

R E S O L U T I O N

WHEREAS, on April 26, 2005, a petition was filed by K&P Mitchellville Road, LLC for the vacation of part of Mitchellville Road in the subdivision of Herndon Peach, Jr. 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 August 1961, said street, widening, various widths, was created as a public street as part of a subdivision known as Herndon Peach, Jr. Subdivision, all situated in the 7th Election District in Prince George's County; and

WHEREAS, the Hernon Peach, Jr. Subdivision appears on a plat recorded in Plat Book WWW41, Plat 65, 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-05006, 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 26, 2005, 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 26, 2005, 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 by a letter dated March 29, 2005.
3. The Washington Suburban Sanitary Commission has consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
4. No referral agency or department recommended disapproval of the petition.
5. No objections were received from adjacent property owners.
6. Petitioner is the sole owner of Parcel A, which is the subject of Preliminary Plan 4-03065, abutting the street area to be vacated by this petition. It is the petitioner's intention to include the vacated area in the new subdivision done pursuant to 4-03065.
7. The City of Bowie consented to this petition by letter dated April 13, 2005.

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 Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley, Vaughns, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 26, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of June 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator