

NORFOLK, SS.

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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, 1960, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law:-

The petition of the BOARD OF SELECTMEN of the Town of FRANKLIN in said County, represents as follows:-

Commonwealth of Massachusetts

Norfolk, ss.

To the Honorable the County Commissioners of the County of Norfolk:

Under the provisions of Chapter 159, Section 59 of the General Laws, as amended, the Board of Selectmen deem it necessary for the security and convenience of the public that an alteration should be made in connection with the crossing of Grove Street and its approaches with the Milford Branch of the New York, New Haven and Hartford Railroad Company in the Town of FRANKLIN, and herewith respectfully petition your Board to prescribe the manner and limits within which said alteration shall be made in accordance with the above mentioned statute.

ROBERT BELL
HENRY L. VENDETTI
WILLIAM D. O'NEIL

March 3, 1959

BOARD OF SELECTMEN OF
THE TOWN OF FRANKLIN

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-fifth day of October, 1960, by adjournment of their September meeting, a notice of said meeting having been posted as required by law; and the fifteenth day of November, 1960 and at 2:30 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 ~~FRANKLIN~~, being the town within which such alteration of crossing was prayed for fifteen days, and upon the New York, New Haven, and Hartford Railroad Company fourteen 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

Refer to Res. No. 8-1961 G.L. Book # 7-10.

corporations interested for or against said petition, might then and there appear and be heard if they saw fit.

And on the said fifteenth day of November, 1960, 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 Franklin was represented by Robert Bell, Chairman of the Selectmen; and the New York, New Haven and Hartford Railroad Company was represented by Harry B. Bussing, Division Engineer; and the said Commissioners heard all persons and corporations interested; and no party interested objected; and thereupon the said Commissioners did decide that the alteration of said crossing as prayed for in said petition is necessary.

And thence the same was continued and adjourned from time to time to this meeting.

And now the said Commissioners, in accordance with the provisions of General Laws, Chapter 159, Sections 59, 60 and 61, do decide that said crossing be altered as prayed for in said petition, and do prescribe the manner and limits within which such alteration shall be made.

The westerly line begins at a stone bound on the southerly line of location of the New York, New Haven and Hartford Railroad Company; thence northwesterly by a curve with a radius of 2000.00 ft. a distance of 118.20 ft. to a stone bound which is on the northerly line of location of the New York, New Haven and Hartford Railroad Company.

The easterly line begins at a stone bound on the southerly line of location of the New York, New Haven and Hartford Railroad Company, said bound being S-83-26-30-E a distance of 77.14 ft, S-1-20-20-E a distance of 27.51 ft. and S-83-26-30-E a distance of 25.50 ft. from the first bound on the westerly line as above described; thence northwesterly by a curve with a radius of 1260.00 ft. a distance of 42.90 ft. to a stone bound; thence by a curve with a radius of 2060.00 ft. a distance of 108.24 ft. to a stone bound which is on the northerly line of location of the New York, New Haven and Hartford Railroad Company, said bound being S-83-26-30-E a distance of 87.20 ft. from the last bound on the westerly line as above described.

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

And the said Commissioners do hereby take for the purpose of a highway all the easements and rights incident to a public highway in the lands included within the lines of alteration hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing Alteration of Railroad Crossing on Grove Street, Franklin, at the Relocation dated October 8, 1957, as made by the Norfolk County Commissioners by Decision dated December 20, 1960. 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 Decision in accordance with the provisions of Chapter 79 of the General Laws, and all acts and amendments thereof and in addition thereto.

And it is determined by the Commissioners that the present crossing on the old location of Grove Street shall be discontinued as a public crossing upon the construction of the new crossing on Grove Street as laid out by the Norfolk County Commissioners by Return dated October 8, 1957.

And permanent stone bounds will be erected at the termini and angles of said way altered as aforesaid.

The travelled part of said way shall be constructed not less than thirty (30) feet in width and shall be of bituminous concrete construction and suitable sidewalks shall be constructed on either side of the travelled way of either concrete or asphalt material or both.

And the Commissioners further determine that proper measures shall be taken for the protection of the public which will meet with the approval of the Department of Public Utilities.

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 benefit, 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:-

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<u>Parcel Number</u>	<u>Owner</u>	<u>Approximate Sq. Ft. Taken</u>	<u>Award</u>
1.	The New York, New Haven and Hartford Railroad Company	7408	\$1.00

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWKER

COUNTY COMMISSIONERS

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, 1960, by adjournment of their September meeting next preceding: a notice of said meeting having been posted as required by law:-

ORDERED, that the foregoing Decision be filed, accepted and recorded, and that an attested copy thereof be transmitted to the Clerk of the Town of FRANKLIN, the Department of Public Utilities and the New York, New Haven and Hartford Railroad Company.

RUSSELL T. BATES

CLAYTON W. NASH

EVERETT M. BOWKER

COUNTY COMMISSIONERS

A true copy,

ATTEST: Willis A. Reed CLERK

Recorded Jan. 6, 1961 at 11h.40m. A.M.

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

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