

R E S O L U T I O N

WHEREAS, on April 20, 2004, a petition was filed by the City of Bowie/the Stewart's Landing Homeowners Association for the vacation of part of United Lane in the subdivision of Stewart's Landing, 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 April 1993, said street, sixty feet (60') in width, was created as a public street as part of a subdivision known as Stewart's Landing, all situated in the 7th Election District in Prince George's County; and

WHEREAS, the Stewart's landing Subdivision appears on a plat recorded in Plat Book VJ 165, Plat 33, 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-04004, 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 27, 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 27, 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 condition:

1. The homeowners association shall grant a trail easement from United Lane to Church Road (relocated) to provide access to the trail to be built within the Church Road right-of-way.

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)(e) of the Subdivision Regulations and further stated that the current single access point via existing Church Road has been serving the development adequately and they have no objection to United Lane not being connected to the new alignment of Church Road.
3. The Washington Suburban Sanitary Commission has consented to this petition.
4. The City of Bowie determined that this undeveloped portion of United Lane may be vacated on the condition that the homeowners association grant a trail easement from United Lane to Church Road to provide access to the trail to be built within the Church Road right-of-way.
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 the street area 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.

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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 Eley, with Commissioners Harley, Eley, Squire and Hewlett voting in favor of the motion, and with Commissioner Vaughns abstaining at its regular meeting held on Thursday, May 27, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of June 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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