

R E S O L U T I O N

WHEREAS, on April 6, 2002, a petition was filed by The Washington Savings Bank, F.S.B., for the vacation of Keller Way, Nordan Court, Erdman Court, Oxbow Court, Meade Court and Butterwick Court and all of Plats 1-5 in the subdivision of Keller's Subdivision, 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 September 15, 1992, said streets, fifty feet (50') and sixty feet (60') in width, were created as public streets as part of a subdivision known as Keller's, all situated in the 11th Election District in Prince George's County; and

WHEREAS, the Keller's Subdivision appears on plats recorded in Plat Book VJ163, Plats 46 through 50, 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-02003, 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 May 9, 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 May 9, 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.

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 consented to this petition as required by Section 24-112(1) of the Subdivision Regulations, stating the right-of-way dedication for proposed Floral Park Road Relocation (C-613) will be required at the time of future development of this property.
3. The Petitioner is willing to dedicate the Floral Park Road Relocation as designated on the master plan for Subregion V. This could be accomplished by conveying the property to Prince George's County by deed with a metes and bounds description of said right-of-way in accordance with Section 24-107(c)(5).
4. The conveyance of said right-of-way by deed would result in the creation of two-acreage parcels in accordance with Section 24-107(c)(7). A single-family dwelling or 5,000 square feet of development would be permitted on each parcel. Any additional development would require the approval of a new preliminary plan of subdivision.
5. The Washington Suburban Sanitary Commission consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
6. No referral agency or department recommended disapproval of the petition.
7. No objections were received from adjacent property owners.
8. Petitioners are the owners of all lots abutting streets proposed to be vacated.
9. Petitioners are the owners of all lots that are the subject of this petition.

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.

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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 Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Scott and Hewlett voting in favor of the motion and with Commissioner Eley absent at its regular meeting held on Thursday, May 9, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of May, 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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