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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 tenth day of July, 1962 by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law:-

The petition of ALAN R. MORSE 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 WASHINGTON STREET, a public way in said town, be relocated between High Street and the Boston City 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 be relocated within the limits above specified.

Dated March 27, 1961

Alan R. Morse  
Thomas J. Noonan  
Louise M. Castle  
George F. McNeilly

Russell Hastings  
Francis W. Capper  
William D. Mehegan  
William J. Geddis

Brookline Board of Selectmen

Brookline Planning Board

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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, then next 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 BROOKLINE, being the town within which such relocation

Refer to Planner # 770 + 771 of 1962 P. 136 213

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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 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 sixteenth day of May, 1961, the Commissioners, Russell T. Bates, Clayton W. Nash and Ainslie K. Payne (acting in place of Everett M. Bowker of Brookline 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 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 interested objected; and thereupon the said Commissioners did adjudge that common convenience and necessity require that said way be re-located as prayed for in said petition.

And thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham on the thirteenth day of February, 1962, by adjournment of their December meeting, when and where upon the adjudication aforesaid, the Commissioners appointed the twentieth day of March, 1962, and three 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 bound do relocate the southerly line of WASHINGTON STREET AS prayed for in said petition.

And the line of said relocation of said WASHINGTON STREET is as follows:

The southerly line begins at a stone bound on the easterly line of High Street; thence northeasterly by a curve with a radius of 12.00 ft. a distance of 17.30 ft. to a stone bound; thence N-88-42-05-E a distance of 161.66 ft. to a stone bound; thence continuing on the same course a distance of 16.80 ft. thence N-88-03-10-E a distance of 65.01 ft. to a stone bound; thence by a curve to the right with a radius of 83.71 ft. a distance of 60.99 ft. to a stone bound; thence N-79-31-07-E a distance of 122.47 ft. to a stone bound; thence by a curve to the right with a radius of 767.93 ft. a distance of 145.76 ft. to a stone bound; thence S-89-36-24-E a distance of 144.34 ft. to a stone bound; thence by a curve to the left with a radius of 8793.69 ft. a distance of 199.99 ft. to a stone bound; thence N-89-05-25-E a distance of 84.13 ft. to a stone bound which is on the southerly line of Washington Street.

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 above described line and the old southerly line of Washington Street in accordance with an agreement between the Brookline Redevelopment Authority, the Town of Brookline and the County of Norfolk, dated May 7, 1962, all as shown upon a plan entitled "Plan showing the Relocation and Widening of a Portion of Washington Street, Brookline from High Street to Pond Avenue as made by the Norfolk County Commissioners by Return dated July 10, 1962. Scale: 1 inch = 20 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 General Laws, Chapter 79, and all acts in amendment thereof and in addition thereto.

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And permanent stone bound bounds will be erected at the termini and angles of said way located 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 railing 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 as 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 said 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 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 constructinh said way.

<u>Pcl. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Al- lowance</u>	<u>Award</u>
1.	Brookline Redevelopment Authority	164	-	118.08
2.	Brookline Redevelopment Authority Ld.Ct. Cert. #67319, Bk. 337, P.119	853	-	614.16
3.	Brookline Redevelopment Authority	10382		7475.04
Total				\$ 8207.28

And having heard the proprietors of lands and property, right and interests, taken or affected by these proceedings, the Commissioners direct that all said proprietors shall have the right to takeoff their timber, wood and trees and to remove their buildings, structures, walls, hedges 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, in accordance with agreement dated May 7, 1962.

RUSSELL T. BATES

CLAYTON W. NASH

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

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## COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the tenth day of July, 1962, by adjournment of their June meeting next preceding, a notice of said meeting having been posted as required by law:-

ORDERED: that the foregoing Return and Order of Taking 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:

*William A. Neal* CLERK

Recorded July 19, 1962 at 3h.55m.P.M.