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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 twentieth day of July, 1971, by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of JOSEPH R. SCOLAVINO and others of BELLINGHAM 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 BELLINGHAM in said County, that common convenience and necessity require that the way known as DEPOT STREET, a public way in said town, be relocated between Hartford Avenue and Mechanic Street, for the purpose of establishing the boundary lines of said way; making alterations in the course of width of said way.

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

Dated October 3, 1966

Joseph R. Scolavino	Chairman, Board of Selectmen
David L. Tuttle, Jr.	Selectmen
Joseph F. Spas	Selectmen
Francis J. Prior	Planning Board, Chairman
Robert M. Chase	Planning Board Member
J. Eugene Corriveau	Planning Board Member

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the seventeenth day of March, 1970 by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law; and the seventh day of April, 1970 and two thirty o'clock in the afternoon at the Court House in 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 Town of BELLINGHAM, being the

Refer to plan no 625-1971 PL Book 229
Refer to plan # 844 of 1975 PL BK 251

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 FRANKLIN SENTINEL, 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 seventh day of April, 1970, the Commissioners, James J. Collins, Thomas K. McManus, and George B. McDonald, met at the time and place specified in said Order, when and where the petitioners appeared and the Town of BELLINGHAM was represented by its Selectmen; 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 thirteenth day of October, 1970, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law: when and where upon the adjudication aforesaid, the said Commissioners appointed the tenth day of November 1970 and three o'clock in the afternoon at the Town Hall in BELLINGHAM 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

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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 DEPOT STREET as prayed for in said petition.

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

The northeasterly line begins at a stone bound which is on the southerly line of Hartford Street as laid out by the Norfolk County Commissioners by return dated June 11, 1929; thence southwesterly and southeasterly by a curve with a radius of 20.00 ft. a distance of 27.74 ft. to a stone bound; thence S-49-09-35-E a distance of 259.88 ft. to a stone bound; thence S-50-45-52-E a distance of 653.60 ft. to a stone bound; thence by a curve to the right with a radius of 2060.00 ft. a distance of 399.00 ft. to a stone bound; thence S-39-40-01-E a distance of 834.09 ft. to a stone bound; thence S-34-36-01-E a distance of 240.26 ft. to a stone bound; thence continuing by the same course 500.00 ft. to a stone bound; thence continuing by the same course 500.00 ft. to a stone bound; thence continuing by the same course 664.19 ft. to a stone bound; thence S-34-00-55-E a distance of 621.70 ft. to a stone bound; thence by a curve to the left with a radius of 2000.00 ft. a distance of 307.68 ft. to a stone bound; thence S-42-49-47-E a distance of 187.33 ft. to a stone bound; thence S-52-41-06-E a distance of 192.84 ft. to a stone bound; thence S-32-40-10-E a distance of 189.49 ft. to a stone bound; thence S-38-40-47-E a distance of 45.00 ft. to a stone bound; thence continuing on the same course 89.96 ft. to a stone bound; thence continuing on the same course 62.91 ft. to a stone bound; thence by a curve to the left with a radius of 50.60 ft. a distance of 20.74 ft. to a stone bound; thence continuing by the same curve 42.32 ft. to a stone bound which is on the northerly line of River Street

as laid out by the Norfolk County Commissioners by return dated 591 April 1, 1870; thence S-24-39-33-E a distance of 50.16 ft. to a stone bound which is on the southerly line of said County layout of River Street; thence westerly and southerly by a curve with a radius of 16.92 ft. a distance of 32.07 ft. to a stone bound; thence S-38-40-47-E a distance of 79.64 ft. to a stone bound; thence S-39-31-00-E a distance of 200.39 ft. to a stone bound; thence continuing by the same course 400.09 ft. to a stone bound; thence continuing by the same course a distance of 466.22 ft. to a stone bound; thence continuing by the same course a distance of 500.00 ft. to a stone bound.

