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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 sixth day of July, 1965, by adjournment of their June meeting next preceding; 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 WEST HOWARD STREET, a public way in said City, be relocated between Quincy Avenue and the Braintree Town 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 may be re-located within the limits above specified.

Mayor Amelio Della Chiesa  
Joseph J. LaRaia  
Francis F. McCauley  
John F. Kogler  
George B. McDonald  
David S. McIntosh

Richard W. Barry  
Walter J. Hannon  
Arthur Jaffee  
Alfred G. Helfrich  
Ernest N. Gelotte  
Walter A. Schmitz

March 18, 1964

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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 sixteenth day of June, 1964, by adjournment of their April meeting next preceding, a notice of said meeting having been posted as required by law: and the fourteenth day of July, 1964 and three o'clock in the afternoon at the Court House in said Dedham 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 QUINCY, being the town within which such relocation of way was prayed for,

Refer to Case # 712-1965 in Sec 218

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 city; 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 fourteenth day of July, 1964, the Commissioners, Clayton W. Nash, John Francis Murphy and Ainslie K. Payne (Acting in place of Russell T. Bates of Quincy 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 City Council; 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 the 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 Dedham, on the twentieth day of April, 1965, a notice of said meeting having been posted as required by law: when and were upon the adjudication aforesaid, the Commissioners appointed the eighteenth day of May, 1965 and three-thirty o'clock in the afternoon at the City Hall, 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

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 Commissioners, John Francis Murphy, James J. Collins and Ainslie K. Payne (acting in place of Russell T. Bates), by courses and distances, metes and bounds, do relocate said WEST HOWARD STREET as prayed for in said petition.

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

The westerly line begins at a stone bound which is on the line between the Town of Braintree and the City of Quincy; thence northerly by a curve with a radius of 1060.00 ft. a distance of 114.53 ft. to a stone bound; thence N-5-58-08-W a distance of 104.55 ft. to a stone bound; thence N-5-54-30-W a distance of 39.54 ft. to a stone bound which is on the southerly line of Bower Road; thence N-38-41-20-W a distance of 27.79 ft. to a stone bound which is on the northerly line of Bower Road; thence N-62-58-20-E a distance of 55.75 ft. to a stone bound; thence N-54-22-20-E a distance of 37.20 ft. to a stone bound; thence N-43-56-20-E a distance of 80.50 ft. to a stone bound; thence by a curve to the left with a radius of 35.27 ft. a distance of 51.09 ft. to a stone bound which is on the westerly line of Quincy Avenue as laid out by the Commonwealth of Massachusetts on July 3, 1902.

The easterly line begins at a stone bound which is on the line between the Town of Braintree and the City of Quincy, said bound being N-76-54-50-E a distance of 40.40 ft. and southeasterly a distance of 38.00 ft. more or less from the first bound on the westerly line as above described; thence northerly by a curve with a radius of 1000.00 ft. a distance of 143.22 ft. to a stone bound; thence by a curve to the right with a radius of 200.00 ft. a distance of 161.98 ft. to a stone bound; thence N-37-10-35-E a distance of 54.56 ft. to a stone bound; thence by

a curve to the right with a radius of 50.00 ft. a distance of 86.33 ft. to a stone bound which is on the westerly line of Quincy Avenue as laid out by the Commonwealth of Massachusetts on July 3, 1902; said bound being S-39-03-40-E a distance of 12.75 ft. and S-43-53-50-E a distance of 133.63 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 purposes of a highway all the fee and rights incident to a public highway in the lands included within the lines of location heretofore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of West Howard Street, Quincy between the Braintree Town Line and Quincy Avenue as made by the Norfolk County Commissioners, by Return dated July 6, 1965. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Wallace S. Carson, County Engineer" and signed by "John Francis Murphy, 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 <sup>267</sup>  
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 Com-  
missioners.

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

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 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 said way,  
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 here-  
after named in accordance with the requirements of General Laws,  
Chapter 79, possession becoming effective upon the recording of  
this Return and Order of Taking in the Norfolk County Registry  
of Deeds.

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<u>Rel. No.</u>	<u>Owner</u>	<u>Approximate Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1.	Grossman Industrial Properties, Inc.	50	.09	None
2.	Fore River Railroad Corporation	140	.96	None
3.	Charles J. MacBride et al Mtg: Quincy Savings Bank	120	.49	None
4.	Edward Flibotte Tog Enterprises, Inc. Lessee	7490	30.55	2800.00
5.	Fore River Railroad Corporation	780	5.35	None
6.	Rocco Jancaterino, Jr.	340 Slope easement	1.13	None
7.	Richard T. Marshall Mtg: The North Weymouth Cooperative Bank	220 Slope easement	.79	None
TOTAL				\$ 2800.00

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 of possession for the purpose of constructing said way.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the sixth day of July, 1965, 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 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

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book of records kept in said town for that purpose.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

AINSLIE K. PAYNE

A true copy,

ATTEST *John P. Coniamma* CLERK

Recorded July 27, 1965 at 10h.13m.A.M.

I, Lewis H. Miller, of Brockton, Plymouth County, EXECUTOR under the WILL of ~~John F. McCarthy~~ John F. McCarthy, late of Canton, Norfolk County,

by power conferred by License to Sell Real Estate issued on June 17, 1965, by the Norfolk County Probate Court, Docket No. 165,071,

and every other power, for ---thirty-five hundred-----and no-100ths----- Dollars paid, grant to Joseph F. Kessler, Jr. and Walter J. Kessler, Trustees of Mid Century Trust, under a declaration of trust dated October 10, 1950 and recorded with ~~Deeds Book 295 page 227~~ dated May 12, 1961 and recorded with Norfolk Deeds, Book 3911 Page 277

A certain parcel of land with the buildings thereon situated in Canton, Norfolk County, Massachusetts, containing 15,587 Sq. Ft. of land, bounded and described as follows:

Northerly by land formerly of Patrick Flynn 71 feet; Easterly by a private way called Danforth Street 83 feet; Northerly again by the southerly end of said private way called Danforth Street 33 feet; Easterly again by land formerly of Elijah Bailey 93 feet; Southerly or southwesterly by land formerly of Oliver Ames et als; Westerly by land formerly of John Coombs 100 feet; be all of said measurements more or less. Said parcel comprises Lots 35 and 36 on a plan of land belonging to Nathaniel Dunbar and is the second described lot in deed from Nathaniel Dunbar to Timothy Sheehan dated June 23, 1860 recorded with Norfolk Deeds Book 291 Page 186. Together with a right of way over said Danforth Street to Sherman Street for all purposes for which streets and ways are commonly used in the Town of Canton in common with others lawfully entitled thereto.



Witness my hand and seal this ~~10th~~ day of July, ~~1965~~ 19.65

*Lewis H. Miller*  
Executor as aforesaid

The Commonwealth of Massachusetts

Norfolk, ss. ~~1965~~ July 10, 19 65.

Then personally appeared the above named Lewis H. Miller Executor as aforesaid and acknowledged the foregoing instrument to be his free act and deed, before me



*Earl Stewart*  
Earl Stewart, Notary Public  
My commission expires Feb. 28, 19 70.