



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 10-55

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

Petition No. V-10002

R E S O L U T I O N

WHEREAS, on March 15, 2010, a petition was filed by Woodyard Estates LLC for the vacation of part of Toreador Place in the subdivision of Woodyard Estates, Plat 5, 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 June 1991, said street, fifty feet (50') in width, was created as a public street as part of a subdivision known as Woodyard Estates, all situated in the 15th Election District in Prince George's County; and

WHEREAS, the Woodyard Estates Subdivision appears on a plat recorded in Plat Book VJ 158, Plat 92, 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-10002, 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 April 29, 2010, 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 April 29, 2010, 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 vacated area of 2,687 square feet or 0.0617 acres shall revert to ownership of petitioner, Woodyard Estates, LLC.
2. The petitioner shall record a subdivision plat in accordance with Section 24-108(a)(3) of the Subdivision Regulations to incorporate vacated area into adjacent lots, adjust common lot lines and dedicate additional right-of-way.

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.
4. This area is being vacated because the right-of-way (ROW) width of Toreador Place is proposed to be widened to allow it to be constructed to a rural standard and the length of the road will be shortened. Additional right-of-way shall be dedicated for the revised cul-de-sac location and the vacated area will be incorporated into the adjoining lots owned by the petitioner through a minor plat of subdivision done in accordance with Section 24-108(a)(3) of the Subdivision Regulations.
5. 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.

* * * * *

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, April 29, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of May 2010.

Patricia Colihan Barney
Executive Director

Frances J. Guertin
By Frances J. Guertin
Planning Board Administrator

PCB:FJG:BN:arj

APPROVED AS TO LEGAL SUFFICIENCY.

Berry
M-NCPC Legal Department

Date 5/7/10

The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Vacation Petition

V-10002

Application	General Data	
Project Name & Record Plat Affected: Woodyard Estates, Plat 5, Plat Book VJ158 @ 92 Location: North side of Keepsake Lane at the north end of Toreador Place, northeast of Rosaryville Road Applicant/Address: Woodyard Estates LLC 102 Centennial St., Suite 201 LaPlata, MD 20646 Attorney: Thomas H. Haller 1300 Caraway Court, Suite 102 Largo, MD 20774	Planning Board Hearing:	4/29/10
	Staff Report Date:	
	Date Accepted:	3/15/10
	Planning Board Action Limit:	none
	Plan Acreage:	0.0617
	Zone:	R-R
	Tax Map Grid:	109 B-3
	Dwelling Units:	n/a
	Square Footage:	2,687
	Planning Area:	82A
	Tier:	Developing
	Council District:	09
	Election District	15
Municipality:	n/a	
	200-Scale Base Map:	210SE09

Purpose of Application	Notice Dates	
Vacate part of Toreador Place in Woodyard Estates Subdivision, Plat 5	Adjoining Property Owners: (CB-15-1998)	n/a
	Previous Parties of Record: (CB-13-1997)	n/a
	Sign(s) Posted on Site:	3/30/10
	Variance(s): Adjoining Property Owners:	

Staff Recommendation		Staff Reviewer: @	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

BEFORE THE PRINCE GEORGE'S COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

In the Matter of:

Petition to vacate part of
Toreador Place in the subdivision
known as "Plat Five, Woodyard
Estates", recorded in Plat
Book 158 Plat No. 92 among the
Land Records of Prince George's
County, Maryland.

PETITION FOR VACATION OF PLAT

The Petitioner in this case is Woodyard Estates, LLC, a Maryland limited liability company ("Woodyard"). Woodyard is the owner of certain property abutting a portion of Toreador Place in the subdivision of Woodyard Estates located in the Mellwood(15th) Election District. The plat in question is recorded among the Land Records of Prince George's County, Maryland in Plat Book 158 Plat No. 92. A copy of the plat is attached hereto and marked as Exhibit "A". Petitioner is the owner of Lots 46, 47 and 48, Block B, which property was conveyed to the Petitioner pursuant to a deed recorded among the Land Records of Prince George's County at Liber 13788 folio 433. The property owned by the Petitioner abuts the portion of the cul-de-sac of Toreador Place to be vacated. A copy of a Plat of Computation depicting the portion of right-of-way to be vacated is marked Exhibit "B" and attached hereto. The total area to be vacated is 2,687± square feet (0.0617± acres). A legal description of the right-of-way area to be vacated is marked Exhibit "C" and is attached hereto and

incorporated herein by reference. Woodyard now petitions for leave to vacate the portion of the right of way which has been dedicated to public use as outlined in red on Exhibit "A", and also shown outlined in red on the Plat of Computation (Exhibit "B"), all of which are attached hereto and made a part hereof by reference. The roadway area in question has never been improved and has never been used by the public in general. This area is being vacated because the right of way width of Toreador Place is proposed to be widened to allow it to be constructed to a rural standard and the length of the road will be shortened. The vacated area will be incorporated into the adjoining lots owned by the Petitioner. Upon approval of the Petition for Vacation, a minor plat will be recorded dedicating additional right of way for the revised cul-de-sac location. The new area of right of way dedication is depicted on Exhibit "D" attached hereto and made a part hereof.

