

#622

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 eleventh day of April, 1979 by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of Charles R. Furlong and others of BRAINTREE 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 Braintree in said County, that common convenience and necessity require that the way known as COMMON STREET, a public way in said town, be relocated between Station 26 and Station 29 of the Norfolk County Commissioners' Layout of November 18, 1958 for the purpose of (b) Making alterations in the course or width of said way

WHEREFORE YOUR PETITIONERS PRAY that said way may be relocated within the limits above specified

Dated: March 5, 1979

Charles R. Furlong
174 Tremont Street, Braintree, Ma.
Arthur C. Niles, Jr.
101 Central Ave., Bra.
Joseph C. Kazanowski
197 Old Country Way, Braintree

Donald J. Laing
82 Standish Ave.
Anthony J. Mollica
28 Adams St.
John D. Keefe
86 Edgehill Rd.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the seventh day of March, 1979 by adjournment of their December meeting next preceding; and a notice of said meeting having been

REF TO PL #265 OF 1979 PL BK 279

posted as required by law; and the fourth day of April, 1979 at eleven o'clock in the morning 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 Braintree 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 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 fourth day of April, 1979 the Commissioners David C. Ahearn, George B. McDonald and John C. Nourse, acting in place of James J. Collins, met at the time and place specified in said Order, when and where the petitioners appeared and the Town of Braintree 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 Commissioners, by courses and distances, metes and bounds, do relocate said COMMON STREET as prayed for in said petition.

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

The northerly line of Common Street begins at a stone bound which is on the northerly line of Common Street as laid out by the Norfolk County Commissioners by return dated November 18, 1958, said bound being at the easterly end of a 1060.00 ft. radius curve opposite Station 26+30.17; thence S-87°-55'-40"-E, 217.49 ft. by said 1958 layout to a stone bound which is at the westerly end of a 1000.00 ft. radius curve opposite Station 28+47.66.

The southerly line begins at a stone bound which is on the southerly line of Common Street as laid out by the Norfolk County Commissioners by return dated November 18, 1958, said bound being at the easterly end of a 990.00 ft. radius curve opposite Station 26+30.17 and being S-2°-04'-20"-W, 70.00 ft. from the first bound on the northerly line as above described; thence N-89°-40'-35"-E, 254.61 ft. to a stone bound which is on said southerly line of Common Street opposite Station 28+83.52, said bound being S-29°-48'-40"-E, 69.90 ft. 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 fee and rights incident to a public highway in the lands included within the lines of location hereinbefore described, all as shown upon a plan entitled "Plan showing the relocation of Common Street, Braintree between Station 26+30.17

and Station 28+83.52 as made by the Norfolk County Commissioners by return dated April 11, 1979. 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 all portions of the existing highway between the termini of this layout lying outside the lines herein established are hereby discontinued.

And it is determined by the Commissioners that SCIT, Inc. of Braintree, Massachusetts shall, within two (2) years from the date of this Return and Order, complete said way in a thorough and good workmanlike manner and to the acceptance of the County Commissioners in accordance with their agreement on file with the official records of the County Commissioners.

The travelled part of said way shall be constructed not less than forty (40) feet in width.

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, shall be paid by SCIT, Inc. of Braintree, Massachusetts.

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 properties 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.

<u>Pcl.No.</u>	<u>Area Taken</u>	<u>Award</u>
SCIT, Inc. Land Court Cert. No. 65125 Book 326 Page 125	None	None
Tigran Schach SCIT, Inc. Land Court Cert. No. 65125 Book 326 Page 125	None	None

JAMES J. COLLINS

GEORGE B. McDONALD

DAVID C. AHEARN

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners held at Dedham,
on Wednesday, the eleventh day of April 1979, by adjournment of

5589

6. 709

their December 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 Braintree 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

GEORGE B. McDONALD

DAVID C. AHEARN

COUNTY COMMISSIONERS

A true Copy.

Attest: *[Signature]* Clerk

Recorded April 11, 1979 at 2h. 11m. P. M.