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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 twenty-eighth day of May, 1986 by adjournment of their April meeting next preceding: a notice of said meeting have been posted as required by law:

The petition of the BOARD OF SELECTMEN of the Town of BELLINGHAM 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 BELLINGHAM in said County, that common convenience and necessity require that the way known as DEPOT STREET, a public way in said town, be relocated between Station 45 and Station 48 of the Norfolk County Commissioners layout of July 20, 1971 for the purpose of acquiring a permanent drain easement between said way and Box Pond.

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

Dated March 31, 1986

Elizabeth A. Lowry
William P. Bissonnette
James A. McElroy
Wilfred Arcand, Jr.

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the ninth day of April, 1986, by adjournment of their December meeting next preceding: a notice of said meeting having been posted as required by law: and the seventh day of May, 1986, and two-fourty five o'clock in the afternoon at their Administration Offices, 614 High Street in said Dedham were appointed

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REFER TO PLAN NO. 776-1986 PL BOOK 338

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 order of Notice to be served upon the Clerk of the Town of BELLINGHAM, 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 Milford Daily News, a newspaper published in Milford, 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 May, 1986, 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 Bellingham was represented by its Highway Superintendent, Gerard L. Daigle; and the said Commissioners heard all persons and corporations interested, 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 appointed the twenty-eighth day of May, 1986, and two-thirty o'clock in the afternoon at their Administration Offices, 614 High Street in said Dedham as the time and place when they would proceed to and take such action in relation to said adjudication as by law they might be authorized to do.

And having given notice of such adjudication and of the time and place appointed and for the purpose aforesaid in the same manner as the notice and publication were given and made before

first proceeding to view, the said Commissioners met at the time and place appointed and then and there heard all persons and corporations interested.

And now the said Commissioners do hereby take for the purpose of properly draining said DEPOT STREET as previously established, easements and rights in Parcel D1 as indicated on the plan hereinafter referred to, being more fully described as follows:

Beginning at a point on the southwesterly line of Depot Street as laid out by the Norfolk County Commissioners by return dated July 20, 1971, said point being opposite station 45+60.41; thence S-22°-04'-50"-W, 110.31 ft. to a point; thence S-33°-36'-30"-W, 169.00 ft. to a point; S-44°-10'-24"-W, about 50 ft. to Box Pond; thence northwesterly by Box Pond about 21 ft.; thence N-44°-10'-24"-E, about 40 ft. to a point; thence N-33°-36'-30"-E, 165.13 ft. to a point; thence N-22°-04'-50"-E, 121.73 ft. to a point on said southwesterly line of Depot Street, said point being opposite station 45+36.31; thence southeasterly by said southwesterly line of Depot Street 24.10 ft. to the point of beginning, containing 6500 ± square feet, all as shown upon a plan entitled "Plan Showing Easement for Drainage Purposes at Depot Street, Bellingham between Depot Street and Box Pond, as made by the Norfolk County Commissioners by return dated May 28, 1986. Scale: 1 inch = 40 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 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 shall be paid out of the treasury of the Town of BELLINGHAM, and should the County be put to any legal expense or any other expense relating to damages, or any further damages be recovered, they shall be paid out of the treasury of said town.

And the said 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 Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
D1	Marjorie F. Richardson A/K/A Marjorie F. Fennessey Mtg: Milford Federal Savings and Loan Association	6500 S.F.	\$1.09	\$2300.00
	The Prestwich Corporation	None	.	.

And having heard the proprietors of lands and property, ⁹⁷
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 build-
ings, structures, hedges and fences from the lands so taken, at any
time within one month from the date of possession; and if they shall
not be so removed, the Commissioners shall have the option to do so.

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 twenty-eighth day of May, 1986, by adjournment of
their April 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 trans-
mitted to the Clerk of the Town of BELLINGHAM within which the
limits of said highway describes 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:

Robert J. ...
Clerk

