

R E S O L U T I O N

WHEREAS, on June 29, 2004, a petition was filed by Mr. and Mrs. Wendell Watson and Mr. and Mrs. Thomas Proctor for the vacation of part of Parcel Dunbar Avenue, in the subdivision of Cedar Haven, 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 1927, said street, fifty feet (50') in width, was created as a public street as part of a subdivision known as Cedar Haven, all situated in the 8th Election District in Prince George's County; and

WHEREAS, the Cedar Haven Subdivision appears on a plat recorded in Plat Book 3, Plat 59, 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-04009, 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 July 29, 2004, 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 July 29, 2004, 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 and added to existing tax accounts.

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. No referral agency or department recommended disapproval of the petition.

2. An objection letter was received from Mr. And Mrs. George Thompson, owners adjacent to the unimproved part of Paul Dunbar Avenue and the lots owned by the petitioner, Mr. Proctor. The Thompsons have lived at 22803 Benjamin Banneker Boulevard for 33 years but have not utilized Paul Dunbar Avenue as access to their home. This letter also contains signatures from six other owners that want the access to remain open for Paul Dunbar Avenue.
3. Petitioners are the owners of land abutting the streets to be vacated.
4. The Department of Parks and Recreation consented to this petition by letter dated March 4, 2004.
5. The Washington Suburban Sanitary Commission consented to this petition as required by Section 24-112(e) of the Subdivision Regulations.
6. The Department of Public Works and Transportation consented to this petition as required by Section 24-112(e) of the Subdivision Regulations.
7. 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.
8. The property being vacated shall revert to the ownership of Wendell K. Watson (5,473 square feet) and Thomas and Mary Proctor (5,581 square feet), as shown on the Plat of Computation.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire and Hewlett voting in favor of the motion, and with Vaughns abstained at its regular meeting held on Thursday, July 29, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of September 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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