

R E S O L U T I O N

WHEREAS, on May 19, 2005, a petition was filed by Mid-Atlantic Investors of Woodmore North, VI, LLC, Mid-Atlantic Investors of Woodmore North IV, Inc. and Mid Atlantic Investors of Woodmore North V, Inc. for the vacation of part of Haversham Drive, all of New Parish Court and Lane in the subdivision of Westwood, Plat Three, Four and Six, 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 1999, said streets, fifty and sixty (50' and 60') in width, were created as a public streets as part of a subdivision known as Westwood, all situated in the 17th Election District in Prince George's County; and

WHEREAS, the Westwood Subdivision appears on a plat recorded in Plat Book 187, Plat 19 and Plat Book 189, Plat 51, 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-05004, 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 May 19, 2005, 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 May 19, 2005, 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 petitioner shall record a plat of resubdivision subsequent to Vacation Petition V-05004.
2. The petitioner shall grant necessary easements to Verizon to protect existing facilities located on site.

3. The petitioner shall have a revision to the limited Detailed Site Plan DSP-96032 approved prior to the issuance of any building permits.
4. The petitioner shall revise the Type II Tree Conservation Plan (TCPII/60/96), prior to the issuance of any grading or building permits.

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 consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
3. The State Highway Administration consented to this petition as the property is adjacent to a state road (MD 450).
4. The City of Bowie consented to this vacation petition.
5. Verizon consented to this vacation petition subject to the applicant granting easements to Verizon to protect existing facilities located on site.
6. No referral agency or department recommended disapproval of the petition.
7. Prior to the issuance of any building permits, the applicant shall revise the limited detailed site plan DSP-96032 to show the new lot configuration and to address the noise impacts and mitigation requirements in relation to Annapolis Road, per Condition 3 of PGCPB Resolution 95-260 (4-95057).
8. Pursuant to comments received from Lori Shirley, Senior Planner, Environmental Planning Section, the applicant must revise the TCPII/60/96 Tree Conservation Plan prior to the issuance of any grading or building permits.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire and Hewlett voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, May 19, 2005, in Upper Marlboro, Maryland.

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

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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