

#547

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The Commonwealth of Massachusetts

NORFOLK ss.

June 20, 1969

Then personally appeared the above-named Robert J. Gadbois and Maureen F. Gadbois, and James J. Gadbois and Annette M. Gadbois

and acknowledged the foregoing instrument to be their free act and deed, before me.

*Shirley I. Macdonald*

SHIRLEY I. MacDONALD  
NOTARY PUBLIC  
COMM. EXPI. AUGUST 25, 1972

Recorded June 23, 1969 at 10h.21m.A.M.

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-seventh day of May, 1969, by adjournment of their April meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of JOHN E. MC CAFFREY and others of WEYMOUTH 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 WEYMOUTH in said County, that common convenience and necessity require that the way known as MIDDLE STREET, a public way in said town, be relocated between approximately 1500 ft. southerly of Washington Street and the Southeast Expressway 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 May 19, 1960

Board of Selectmen

Robert S. Carter  
Franklin Fryer  
Everett E. Callahan

Planning Board,  
Town of Weymouth

Walter B. Heffernan, Chmn.  
Frank G. Hale  
Merle S. Averill  
Ralph A. Larsen  
Frank J. Homeyer

Town of Weymouth  
Board of Public Works

John E. McCaffrey - Chairman  
Robert G. Ahlstedt  
Allan R. McKinnon  
George E. Lane  
Joseph M. Nover

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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 fourth day of April, 1961 by adjournment of their December meeting next preceding; a notice of said meeting having been

See RL 473-then 475 of 1969 RL Bk 225

posted as required by law; and the second day of May, 1961 and four o'clock in the afternoon at the Town Hall in Weymouth 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 Town of WEYMOUTH, being the town 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 WEYMOUTH GAZETTE, 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 second day of May, 1961, the Commissioners, Russell T. Bates, Everett M. Bowker and Ainslie K. Payne (Acting in place of Clayton W. Nash of Weymouth, 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 Weymouth was represented by its Selectmen; and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested.

And thence the same was continued and adjourned from time to time to a meeting of the Commissioners held at Dedham on the fourth day of April, 1967, by adjournment of their December meeting next preceding, at which time the Commissioners, John Francis Murphy, James J. Collins and Russell T. Bates, did adjudge that common convenience and necessity require that said way be relocated as prayed for in said petition, and at a meeting of said Commissioners on the thirty-first day of May, 1967 by adjournment of their April meeting next preceding the said Commissioners

appointed the twentieth day of June, 1967, and three-thirty o'clock in the afternoon at the Court House in 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 publication being in the PATRIOT LEDGER, 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, James J. Collins, Thomas K. McManus and George B. McDonald, by courses and distances, metes and bounds, do relocate said MIDDLE STREET as prayed for in said petition.

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

The westerly line begins at a stone bound on the north-easterly line of Pilgrims Highway as laid out by the Massachusetts Department of Public Works on July 23, 1957; thence N-13-46-50-E a distance of 172.03 ft. to a stone bound; thence by a curve to the left with a radius of 815.00 ft. a distance of 361.09 ft. to a stone bound; thence N-11-36-17-W a distance of 186.15 ft. to a stone bound; thence by a curve to the right with a radius of 605.00 ft. a distance of 338.01 ft. to a stone bound; thence by a curve to the right with a radius of 1124.38 ft. a distance of 197.62 ft. to a stone bound; thence by a curve to the right with a radius of 824.26 ft. a distance of 272.20 ft. to a stone bound; thence by a curve to the left with a radius of 32.80 ft. a distance of 50.54 ft. to a stone bound which is on the southwesterly line of Circuit Avenue as laid out by the Town of Weymouth February 20, 1933; thence N-51-57-00-E a distance of 40.00 ft. to a stone bound

which is on the northeasterly line of said Circuit Avenue layout; thence easterly by a curve with a radius of 35.84 ft. a distance of 52.84 ft. to a stone bound; thence by a curve to the right with a radius of 824.26 ft. a distance of 87.04 ft. to a stone bound; thence N-62-42-00-E a distance of 418.97 ft. to a stone bound; thence by a curve to the left with a radius of 324.00 ft. a distance of 175.01 ft. to a point which is on the westerly line of MIDDLE STREET as laid out by the Norfolk County Commissioners by return dated May 31, 1961.

