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COMMONWEALTH OF MASSACHUSETTS

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NORFOLK, ss

At a meeting of the County Commissioners for the County of Norfolk, held at Dedham, within and for said County on the thirteenth (13th) day of September, 2006, by adjournment of their June meeting next preceding, a notice of said meeting have been posted as required by law:

The petition of Camille S. Zahka and others of DEDHAM in said County represents as follows:

COMMONWEALTH OF MASSACHUSETTS

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

NORFOLK, ss

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

To the Honorable the County Commissioners of the County of Norfolk:

RESPECTFULLY REPRESENT YOUR PETITIONERS, Inhabitants of the Town of DEDHAM in said County, that common convenience and necessity require that a portion of COMMON STREET, a public way in said town, be discontinued between the sideline of the 1954 State Circumferential Highway layout of Route 128, two hundred ninety eight feet (298') in the southeasterly direction, all in said Town of Dedham.

WHEREFORE YOUR PETITIONERS PRAY that said **discontinuance** may be made within the limits above specified.

Dated: August 22, 2006

- Camille S. Zahka
- Peter A. Zahka
- Mark Engdahl
- John F. Caruso
- Nicole Welch
- Tracey White
- James D. Kaufman
- Jason McKenna
- Anthony Monterisi
- Robert P. Zahka, Jr.

SEE PLAN FILED IN 2006
PLAN BOOK 562 PAGE 27

This petition was presented to the Commissioners and duly entered at a meeting of said Commissioners, held at Dedham, on the thirteenth (13th) day of September, 2006, by adjournment of their June meeting, next preceding, a notice of said meeting having been posted as required by law, and the eighteenth (18th) day of October, 2006 at two o'clock in the afternoon at their Administrative Offices, 614 High Street, Dedham, was appointed by the 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 Dedham, being the town within which such discontinuance 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 DAILY TRANSCRIPT, a newspaper published in Needham, Mass., said postings and publication having been seven (7) 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 as they saw fit.

And, on the said eighteenth (18th) day of October, 2006, the Commissioners, Peter H. Collins, John M. Gillis and Francis W. O'Brien, met at the time and place specified in said order, when and where the petitioners appeared and the Town of Dedham was represented by its Selectmen; and the Commissioners then heard all persons and corporations interested; and no party interested objected or requested the Commissioners to view the premises.

And thence the same was continued and adjourned from time to time to this meeting.

And now the Commissioners, Peter H. Collins, John M. Gillis and Francis W. O'Brien, do hereby adjudge, in accordance with the authority vested in them by Massachusetts General Laws, c. 82, §§ 1 *et seq.*, that common convenience and necessity require that said way be discontinued as prayed for in said petition.

And now the Commissioners, Peter H. Collins, John M. Gillis and Francis W. O'Brien, by courses and distances, metes and bounds, do hereby discontinue a portion of said COMMON STREET, as prayed for in said petition and as provided herein.

And the lines of said discontinuance for a portion of COMMON STREET are as follows:

Commencing at the back center of a stone bound located on the northerly side of Common Street, and labeled "I" on a highway location plan recorded in Volume 7, plan 499 as laid out by the Norfolk County Commissioners in March of 1876. Also, being the same point "I" labeled on a highway relocation plan for a portion of Common Street as laid out by the Norfolk County Commissioners on July 7, 1903 and recorded in Volume 36, Plan 1700.

Thence northwesterly along the 1903 relocation line 164.32 feet, along a curve concave to the northeast having a radius of 1230.91 feet to the point of beginning;

Thence S49°33'16"W a distance of 48.87 feet;

Thence N40°13'51"W a distance of 298.00 feet;

Thence N49°33'16"E a distance of 58.56 feet to a stone bound marked with a lead plug located in the center;

Thence S38°21'47"E a distance of 286.76 feet to a stone bound with a drill hole in the center;

Thence southeasterly 11.44 feet, along a curve concave to the northeast having a radius of 1230.91 feet along the 1903 Common Street relocation line to the point of beginning;

The above described property having an area consisting of 16,003 sq. ft. more or less is shown as parcel "A" on a plan hereinafter referred to.

And it is determined and adjudged by the Commissioners that all lands within the lines above described are hereby discontinued as a highway as provided herein.

However, said discontinuance is specifically contingent upon the execution of a release and indemnification agreement (a copy of which is attached hereto and incorporated herein) by the current owner of the land abutting the land being discontinued by this Order that releases and forever discharges the County Commissioners and the County of Norfolk from any and all debts, demands, claims, actions, causes of action, suits, damages, costs, loss of services, expenses, including, without limitation, attorneys' fees, and any other compensation of any kinds whatsoever and holds the County Commissioners and the County of Norfolk harmless from any loss, damage or expense arising out of any claim or demand by any current owner or any current owner's successor in interest against the County Commissioners or the County of Norfolk on account of, or directly or indirectly as a result of, the discontinuance of the portion of COMMON STREET, DEDHAM, as set forth in this Order.


And said discontinuance is specifically subject to the Commissioners retaining an assignable easement for the benefit of, and on behalf of, the Town of Dedham, over the entire discontinued area above described, for the limited purpose of constructing, maintaining and repairing any and all present or future municipal utilities including, without limitation, sewer,

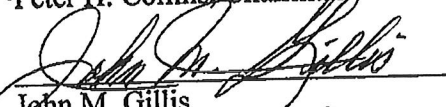
water, drains, electricity, telephone, gas and any other types of utilities deemed necessary by the Town of Dedham.

All of said lines and parcels are shown upon a plan entitled "Plan Showing the Discontinuance of a portion of COMMON STREET, DEDHAM, MA as laid out by the Norfolk County Commissioners on July 7, 1903 as made by the Norfolk County Commissioners by Return date November 1, 2006, Scale: 1 inch = 40 feet, Joseph M. McNichols, County Surveyor and signed by Peter H. Collins, Chairman" which plan is filed herewith and made a part of this return.

And permanent stone bounds will be erected at the termini and angles of said discontinuance as indicated on said plan.

COUNTY COMMISSIONERS


Peter H. Collins, Chairman


John M. Gillis


Francis W. O'Brien

COMMONWEALTH OF MASSACHUSETTS


NORFOLK, ss

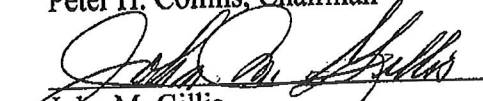
November 1, 2006

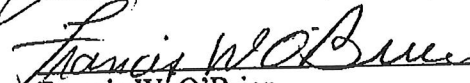
At a meeting of the County Commissioners, held at Dedham on Wednesday, the 1st day of November, 2006, by adjournment of their September meeting next preceding, a notice of said meeting having been posted as required by law:

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 Dedham, within which the limits of said public way described therein lies, so that the same may be recorded by said Clerk, within ten days, in the book of records kept in said town for that purpose.

COUNTY COMMISSIONERS


Peter H. Collins, Chairman


John M. Gillis


Francis W. O'Brien

A True Copy.

Attest: Mary K. Hickey, First Ass't Clerk
Walter F. Timilty, Clerk Mary K. Hickey, First Assistant Clerk

