

COMMONWEALTH OF MASSACHUSETTS

Plymouth: SS,

Town of Norwell

BOARD OF SELECTMEN
OF THE TOWN OF NORWELL

ORDER OF TAKING

WHEREAS, the TOWN OF NORWELL, a Municipal corporation located in Plymouth County, Commonwealth of Massachusetts, may take by eminent domain under General Laws, Chapter 79, any land within the town not already appropriated to public use for municipal purposes;

WHEREAS, the Town of Norwell, at a Special Town Meeting, held on November 5, 1970, voted, by a vote in excess of a two-thirds vote, to authorize and direct the Board of Selectmen to acquire, by purchase or by a taking by eminent domain, for school purposes, in fee simple, the parcels of land located on the SOUTHERLY side of MAIN STREET and the WESTERLY side of SOUTH STREET in the Town of Norwell, shown as Parcels numbered 1, 2, 3, 4 and 5, containing approximately 95 acres, shown on a plan entitled: "PLAN OF LAND TO BE TAKEN FOR SCHOOL PURPOSES ON MAIN STREET SOUTH STREET NORWELL, MASS.", dated: August 14, 1970, revised: September 16, 1970, by Loring H. Jacobs and Associates Inc., a copy of which is on file in the Norwell Town Clerk's office, a copy of which is attached hereto and incorporated herein by reference, the original of which is to be recorded with Plymouth County Registry of Deeds along with an executed copy of this Order of Taking, with said plan hereinafter referred to as the plan;

WHEREAS, the Selectmen of the Town of Norwell, at a regular meeting of the Board of Selectmen, held on Monday, November 23rd, 1970, at the Cushing Memorial Town Hall in Norwell, held a hearing, under General Laws, Chapter 79, Section 5B, at which the owners of the land shown on the plan as Parcels numbered 1, 2, 3, 4 and 5, were given the opportunity to be heard and allowed to introduce evidence that other land not used for agricultural purposes is available for the public use intended for the referenced property;

WHEREAS, it is hereby determined and adjudged that it is necessary to acquire the land shown on the plan as Parcels numbered 1, 2, 3, 4 and 5 for the aforesaid municipal purpose;

WHEREAS, all claims for damages have been estimated;

WHEREAS, the Selectmen of the Town of Norwell are meeting at a special and duly called and properly constituted meeting of the Board of Selectmen, being held on this fourteenth day of December, 1970, at the Norwell Senior High School, and at the meeting it was properly moved, seconded, voted and ordered to acquire the land shown on the plan as Parcels numbered 1, 2, 3, 4 and 5, by a taking in fee simple by eminent domain, for school purposes;

Plan #910

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Bl. 15182
Pg. 298
de
Bl. 15272
Pg. 293
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Bl. 18773
Pg. 85

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NOW, THEREFORE, we, the undersigned, being the duly elected and qualified members of the BOARD OF SELECTMEN of the TOWN OF NORWELL, a Municipal corporation located in PLYMOUTH COUNTY, COMMONWEALTH OF MASSACHUSETTS, acting as such under and by virtue of the power and authority vested in us by General Laws, Chapters 40 and 79, and all acts in amendment thereof and in addition thereto, and of every other power and authority vested in us and hereto enabling, do adjudge and determine that common convenience and necessity and the public interest require us to take, and we do hereby take, in fee simple, by eminent domain, together with all privileges and appurtenances thereto belonging, on behalf of the TOWN OF NORWELL, for school purposes, the areas, including all parcels of land therein and all trees and other structures standing upon or affixed thereto, bounded and described as follows:

Located in the TOWN OF NORWELL, PLYMOUTH COUNTY, COMMONWEALTH OF MASSACHUSETTS; situated on the SOUTHERLY side of MAIN STREET and on the WESTERLY side of SOUTH STREET; shown as parcels numbered 1, 2, 3, 4 and 5 on a plan entitled: "PLAN OF LAND TO BE TAKEN FOR SCHOOL PURPOSES ON MAIN STREET SOUTH STREET NORWELL, MASS.", dated: August 14, 1970, revised: September 16, 1970, by Loring H. Jacobs and Associates Inc., herein referred to as the plan, with the exact measurements, boundaries and descriptions for each parcel and for the total taking being set forth in detail on the plan, a copy of which is attached hereto and incorporated herein by reference, a copy of which is on file in the Norwell Town Clerk's office and the original of which will be recorded with Plymouth County Registry of Deeds together with an executed copy of this Order of Taking.

