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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 thirtieth day of June, 1982, by adjournment of their June meeting next preceding; a notice of said meeting having been posted as required by law:

The petition of Donald J. Laing 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 NORTH STREET, a public way in said town, be relocated between Station 2 and Station 4+22.44 of the Norfolk County Commissioners' Layout of September 9, 1975 for the purpose of 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 Dec. 14, 1981

Donald J. Laing
Joseph D. Cleggett
Saran E. Gillies
Anthony J. Mollica
Richard G. Parsons
W. T. Kennedy
William Parlee
Samuel J. Scott
Joseph W. Aiello

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the twenty-fourth day of February, 1982 by adjournment of their December meeting next preceding; and a notice of said meeting having

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been posted as required by law; and the twenty-fourth day of March, 1982 at 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 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 Braintree Forum, 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-fourth day of March, 1982 the Commissioners, James J. Collins and David C. Ahearn, 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 Town Engineer; 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 NORTH STREET as prayed for in said petition.

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

The northerly line of North Street begins at a stone bound which is on the northerly line of North Street as laid out by the Norfolk County Commissioners by return dated September 9, 1975, said bound being opposite station 2+24.19; thence N-73°-40'-23"-E, 134.60 ft. to a stone bound which is on said northerly line of said 1975 layout; thence S-83°-20'-34"-E, 75.24 ft. by said 1975 layout to a drill hole in a stone wall.

The southerly line begins at a stone bound which is on the southerly line of North Street as laid out by the Norfolk County Commissioners by return dated September 9, 1975, said bound being 130.06 ft. easterly of a stone bound at the intersection of North and Granite Streets and being S-16°-19'-37"-E, 55.00 ft. from the first bound on the northerly line as above described; thence N-73°-40'-23"-E, 161.80 ft. by said 1975 layout to a stone bound; thence S-83°-20'-34"-E, 27.56 ft. by said 1975 layout to a railroad spike, said spike being S-8°-17'-22"-W, 40.02 ft. from the drill hole in a stone wall 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 North Street, Braintree between Station 2+24.19 and Station 4+22.44 as made by the Norfolk County Commissioners by return dated June 30, 1982. Scale: 1 inch = 20 feet.

Alvah L. Downs, County Engineer" and signed by "James J. Collins,

3. 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.

24 And it is determined by the Commissioners that all
portions of the existing highway, between the termini of this lay-
out, lying outside the lines herein established are hereby discon-
n tinued and that the portion of the existing highway laying within
the area designated as parcel 1 - 3512 S.F. on the plan herein-
before described is herewith discontinued, but only to its use of
travel for highway purposes. And the Commissioners do herewith
retain, take and lay out easements, in said parcel 1, for the
benefit of, and on behalf of, the Town of Braintree, for the pur-
poses of constructing, maintaining, and repairing of any and all
ut present or future municipal utilities, including sewer, water,
5 drains, and all other types of utilities, and said premises shall
be restored to a condition comparable to its former condition sub-
sequent to any such construction or repair.

And the Commissioners have heard the proprietors of lands
and property, rights and interest, taken or affected by these pro-
ceedings, 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 bene-
fits, if any, to the property of said parties in the premises, and
do estimate and determine the damages to be paid to said parties
s,

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>Owner</u>	<u>Area Taken</u>	<u>Award</u>
Blake K. Palmer and Dorothy Palmer, Trustees of the Palmer Family Realty Trust	None	None
David E. Dinger, Trustee of DJS Trust, Lessee		
Howard Johnson Company	None	None
Gerald A. Nielsen and Granite Operating Company, Inc., Lessees		
Howard Johnson Company	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 thirtieth day of June, 1982, 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 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