

R E S O L U T I O N

WHEREAS, on March 11, 2004, a petition was filed by Foster communities of Maryland, Inc., for the vacation of part of Karen Boulevard in the subdivision of The American Legion Post No. 126, 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 March 1970, said street, Karen Boulevard (60 feet) in width, was created as a public street as part of a subdivision known as The American Legion Post No. 126, all situated in the 6th Election District in Prince George's County; and

WHEREAS, the American Legion Post No. 126 Subdivision appears on a plat recorded in Plat Book WWW 74, Plat 17, 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-04001, 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 April 15, 2004, 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 April 15, 2004, 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 conditions:

1. Recordation of a subdivision plat in accordance with Preliminary Plan 4-02123, subsequent to this vacation petition.

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. No referral agency or department recommended disapproval of the petition.
2. No objections were received from adjacent property owners.
3. Petitioners are the owners of all land abutting streets proposed to be vacated.
4. It is the applicant's intention to vacate Karen Boulevard per Condition 5 of PGCPB Res. 03-53 and record a new subdivision plat in accordance with Preliminary Plan 4-02123 to include the vacated area and realigned Karen Boulevard to meet Prince George's County standards.
5. The easement granted to the Washington Suburban Sanitary Commission (WSSC), recorded in Liber 3447, folio 73, survives this vacation petition and protects the rights of WSSC as requested in their consent letter dated December 30, 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.

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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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, April 15, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of May 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator