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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 twenty-fifth day of July, 1967, by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of JAMES R. McINTYRE 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 WHITWELL STREET, a public way in said City be relocated between Adams Street and Roselin Avenue 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 1966

| | |
|----------------------|-----------------------|
| James R. McIntyre | Mayor, City of Quincy |
| John J. Quinn | City Councillor |
| J. Vincent Smyth | City Councillor |
| Francis X. McCauley | City Councillor |
| Walter J. Hannon | City Councillor |
| John F. Koegler | City Councillor |
| Clifford H. Marshall | City Councillor |

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the eighteenth day of April, 1967; a notice of said meeting having been posted as required by law; and the sixteenth day of May, 1967, and three-thirty o'clock in the afternoon at the City Hall in QUINCY 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 order of notice thereon to be served upon the Clerk of the City of 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

See P# 75 at the 760 of 1967 P# 223

Amendment of 478 & 14

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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 City; and to be published in the 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 sixteenth day of May, 1967, the Commissioners John Francis Murphy James J. Collins and Ainslie K. Payne (acting in place of Russell T. Bates of Quincy, 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 City of QUINCY was represented by Henry F. Nilsen, City Engineer; and said Commissioners then view 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 relocated as prayed for in said petition.

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

And now the Commissioners, James J. Collins, Thomas K. McManus and Ainslie K. Payne (acting in place of Russell T. Bates) by courses and distance, metes and bounds do relocate said WHITWELL STREET as prayed for in said petition.

And the lines of said relocation of said WHITWELL STREET are as follows:

The easterly line begins at a stone bound on the southerly line of Adams Street; thence southwesterly by a curve with a radius of 178.93 ft. a distance of 300.95 ft. to a stone bound; thence S=36-39-20-E a distance of 231.35 ft. to a stone bound; thence by a curve to the left with a radius of 878.60 ft. a distance of 235.13 ft. to a stone bound; thence S=51-59-20-E a distance of 245.82 ft. to a stone bound; thence by a curve to the left with a radius of 1000.00 ft. a distance of 258.89 ft. to a stone bound; thence S-66-49-20-E a distance of 519.94 ft. to a stone bound; thence

S-66-42-25-E a distance of 107.34 ft. to a stone bound; thence S-72-30-00-E a distance of 108.37 ft. to a stone bound; thence by a curve to the left with a radius of 20.00 ft. a distance of 30.76 ft. to a stone bound which is on the westerly line of Rose-lin Avenue.

The westerly line begins at a stone bound which is on the southerly line of Adams Street, said bound being S-59-42-40-W a distance of 182.64 ft. and N-88-23-10-W a distance of 65.69 ft. from the first bound on the easterly line as above described; thence southeasterly by a curve with a radius of 75.00 ft. a distance of 122.33 ft. to a stone bound; thence S-5-03-50-W a distance of 28.91 ft. to a stone bound; thence S-8-28-50-W a distance of 122.52 ft. to a stone bound which is on the westerly line of Carroll's Lane; thence S-81-31-10-E a distance of 40.00 ft. to a stone bound which is on the easterly side of Carroll's Lane thence easterly by a curve with a radius of 25.00 ft. a distance of 58.85 ft. to a stone bound; thence S-36-39-20-E a distance of 207.25 ft. to a stone bound; thence by a curve to the left with a radius of 938.60 ft. a distance of 251.19 ft. to a stone bound; thence S-51-59-20-E a distance of 245.82 ft. to a stone bound; thence by a curve to the left with a radius of 1060.00 ft. a distance of 199.24 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 34.14 ft. to a stone bound which is on the northwesterly line of Farrell Street; thence S-57-09-20-E a distance of 31.43 ft. to a stone bound which is on the southeasterly line of Farrell Street; thence northeasterly by a curve with a radius of 21.35 ft. a distance of 36.40 ft. to a stone bound; thence S-66-49-20-E a distance of 155.44 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 35.82 ft. to a stone bound which is on the northwesterly line of Ryden Street; thence S-64-35-20-E a distance of 30.48 ft. to a stone bound which is on the southeasterly line of Ryden Street; thence northeasterly by a curve with a radius of 20.00 ft. a distance of 34.18 ft. to a stone bound; thence S-66-49-20-E a distance of 147.37 ft. to a stone bound;

thence by a curve to the right with a radius of 25,00 ft. a distance of 34,91 ft. to a stone bound which is on the northwesterly line of Nilsen Avenue; thence S-62-29-20-E a distance of 37,15 ft. to a stone bound which is on the southeasterly line of Nilsen Avenue; thence northeasterly by a curve with a radius of 20,00 ft. a distance of 34,90 ft. to a stone bound; thence S-66-49-20-E a distance of 60,68 ft. to a stone bound; thence S-66-42-25-E a distance of 97,77 ft. to a stone bound; thence by a curve to the right with a radius of 25,00 ft. a distance of 34,88 ft. to a stone bound which is on the northwesterly line of Cranch Street; thence S-72-53-40-E a distance of 36,08 ft. to a stone bound which is on the southeasterly line of Cranch Street; thence northeasterly by a curve with a radius of 20,00 ft. a distance of 32,91 ft. to a stone bound; thence S-72-30-00-E a distance of 63,85 ft. to a stone bound; said bound being S-19-22-10-W a distance of 19,36 ft. and S-18-25-45-W a distance of 60,01 from the last bound on the easterly line as above described.

