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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 fourth day of May, 1988, by adjournment of their April meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of WILLIAM P. BISSONNETTE and others 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 HARTFORD AVENUE, a public way in said town, be relocated between a point about 300 feet westerly of Depot Street and a point about 1000 feet easterly of Depot Street 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 December 24, 1986

William P. Bissonnette.
James A. Mc Elroy
Wilfred Arcand, Jr.
Glenna C.S. Laverdiere
Nicholas Winter

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the seventh day of January, 1987, by adjournment of their December meeting next preceding: a notice of said meeting having been posted as required by law: and the eleventh day of February, 1987, and two-thirty o'clock in the afternoon at their Administration Offices, 614 High Street 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 BELLINGHAM, being the town within which such relocation of way was prayed for, fifteen

REFER TO PLAN NO. 433-19 SR PL BOOK 367

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 eleventh day of February, 1987, the Commissioners, 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 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, James J. Collins, George B. McDonald and David C. Ahearn, by courses and distances, metes and bounds, do relocate a portion of said HARTFORD AVENUE as prayed for in said petition.

And the lines of said relocation of HARTFORD AVENUE are as follows:

The northerly line begins at a stone bound on the northerly line of Hartford Avenue as laid out by the Norfolk County Commissioners by return dated June 11, 1929, said bound being 174.24 ft. easterly of the easterly line of location of the Consolidated Rail Corporation railroad; thence northeasterly and northerly by a 978.25 ft. radius curve, 118.79 ft. to a stone bound; thence to the left by a 50.00 ft. radius curve, 78.89 ft. to a stone bound which is on the westerly line of Grove Street; thence N 26°-48'-29" E, 34.47 ft. to a stone bound which is on the easterly line of Grove Street; thence southeasterly and easterly by a 50.00 ft. radius curve, 84.91 ft. to a stone bound; thence to the left by a 975.14 ft. radius curve, 188.45 ft. to a stone bound on said northerly line of said 1929 County Layout of

Hartford Avenue; thence N 18°-45'-53" E, 211.68 ft. to a stone bound; thence to the right by a 1460.00 ft. radius curve, 249.17 ft. to a stone bound.

The southerly line begins at a point on the southerly line of Hartford Avenue as laid out by the Norfolk County Commissioners by return dated June 11, 1929, said point being S 28°-53'-07" E, 60.00 ft. from the first bound on the northerly line above described; thence N 61°-06'-53" E, 110.84 ft. to a stone bound which is the first bound on the southwesterly line of Depot Street as laid out by the Norfolk County Commissioners by return dated July 20, 1971; thence N 61°-06'-53" E, 69.66 ft. to a point; thence N 37°-52'-23" E, 60.08 ft. to a point; thence N 30°-18'-23" E, 16.62 ft. to a stone bound which is the first bound on the northeasterly line of Depot Street as laid out by the Norfolk County Commissioners by return dated July 20, 1971; thence N 30°-18'-23" E, 45.28 ft. to a stone bound; thence to the left by a 1020.00 ft. radius curve, 205.47 ft. to a stone bound; thence N 18°-45'-53" E, 32.22 ft. to a stone bound; thence S 49°-15'-27"E, 5.39 ft. to a stone bound; thence N 18°-45'-53" E, 181.48 ft. to a stone bound; thence to the right by a 1395.00 ft. radius curve, 238.08 ft. to a stone bound; thence N 61°-27'-25" W, 5.00 ft. to a stone bound, said bound being on said southerly line of said 1929 County Layout of Hartford Avenue and being S 61°-27'-25" E, 60.00 ft. from the last bound on the northerly line above described.

And the 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 location hereinbefore described, all as shown upon a plan entitled "Plan Showing the Relocation and Widening of Hartford Avenue, Bellingham, between a point about 200 feet westerly of Depot Street and a point about 750 feet easterly of Depot Street, as made by the Norfolk County Commissioners by return dated May 4, 1988. 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 the said Commissioners do likewise further take temporary easements in Parcels TE-1 through TE-3 inclusive, consisting of the right to construct slopes, walls, retaining walls, walks, steps, drives, fences, curbing, railing and remove trees and any other things that may be reasonably necessary to accomplish the purpose of the order of taking. 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 and recorded by the County Commissioners.

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 the Inhabitants of the Town of BELLINGHAM 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 thirty-two (32) 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 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 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>Owner</u>	<u>Approximate Area Taken</u>	<u>Tax Allowance</u>	<u>Award</u>
1	William E. and Jacquelyn M. Locke Mtg: Milford Savings Bank	3395 S.F.	\$47.15	\$17,325.00
2	James A. and Cheryl A. Lawrence Mtg: Milford Federal Savings and Loan Association	3037 S.F.	\$69.71	\$ 7,575.00
3	Varney Bros. Sand and Gravel	868 S.F.	\$ 0.74	\$ 345.00
4	Varney Bros. Sand and Gravel	2095 S.F.	\$ 1.18	\$ 835.00
TE-1	William E. and Jacquelyn M. Locke Mtg: Milford Savings Bank	3000±S.F.	—	\$ 675.00
TE-2	James A. and Cheryl A. Lawrence Mtg: Milford Federal Savings and Loan Association	2500±S.F.	—	\$ 625.00
TE-3	Varney Bros. Sand and Gravel	9500±S.F.	—	\$ 380.00
			<u>\$118.78</u>	<u>\$27,760.00</u>

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 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. MC DONALD

DAVID C. AHEARN
COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

At a meeting of the County Commissioners, held at Dedham, on Wednesday, the fourth day of May, 1988 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 transmitted to the Clerk of the Town of BELLINGHAM 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. MC DONALD

DAVID C. AHEARN
COUNTY COMMISSIONERS

A true Copy
Attest: Nicholas Fontana Clerk