham Coopera- tive Bank	28540	.18	100.00
11.	Margaret M. & Frederick J. Lee Mtg: The Federal Land Bank of Springfield	320	-	1.00
12.	Bronislaus F. Siderski, Trustee Mtg: Medway Cooperative Bank	5350	.05	50.00
13.	Bronislaus F. Siderski, Trustee Mtg: Medway Cooperative Bank	7380	.07	75.00
		Total		\$ 1708.00

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 three 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 thirteenth day of November 1962, by adjournment of their September 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 MEDWAY 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: W. H. [Signature] CLERK

Recorded Dec. 4, 1962 at 12h.M.