

R E S O L U T I O N

WHEREAS, on December 12, 2008, a petition was filed by DeMatha Catholic High School, Inc. for the vacation of part of Madison Street in the subdivision of Hyattsville, Shepherd's 1<sup>st</sup> Addition to and Owings 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 February 1910, said street, forty feet (40') in width, was created as a public street as part of a subdivision known as Hyattsville, Shepherd's 1<sup>st</sup> Addition to and Owings Subdivision, all situated in the 16th Election District in Prince George's County; and

WHEREAS, the Hyattsville Subdivision appears on a plat recorded in Plat Book BDS 1, Plat 84, all among the Land Records of Prince George's County, Maryland; and Owings Subdivision, an unrecorded plat.

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-08008, 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 29, 2009, 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 29, 2009, 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 new subdivision plat in accordance with Section 24-108(a)(3) of the Subdivision Regulations to consolidate lots and incorporate vacated area.
2. Vacated area of 8,095 square feet or 0.1858 acres as shown on Plat of Computation, Exhibit C, shall revert to ownership of Dematha Catholic High School, 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)(1) of the Subdivision Regulations.
2. The Department of Public Works and Transportation (DPW&T) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
3. The Washington Suburban Sanitary Commission (WSSC) consented to this vacation petition as required by Section 24-112(e)(1) of the Subdivision Regulations subject to the applicant granting a 20-foot-wide easement for existing facilities (WSSC RMS File No. 09RMS7015A).
4. The Washington Gas Company consented to this vacation petition subject to the applicant granting easements for existing gas lines.
5. Verizon consented to this vacation petition subject to the applicant paying to relocate existing facilities or granting easements for same.
6. City of Hyattsville consented to this petition by vote of Hyattsville City Council on September 15, 2008.
7. No referral agency or department recommended disapproval of the petition.
8. Petitioner Dematha Catholic High School is the owner of all land abutting street area to be vacated.

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 Cavitt, with Commissioners Squire, Cavitt and Parker voting in favor of the motion, and with Commissioners Vaughns and Clark absent at its regular meeting held on Thursday, January 29, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of February 2009.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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