The following have been notified of the Petitioner's request for vacation:

1. Department of Public Works and Transportation
Haitham Hijazi, Director
Largo Government Center
9400 Peppercorn Place, Suite 300
Largo, Maryland 20774
2. Potomac Electric Power Company
Mr. Philip Brown, Supervisor
701 Ninth Street, N.W., Suite 1200
Washington, D.C. 20068
3. Baltimore Gas and Electric Company
R. Scott Woodall, Land Mgmt. Representative
7317 Parkway Drive, South
Hanover, Maryland 21076

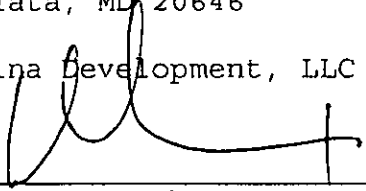
4. Washington Suburban Sanitary Commission
Gregory Hohl
Relocations and Major Systems Section
14501 Sweitzer Lane
Laurel, Maryland 20707
5. Washington Gas
John A. Smith
Land Rights & Records Specialist
6801 Industrial Road, Room 202L
Springfield, Virginia 22151
6. Comcast Communications
Tony Brown, Design Supervisor
1107 Ritchie Road
Capitol Heights, Maryland 20743
7. Verizon
Robert E. Thompson, Right-of-Way Agent
3901 Calverton Boulevard, 3rd Floor
Beltsville, Maryland 20705
8. Department of Parks and Public Recreation
Lawrence E. Quarrick, Chief
Park Planning & Development
6600 Kenilworth Avenue
Riverdale, Maryland 20737
9. Department of Environmental Resources
George Nicol, Acting Section Head
Site Review Section
9400 Peppercorn Place, 6th Floor
Landover, Maryland 20774
10. State Highway Administration
Kenneth A. McDonald, Jr., Acting Chief
Engineering Access Permits Division
Attn: Michael Bailey
707 North Calvert Street
Baltimore, Maryland 21201
Mail Stop C-302
11. Board of Education of Prince George's County
Tony Liberatore, Acting Chief
Divisional Administrator for Supporting Services
13300 Old Marlboro Pike
Upper Marlboro, Maryland 20772

WHEREFORE, the Petitioner respectfully prays that the Planning Board pass a Resolution directing that said dedicated roadways are hereby declared vacated.

Woodyard Estates, LLC

102 Centennial St, Suite 201
La Plata, MD 20646

By: Faccina Development, LLC

By: 

