

R E S O L U T I O N

WHEREAS, on January 24, 2002, a petition was filed by United States Department of Agriculture for the vacation of Lots 1-29, Block A, Fillmore Avenue from Washington-Baltimore Boulevard (Rte.1) to Rhode Island Avenue; Lots 1-37, Block B, Buchanan Road from Washington-Baltimore Boulevard to Road Island Avenue; Lots 1-2, Block E, Buchanan Road from Rhode Island Avenue to Libbie Drive; Fillmore Avenue from Rhode Island Avenue to Libbie Drive; Libbie drive from south side of Buchanan Road to the south side of Sunnyside Avenue; Lots 1, part of 4, part of 5 and part of 6, Block D, in the subdivision of Sunnyside, Section 1, such petition, accompanying plat and plat of computation being attached to this Resolution to be considered a part of the Resolution; and

WHEREAS, on or about 1925, said streets, (50 feet) in width, were created as public streets as part of a subdivision known as Sunnyside, Section 1, all situated in the 1st Election District in Prince George's County; and

WHEREAS, the Sunnyside Subdivision appears on a plat recorded in Plat Book SDH3, Plat 32, all among the Land Records of Prince George's County, Maryland; and

WHEREAS, upon consideration of the Petition for Vacation filed herein pursuant to Section 24-112 of the Subdivision Regulations, Prince George's County Code, and it appearing that the petitioners are the owners of all land abutting said street to be vacated; and

WHEREAS, the aforesaid application, also known as Vacation Petition V-01007, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on January 24, 2002, for its review and action in accordance with the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County; and

WHEREAS, it appears that signs have been posted on the premises for at least thirty (30) days prior to the date of this action; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the Petition; and

WHEREAS, on January 24, 2002, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Subdivision Regulations, Prince George's County Code, it is hereby directed by the Prince George's County Planning Board that the public street be vacated and reconverted into undivided tracts, parcels of land or acreage subject to the following condition:

1. Granting a 50-foot-wide easement to WSSC for existing facilities.

BE IT FURTHER RESOLVED, that a copy of this Resolution be directed to the Clerk of the Court, Prince George's County, Maryland to note upon the subject plats the fact of this vacation and that the findings and reasons for the decision of the Planning Board are as follows:

1. The public utilities and Prince George's County have been notified of this petition as required by Section 24-112(e) of the Subdivision Regulations.
2. The Department of Public Works and Transportation and the Washington Suburban Sanitary Commission have consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
3. The Washington Suburban Sanitary Commission has consented to this petition as pursuant to Section 24-112(e) of the Subdivision Regulations subject to the applicant granting an easement for existing facilities.
4. No referral agency or department recommended disapproval of the petition.
5. Petitioners are the owners of all land abutting the streets proposed to be vacated.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court for Prince George's County within thirty (30) days following the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Brown, with Commissioners Eley, Brown, Scott, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 24, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of February 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator