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72695 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 August, 1989 by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of JANET M. COLLINS and others of MILLIS 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 MILLIS in said County, that common convenience and necessity require that the ways known as PLEASANT AND VILLAGE STREETS, public ways in said town, be relocated at their intersection for the purpose of Acquiring permanent drain easements and temporary construction easements.

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

Dated April 8th, 1988

Janet M. Collins
George DeAngelis
Russell P. Chamberlain
Robert W. Leslie
Robert A. Volpicelli

NORFOLK COUNTY MASSACHUSETTS
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Attest
Barry T. Hannon, Register

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, aforesaid, on the twenty-second day of November, 1988, by adjournment of their September meeting next preceding: a notice of said meeting having been posted as required by law: and the eighteenth day of January, 1989, and two-thirty o'clock in the afternoon at their Administration Offices, 614 High Street in said Dedham were appointed by said Commissioners

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REFER TO PLAN NO. 842-1989 PL 800A 385

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 MILLIS, being the town within which such relocation of ways 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 eighteenth day of January, 1989, the Commissioners, James J. Collins, David C. Ahearn, and Mary P. Collins, met at the time and place specified in said order, when and where the petitioners appeared, and the Town of MILLIS was represented by its Board of Public Works, and the said Commissioners then viewed the route and premises, and heard all persons and corporations interested; and thence the same was continued and adjourned to a meeting of the Commissioners held at Dedham on the fifteenth day of February, 1989, a notice of said meeting having been posted as required by law, at which time the said commissioners did adjudge that common convenience and necessity require that said ways be relocated as prayed for in said petition and appointed the fifteenth day of March, 1989 and two-thirty o' clock in the afternoon at their Administration Offices,

614 High Street, in said Deqham 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 said hearing was continued and adjourned from time to time to this meeting.

And now the said Commissioners do hereby take for the purpose of properly draining said VILLAGE and PLEASANT STREETS as previously established, easements and rights in Parcels D1 through D3 as indicated on the plan hereinafter referred to, being more fully described as follows:

Beginning at a point on the easterly line of Pleasant Street as laid out by the Norfolk County Commissioners by return dated August 2, 1949, said point being 178.00 ft. northerly of a stone bound at the northerly end of a 123.83 ft. radius curve at Village Street; thence northerly by said easterly line of Pleasant Street 20.00 ft. to a point; thence N 61°-16'-30" E, 26.00 ft. to a point; thence S 28°-43'-30" E, 20.00 ft. to a point; thence S 61°-16'-30" W, 26.00 ft. to the point of beginning. Being shown as Parcel D1-256 S.F. and Parcel D2-264 S.F. on said plan.

Beginning at a point on the easterly line of Village Street as laid out by the Norfolk County Commissioners by return dated December 13, 1932, said point being 227.01

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ft. southerly of a stone bound at the last bound of said easterly line of Village Street; thence S 50°-08'-45" E, 140.30 ft. to a point; thence S 39°-51'-15" W, 20.00 ft. to a point; thence N 50°-08'-45" W, 135.76 ft. to a point on said easterly line of Village Street; thence northerly by said easterly line of Village Street 20.51 ft. to the point of beginning. Being shown as Parcel D3-2761 S.F. on said plan.

And the said Commissioners do likewise further take temporary easements in Parcels TE-1 through TE-7 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, all as shown upon a plan entitled "Plan Showing Easement Takings at the Intersection of Village and Pleasant Sts., Millis as made by the Norfolk County Commissioners by return dated August 30, 1989. 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.

All of said temporary easements are to be in effect only until said Ways are constructed to the full width of their layouts and a certificate to that effect has been duly filed and recorded by the County Commissioners.

And it is determined by the Commissioners that all the expense of making the relocation 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 shall be paid out of the treasury of the Town of MILLIS 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 interests, taken or effected 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>Award</u>
D1	Town of Millis	256 S.F.	0
D2	John E. Hill and Barbara A. Harris Mtg: BayBank Norfolk County Trust Company Mtg: CIT Financial Services	264 S.F.	\$42.00
D3	Eleanor E. Kenney	2761 S.F.	435.00
TE-1	Joseph C. and Christine Stock Mtg: Foxboro Savings Bank	450 S.F.	43.00
TE-2	Kevin A. and Carol J. Jardin Mtg: Natick Five Cents Savings Bank Mtg: BayBank-Middlesex Mtg: H P Family Federal Credit Union	2400 S.F.	228.00

TE-3	Avon Street	1200 S.F.	0
TE-4	Gretchen Lawrence	750 S.F.	185.00
	Mtgs: BayBank Norfolk County Trust Company		
	Mtg: Homemakers Loan and Consumer Discount Co.		
TE-5	Eleanor E. Kenney	4400 S.F.	162.00
TE-6	Eleanor E. Kenney	7700 S.F.	347.00
TE-7	Lawrence C. Maher and Pamela Basset	245 S.F.	23.00
	Mtg: Commonwealth Mortgage Company, Inc.		
			<u>\$1465.00</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 and fences from the lands so taken, at any time within three months 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

DAVID C. AHEARN

MARY P. COLLINS

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Wednesday, the thirtieth day of August, 1989, 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 MILLIS within which the limits of said highway described therein lies, that the same may be recorded by said Clerk, within ten days, in the books of records kept in said town for that purpose.

JAMES J. COLLINS

DAVID C. AHEARN

MARY P. COLLINS

COUNTY COMMISSIONERS

A true copy.

Attest: Mary K. Hickey, Asst Clerk