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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 second day of July, 1997, by adjournment of their June meeting next preceding: a notice of said meeting having been posted as required by law:

The petition of Richard W. Fitzgerald and others of STOUGHTON 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 STOUGHTON in said County, that common convenience and necessity require that the ways known as Bay Road and Sharon Street, public ways in said town, be relocated between their intersection and points about 500 feet easterly and southerly there-of for the purpose of widening and acquiring temporary construction easements.

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

Dated April 29, 1996

Richard W. Fitzgerald  
Louis F. Gitto  
John W. Fallon, Jr.

Town of Stoughton  
Board of Selectmen

REGISTRY OF DEEDS  
NORFOLK COUNTY  
DEDHAM, MA

CERTIFY

*Barry T. Hannon*

BARRY T. HANNON, REGISTER

Dated May 9, 1996

Susan A. Bernstein  
Daniel T. Pessia  
William Angelos

Town of Stoughton  
Planning Board

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This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the fifth day of June, 1996, by adjournment of their April meeting, next preceding, a notice of said meeting having been posted as required by law: and the seventeenth day of July, 1996 and 7:02 o'clock in the evening at the Stoughton Town Hall, 10 Pearl Street, Stoughton were appointed by the Commissioners as the time and place for commencing and proceeding to view the

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NORFOLK COUNTY  
97 JUL -2 PM 2:25  
REFER TO PLAN NO. 417-11197  
PL. BOOK 448

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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 STUOUGHTON, being the town within which such relocation 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 PATRIOT LEDGER, a newspaper published in said County, said postings 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 seventeenth day of July, 1996, the Commissioners, William P. O'Donnell, John M. Gillis and Peter H. Collins met at the time and place specified in said order, when and where the petitioners appeared and the Town of STUOUGHTON 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 said Commissioners, by courses and distances, metes and bounds, do hereby relocate a portion of said SHARON STREET as prayed for in said petition.

And the lines of said relocation are as follows:

Beginning at a stone bound on the northerly side of Sharon Street, said bound being on the Stoughton-Canton Town Line;

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thence S 19°-49'-10" W, 82.90 ft. to a stone bound, which is on the northerly line of Sharon Street as laid out by the Norfolk County Commissioners by Return dated December 15, 1925, said bound being on a 120.00 ft. radius curve, 138.76 feet north-westerly from the easterly end.

Beginning at a stone bound on the northerly line of said 1925 layout of Sharon Street; thence S 70°-00'-10"E, 194.18 ft. to a stone bound; thence by a 506.00 ft. radius curve to the right, 84.39 ft. to a stone bound; thence S 60°-25'-38"E, 40.39 ft. to a stone bound which is on the northerly line of said 1925 layout of Sharon Street, said bound being westerly 314.55 ft. of a stone bound on said layout.

And the said Commissioners do hereby take for the purpose of a highway all the easements and rights incident to a public highway in the lands included between the lines above described and the lines previously established and shown as Parcels 2, 4 and 5 upon a plan entitled "Plan showing the Relocation of Sharon Street and Bay Road, Stoughton between their intersection and points about 400 feet easterly and southerly as made by the Norfolk County Commissioners by Return dated July 2, 1997, Scale: 1 inch= 30 feet. John M. Paronich, County Engineer" and signed by "William P. O'Donnell, 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 take temporary easements in Parcels TE-15 through TE-20 inclusive, consisting of the right to construct slopes, walls, retaining walls, walks, steps, drives, fences, curbing, railing and remove trees and any

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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 recorded by the County Commissioners.

And it is determined by the Commissioners that the Inhabitants of the Town of STOUGHTON do, within two 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-three (33) 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, and all land and other damages and expenses incident thereto shall be paid out of the treasury of the Town of STOUGHTON, 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

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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>Approx. S.F. Area Taken</u>	<u>Award</u>
2	Sarah Mittell, Tr. of Mittell Family Trust Mobile Oil Corp., Lessee	639	None
4	Sarah Mittell, Tr. of Mittell Family Trust Mobile Oil Corp., Lessee	1,256	None
5	Franksim Properties, Inc.	810	None
TE-15	Sarah Mittell, Tr. of Mittell Family Trust Mobile Oil Corp., Lessee	2,202	None
TE-16	Sarah Mittell, Tr. of Mittell Family Trust Mobile Oil Corp., Lessee	1,256	None
TE-17	Franksim Properties, Inc.	7,977	None
TE-18	Kenneth L. and Pauline M. Hudson, Trs. of Hudson Trust	4,817	None
TE-19	Shell Oil Company	8,753	None
TE-20	Edward P. and Eleanor M. Crisileo	1,291	None

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And having heard the proprietors of lands and property, rights and interests, taken or affected by these proceedings, the Commissioners direct that 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 three months from the date of possession; and if they shall not be so removed, the Commissioners shall have the option to do so.

William P. O'Donnell

John M. Gillis

Peter H. Collins

COUNTY COMMISSIONERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

At a meeting of the County Commissioners, held at Dedham, on Wednesday, the second day of July, 1997 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 STOUGHTON, 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.

William P. O'Donnell

John M. Gillis

Peter H. Collins

COUNTY COMMISSIONERS

A true copy.

Attest:

Walter Burkholder  
Clerk