

R E S O L U T I O N

WHEREAS, on May 17, 2007, a petition was filed by Town of Cheverly and Redevelopment Authority of Prince George's County for the vacation of part of Old Road in the subdivision of Charles Luria Property 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 November 1963, said street, thirty feet (30') in width, was created as a public street as part of a subdivision known as Charles Luria Property Subdivision, all situated in the 2nd Election District in Prince George's County; and

WHEREAS, the Charles Luria Property Subdivision appears on a plat recorded in Plat Book WWW49, Plat 9, 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-07003, 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 June 21, 2007, 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 June 21, 2007, 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 Petitioners shall record a new subdivision plat in accordance with preliminary plan 4-05152 and Detailed Site Plan DSP-05113, The Pointe at Cheverly.
2. The Petitioners shall grant easements satisfactory to PEPCO to protect the existing facilities on site or pay for relocation of said facilities.
3. 731 square feet or .0168 acres shall revert to the ownership of the Town of Cheverly.

4. 9,324 square feet or 0.2140 acres shall revert to the ownership of the Redevelopment Authority of Prince George's County.

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) of the Subdivision Regulations.
2. The Department of Public Works and Transportation consented to this vacation as required by Section 24-112(e).
3. Potomac Electric Power Company (PEPCO) has consented to this petition as required by Section 24-112(e) of the Subdivision Regulations subject to the petitioner granting easements for existing facilities on site or relocating said facilities.
4. Washington Suburban Sanitary Commission (WSSC) consented to this petition as required by Section 24-112(d) of the Subdivision Regulations.
5. The subject property is located within the Town of Cheverly. The Town of Cheverly is a co-petitioner. 731 square feet or .0168 acres of land will revert to the ownership of the town.
6. Vacated area of 9,324 square feet or 0.2140 acres will revert to the Redevelopment Authority of Prince George's County, as co-petitioner.
7. The applicant will record new subdivision plats in accordance with preliminary plan 4-05152 (PGCPB No. 07-07).
8. No referral agency or department recommended disapproval of the 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 Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt and Parker voting in favor of the motion, and with Commissioners Clark and Vaughns absent at its regular meeting held on Thursday, June 21, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of July 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator