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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 nineteenth day of November, 1974, by adjournment of their September meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of Stephen Gordet 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 High Street, a public way in said town, be relocated between Mayfair Drive to Gay Street for the purpose of establishing the boundary lines of said way, making alterations in the course of 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 October 28, 1969

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|-------------------------|------------------------------------|
| Stephen Gordet | 125 Fensview Drive, Westwood |
| Dana C. Coggins | 62 Windsor Road, Westwood |
| Charles A. Mathys | 147 Mill Street, Westwood |
| Alfred S. McIntyre | 124 Phillips Brooks Road, Westwood |
| John W. Crawford | 78 Lorraine Road, Westwood |
| Joseph R. Gallagher | 30 Bonney Street, Westwood |
| Thomas P. McCusker, Jr. | 33 Brookfield Road, Westwood |
| Mason M. Taber, Jr. | 1689 High Street, Westwood |
| James H. Lowell 2nd | 228 Fox Hill Street, Westwood |

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham aforesaid on the sixteenth day of April, 1974, a notice of said meeting having been posted as required by law: and the twenty-first day of May, 1974 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

See R & M 1033-1974 & R B book 2-47

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 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 Daily Transcript, 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 twenty-first day of May, 1974 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 promises 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 from time to time to this meeting.

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

And the lines of said relocation of said High Street are as follows:

Beginning at a stone bound on the present southerly line of High Street as laid out by the Norfolk County Commissioners by Return dated February 1900; said bound being about 800 ft. westerly of Church Street; thence northeasterly and easterly by a 1200.00 ft.

radius curve, 653.80 ft. to a stone bound which is on the southerly line of High Street as laid out by the Norfolk County Commissioners by Return dated June 29, 1926; thence N-75-56-00-E, 128.06 ft. by said 1926 southerly line to a brass plug at Church 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 and the southerly line as previously laid out by the Norfolk County Commissioners and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of High Street, Westwood between a point about 800 ft. westerly of Church Street and Church Street as made by the Norfolk County Commissioners by Return dated November 19, 1974. 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 the said County Commissioners do likewise further take a temporary easement for the purpose of causing the removal of any and all structures and buildings on the parcel of land shown on said plan as Parcel 2TR containing 5,110 square feet of land, more or less, and being bounded and described as follows:

Beginning at a point on the relocated southerly side line

of High Street as hereinbefore described, said point being 355.52 feet northeasterly from a stone bound on a 1200.00 foot radius curve; thence running S24-35-00E, as shown on said plan, a distance of 43.00 feet to a point; thence running N65-21-29E, as shown on said plan, a distance of 109.94 feet to a point; thence running N24-35-00W, as shown on said plan, a distance of 45.00 feet to a point on the relocated southerly side line of High Street; thence running to the point of beginning on the southerly side line of High Street, as shown on said plan, a distance of 110.00 feet to the point of beginning.

The said temporary easement includes the right to do any and all things necessary for the removal of said structures and buildings including the right to grade and slope the said land in order that it might be graded with the surrounding land. Said temporary easement is to be in effect only until said structures and buildings have been removed and said parcel has been re-graded and a certificate to that effect has been filed by the Board of Selectmen of the Town of Westwood, or by the County Commissioners of Norfolk County, with the official records of said County Commissioners.

And permanent stone bounds will be erected at the termini and angles of said way relocated as 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 to be done under this paragraph until the County Commissioners have been given notice of the intention to remove such trees and their

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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 and maintaining said way, and all land and other damages and expenses incident thereto be paid by the Inhabitants of the Town of Westwood.

And the said 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 S.F. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Becky Sheinberg and Trustees under will of Isaac Sheinberg; Jules H. Shaw, Morton Shaw, and Becky Sheinberg	50	\$.55	\$ 150.00
	Mtg: Grove Hall Savings Bank			
2	Edward C. Doherty	5,320	} 11.66	12,800.00
	Mtg: Norfolk County Trust Company	Slope Easement		
ZTR	Edward C. Doherty	5,110		
	Mtg: Norfolk County Trust Company			
3	Town of Westwood	1,692	-	None
4	Joseph A. M. and Beverly M. Beaulieu	70	.10	28.00
	Mtg: Reliance Cooperative Bank			
			<u>\$12.31</u>	<u>\$12,978.00</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, November 19, 1974, by adjournment of their September meeting next proceeding: 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. R. Sherman, Deputy Clerk

Recorded Dec. 3, 1974 at 1h. 42m. P. M.