

R E S O L U T I O N

WHEREAS, on June 6, 2005, a petition was filed by Vijay and Savita Patel for the vacation of part of alley in Block 11 in the subdivision of Berwyn, Greater Washington Realty Corporations Addition, 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 February 1949, said alley, fifteen feet (15') in width, was created as a public alley as part of a subdivision known as Berwyn, Greater Washington Realty Corporations Addition, all situated in the 21st Election District in Prince George's County; and

WHEREAS, the Berwyn Subdivision appears on a plat recorded in Plat Book WWW16, Plat 3, 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 alley to be vacated; and

WHEREAS, the aforesaid application, also known as Vacation Petition V-05008, 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 23, 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 June 23, 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 alley be vacated and reconverted into undivided tracts, parcels of land or acreage subject to the following condition:

1. The petitioners shall record a new subdivision plat to consolidate lots, incorporate the vacated area, and dedicate a 15-foot-wide alley adjacent to the east side of Lot 2-A.

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 was not required to consent to the vacation petition because the site is within the City of College Park's jurisdiction.
3. Washington Suburban Sanitary Commission (WSSC) has consented to this petition as required by Section 24-112(e) of the Subdivision Regulations.
4. No referral agency or department recommended disapproval of the petition.
5. The City of College Park consented to this vacation petition subject to the applicant dedicating a section of alley that connects Pontiac Street to the remaining alley abutting the Patel property.
6. The Exxon Corporation consented to this petition. As an adjoining property owner, 750 square feet will revert to the ownership of Exxon.

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, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 23, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of July 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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