

#581

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 twelfth day of September, 1972, by adjournment of their June meeting next preceding:

The petition of EDWARD MODISTE and others of SHARON, 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 SHARON in said County, that common convenience and necessity require that the way known as DEDHAM STREET a public way in said town, be relocated between Canton Street and Edge Hill 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 Dec. 3, 1970

Edward Modiste
Wilfred H. Howe
George E. Donovan

H. W. Moore
Alfred Glassman
Shirley J. Backstrom
Paul F. Rittenburg

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the eighth day of August, 1972, by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law: and the fifth day of September 1972, and two-thirty o'clock in the afternoon in the Court House in said 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 SHARON, being the town within which such relocation of way was prayed for, fifteen days at least before the time appointed for said view, and

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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 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 said fifth day of September, 1972, 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 SHARON 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 said way be relocated as prayed for in said petition.

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

And now the said Commissioners, by courses and distances, metes and bounds, do relocate said DEDHAM STREET as prayed for in said petition.

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

The southwesterly line of Dedham Street begins at a stone bound which is on the westerly line of Canton Street as laid out by the Town of Sharon March 11, 1957; thence northerly and westerly by a 62.38 ft. radius curve 105.70 ft. to a stone bound; thence N-74-06-30-W, 258.90 ft. to a stone bound; thence to the right by a 860.00 ft. radius curve 459.63 ft. to a stone bound; thence N-43-29-10-W, 196.73 ft. to a stone bound; thence to the right by a 1060.00 ft. radius curve 268.62 ft. to a stone bound; thence N-28-58-00-W, 559.47 ft. to a stone bound; thence to the right by a 1260.00 ft. radius curve 391.87 ft. to a stone bound; thence N-11-08-50-W, 144.71 ft. to a stone bound; thence to the

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left by a 800.00 ft. radius curve 170.69 ft. to a stone bound; thence N-23-22-20-W, 91.08 ft. to a stone bound; thence to the left by a 42.87 ft. radius curve 81.56 ft. to a stone bound which is on the southerly line of Edge Hill Road as laid out by the Norfolk County Commissioners by return dated October 7, 1952.

The northeasterly line of Dedham Street begins at a stone bound which is on the westerly line of Canton Street as laid out by the Town of Sharon March 11, 1957, said bound being N-22-58-40-E, 87.61 ft. and northeasterly by a 841.54 ft. radius curve 104.24 ft. respectively from the first bound on the southwesterly line as above described; thence southwesterly and westerly by a 78.48 ft. radius curve 103.85 ft. to a stone bound; thence N-74-06-30-W, 274.76 ft. to a stone bound; thence to the right by a 800.00 ft. radius curve 427.57 ft. to a stone bound; thence N-43-29-10-W, 196.73 ft. to a stone bound; thence to the right by a 1000.00 ft. radius curve 253.41 ft. to a stone bound; thence N-28-58-00-W, 559.47 ft. to a stone bound; thence to the right by a 1200.00 ft. radius curve 373.21 ft. to a stone bound; thence N-11-08-50-W, 144.71 ft. to a stone bound; thence to the left by a 860.00 ft. radius curve 183.50 ft. to a stone bound; thence N-23-22-20-W, 130.24 ft. to a stone bound; thence to the right by a 58.32 ft. radius curve 72.27 ft. to a stone bound which is on the southerly line of Edge Hill Road as laid out by the Norfolk County Commissioners by return dated October 7, 1952, said bound being N-47-37-40-E, 165.16 ft. from the last bound on the southwesterly line as above described.

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

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shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Dedham Street, Sharon, between Canton Street and Edge Hill Road, as made by the Norfolk County Commissioners by Return dated September 12, 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.

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 SHARON, 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,

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for an award of one dollar, for the right to make a taking on Dedham Street, Sharon, Massachusetts, as shown on a plan submitted, entitled Norfolk County Engineers Department, Town of Sharon, Dedham Street, #172,239,358, Calc Book 77 P. 146, as parcel #3 with an approximate area of thirty-two hundred and seventy (3270) square feet, and parcel #4 with an approximate area of ninety-seven hundred and ninety (9790) square feet, and parcel #5 with an approximate area of thirty (30) square feet, shown in red on said plan, together with the temporary right to slope; for purpose of building a County Roadway, all as shown on said plan, without charge, assessment, betterment, expense, cost or liability to Knollwood Cemetery. Provided, however, that between stations 16-21 and stations 23-27, when there is to be a slope the sloped area shall be planted by the Commissioners with Sargent Juniper, Andora Juniper or some other acceptable form of ground cover instead of grass.

A true copy
Attest:

HARRY S. MANN
Secretary of Knollwood Cemetery"

<u>Pcl. No.</u>		<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Henry W. Kendall, John P. Kendall, John M. Foster, R. R. Higgins, Trustees for the benefit of Evelyn L. Kendall	36,550 S.F. Slope Easement	4.31	\$1,000.00
2	John V. Gookin, Trustee of Windy Hill Realty Trust	7,470 S.F. Slope Easement	2.81	200.00
	Mtg: Bay State Federal Savings and Loan Association			
	Mtg: Samuel and Anne B. Seefer			
3	Knollwood Cemetery ✓	3,270 S.F.) Slope Easement)		
4	Knollwood Cemetery	9,790 S.F.) Slope Easement)	-	1.00
5	Knollwood Cemetery	30 S.F.) Slope Easement)		
			<u>\$7.12</u>	<u>\$1,201.00</u>

And having heard the proprietors of lands and property, 429
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 twelfth day of September, 1972, 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 SHARON 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.

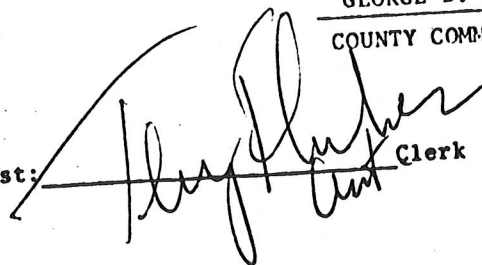
JAMES J. COLLINS

THOMAS K. McMANUS

GEORGE B. McDONALD
COUNTY COMMISSIONERS

A true Copy.

Attest:


Clerk

Recorded Sept. 21, 1972 at 9h. A. M.