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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 fourth day of April, 1967 by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of FRANK J. CARROLL and others of CANTON 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 CANTON in said County, that common convenience and necessity require that the way known as PECUNIT STREET, a public way in said town, be relocated between Elm Street and Washington Street for the purpose of Establishing the boundary lines of said way; making alterations in the course of width of said way; making repairs on said way.

Wherefore your petitioners pray that said way may be relocated within the limits above specified.

Dated Sept. 13, 1961

Frank J. Carroll  
Leonard P. Graham  
MacLaren MacGregor

Elmer G. Dana  
Wallace B. Orpin  
Leo J. Thornton

Selectmen

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, on the eleventh day of June, 1963, a notice of said meeting having been posted as required by law; and the ninth day of July, 1963 and three o'clock in the afternoon at the Court House in said 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 CANTON, being the town within which relocation of way was prayed for, fifteen days at least before the time appointed for said view:

Refer to pl # 411-416 Pl. BK 222

and also caused copies of an abstract of said petition and of said order of notice thereon to be posted in two public places in said town; and to be published in the CANTON JOURNAL, 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 ninth day of July, 1963, the Commissioners, Russell T. Bates and John Francis Murphy met at the time and place specified in said order; when and where the petitioners appeared and the Town of CANTON was represented by its Selectmen; 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 Dedham, on the seventh day of February, 1967, by adjournment of their December meeting next preceding, a notice of said meeting having been posted as required by law; when and where upon the adjudication aforesaid, the Commissioners Appointed the twenty-eighth day of February, 1967, and three o'clock in the afternoon at the Court House in said Dedham, as the time and place they would proceed to and take such action in relation to said adjudication as by law they might be authorized so 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 Commissioners, John Francis Murphy, James J. Collins and Russell T. Bates, by courses and distances, metes and bounds, do relocate said PECUNIT STREET as prayed for in said petition.

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

The northerly line begins at a point on the easterly line of Elm Street; thence N-84-34-35-E a distance of 36.00 ft. to a stone bound; thence southeasterly by a curve with a radius of 61.80 ft. a distance of 77.47 ft. to a stone bound; thence by a curve to the right with a radius of 660.00 ft. a distance of 431.30 ft. to a stone bound; thence S-39-48-20-E a distance of 275.40 ft. to a stone bound; thence by a curve to the left with a radius of 800.00 ft. a distance of 279.64 ft. to a stone bound; Thence S-59-50-00-E a distance of 283.32 ft. to a stone bound; thence by a curve to the right with a radius of 860.00 ft. a distance of 369.58 ft. to a stone bound; thence S-35-12-40 E a distance of 85.84 ft. a stone bound; thence by a curve to the left with a radius of 30.00 ft. a distance of 60.92 ft. to a stone bound which is on the northwesterly line of Mohawk Road; thence S-19-27-50-E a distance of 67.38 ft. to a stone bound which is on the southeasterly line of Mohawk Road; thence southeasterly by a curve with a radius of 45.00 ft. a distance of 50.00 ft. to a stone bound; thence S-35-12-40-E a distance of 142.42 ft. to a stone bound; thence by a curve to the right with a radius of 1060.00 ft. a distance of 340.41 ft. to a stone bound; thence S-16-48-40-E a distance of 259.33 ft. to a stone bound; thence by a curve to the left with a radius of 1200.00 ft. a distance of 448.55 ft. to a stone bound; thence S-38-13-40-E a distance of 526.68 ft. to a stone bound; thence continuing on the same course a distance of 482.59 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 375.08 ft. to a stone bound; thence S-59-43-05-E a distance of 594.30 ft. to a stone bound; thence by a curve to the left with a radius of 93.05 ft. a dis-

tance of 49.18 ft. to a stone bound; thence by a curve to the left with a radius of 200.00 ft. a distance of 43.79 ft. to a stone bound; thence N-77-27-18-E a distance of 72.89 ft. to a stone bound; thence S-12-32-42-E a distance of 40.00 ft. to a stone bound; thence S-30-16-55-W a distance of 58.93 ft. to a stone bound; thence S-59-43-05-E a distance of 179.83 ft. to a stone bound; thence by a curve to the left with a radius of 50.00 ft. a distance of 75.66 ft. to a stone bound which is on the westerly line of Washington Street as laid out by the Norfolk County Commissioners by Return dated September 16, 1924.

