

#620

5553

NORFOLK, ss.

At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the sixth day of December 1978, by adjournment of their September meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of ARTHUR L. CLARK and others of COHASSET 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 COHASSET in said County, that common convenience and necessity require that the way known as MARGIN STREET, a public way in said town, be relocated between Elm Street and a point about 275 feet Easterly for the purpose of (a) Establishing the boundary lines of said way; (b) making alterations in the course or width of said way; (c) Making repairs on said way; in accordance with Article 44 authorized by vote of the annual business meeting of the Town of Cohasset on April 1, 1978.

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

Dated May 3, 1978

Arthur L. Clark, Chairman
Henry W. Ainslie, Jr.
Mary Jeanette Murray

Board of Selectmen
Town of Cohasset

Charles A. Marks, Town Clerk
Marguerite B. Ramsay,
Clerk, Selectmen' Office

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the seventh day of June, 1978, by adjournment of their April

REFER TO PLAN NO. 1141-1578 PL. BOOK 072

meeting next preceding; a notice of said meeting having been posted as required by law; and the twelfth day of July 1978 and two-thirty o'clock in the afternoon 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 order of notice thereon to be served upon the Clerk of the Town of COHASSET, 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 PATRIOT LEDGER, 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 twelfth day of July, 1978 the Commissioners, James J. Collins, George B. McDonald, and David C. Ahearn, met at the time and place specified in said Order, when and where the petitioners appeared and the Town of COHASSET 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 this meeting.

And now the said Commissioners, James J. Collins,

George B. McDonald and David C. Ahearn, by courses and distances, metes and bounds, do relocate said MARGIN STREET as prayed for in said petition.

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

The northerly line begins at a stone bound which is on the northerly side of Margin Street; thence easterly and north-easterly by a 300.00 ft. radius curve, 66.45 ft. to a stone bound; thence N-54°-01'-47"-E, 29.31 ft. to a stone bound; thence to the left by a 33.01 ft. radius curve, 14.86 ft. to a stone bound.

The southerly line begins at a stone bound which is on the southerly line of Elm Street, as laid out by the Norfolk County Commissioners by return dated February 9, 1971; said bound being N-0°-57'-54"-W, 6.83 ft., S-87°-08'-50"-W, 158.96 ft. and S-17°-25'-40"-E, 72.95 ft. respectively from the first bound on the northerly line as above described; thence N-88°-33'-10"-E, 114.48 ft. to a stone bound; thence N-53°-35'-13"-E, 34.12 ft. to the northwest corner of a brick post; thence N-55°-29'-42"-E, 68.83 ft. to a stone bound; thence N-52°-36'-12"-E, 70.79 ft. to a stone bound, said bound being S-45°-47'-13"-E, 33.83 ft. and S-39°-40'-50"-E, 3.96 ft. respectively from the last bound on the northerly line as above described.

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 within the lines of location hereinbefore described and the grade thereof is established, all as shown upon a plan entitled "Plan and Profile showing the Relocation and Widening of Margin Street, Cohasset, between Elm Street

and Stockbridge Street, as made by the Norfolk County Commissioners by Return dated December 6, 1978. Horizontal Scale: 1 inch = 20 feet. Vertical Scale: 1 inch = 4 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 construct slopes, walls, retaining walls, walks, steps, drives, fences, curbing and railing between the lines of said location and the limit of easement as shown 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 the Inhabitants of the Town of COHASSET 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 twenty-four (24) feet in width.

Suitable sidewalks, gutters, culverts, slopes, walls, retaining walls, walks, steps, drives, fences, curbing and railings shall be constructed, wherever, in the opinion of the County Commissioners, they are needed.

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 COHASSET.

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 S.F. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
Frederic L. Mahaffey and William V. Budd, Trustees of the First Stockbridge Trust	None	-	-
Mtg: The Cohasset Savings Bank Mtg: Stockbridge Properties Company			
1 Robert M. Harrington Mtg: Charlestown Savings Bank	737 Temp. Easement	6.96	1,600.00
Town of Cohasset	None	-	-

Land Court Cert. No. 1785
Book 9 Page 1785

<u>Pcl. No.</u>		<u>Approximate S.F. Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
2	John G. Carzis Land Court Cert. No. 37562 Book 188 Page 162 Mtgs: Scituate Federal Savings and Loan Association Mtg: Rockland Trust Company	448	22.68	1,100.00
	John G. Carzis Land Court Cert. No. 89766 Book 449 Page 166 Mtgs: Scituate Federal Savings and Loan Association Mtg: Rockland Trust Company	None	-	-
	Totals		\$29.64	\$2,700.00

7.

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

DAVID C. AHEARN

COUNTY COMMISSIONERS

REC DEC 21 1978

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners held at Dedham, on Wednesday, the sixth day of December 1978, by adjournment of their September 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 COHASSET 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

DAVID C. AHEARN
COUNTY COMMISSIONERS

A True Copy.

Attest Frank R. Dowd, not Clerk

Recorded Dec. 14, 1978 at 2h. 14m. P. M.

