

R E S O L U T I O N

WHEREAS, on May 16, 2003, a petition was filed by Campus Way, LLC for the vacation of Part of Dunrobin Drive between Lot 28, Block C and Parcel H, and part of Nicoll Circle adjacent to Lots 1 and 9, Block B. in the subdivision of Plat Four, Tartan South, 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 6, 2000, said streets, fifty and sixty feet (50 ft. and 60 ft.) in width, were created as public streets as part of a subdivision known as Plat Four, Tartan South, all situated in the 13th Election District in Prince George's County; and

WHEREAS, the Tartan South Subdivision appears on a plat recorded in Plat Book VJ190, Plat 66, 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-03003, 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 June 19, 2003, 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 June 19, 2003, 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 has 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.
4. CDP-0201 (PGCPB No. 02-93) indicates that a portion of the access road will be on land currently owned by M-NCPPC, which indicated consent to vacate subject streets, by letter dated March 28, 2003 (Gilbert to O'Malley, Miles, Nylén and Gilmore, PA), subject to the conditions of CDP-0201.
5. No referral agency or department recommended disapproval of the petition.
6. No objections were received from adjacent property owners.
7. Petitioners are the owners of all land abutting street areas to be vacated.
8. D. R. Horton, Inc., owner of the Balk Hill property, consented to this petition by letter dated May 9, 2003.

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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Scott, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 19, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of July 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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