The southerly line begins at a point on the easterly side of Elm Street, said point being S-7-22-40-E a distance of 89.31 ft. and S-5-22-40-W a distance of 60.49 ft. from the first point on the northerly line as above described; thence S-81-50-55-E a distance of 26.60 ft. to a stone bound; thence northeasterly by a curve with a radius of 46.40 ft. a distance of 78.15 ft. to a stone bound; thence by a curve to the right with a radius of 600.00 ft. a distance of 372.21 ft. to a stone bound; thence S-39-48-20-E a distance of 275.40 ft. to a stone bound; thence S-38-16-45-E a distance of 323.54 ft. to a stone bound; thence N-5-53-40-E a distance of 32.81 ft. to a stone bound; thence N-7-32-46-W a distance of 47.68 ft. to a stone bound; thence southeasterly by a curve with a radius of 860.00 ft. a distance of 36.27 ft. to a stone bound; thence S-59-50-00-E a distance of 283.32 ft. to a stone bound; thence by a curve to the right with a radius of 800.00 ft. a distance of 343.79 ft. to a stone bound; thence S-35-12-40-E a distance of 360.32 ft. to a stone bound; thence by a curve to the right with a radius of 1000.00 a distance of 178.85 ft. to a stone bound; thence S-14-04-05-W a distance of 123.00 ft. to a stone bound; thence by a curve to the left with a radius of 200.00 ft. a distance of 130.62 ft. to a stone bound; thence S-23-21-10-E a distance of 327.28 ft. to a stone bound; thence S-46-44-05-E a distance of 226.34 ft. to a stone bound; thence southeasterly by a curve

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with a radius of 1260.00 ft. a distance of 82.10 ft. to a stone bound; thence S-10-16-35-E a distance of 323.03 ft. to a stone bound; thence by a curve to the left with a radius of 120.00 ft. a distance of 151.25 ft. to a stone bound; thence S-82-29-30-E a distance of 187.56 ft. to a stone bound; thence S-38-13-40-E a distance of 323.30 ft. to a stone bound; thence S-27-39-50-E a distance of 322.63 ft. to a stone bound; thence S-68-11-20-E a distance of 266.02 ft. to a stone bound; thence S-59-43-05-E a distance of 594.30 ft. to a stone bound; thence continuing on the same course a distance of 333.29 ft. to a stone bound; thence by a curve to the right with a radius of 50.00 ft. a distance of 81.42 ft. to a stone bound which is on the westerly line of Washington Street as laid out by the Norfolk County Commissioners by Return dated September 16, 1924, said bound being S-33-35-05-W a distance of 160.27 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 60.00 feet southerly from and parallel to the northerly 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 hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Pecunit Street, Canton between Elm Street and Washington Street as made by the Norfolk County Commissioners by Return dated April 4, 1967. 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 the County Commissioners do hereby lay out as a public highway Parcels #13 and #14 by authorization of the Annual Town Meeting of the Town of CANTON for the year 1965, being Article #44 which is "To see if the Town will vote to consent to the proposed new layout of Pecunit Street insofar as it effects land of the Town dedicated to cemetery purposes, or take any other action in relation thereto. VOTED that this article be adopted."

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 CANTON, do within five years from the date of this Return and Order complete said way in a thorough and workman like 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 Town of CANTON.

And it is determine 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,

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and all land and other damages and expense incident thereto, be paid by the Inhabitants of the Town of CANTON.