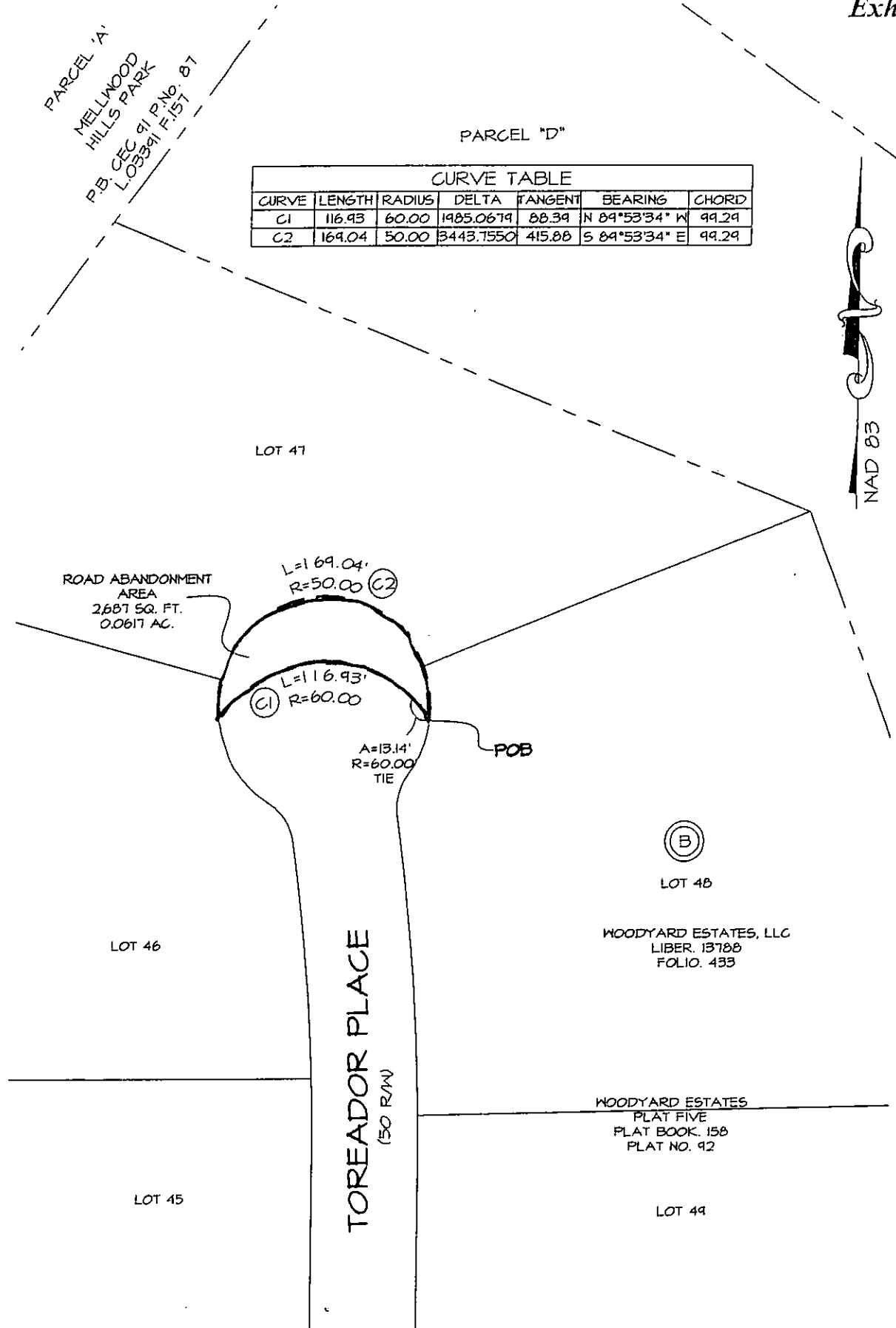
Charles W. McPherson
Manager

S:\Woodyard\Petition to Vacate Toreador Place.wpd

PARCEL 'A'
MELLWOOD
HILLS PARK
P.B. REC 91 P. No. 87
LO3391 F.151

PARCEL "D"

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	116.93	60.00	1985.0679	88.39	N 89°53'34" W	99.29
C2	169.04	50.00	3443.7550	415.88	S 89°53'34" E	99.29



Dewberry & Davis LLC

Engineers - Planners - Surveyors - Landscape Architects
10003 DEREKWOOD LANE, SUITE 204 LANHAM, Md. 20706
(301) 731-0188

SCHEDULE 'B' SHEET 1
SCALE 1" = 50'

