

COMMONWEALTH OF MASSACHUSETTS

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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 third day of May, 1972, by adjournment of their April meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of OSCAR L. MAYER, JR. and others of Wrentham, 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 WRENTHAM in said County, that common convenience and necessity require that the way known as MADISON STREET, a public way in said town, be relocated between Station 70 and East Street (as laid out by the Norfolk County Commissioners by Return dated December 7, 1948) for the purpose of re-establishing the grade and acquiring slope easements.

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

Dated November 4, 1970

Oscar L. Mayer, Jr.
Francis R. L'Hercault
George L. Dusty
Helen S. Pierce
Louis H. Roby
David R. Ross

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-third day of March, 1971, by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law; and the eleventh day of May, 1971 and twelve-fifteen 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 thereupon caused a copy of said petition and of order of notice thereon to be served upon the Clerk of the Town of

See P & M 440-1972 Re Book 831

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Wrentham, 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 ~~and~~ of said petition and 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 and place 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 eleventh day of May, 1971 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 WRENTHAM 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 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 twenty-eighth day of March, 1972 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 said Commissioners appointed the twenty-fifth day of April, 1972 and two-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 Commissioners met at the time and

place appointed and then and there heard all persons and corporations interested, and no party interested objected, and said hearing was continued and adjourned from time to time to this meeting.

And now the said Commissioners do re-establish the grade and limits of slope as prayed for in said petition. The limits of slope, in general, are established on a basis of four feet horizontally to one foot vertically where the variation of grade is less than three feet and two feet horizontally to one foot vertically where the variation of grade is over three feet.

And the said Commissioners do hereby take for highway purposes temporary easements, in addition to the easements taken in 1948, in lands adjoining the location of said way as laid out by the Norfolk County Commissioners by return dated December 7, 1948 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, all as shown upon a plan entitled "Plan and Profile showing the Relocation of Madison Street, Wrentham, between Station 70 and East Street, as made by the Norfolk County Commissioners by Return dated May 23, 1972.

Horizontal Scale: 1 inch = 40 feet. Vertical Scale: 1 inch = 8 feet. Alvah L. Downs, 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.

All of said easements are to be in effect only until said way is constructed to the full width of the layout and a certificate to that effect has been duly filed by the County Commissioners with their official records.

And the said Commissioners do likewise further take for the protection of said way all the easements and rights in Parcels 17 and 18 as indicated on said plan, being more fully described as follows:

Beginning at a point on the easterly line of Madison Street as laid out by the Norfolk County Commissioners by return dated December 7, 1948; said point being 67 ft. northerly of a stone bound at the northerly end of a curve with a radius of 1060.00 ft. on said easterly line; thence N-56-01-40-E, 20.00 ft. to a point; thence N-33-58-20-W, 40.00 ft. to a point; thence S-56-01-40-W, 20.00 ft. to a point on said easterly line of Madison Street; thence by said easterly line of Madison Street S-33-58-20-E, 40.00 ft. to the point of beginning.

And it is determined by the Commissioners, that the Inhabitants of the Town of WRENTHAM do, within two 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.

And it is determined by the Commissioners that all the expense of making the relocation of way as prescribed in this Return and Order, including the expenses of constructing said way, and all land and other damages and expenses incident thereto be paid by the Inhabitants of the Town of WRENTHAM.

And the said 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 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 the General Laws, Chapter 79, possession becoming effective upon the recording of this Return and Order of Taking in the Norfolk County Registry of Deeds.

5.

<u>Pcl. No.</u>		<u>Approx. Sq.Ft. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Brian N. Winmill and Beth D. McCarroll Mtg: The Norwood Co-operative Bank	Slope Easement	-	None
2	Alice J. Cobb	Slope Easement	-	None
2A	Chapin Road	Slope Easement	-	None
3	Estate of Rita Veprek	Slope Easement	-	None
4	Esther R. Cataldo and Louise A. Rishton	Slope Easement	-	None

- 5 Raymond I. and Eleanor M. Welsh Slope Easement - None
Mtg: Provident Institution for Savings in the Town of Boston
- 6 Frank D. and Helen M. Snow, Trustees of Holdon Realty Trust of Wrentham Slope Easement - None
- 7 William F. and Hazel P. Dooley Slope Easement - None
Mtg: Wrentham Co-operative Bank
- 8 John J. and Joyce M. Vorna Slope Easement - None
Mtg: Sharon Co-operative Bank
- 9 Joseph G. and Mary F. Troiano Slope Easement - None
- 10 William F. and Hazel P. Dooley Slope Easement - None
Mtg: Wrentham Co-operative Bank
- 11 William F. Dooley Slope Easement - None
Mtg: Virginia Mitchell
- 12 Kenneth R. and Joyce V. Olson Slope Easement - None
Mtg: Worcester County Institution for Savings
Mtg: Foxborough Federal Savings and Loan Association
- 13 Chester J. and Mary L. Bizzinski Slope Easement - None
Mtg: Foxborough Savings Bank
- 14 Gordon D. and Ethel A. McKenna Slope Easement - None
Mtg: Edward Everett Federal Savings and Loan Association

6.

Pcl. No.	Approx. Sq.Ft. Taken	Tax Allowance	Award
15 Town of Wrentham	Slope Easement	-	None
16 Virginia W. Mitchell	Slope Easement	-	None
17 Chester J. and Mary L. Bizzinski	450	.86	\$10.00
Mtg: Foxborough Savings Bank			
18 Gordon D. and Ethel A. McKenna	340	.83	10.00
Mtg: Edward Everett Federal Savings and Loan Association			
		<u>\$1.69</u>	<u>\$20.00</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 two months from the date of possession for the purpose of constructing said way.

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, May 23, 1972, 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 transmitted to the Clerk of the Town of WRENTHAM, within the limits of which said highway described therein lies, that the same may be recorded by said Clerk, within ten days, in the book or records kept in said town for that purpose.

JAMES J. COLLINS

THOMAS K. McMANUS

GEORGE B. McDONALD

COUNTY COMMISSIONERS

A true copy.

Attest: C. L. Thomas, Deputy Clerk Clerk

Recorded June 12, 1972 at 2h. 59m. P. M.

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