

RESOLUTION

WHEREAS, on May 8, 2014, a petition was filed by Toll Brothers, Inc. for the vacation of part of Rossburg Drive in the subdivision of Lord Calvert Manor, 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 1952, said street, sixty feet (60') in width, was created as a public street as part of a subdivision known as Lord Calvert Manor, all situated in the 21st Election District in Prince George's County; and

WHEREAS, the Lord Calvert Manor Subdivision appears on a plat recorded in Plat Book WWW 20, Plat 94, 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-13008, 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 18, 2014, for its review and action in accordance with the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County; and

WHEREAS, 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 18, 2014, 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.

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. Pursuant to Section 24-112(e)(1) of the Subdivision Regulations, the Department of Public Works and Transportation (DPW&T) has no objection to vacating the right-of-way because it is under the City of College Park's jurisdiction.
2. Pursuant to Section 24-112(e)(1) of the Subdivision Regulations, the Washington Suburban Sanitary Commission (WSSC) has consented to this petition pursuant to completion of Contract AB7788A14.
3. Pursuant to Section 24-112(e)(2) of the Subdivision Regulations, the public utilities have been notified in writing of this petition and consent subject to the petitioner's payment for any costs associated with the relocation, removal, or abandonment of existing facilities.
4. No referral agency or department recommended disapproval of the petition.
5. Pursuant to Section 24-112(a) of the Subdivision Regulations, petitioners are the owners of all land abutting the street area to be vacated; therefore, no informational mailing was required to abutting property owners.
6. Pursuant to Section 24-112(b) of the Subdivision Regulations, the applicant posted the property for public hearing 30 days prior to the public hearing.
7. Pursuant to Section 24-112(c) of the Subdivision Regulations, a minor final plat has been submitted to incorporate the vacated area and will be recorded in Land Records subsequent to approval of the vacation petition.

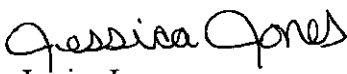
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court for Prince George's County within thirty (30) days following the adoption of this Resolution.

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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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioners Washington and Shoaff absent at its regular meeting held on Thursday, September 18, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of October 2014.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:CB:arj

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPE Legal Department
Date 9/22/14