GEORGE A. WIGFIELD

PROF. L.S. MD. #10948

ROAD ABANDONMENT
LANDS OF

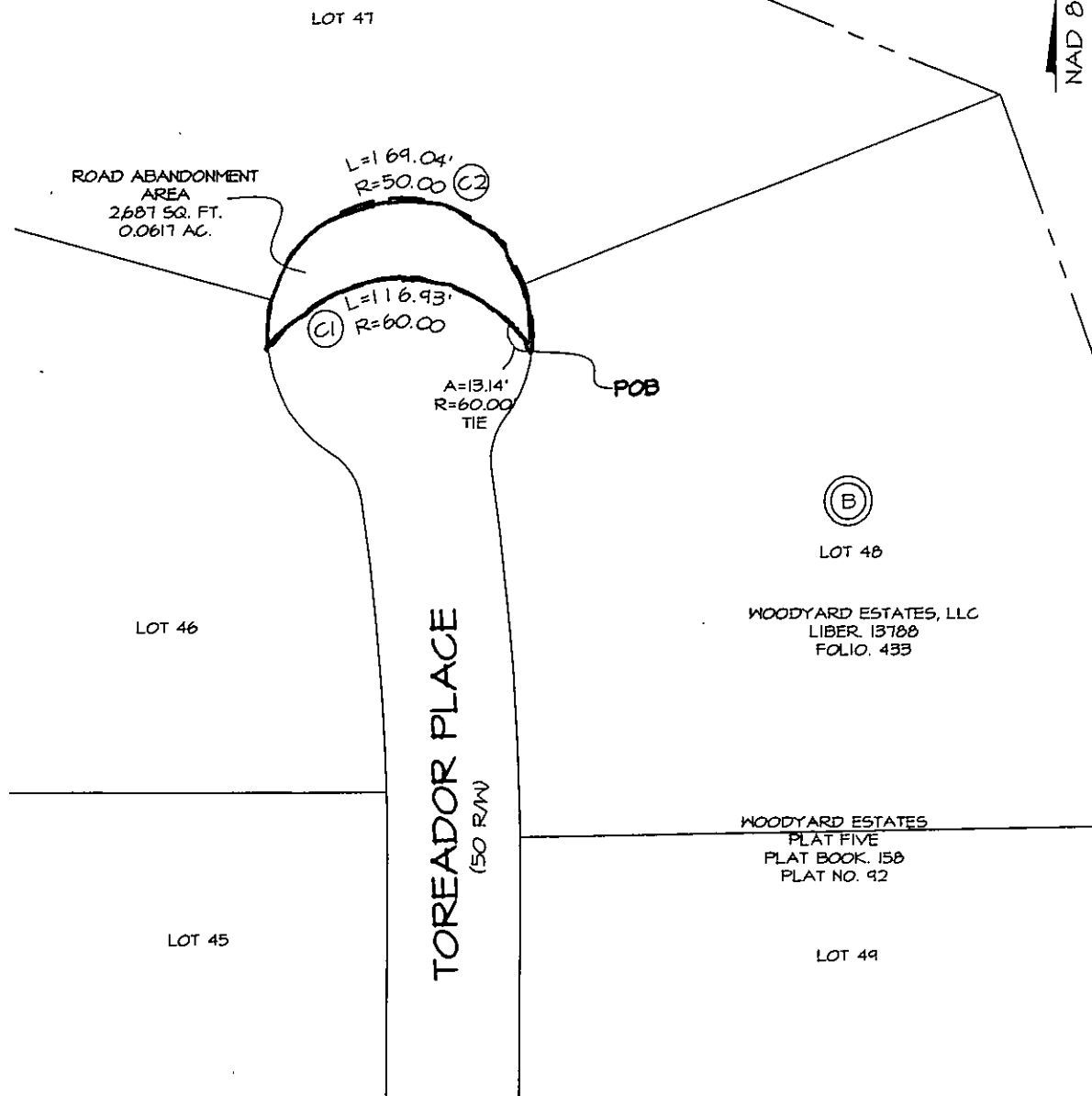
**WOODYARD
ESTATES, LLC**

LIBER 13788 FOLIO 433
PRINCE GEORGE'S COUNTY
MARYLAND

PARCEL 'A'
MELWOOD
HILLS PARK
P.B. CEC 91 P. No. 87
L.03391 F.157

PARCEL "D"

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	116.93	60.00	1985.0674	88.39	N 89°53'34" W	99.29
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ROAD ABANDONMENT
LANDS OF

**WOODYARD
ESTATES, LLC**

LIBER 13788 FOLIO 433
PRINCE GEORGE'S COUNTY
MARYLAND

Exhibit "C"

DESCRIPTION OF A ROAD ABANDONMENT PRINCE GEORGE'S COUNTY, MARYLAND TO WOODYARD ESTATES, L.L.C

BEING a strip or parcel of land for a Road Abandonment, hereinafter described in, through, over and across part of the property acquired by Woodyard Estates, L.L.C., a Maryland limited liability company from Bank of America, N.A., formerly known s NationsBank, N.A. by deed dated April 27, 2000 and recorded among the Land Records of Prince George's County, Maryland in Liber 13788 Folio 433, said lands being dedicated to Prince George's County, Maryland by a plat entitled, "Plat Five, Woodyard Estates", said Plat being recorded among the Land Records of Prince George's County, Maryland in Plat Book 158 Plat No.92, and being more particularly described as follows:

BEGINNING for the same at a point, said point being 13.14 feet Southeasterly along the arc of the curve, having a radius of 60.00 feet, and being subtended by a chord of South 40°20'14" East, 13.11 feet, deflecting to the right from the common front corner of Lot 54 and 55, Block 'B' and the right of way line of Toreador Place as shown on a entitled "Plat Five, Woodyard Estates", said Plat being recorded among the Land Records of Prince George's County, Maryland in Plat Book 158 Plat No.92, line, thence running with aforementioned Right of Way line with the following course;

116.93 feet along the arc of a curve, deflecting to the left having a radius of 60.00 feet being subtended by a chord of North 89°53'34" West, 99.29 feet to a point, thence leaving the aforementioned right of way line, thence running through Lots 54 and 55, Block 'B' with the following course;

169.04 feet along the arc of a curve, deflecting to the right having a radius of 50.00 feet being subtended by a chord of South 89°53'34" East, 99.29 feet to a POINT of BEGINNING.

Said easement contains 2,687 square feet or 0.0617 acres more or less as shown on the herein attached Schedule 'B', Sheets 1.

I prepared or responsibly oversaw the preparation of the metes and bounds as set forth in the regulations stated in Chapter 09.13.06.12 of the Maryland Minimum Standards for Surveyors.