

#635

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 sixth day of October, 1982, by adjournment of their September meeting next preceding:

The petition of THOMAS M. SULLIVAN and others of RANDOLPH, 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 RANDOLPH 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 Liberty Street and a point about 400 feet southerly, for the purpose of establishing the boundary lines of said way; making alterations in the course or width of said way; making repairs on said way.

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

Dated January 26, 1981

Thomas M. Sullivan
Joseph J. Semensi
Paul J. Connors
George A. Cormey, Jr.
Roger M. Cevolani
Harry Damigella, Owner

Anna F. Maguire

21 Regis Rd. Braintree, Ma.
02184

Evelyn M. Damigella Owner

Same

Thomas W. O'Dea

3 Van Beal Rd. Randolph

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the third day of March, 1982, by adjournment of their

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December meeting next preceding: a notice of said meeting having been posted as required by law; and the seventh day of April, 1982, 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 RANDOLPH, 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 RANDOLPH MONEYSAVER, 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 seventh day of April, 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 RANDOLPH 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 from time to time 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.

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

Beginning at a stone bound which is on the northerly line of Liberty Street as laid out by the Norfolk County Commissioners by return dated March 18, 1890 and on the westerly line of North Street as laid out by the Norfolk County Commissioners by Return dated May 29, 1934; thence by said 1934 layout of North Street, easterly and northeasterly by a 300.00 ft. radius curve, 249.97 ft. to a stone bound; thence S-26°-36'-47"-W, 162.61 ft. to a point on the northerly line of location of Consolidated Rail Corporation; thence by said northerly line of location southeasterly and southerly by a 38.07 ft. radius curve, 36.15 ft. to a point; thence by said northerly line of location southwesterly by a 5795.65 ft. radius curve, 19.04 ft. to a stone bound; thence northerly, northwesterly and westerly by a 42.55 ft. radius curve, 69.20 ft. to a stone bound on the southerly side of Liberty Street; thence N-81°-50'-09"-W, 50.62 ft. to a stone bound which is on the southerly line of Liberty Street as laid out by the Norfolk County Commissioners by return dated March 18, 1890; thence N-47°-35'-12"-W, 84.30 ft. to a stone bound on the northerly line of Liberty Street and the point of beginning.

And now the Commissioners, James J. Collins, George B. McDonald, and David C. Ahearn, 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, all as shown upon a plan entitled "Plan showing the Relocation and Widening of North Street, Randolph at its intersection with Liberty Street as made by the Norfolk County Commissioners by Return dated October 6, 1982 . 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 Parcel 2 - 579 S.F. - is hereby discontinued.

And it is determined by the Commissioners that the Inhabitants of the Town of RANDOLPH 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 forty-two (42) 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 RANDOLPH.

And the Commissioners have heard the proprietors of lands and property, rights and interests, 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	Harry and Evelyn M. Damigella	1 S.F. Taken	-	None
2	Harry and Evelyn M. Damigella	579 S.F. Disc.	-	None
3	Harry and Evelyn M. Damigella	664 S.F. Taken	-	None
	Consolidated Rail Corporation	NONE		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 sixth day of October, 1982, by adjournment of their Sept. 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 RANDOLPH 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: John R. Davis, Clerk