The southwesterly line begins at a stone bound which is on the southerly line of Hartford Street as laid out by the Norfolk County Commissioners by return dated June 11, 1929, said bound being S-30-18-23-W a distance of 16.62 ft., S-37-52-23-W a distance of 60.08 ft. and S-61-06-53-W a distance of 69.66 ft. from the first bound on the northeasterly line as above described; thence northeasterly and southeasterly by a curve with a radius of 100.00 ft. a distance of 121.69 ft. to a stone bound; thence S-49-09-35-E a distance of 204.57 ft. to a stone bound; thence S-50-45-52-E a distance of 654.44 ft. to a stone bound; thence by a curve to the right with a radius of 2000.00 ft. a distance of 387.38 ft. to a stone bound; thence S-39-40-01-E a distance of 610.43 ft. to a stone bound; thence continuing by the same course a distance of 221.00 ft. to a stone bound; thence S-34-36-01-E a distance of 73.50 ft. to a stone bound; thence continuing by the same course a distance of 664.10 ft. to a stone bound; thence continuing by the same course a distance of 500.00 ft. to a stone bound; thence continuing by the same course a distance of 663.89 ft. to a stone bound; thence S-34-00-55-E a distance of 621.40 ft. to a stone bound; thence by a curve to the left with a radius of 2060.00 ft. a distance of 316.91 ft. to a stone bound; thence S-42-49-47-E a distance of 276.00 ft. to a stone bound; thence S-47-10-13-W a distance of

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40.00 ft. to a stone bound; thence S-42-49-47-E a distance of 180.00 ft. to a stone bound; thence N-47-10-13-E a distance of 40.00 ft. to a stone bound; thence S-42-49-47-E a distance of 25.00 ft. to a stone bound; thence by a curve to the right with a radius of 2064.32 ft. a distance of 149.52 ft. to a stone bound; thence S-38-40-47-E a distance of 89.96 ft. to a stone bound; thence continuing by the same course a distance of 229.57 ft. to a stone bound; thence S-39-31-00-E a distance of 496.18 ft. to a stone bound; thence by a curve to the right with a radius of 25.00 ft. a distance of 49.48 ft. to a stone bound which is on the northerly line of Rose Avenue; thence S-55-00-17-E a distance of 51.39 ft. to a stone bound which is on the southerly line of Rose Avenue; thence northeasterly and southeasterly by a curve with a radius of 35.17 ft. a distance of 40.88 ft. to a stone bound; thence S-39-31-00-E a distance of 466.22 ft. to a stone bound; thence by the same course a distance of 500.00 ft. to a stone bound, said bound being S-50-29-00-W a distance of 60.00 ft. from the last bound on the northeasterly line as above described.

The southwesterly line heretofore described, in general, is 60.00 ft. southwesterly from and parallel to the northeasterly line.

The land taken from the Penn Central Transportation Company and shown as parcel 7A. is by authorization of said railroad and subject to provisions as set forth in letters dated March 18, 1970 and March 3, 1971, said letters being on file in the office of the County Commissioners.

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, except those portions of land, not including parcel 7A. as mentioned above, belonging to the Penn Central Transportation Company which is considered their right of way over which side lines are established, and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile

showing the Relocation and Widening of Depot Street, Bellingham, between Hartford Street and a point about 1000 ft. southeasterly of Rose Avenue, as made by the Norfolk County Commissioners by Return dated July 20, 1971. 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 BELLINGHAM 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-six (36) 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 BELLINGHAM.

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 BELLINGHAM.

And the Commissioners have heard the proprietors of lands and property, rights and interest, 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>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Joseph A. and Jeannette M. Trotta Land Court Cert. #82800 Book 414 Page 200 Mtg: Milford Savings Bank	Slope Easement	-	None
1A	Varney Bros. Sand and Gravel, Inc.	1,050 S.F. Slope Easement	\$.17	\$ 8.00
2	Varney Bros. Sand and Gravel, Inc.	200 S.F. Slope Easement	.03	2.00
3	Varney Bros. Sand and Gravel, Inc.	1,810 S.F. Slope Easement	.30	13.00

<u>Pcl. No.</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
4	Varney Bros. Sand and Gravel, Inc. 31,800 S.F. Slope Easement	5.25	480.00
5	Myra L. and A. Leroy Moore 24,640 S.F. Slope Easement	.75	560.00
6	Penn Central Transportation Company 120 S.F. Slope Easement	.01	3.00
	Mtg: The Chase National Bank of the City of New York		
	Mtg: Manufacturers Trust Company		
7	Penn Central Transportation Company 1,570 S.F. Slope Easement	.09	29.00
	Mtg: The Chase National Bank of the City of New York		
	Mtg: Manufacturers Trust Company		
7A	Penn Central Transportation Company 5,830 S.F.	-	536.00
	Mtg: The Chase National Bank of the City of New York		
	Mtg: Manufacturers Trust Company		
8	William C. and Bertha Lewinski 10,500 S.F. Slope Easement	2.78	960.00
	Mtg: Watertown Federal Savings and Loan Association		
9	Goodhue's Cash & Carry, Inc. 8,000 S.F. Slope Easement	9.14	720.00
	Mtg: New Bedford Institution for Savings		
12	Almac's, Inc. 70 S.F. Slope Easement	.11	8.00
13	Bollingham Housing Authority 1,050 S.F. Slope Easement	1.43	96.00
14	John C., Nancy L. and Christine M. Taylor 3,100 S.F. Slope Easement	.98	240.00
15	Walter D. and Patricia H. Vater 1,000 S.F. Slope Easement	.35	100.00
	Mtg: Milford Federal Savings and Loan Association		

