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HERE TO FILE IN 682-198 P. 288

NORFOLK, ss.

At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County, on the third day of September 1980, by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of VINCENT M. IGO and others of FOXBOROUGH 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 Foxborough in said County, that common convenience and necessity require that a new highway be laid out between Cocasset Street and the intersection of Oak and Sand Streets; that a portion of Oak Street between Cocasset and Sand Streets be discontinued; and that an alteration of Cocasset Street consisting of establishing a new grade from the present intersection of Oak and Cocasset Streets easterly to Sand Street be made, all in said Town of Foxborough.

Wherefore your petitioners pray that said ways may be laid out, discontinued and altered within the limits above specified.

Dated December 4, 1979.

Vincent M. Igo  
Honora R. McLaughlin  
Louis A. Truax  
Barbara M. Hebert

Peter D. Stanton  
J. Neil Forster  
Harriet J. Blomberg

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This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the fifth day of March 1980, by adjournment of their December meeting next preceding; a notice of said meeting having been posted as required by law; and the twenty-sixth day of March 1980

and two thirty o'clock in the afternoon at the Engineering Department, Registry of Deeds Building, 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 FOXBOROUGH, 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 FOXBORO REPORTER, 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-sixth day of March, 1980 the Commissioners, James J. Collins, George B. McDonald and David G. Ahearn, met at the time and place specified in said Order, when and where the petitioners appeared and the Town of FOXBOROUGH 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 a new highway be laid out; that a portion of Oak Street be discontinued; and that an alteration of Cocasset Street be made as prayed for in said petition.

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

And now the Commissioners, James J. Collins, George B. McDonald and David C. Ahearn, by courses and distances, metes and bounds, do lay out said new way, discontinue a portion of Oak Street and make an alteration of Cocasset Street as prayed for in said petition.

And the lines of said new way between Cocasset Street and the intersection of Oak and Sand Streets, discontinuance of a portion of Oak Street between Cocasset and Sand Streets and alteration of Cocasset Street consisting of establishing a new grade from the present intersection of Oak and Cocasset Streets easterly to Sand Street are as follows:

Lay out of new way. The line begins at a stone bound which is on the northerly line of Cocasset Street as laid out by the Norfolk County Commissioners by return dated June 15, 1842; thence easterly, northeasterly and northerly by a 40.00 ft. radius curve, 62.83 ft. to a stone bound; thence N-3°-17'-28"-W, 70.65 ft. to a stone bound; thence to the right by a 350.00 ft. radius curve, 112.84 ft. to a stone bound which is on the easterly line of Oak Street as laid out by the Norfolk County Commissioners by return dated November 18, 1952; thence by said easterly line N-42°-34'-50"-E, 238.43 ft. to a stone bound; thence S-36°-05'-18"-W, 112.00 ft. to a stone bound; thence to the left by a 300.00 ft. radius curve, 206.19 ft. to a stone bound; thence S-3°-17'-28"-E, 70.65 ft. to a stone bound; thence to the left by a 40.00 ft. radius curve, 62.83 ft. to a stone bound which is on the northerly line of Cocasset Street as laid out by the Norfolk County Commissioners by return dated June 15, 1842; thence by said

northerly line  $S-86^{\circ}-42'-32''-W$ , 130.00 ft. to the point of beginning. Said layout of a new way is shown as "Parcel 1, 21 S.F." and "Parcel 2, 15,262 S.F." on the plan hereinafter referred to.

Discontinuance of a portion of Oak Street. The line begins at a stone bound on the northerly line of Cocasset Street as laid out by the Norfolk County Commissioners by return dated June 15, 1842, said bound being the first bound on the easterly line of Oak Street as laid out by the Norfolk County Commissioners by return dated November 18, 1952; thence  $S-85^{\circ}-01'-20''-W$ , 85.35 ft. to a stone bound on the said northerly line of Cocasset Street; thence  $N-47^{\circ}-25'-10''-W$ , 64.45 ft. to a stone bound on the westerly line of the aforementioned 1952 layout of Oak Street; thence northeasterly by a 400.00 ft. radius curve to the left, 44.99 ft. to a stone bound; thence  $N-42^{\circ}-34'-50''-E$ , 365.61 ft. to a stone bound on the westerly line of the aforementioned 1952 layout of Oak Street; thence  $S-46^{\circ}-51'-27''-E$ , 16.13 ft. to a stone bound; thence southwesterly by a 350.00 ft. radius curve to the left, 105.94 ft. to a stone bound on the easterly line of Oak Street as laid out by the Norfolk County Commissioners by return dated November 18, 1952; thence  $S-42^{\circ}-34'-50''-W$ , 220.41 ft. to a stone bound; thence to the left by a 40.00 ft. radius curve, 96.03 ft. to the point of beginning. Said discontinuance is shown as "Parcel 3, 20,711 S.F. Discontinued" on the plan hereinafter referred to.

Cocasset Street alteration. The grade of Cocasset Street is established between a point designated as station 88+00 at the present intersection of Oak and Cocasset Streets and a point designated as station 99+50 at the present intersection of Sand and Cocasset Streets and shown as the established centerline grade on

the plan hereinafter referred to.

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 the layout of a new way hereinbefore described and the grade thereof is established 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 hereby take temporary easements in the lands adjoining the location of said new 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 new way 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 it is determined by the Commissioners that all lands within the lines above described as the discontinuance of a portion of Oak Street are hereby discontinued as a highway.

And the said Commissioners do hereby determine that the grade of Cocasset Street within the limits hereinbefore described is hereby established.

All of said lines and established grades are shown upon a plan entitled "Plan and Profiles showing the Layout of a New Way, the Discontinuance of a portion of Oak Street and the Alteration of a portion of Cocasset Street, Foxborough as made by the Norfolk County Commissioners by Return dated September 3, 1980.

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.

And permanent stone bounds will be erected at the termini and angles of said ways laid out, discontinued and altered as aforesaid.

And it is determined by the Commissioners that the Inhabitants of the Town of FOXBOROUGH do, within five years from the date of this Return and Order, complete said ways in a thorough and workmanlike manner and to the acceptance of the County Commissioners, provided that the construction of the new way hereby laid out shall not be completed and opened to the public until the Cocasset Street alteration as above described has been constructed.

The travelled part of said ways shall be constructed not less than twenty-six (26) 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 layout and alteration of ways prescribed in this Return and Order, including the expense of constructing and maintaining said ways, and all land and other damages and expenses incident thereto be paid by the Inhabitants of the Town of FOXBOROUGH.

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>Owners</u>	<u>Approximate Area</u>	<u>Tax Allowance</u>	<u>Award</u>
1	Louis S. and Elsie M. Mosher	21 S.F. Taken	-	None
2	Bruce A. Mosher	15,262 S.F. Taken Temp. Easement	-	None
3	Bruce A. Mosher	20,711 S.F. Disc.	-	None

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

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 third day of September 1980, 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 FOXBOROUGH 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: M.A. Podolski Ass't clerk

Recorded Sept. 4, 1980 at 1h. 06m. P.M.