

R E S O L U T I O N

WHEREAS, on May 8, 2007, a petition was filed by CB Lanham Severn LLC for the vacation of Mapleton Avenue and part of Rose Avenue in the subdivision of Galentine's, 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 1954, said streets, fifty and sixty feet (50' and 60') in width, were created as a public street as part of a subdivision known as Galentine's, all situated in the 14th Election District in Prince George's County; and

WHEREAS, the Galentine's Subdivision appears on a plat recorded in Plat Book WWW 24, Plat 22, 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-07001, 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 14, 2007, 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 14, 2007, 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. Vacated area shall revert to the ownership of the petitioners.
2. The Petitioners shall grant easements satisfactory to WSSC to protect the existing facilities or pay for relocation of said facilities.

3. The Petitioners shall grant easements satisfactory to BGE or pay for the relocation of existing facilities.
4. The Petitioners shall record new subdivision plats in accordance with preliminary plan 4-04019.

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 vacation as required by Section 24-112(e).
3. Washington Suburban Sanitary Commission (WSSC) has consented to this petition as required by Section 24-112(e) of the Subdivision Regulations subject to the petitioner granting easements for existing facilities on site.
4. Baltimore Gas and Electric Company (BGE) consented to this petition subject to the applicant permitting BGE to retain the rights granted them for overhead, underground gas and electric service to allow BGE to continue to operate, maintain and have access to the existing facilities until such time as the applicant pays costs associated with the relocation of existing BGE utilities.
5. The applicant will record new subdivision plats and dedicate streets in accordance with preliminary plan 4-04019 (PGCPB No. 04-148).
6. Vacated area of 40,151 square feet or .9217 acres shall revert to the ownership of the petitioner.
7. No referral agency or department recommended disapproval of the petition.

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 Vaughns, with Commissioners Squire, Vaughns, Eley, Clark and Parker voting in favor of the motion at its regular meeting held on Thursday, June 14, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of July 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

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