Included in this Order of Taking is the fee to the center of any and all public ways, streets, highways and public easements which are contiguous and adjacent to the said parcels 1, 2, 3, 4 and 5, but excluding any and all easements of public highways and public easements of travel in and to any and all streets, highways and public ways which are contiguous and adjacent to the said parcels 1, 2, 3, 4 and 5.

All owners of land taken hereunder are hereby required to remove all property, except buildings, fences, other structures and trees from the land so taken, on or before the twenty-third day of January, 1971.

IF in any instance the name of any abutting owner or the name of a former owner is not correctly stated, the names of the supposed owners being given as of the date of this Order of Taking, it is to be understood that in each such instance the land referred to is owned by an owner or owners unknown.

No betterments are to be assessed for the improvement and benefits for which this taking is made.

The Selectmen hereby make the following awards for damages sustained by the owner/owners and all other persons, including all mortgagees of record, having any and all interest in the area or areas hereinbefore described in the taking of or injury to his/her or their property or entitled to any damages by reason of the taking, upon proof of title:

<u>Parcel Number</u>	<u>Supposed Owner or Owners</u>	<u>Award</u>
1.	L. Burton Benjamin & Constance T. Benjamin of Weymouth, Massachusetts, Sea Certificates of Title numbered 23232 and 38658	\$23,000 ⁰⁰ / ₁₀₀
2.	Marshall W. Grigsby, HESSIE Towler Grigsby and Alice (Grigsby) Cloud of Norwell, Massachusetts	\$17,000 ⁰⁰ / ₁₀₀
3.	Fred A. Nucci of Norwell, Massachusetts, and Workingmen's Co-operative Bank of Boston, Massachusetts	\$44,000 ⁰⁰ / ₁₀₀
4.	Estate of Theodore F. Collins, Phyllis Collins & Leslie B. Collins, both of said Norwell, Administratrixes, and Wollaston Federal Savings and Loan Association of Quincy, Massachusetts	\$1,500.00
5.	Vernon G. Bell & Mary F. Bell of Norwell, Massachusetts, and Wollaston Federal Savings and Loan Association of Quincy, Massachusetts	\$1,500.00

With reference to the foregoing awards, the following sums are included as the amount estimated with respect to each parcel under General Laws, Chapter 79, Section 12, as the portion of the tax assessed and allocable to the calendar year days remaining in the year 1970 following the taking:

<u>Parcel Number</u>	<u>The sum allocable to the days remaining in 1970</u>
1.	\$40 ⁰⁰ / ₁₀₀
2.	\$40 ⁰⁰ / ₁₀₀
3.	\$50 ⁰⁰ / ₁₀₀
4.	\$ NONE
5.	\$ NONE

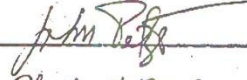
Meaning and intending to take, in fee simple, and hereby taking, in fee simple, Parcels numbered 1, 2, 3, 4 and 5 as shown on the plan. The exact measurements and boundaries of the land taken hereby are shown on the plan, which is referred to herein and incorporated herein by reference.

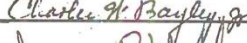
The amounts estimated with respect to each parcel, under General Laws, Chapter 79, are based upon appraisals made in accordance with said Chapter 79.

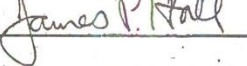
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This Order of Taking is hereby made by us, at a properly called and posted meeting of the Board of Selectmen of the Town of Norwell on this FOURTEENTH day of DECEMBER, 1970.

Board of Selectmen of the Town of Norwell







RECD DEC 29 1970 AT 3-53 PM AND RECORDED