

R E S O L U T I O N

WHEREAS, on April 12, 2004, a petition was filed by Haverford Homes for the vacation of all of Graham Court, part of Cullen Road, all of Lots 1-3, Block O, Lots 1-11, Block P, and Parcel B, in the subdivision of Forest Knolls, Plat One, Section Four, 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 June 16, 1992, said streets sixty feet (60') in width, were created as a public streets as part of a subdivision known as Forest Knolls, Plat One, Section Four, all situated in the 5th Election District in Prince George's County; and

WHEREAS, the Forest Knolls Subdivision appears on a plat recorded in Plat Book VJ 162, Plat 71, 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 streets to be vacated; and

WHEREAS, the aforesaid application, also known as Vacation Petition V-04002, 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 13, 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 May 13, 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. The applicant shall record a new subdivision plat in accordance with Preliminary Plan 4-03120

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 Potomac Electric Power Company has consented to this petition with the condition that the existing 110-foot-wide easement recorded in Liber 626, folio 23, remain. Said easement predates the subject plat and will survive the vacation petition and be in full force and effect.
4. The Washington Suburban Sanitary Commission has consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
5. Road widening dedicated by Plat Book VJ 162, at plat 71 along Livingston Road will not be affected by this petition and shall remain as a dedicated street.
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 land abutting lots and street areas proposed to be vacated.
9. The Plat of Computation provides the legal description of the properties to revert to the ownership of Frank and Margaret Hall (766,553 square feet or 17.5976 acres) and to The Maryland-National Capital Park and Planning Commission (1,262 square feet or .0289 acre).

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 Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 13, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of June 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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