The easterly line begins at a stone bound on the northeasterly line of Pilgrims Highway as laid out by the Massachusetts Department of Public Works on July 23, 1957; said bound being S-71-43-05-E a distance of 60.18 ft. from the first bound on the westerly line as above described; thence N-13-46-50-E a distance of 219.79 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 32.45 ft. to a stone bound which is on the southerly line of Libbey Parkway; thence N-16-48-10-E a distance of 53.17 ft. to a stone bound which is on the northerly line of Libbey Parkway; thence northwesterly by a curve with a radius of 25.47 ft. a distance of 43.28 ft. to a stone bound; thence by a curve to the left with a radius of 875.00 ft. a distance of 246.53 ft. to a stone bound; thence N-11-36-17-W a distance of 186.15 ft. to a stone bound; thence by a curve to the right with a radius of 545.00 ft. a distance of 304.49 ft. to a stone bound; thence by a curve to the right with a radius of 1064.38 ft. a distance of 187.07 ft. to a stone bound; thence by a curve to the right with a radius of 764.26 ft. a distance of 429.83 ft. to a stone bound; thence N-62-42-00-E a distance of 418.97 ft. to a stone bound; thence by a curve to the left with a radius of 384.00 ft. a distance of 142.83 ft. to a stone bound; thence by a curve to the right with a radius of 19.60 ft. a distance of 38.14 ft. to a stone bound which is on the southwesterly

line of Hanover Street, said bound being S-27-07-21-E a distance of 98.18 ft. from the last point 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 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 Middle Street, Weymouth from Hanover Street to Pilgrims Highway as made by the Norfolk County Commissioners by Return dated May 27, 1969. Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Charles C. Cain, 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 and amendments thereof and in addition thereto.

And the said Commissioners do likewise take temporary 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. Said temporary easements to be in effect only until said way is constructed to the full width of the layout as above described and a certificate to that effect has been duly filed by the County Commissioners with their official records.

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 Weymouth, 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 Town of Weymouth.

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 Town of Weymouth.

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.

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<u>Pcl. No.</u>	<u>Owner</u>	<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Thomas J. Flatley Land Court Cert. No. 76412 Book 383 Page 12  Mtg: John Hancock Mutual Life Insurance Company	1,352	23.62	270.00
2	Thomas J. Flatley  Mtg: Milton Savings Bank	350 Slope Easement	3.55	75.00
3	Thomas J. Flatley  Mtg: John Hancock Mutual Life Insurance Company	100 Slope Easement	1.75	20.00
3A	George H. & Hazel F. Mell  Slope Easement	450	5.76	90.00
4	John A. & Katherine M. Campbell  Mtg: Weymouth Savings Bank	300 Slope Easement	3.82	65.00
5	Thomas J. Flatley Land Court Cert. No. 76412 Book 383 Page 12  Mtg: John Hancock Mutual Life Insurance Company	150 Slope Easement	2.62	40.00
6	Amber M. Bennett  Mtg: South Weymouth Savings Bank	250 Slope Easement	2.55	80.00
7	Thomas J. Flatley Land Court Cert. No. 76412 Book 383 Page 12  Mtg: John Hancock Mutual Life Insurance Company	131 Slope Easement	2.29	45.00
8	Ethel F. LaRock  Mtg: Weymouth Savings Bank	500 Slope Easement	2.04	250.00
9	Lucy M. Laniewski Frances Laniewski (Life Estate)  Mtg: South Weymouth Savings Bank	380 Slope Easement	3.40	75.00
10	Lucy M. Laniewski	590 Slope Easement	2.86	60.00
11	Laurence H. Cato Marjorie C. Sutherland Loring V. Tirrell Miriam R. Sturgeon	1,050 Slope Easement	.18	50.00

Pcl. No.	Owner	Approx. Sq.Ft. Taken	Tax Allowance	Award	8.
12	Paul F. & Frances M. Buchan Mtg: Home Owners Federal Savings and Loan Association	600 Slope Easement	5.51	300.00	
13	Joseph M. & Anna M. Masciovecchio Mtg: South Weymouth Savings Bank	470 Slope Easement	4.20	235.00	
14	Peter J. & Rose F. Letzelter	110 Slope Easement	1.20	50.00	
14A	Peter J. & Rose F. Letzelter Mtg: East Weymouth Savings Bank	360 Slope Easement	3.94	175.00	
15	Robert J., Jr. & Margaret J. Gallagher Mtg: South Weymouth Savings Bank	120 Slope Easement	1.24	50.00	
15A	Clarence A. & Ruth P. Scioscia Mtg: South Weymouth Co-operative Bank	None Slope Easement	-	None	
16	Harry J. & Bertha L. Giblin Mtg: South Shore Co-operative Bank	30 Slope Easement	.28	5.00	
17	Edward J. & Edith M. Kelcourse Mtg: Home Savings Bank	600 Slope Easement	4.90	125.00	
18	Jean C. O'Neill	880 Slope Easement	9.40	175.00	
19	Henry G. White Land Court Cert. No. 58052 Book 291 Page 52	321 Slope Easement	.59	30.00	
19A	Margaret A. Comoau	None Slope Easement	-	None	
19B	Town of Weymouth Land Court Cert. No. 62054 Book 311 Page 54	213	-	None	
20	Walter J. & Margaret C. White Land Court Cert. No. 67553 Book 338 Page 153 Mtg: South Shore Co-operative Bank	734 Slope Easement	6.57	300.00	
21	Joseph Salvaggi, Trustee of the Salvaggi Trust Land Court Cert. No. 62895 Book 315 Page 95 Mtg: South Shore Co-operative Bank	811 Slope Easement	8.19	300.00	



