

#512

3937

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 twenty-sixth day of September, 1961 a notice of said meeting having been posted as required by law:-

The petition of AMELIO DELLA CHIESA and others of QUINCY, 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 City of QUINCY in said County, that common convenience and necessity require that the way known as SCHOOL STREET, a public way in said city, be relocated between Granite Street and Fort Hill 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 July 7, 1959

Amelio Della Chiesa	Mayor
Charles R. Herbert	Comm. Public Works
John P. Flavin	Planning Board Member
Walter A. Schmitz	Planning Board Chairman
Fred E. Borgfors	Planning Board Member
Ernest N. Golotte	Planning Board Clerk
C. Francis N. Roberts	Planning Board Member

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This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the tenth day of May, 1960, by adjournment of their April meeting next preceding; a notice of said meeting having been posted as required by law: and the thirty-first day of May, 1960 and three o'clock in the afternoon at the City Hall in Quincy were appointed by 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 City of

See Vol. 4014 U-617.
See Vol 4108 P-149 P/Amelio
See Vol 4130 P-415 Fletcher
See Vol 4153 P-396 L/Blanc
Refer to Plan to 1109-1961 G-Book 211.

QUINCY being the city 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 QUINCY PATRIOT LEDGER, 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 May, 1960, the Commissioners, Clayton W. Nash, Everett M. Bowker and Ainslie K. Payne (acting in place of Russell T. Bates who is disqualified by reason of residence) met at the time and place specified in said order; when and where the petitioners appeared and the City of QUINCY was represented by its Mayor, and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; 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 the Commissioners held at Dodham on the twenty-first day of March, 1961, by adjournment of their December meeting, a notice of said meeting having been posted as required by law; when and where upon the adjudication aforesaid, the Commissioners appointed the twenty-fifth day of April, 1961 and three-thirty o'clock in the afternoon at City Hall in QUINCY 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 SCHOOL STREET as prayed for in said petition.

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

The northerly line begins at a point on the southerly line of Granite Street as laid out by the Norfolk County Commissioners by Return dated September 26, 1961; thence S-87-07-40-E a distance of 139.10 ft. to a point; thence S-85-36-40-E a distance of 93.00 ft. to a point; thence S-15-18-40-E a distance of 0.64 ft. to a stone bound; thence S-82-55-40-E a distance of 49.69 ft. to a stone bound; thence by a curve to the right with a radius of 1100.00 ft. a distance of 130.23 ft. to a stone bound; thence by a curve to the left with a radius of 27.31 ft. a distance of 54.53 ft. to a stone bound; thence N-79-26-40-E a distance of 4.93 ft. to the westerly line of Fort Street.

The southerly line begins at a stone bound on the southerly line of Granite Street as laid out by the Norfolk County Commissioners by Return dated September 26, 1961; said bound being S-4-12-10-W a distance of 47.35 ft. from the first point on the northerly line as above described; thence easterly by a curve with a radius of 1000.00 ft. a distance of 50.08 ft. to a stone bound; thence S-82-55-40-E a distance of 202.52 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 121.72 ft. to a stone bound; thence by a curve to the right with a radius of 50.27 ft. a distance of 118.60 ft. to a stone bound which is on the northerly line of Brook Road; said bound being S-5-50-10-E a distance of 43.15 ft.

S-4-13-10-W a distance of 110.62 ft. S-66-32-30-W a distance of 58.46 ft. and westerly on a curve with a radius of 428.43 ft. a distance of 19.98 ft. from the last point on the northerly line as above described.

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 School Street, Quincy from Granite Street to Fort Street as made by the Norfolk County Commissioners by Return dated Sept. 26, 1961. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 feet. Wallace S. Carson, County Engineer" and signed by "Clayton W. Nash, 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 City of QUINCY, 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 said way shall be constructed not less than forty (40) 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 City of QUINCY.

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 saidway, and all land and other damages and expenses incident thereto, be paid by the Inhabitants of the City of QUINCY.

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 City of QUINCY 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>	<u>Approximate Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
19.	Angelina Cumbo	410 Slope easment	1.30	100.00
19A.	David Kertzman et ux Ld. Ct. Cert. #33549, Bk. 168, P. 149	180 Slope easment	.52	40.00
20.	David Kertzman et ux	6300 Slope easment	18.08	5100.00
21.	Mildred D'Ambrosia	490 Slope easment	1.46	125.00
22.	J. Irving Fletcher et ux Mtg: Quincy Cooperative Bank	510 Slope easment	1.49	125.00
23.	Emma Johnson	130 Slope easment	.37	40.00
24.	George C. Stenzel et ux Mtg: Quincy Savings Bank of Quincy	70 Slope easment	.19	25.00
TOTAL				\$ 5555.00

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.

CLAYTON W. NASH

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 twenty-sixth day of September, 1961, 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 City of QUINCY 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 city for that purpose.

CLAYTON W. NASH

EVERETT M. BOWKER

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

A true copy,

ATTEST: Willis A. Neal CLERK

Recorded Oct. 18, 1961 at 3h. 11m. P.M.