

R E S O L U T I O N

WHEREAS, on May 5, 2008, a petition was filed by Greenbelt Metro Park, LLC for the vacation of a 20-foot-wide unnamed alley parallel to Railroad Avenue in the subdivision of Branchville Heights, 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 1898, said alley, twenty feet (20) in width, was created as a public alley as part of a subdivision known as Branchville Heights, all situated in the 21st Election District in Prince George's County; and

WHEREAS, the Branchville Heights Subdivision appears on a plat recorded in Plat Book Drawer 11, Plat 103 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-08003, 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 September 25, 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 September 25, 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. Vacated area 29,431 square feet shall revert to the ownership of Greenbelt Metro Park, LLC as shown on Plat of Computation Exhibit "B," to quiet title by vacating the alley within parcels S-1, S-2 and S-3 recorded in Plat Book 216, Plat Numbers 48 and 49BE 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 did not consent to this petition because the roads are under the jurisdiction of the City of Greenbelt.
3. The City of Greenbelt consented to this vacation as required by Section 24-112(e) of the Subdivision Regulations.
4. Washington Suburban Sanitary Commission (WSSC) has consented to this petition as required by Section 24-112(e) of the Subdivision Regulations.
5. Vacated area of 29,431 square feet shall revert to the ownership of Greenbelt Metropark, LLC as shown on Exhibit "B."

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.

* * * * *

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 Clark, seconded by Commissioner Cavitt, with Commissioners Clark, Cavitt, Squire and Vaughns voting in favor of the motion, and with Commissioner Parker temporarily absent at its regular meeting held on Thursday, September 25, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of October 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator