

R E S O L U T I O N

WHEREAS, on November 30, 2007, a petition was filed by Mid-Atlantic Real Estate Investments, Inc. for the vacation of part of Spruce Street (now Judy Lane), all of Pine Street in Section One (now Joel Lane); all of David Drive (now Damian Drive); all of Dunbar Road; an unnamed 25-foot-wide right-of way; Outlot A and Lots 4-10, Block 1, Lots 1-6, Block 2; Lots 1-14, Block 3; and Lots 1-8, Block 4 in the subdivision of Temple Hills, Section One, 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 November 1951, said streets, of various widths were created as public streets as part of a subdivision known as Temple Hills, Section One, all situated in the 12th Election District in Prince George's County; and

WHEREAS, the Temple Hills, Section One Subdivision appears on a plat recorded in Plat Book WWW 20, Plat 7, 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-07006, 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 January 17, 2008, 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 January 17, 2008, 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 subdivision plat pursuant to preliminary plan 4-07016 and a Detailed Site Plan to be approved by the Prince George's County Planning Board prior to final plat, pursuant to PGCPB No. 07-199.

2. The Petitioners shall grant easements satisfactory to WSSC to protect the existing facilities located within area of Joel Lane, or pay to relocate same.
3. Vacated area shown on Plat of Computation, Exhibit A, shall revert to ownership of petitioner, Mid-Atlantic Real Estate Investments, Inc.

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. 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 to protect an existing 8-inch sewer line within Joel Lane.
3. The applicant needs to record a subdivision plat pursuant to preliminary plan 4-07016 previously approved by the Prince George's County Planning Board.
4. The vacated area will revert to the ownership of petitioner.
5. 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 Vaughns, seconded by Commissioner Cavitt, with Commissioners Vaughns, Cavitt, Squire and Parker voting in favor of the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, January 17, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of February 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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