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 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 Registry of Deeds.

| Pgl.<br>NO. | Owner  | Approximate              |                    |         |
|-------------|--|--------------------------|--------------------|---------|
|             |  | Sq.Ft.<br>Taken          | Tax Al-<br>lowance | Award   |
| 1.          | Coleman J. Clonan et ux<br>Mtg: The Provident Institution for Savings in the Town of Boston          | 1780                     | 3.10               | 35.00   |
| 2.          | Joseph A. Martin et ux<br>Mtg: The Provident Institution for Savings in the Town of Boston           | 2650                     | 1.85               | 50.00   |
| 3.          | Henry C. Meadow & Charles P. Lyman<br>Ld. Ct. Cert. No. 80049,<br>Bk. 401, P. 49                     | 24002<br>Slope easement  | 30.55              | 1000.00 |
| 4.          | Blue Hill Associates, Inc.<br>Ld. Ct. Cert. No. 81659,<br>Bk. 409, P. 59<br>Mtg: Milton Savings Bank | 28115<br>Slope easement  | 22.13              | 2500.00 |
| 5.          | Martin Rubin et ux<br>Ld. Ct. Cert. No. 80042<br>Bk. 401, P. 42<br>Mtg: Eliot Savings Bank           | 2341<br>Slope easement   | 4.73               | 25.00   |
| 6.          | (Mohawk Road)  | 2600                     | -                  | -       |
| 7.          | William L. Logan<br>Ld. Ct. Cert. No. 75268<br>Bk. 377, P. 68  | 703<br>Slope easement    | .11                | 5.00    |
| 8.          | Ruth M. Draper   | 10                       | -                  | 1.00    |
| 9.          | Ruth M. Draper   | 146500<br>Slope easement | 9.75               | 3500.00 |

| <u>Pcl. No.</u> | <u>Owner</u>  | <u>Approximate Sq.Ft. Taken</u> | <u>Tax Al-<br/>lowance</u> | <u>Award-</u> |
|-----------------|---|---------------------------------|----------------------------|---------------|
| 10.             | Thomas Columbo  | 38000<br>Slope easement         | 59.81                      | 2500.00       |
| 11.             | Thomas Columbo  | 950<br>Slope easement           | 1.50                       | 10.00         |
| 12.             | Jerome J. Rosenstein et ux<br>Ld.Ct.Cert.No. 81082<br>Bk. 406, P.82<br>Mtg: Canton Institution<br>for Savings | 1278<br>Slope easement          | 2.35                       | 100.00        |
| 13.             | Town of Canton  | 44600<br>Slope easement         | -                          | -             |
| 14.             | Town of Canton  | 900                             | -                          | -             |
| 15.             | Blue Hill Associates, Inc.<br>Mtg: Milton Savings Bank  | 1100<br>Slope easement          | .87                        | 25.00         |
| 16.             | Blue Hill Associates, Inc.<br>Mtg: Milton Savings Bank  | 14000<br>Slope easement         | 11.02                      | 1000.00       |
| 17.             | Louis J. Sarno et ux<br>Ld.Ct.Cert.No. 77816<br>Bk. 390, P.16   | 1<br>Slope easement             | -                          | 1.00          |
| 18.             | William J. Thomas et ux<br>Ld.Ct. Cert. No. 76586<br>Bk. 383, P. 186  | 33<br>Slope easement            | .04                        | 1.00          |
| 19.             | Bay State Federal Savings<br>and Loan Association<br>Ld.Ct.Cert. No.81766,<br>Bk. 409, P. 166                 | 10772<br>Slope easement         | 13.25                      | 1500.00       |
| TOTAL           |   |                                 |                            | \$ 12,253.00  |



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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

RUSSELL T. BATES

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the fourth day of April, 1967, by adjournment of their December 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 CANTON 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.

JOHN FRANCIS MURPHY

JAMES J. COLLINS

RUSSELL T. BATES

COUNTY COMMISSIONERS

A true copy,

ATTEST: *Charlotte A. Thomson*, *Deputy Ass.*  
Clerk

Recorded Apr. 28, 1967 at 9h.A.M.