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<u>Pcl. No.</u>	<u>Owner</u>	<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
22	Joseph Salvaggi, Trustee of the Salvaggi Trust Land Court Cert. No. 85325, Book 427 Page 125  Mtg: Quincy Savings Bank Mtg: Arthur Salvucci	1,156 Slope Easement	8.57	500.00
23	Carl J. & Helen L. Smith Land Court Cert. No. 73817 Book 370 Page 17  Mtg: Dorchester Savings Bank	177 Slope Easement	1.36	75.00
24	Webster L. & Dorothea T. Gibbs  Mtg: Home Owners Federal Savings and Loan Association	60 Slope Easement	.32	20.00
25	Now or formerly Francis J. Balme, Jr.	30	-	None
26	George F., Jr. & Mary K. Horner Land Court Cert. No. 55158 Book 276 Page 158  Mtg: Home Savings Bank	361	2.11	250.00
27	James J. & Helen D. Sullivan Land Court Cert. No. 83287 Book 417 Page 87  Mtg: Home Savings Bank	640	3.91	400.00
28	Dennis L. & Mildred V. Fitzgerald Land Court Cert. No. 31689 Book 159 Page 89  Mtg: South Shore Co-operative Bank	536 Slope Easement	3.81	300.00
29	Now or formerly Pond Street	40 Slope Easement	-	None
29A	Town of Weymouth	510 Slope Easement	-	None
29B	Owners Unknown	160 Slope Easement	-	None
29C	Town of Weymouth	750 Slope Easement	-	None

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<u>Pcl. No.</u>	<u>Owner</u>	<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
30	Robert W. & Joan F. Hanley Mtg: Home Savings Bank	380 Slope Easement	3.40	190.00
31	Donald E. & Harriett A. Clark Land Court Cert. No. 54872 Book 275 Page 72 Mtg: South Shore Co-operative Bank	402 Slope Easement	3.16	100.00
32	Richard A. & Lorraine A. Burns Land Court Cert. No. 78676 Book 394 Page 76 Mtg: South Weymouth Savings Bank	764 Slope Easement	4.29	190.00
33	Edward B., Jr. & Virginia M. Pratt Land Court Cert. No. 56916 Book 285 Page 116 Mtg: Milton Savings Bank	250 Slope Easement	2.10	125.00
34	Victor D. & Ellen F. Jacobs Land Court Cert. No. 70511 Book 353 Page 111	565 Slope Easement	4.59	125.00
35	Herbert K. Klasson & Bernard S. Bricson Land Court Cert. No. 67793 Book 339 Page 193	547 Slope Easement	.89	25.00
36	Charles V. & Mary H. Hickey Land Court Cert. No. 70542 Book 353 Page 142 Mtg: Volunteer Co-operative Bank	451 Slope Easement	3.81	225.00
37	Joseph S. & Jeannette Vigneault Mtg: Home Savings Bank	240	2.79	120.00
38	Hobson Avenue	120 Slope Easement	-	None
39	Robert J. Marobella Mtg: Milton Savings Bank	380 Slope Easement	4.82	190.00
40	Anthony & Rachel Leone Mtg: South Weymouth Savings Bank	300 Slope Easement	3.82	150.00
41	Stanley L. & Constance A. Knudson Land Court Cert. No. 65110 Book 326 Page 110 Mtg: South Shore Co-operative Bank	402 Slope Easement	2.88	200.00

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<u>Pcl. No.</u>	<u>Owner</u>	<u>Approx. Sq. Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
42	Anthony J. & Lucy A. Campanale Land Court Cert. No. 68068 Book 341 Page 68  Mtg: Weymouth Savings Bank	372 Slope Easement	2.75	150.00
43	Robert W. & Barbara M. Knudsen  Mtg: South Shore Co-operative Bank	470 Slope Easement	5.99	300.00
44	Town of Weymouth Roadway to Water Supply (Libbey Parkway)	1,640	-	None
45	C. B. & W. Realty Corp. Alston Studios, Inc., Lessee  Mtg: Quincy Savings Bank	1,200 Slope Easement	13.71	240.00
				\$179.54 \$6,740.00

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, structures, hedges, walls and fences from the lands so taken, at any time within three months from the date of possession.

JAMES J. COLLINS

THOMAS K. MC MANUS

GEORGE B. MC DONALD

COUNTY COMMISSIONERS

4600

COMMONWEALTH OF MASSACHUSETTS

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NORFOLK, SS.

At a meeting of the County Commissioners, held at  
Dodham, on Tuesday, the twenty-seventh day of May, 1969, by  
adjournment of their April 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 trans-  
mitted to the Clerk of the Town of Weymouth 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.

JAMES J. COLLINS

THOMAS K. MC MANUS

GEORGE B. MC DONALD

COUNTY COMMISSIONERS

A true copy, ATTEST: *C. A. Thomson* Deputy Clerk Clerk

Recorded June 23, 1969 at 10h.27m.A.M.