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COMMONWEALTH OF MASSACHUSETTS

685

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-second day of July, 1969, by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of FELIX JULIANI and others of WELLESLEY, 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 WELLESLEY in said County, that common convenience and necessity require that the way known as WELLESLEY AVENUE, a public way in said town, be relocated between Great Plain Avenue and Whiting Road 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 June 21, 1966

Felix Juliani
Richard L. Wilder
John O. Rhome
Jerome Preston, Jr.
Beverly F. Ottaway
Harold A. Mock
Laurence H. Stone

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham on the fifth day of November 1968, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law: and the tenth day of December, 1968 and two-thirty o'clock in the afternoon at the Court House in said Dedham were appointed by the Commissioners as the time and place for commencing and proceeding to view the premises; and they

See R1# 599+600 of 1969 R1 R1 226

686

thereupon caused a copy of said petition and of order of notice thereon to be served upon the Clerk of the Town of Wellesley, 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 WELLESLEY TOWNSMAN, 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 tenth day of December, 1968, the Commissioners, James J. Collins and Thomas K. McManus, met at the time and place specified in said Order, when and where the petitioners appeared and the Town of WELLESLEY 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 twenty-ninth day of April, 1969, by adjournment of their April meeting next preceding, at which time the Commissioners, James J. Collins, Thomas K. McManus and George B. McDonald, did adjudge that common convenience and necessity require that said way be relocated as prayed for in said petition: when and where upon said adjudication, the Commissioners appointed the twentieth day of May, 1969 and three o'clock in the afternoon at the Town Hall in Wellesley 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 WELLESLEY AVENUE, as prayed for in said petition.

And the lines of said relocation of said WELLESLEY AVENUE are as follows:

The northerly line begins at a stone bound which is on the easterly line of Seaver Street; thence S-80-39-00-E a distance of 4.03 ft. to a stone bound; thence southerly and easterly by a curve with a radius of 43.23 ft. a distance of 80.99 ft. to a stone bound; thence N-82-00-50-E a distance of 204.95 ft. to a stone bound; thence by a curve to the left with a radius of 300.00 ft. a distance of 180.54 ft. to a stone bound; thence northeasterly by a curve with a radius of 165.94 ft. a distance of 32.06 ft. to a stone bound; thence N-23-57-50-E a distance of 158.73 ft. to a stone bound; thence N-24-10-50-E a distance of 73.07 ft. to a stone bound; thence N-51-27-30-E a distance of 82.54 ft. to a stone bound; thence northeasterly and easterly by a curve with a radius of 400.73 ft. a distance of 312.01 ft. to a stone bound; thence S-89-42-10-E a distance of 372.04 ft. to a stone bound; thence by a curve to the left with a radius of 40.00 ft. a distance of 67.06 ft. to a stone bound which is on the westerly line of Whiting Road; thence S-71-16-10-E a distance of 54.94 ft. to a stone bound which is on the easterly line of Whiting Road; thence southeasterly by a curve with a radius of 30.00 ft. a distance of 43.96 ft. to a stone bound.

The southerly line begins at a stone bound on the northeasterly line of Great Plain Avenue as laid out by the Norfolk County Commissioners by Return dated April 7, 1942; said point being southerly by a curve with a radius of 299.66 ft. a distance of 67.54 ft., S-69-16-40-E a distance of 104.71 ft. and

S-50-00-20-E a distance of 88.47 ft. from the first bound on the northerly line as above described; thence northwesterly and northeasterly by a curve with a radius of 39.37 ft. a distance of 90.72 ft. to a stone bound; thence N-82-00-50-E a distance of 76.98 ft. to a stone bound; thence by a curve to the left with a radius of 360.00 ft. a distance of 329.15 ft. to a stone bound; thence N-29-37-40-E a distance of 94.44 ft. to a stone bound; thence by a curve to the right with a radius of 400.00 ft. a distance of 306.37 ft. to a stone bound; thence continuing by a curve to the right with a radius of 800.00 ft. a distance of 234.36 ft. to a stone bound; thence S-89-42-10-E a distance of 265.53 ft. to a stone bound, said bound being S-58-29-30-W a distance of 75.90 ft. and S-6-15-30-E a distance of 20.13 ft. from the last bound on the northerly line as above described.

The southerly line heretofore described, in general, is 60.00 ft. 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 Wellesley Avenue, Wellesley between Great Plain Avenue and Whiting Road as made by the Norfolk County Commissioners by Return dated July 22, 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 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 WELLESLEY 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 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 Town of WELLESLEY.

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 WELLESLEY.

And the Commissioners have heard the proprietors of lands and property, rights and interest, taken or affected by

690

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>No.</u>	<u>Owner</u>	<u>Approx. Sq.Ft. Taken</u>	<u>Tax Al- lowance</u>	<u>Award</u>
1	Charles H. and Mildred R. Maccini Land Court Cert. No. 27529 Book 138 Page 129	137	1.23	\$125.00
1A	Ralph A., Jr. and Barbara A. Casale Land Court Cert.No. 87330 Book 437 Page 130 Mtg: Newton Savings Bank	None Slope Easement	-	None
2	Inhabitants of the Town of Wellesley Land Court Cert. No. 9187 Book 46 Page 187	10,320	-	None
3	Mesrop G. and Mary Sarajian Land Court Cert. No. 52204 Book 262 Page 4	126 Slope Easement	.86	145.00
4	James J. Cavanaugh (Lila R. Cavanaugh-Deceased) Land Court Cert. No. 28052 Book 141 Page 52	1 Slope Easement	-	None
5	James J. Cavanaugh (Lila R. Cavanaugh-Deceased) Land Court Cert. No. 13864 Book 70 Page 64	746 Slope Easement	5.72	1,250.00
6	Norbert J. and M. Adelaide O'Keefe Land Court Cert. No. 51263 Book 257 Page 63 Mtg: Newton Savings Bank	24 Slope Easement	.24	25.00

No.	Owner	Approx. Sq. Ft. Taken None	Tax Al- lowance	Award
6A	Lindsay and Florence E. Ellms Land Court Cert. No. 58598 Book 293 Page 198 Mtg: Newton Savings Bank	Slope Easement - None	-	None
6B	James E. and Dorothy D. Munro Land Court Cert. No. 70821 Book 355 Page 21 Mtg: Norfolk County Trust Company	Slope Easement - None	-	None
7	Town of Wellesley Land Court Cert. No. 13132 Book 66 Page 132	376	-	None
8	Town of Wellesley Land Court Cert. No. 13132 Book 66 Page 132	112	-	None
10	Babson Institute Land Court Cert. No. 45832 Book 230 Page 32	1,923 Slope Easement	-	None
11	Babson Institute Land Court Cert. No. 45831 Book 230 Page 31	32,529 Slope Easement	-	None
12	Arline R. Baker (William P. Baker-Deceased) Land Court Cert. No. 45260 Book 227 Page 60 Mtg: Watertown Cooperative Bank	468 Slope Easement	1.95	1,250.00
13	Waino A. and Ellen E. Groop Land Court Cert. No. 82614 Book 414 Page 14	775 Slope Easement	4.42	1,500.00
		Total	\$14.42	\$4,295.00

691

692

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

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twenty-second day of July, 1969, 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 Town of WELLESLEY 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

COUNTY COMMISSIONERS

A true copy. Attest: *E. M. Mott* Deputy Clerk

Recorded Aug. 8, 1969 at 2h.10m.P.M.