The westerly line heretofore described, in general, is 60,00 ft. westerly from and parallel to the easterly 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 a portion of WHITWELL STREET, QUINCY between Adams Street and Roselin Avenue as made by the Norfolk County Commissioners by Return dated July 25, 1967. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 feet. Wallace S. Carson, County Engineer" and signed by "James J. Collins, 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 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 thirty-four (34) 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 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 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.

| <u>Pcl. No.</u> | <u>Owner</u> | <u>Approximate Sq.Ft. Taken</u> | <u>Tax Allowance</u> | <u>Award</u> |
|-----------------|---|---------------------------------|----------------------|--------------|
| 2. | Sevenel Incorporated | 20 | .09 | 5.00 |
| 3. | Quincy Historical Society | 280 | 1.01 | 70.00 |
| 4. | Quincy Historical Society | 1130 Slope easement | 2.43 | 225.00 |
| 5. | City of Quincy | 2090 Slope easement | - | - |
| 6. | Effie A. Peterson | 20 Slope easement | .20 | 5.00 |
| 7. | John O. Hedein et ux | 230 Slope easement | 2.11 | 115.00 |
| 8. | John E. Krasinski et ux | 650 Slope easement | 6.47 | 325.00 |
| 9. | Richard W. Carlisle et ux Mtg: Quincy Cooperative Bank | 140 Slope easement | 1.26 | 75.00 |
| 10. | William F. Anderson et al | 680 Slope easement | 5.76 | 350.00 |
| 11. | Kesaris Antonius/et ux Mtg: Home Savings Bank | 820 Slope easement | 7.74 | 400.00 |
| 12. | Carl H. Leander et al Mtg: Merchants Cooperative Bank | 550 Slope easement | 5.48 | 250.00 |
| 13. | Carl H. Leander et al Mtg: Merchants Cooperative Bank | 590 Slope easement | 5.27 | 350.00 |

| <u>Pcl. No.</u> | <u>Owner</u> | <u>Approximate Sq. Taken</u> | <u>Tax Allowance</u> | <u>Award</u> | 715 |
|-----------------|---|------------------------------|----------------------|--------------|-----|
| 14. | Gladys S. and Ethel M. Moorhead, Trustees | 640 Slope easement | 5.33 | 350.00 | |
| 15. | Richard T. Lindquist, Jr et al Mtg: Quincy Savings Bank | 540 Slope easement | 4.61 | 300.00 | |
| 16. | Jeremiah V. Walsh Mtg: Home Savings Bank | 420 Slope easement | 3.58 | 200.00 | |
| 17. | City of Quincy | 610 | - | - | |
| 18. | Henry J. Peterson et al Mtg: Weymouth Savings Bank South/ | 320 | 3.19 | 150.00 | |
| 19. | Henry J. Peterson Mtg: The Quincy Cooperative Bank | 180 Slope easement | 1.68 | 100.00 | |
| 20. | Frank P. Bonish et ux Mtg: Home Savings Bank | 180 Slope easement | 1.72 | 100.00 | |
| 21. | Ralph A. Mazzeo et ux Mtg: Weymouth Savings Bank | 230 Slope easement | 2.08 | 125.00 | |
| 22. | Anthony Bissanti et ux Mtg: Quincy Savings Bank | 350 Slope easement | 2.86 | 175.00 | |
| 23. | John A. Dunn et al | 590 Slope easement | 4.21 | 225.00 | |
| 24. | City of Quincy | 10270 Slope easement | - | - | |
| 24A. | Thelma Salvetz | Slope easement | - | 1.00 | |
| 24B. | Bradford Salvetz et ux | Slope easement | - | 1.00 | |
| Total | | | | \$3897.00 | |

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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 take off their timber, wood and trees and to remove their buildings, structure, 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.

JAMES J. COLLINS

THOMAS K. McMANUS

AINSLIE K. PAYNE

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-fifth day of July, 1967, 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 book of records kept in said City for that purpose.

JAMES J. COLLINS

THOMAS K. McMANUS

AINSLIE K. PAYNE

COUNTY COMMISSIONERS

A true copy, ATTEST: *J. P. C.* Clerk

Recorded Aug. 11, 1967 at 3h. 30m. P.M.