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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 twenty-second day of May 1973, by adjournment of their April meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of THOMAS P. McCUSKER, JR. and others of WESTWOOD 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 WESTWOOD in said County, that common convenience and necessity require that the way known as SCHOOL STREET, a public way in said town, be relocated at its intersection with Washington Street 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 17, 1972

Thomas P. McCusker, Jr.)
Thomas M. Narcy) Board of Selectmen
Janet E. Jeghelian)

Stephen Gordet)
John W. Crawford) Planning Board
Charles Mathys)

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the thirtieth day of January, 1973 by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law; and the twenty-seventh day of February, 1973 and eleven-thirty o'clock in the forenoon at 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

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order of notice thereon to be served upon the Clerk of the Town of Westwood, 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 WESTWOOD PRESS, 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 twenty-seventh day of February, 1973 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 WESTWOOD 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 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 third day of April 1973, 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 Commissioners appointed the eighth day of May and two forty-five 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 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 SCHOOL STREET as prayed for in said petition.

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

The southerly line of School Street begins at a stone bound which is on the southerly line of School Street as laid out by the Town of Westwood July 10, 1916, said bound being 277.45 ft. easterly of a stone bound on said southerly line of School Street; thence easterly and southerly by a 25.00 ft. radius curve, 45.92 ft. to a stone bound which is on the northwesterly line of Washington Street as laid out by the Massachusetts Department of Public Works on November 24, 1925, said bound being northerly 131.23 ft. from the southerly end of a 1738.07 ft. radius curve on said northwesterly line of Washington Street.

And the said Commissioners do hereby take for the purposes of a highway all the easements and rights incident to a public highway in the lands included between the above-described line, the southerly line as laid out by the Town of Westwood on July 10, 1916 and the said State Highway Layout of November 24, 1925, all as shown upon a plan entitled "Plan showing the relocation and widening of School Street, Westwood, at its intersection with Washington Street, as made by the Norfolk County Commissioners by return dated May 22, 1973 . Scale: 1 inch = 20 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 permanent stone bounds will be erected at the termini and angles of said way relocated aforesaid.

And it is determined by the Commissioners that the Inhabitants of the Town of WESTWOOD 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.

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 WESTWOOD.

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 WESTWOOD.

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 Alfred Magaletta Construction Co.	230 S.F.	\$9.99	\$1,000.00
Lessee: Town Paint and Supply Co., Inc.			
Lessee: South Shore National Bank			

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 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 twenty-second day of May, 1973 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 WESTWOOD 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. L. Thompson, Deputy* Clerk