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<u>Pel. No.</u>		<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
16	William L. and Jean M. Goneau Land Court Cert. No. 73379 Book 367 Page 179 Mtg: Natick Federal Savings and Loan Association	447 S.F. Slope Easement	.62	80.00
17	Cedar Ridge Co., Inc. (Rose Ave.) Land Court Cert. No. 70959 Book 355 Page 159	1,648 S.F.	-	None
18	James H. and Mary A. Patton Land Court Cert. No. 74062 Book 371 Page 62 Mtg: Natick Federal Savings and Loan Association	666 S.F. Slope Easement	.92	120.00
19	Vincent R. and Hilda M. Thayer	900 S.F. Slope Easement	.07	13.00
20	Penn Central Transportation Company Mtg: The Chase National Bank of the City of New York Mtg: Manufacturers Trust Company	1,580 S.F. Slope Easement	.10	23.00
21	Penn Central Transportation Company Mtg: The Chase National Bank of the City of New York Mtg: Manufacturers Trust Company	12,450 S.F. Slope Easement	.75	96.00
22	Walter H. and Ruth W. Spieler	9,870 S.F. Slope Easement	1.57	180.00
22A	Howard D. and Marjorie F. Richardson Mtg: Milford Federal Savings and Loan Association	Slope Easement	-	None
22B	Lee G. and Mary Ambler	Slope Easement	-	None
22C	Lee G. and Mary Ambler Mtg: Milford Federal Savings and Loan Association	Slope Easement	-	None
22D	Willem and Jacqueline Van Heiden	Slope Easement	-	None

<u>Pcl. No.</u>		<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>597 Award</u>
22E	Howard D. and Marjorie F. Richardson (Box Pond Road)	Slope Easement	-	None
	Mtg: Milford Federal Savings and Loan Association			
23	Varney Bros. Sand and Gravel, Inc.	17,730 S.F. Slope Easement	2.93	132.00
24	Varney Bros. Sand and Gravel, Inc.	25,300 S.F. Slope Easement	4.18	184.00
25	John W. and Betty Ann Rovedo	22,200 S.F. Slope Easement	2.94	1,200.00
	Mtg: Medway Co-operative Bank			
26	Robert A. and Marylyn J. Boiteau	6,300 S.F. Slope Easement	2.22	304.00
		<u>Total</u>	<u>\$37.69</u>	<u>\$6,087.00</u>

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 six months from the date of possession.

JAMES J. COLLINS

THOMAS K. McMANUS

GEORGE B. McDONALD
COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Tuesday, the twentieth day of July, 1971, 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 BELLINGHAM 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. McMANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true Copy. Attest: *C. A. Norman* Deputy Clerk

Recorded Aug. 4, 1971 at 10h. 22m. A.M.

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No 18969

The Commonwealth of Massachusetts

DEPARTMENT OF CORPORATIONS AND TAXATION
INHERITANCE TAX BUREAU

INHERITANCE TAX REAL ESTATE CERTIFICATE

July 27, 1971.

In the estate of Cortane H. Kenyon
late of Stoughton deceased. This is to certify
that an inheritance tax in full has been paid in the amount of \$..... in full
that no inheritance tax is due on the real estate herein described, or any interest therein, that passed or
accrued to Eliot Hayward & Alda H. Hayward as surviving joint owner; vesting in possession and enjoyment after death; by conveyance within two years prior to date of death of grantor.

(Description)

Real estate in Stoughton, as described by deed below.

By deed dated April 1958 and recorded in Norfolk
Registry of Deeds, Book 3632 Page 27

Fee Paid.
Commissioner of Corporations and Taxation

By *Thomas B. McDault*
CHIEF OF BUREAU

Recorded Aug. 4, 1971 at 10h. 24m. A.M.