

R E S O L U T I O N

WHEREAS, on September 13, 2006, a petition was filed by Ritchie Hill, LLC for the vacation of Lot 1 and part of Claggett Avenue in the subdivision of Diehl, 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 1969, said street, ten feet (10') in width, was created as a public street as part of a subdivision known as Diehl Subdivision, all situated in the 15th Election District in Prince George's County; and

WHEREAS, the Diehl Subdivision appears on a plat recorded in Plat Book WWW 72, Plat 67, 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-06003, 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 October 19, 2006, 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 October 19, 2006, 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 condition:

Subsequent to the approval of this petition, the applicant shall record a new final plat of subdivision in accordance with preliminary plan 4-05133, which will include 17,179 square feet of vacated area as shown on the plat of computation.

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 petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
3. The Washington Suburban Sanitary Commission (WSSC) consented to this petition.
4. No referral agency or department recommended disapproval of the petition.
5. No objections were received from adjacent property owners.
6. Petitioners are the owners of all land abutting street area to be vacated.
7. The property is subject to preliminary plan 4-05133 and detailed site plan DSP-04080/01, Ritchie Station Marketplace.

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 Vaughns, seconded by Commissioner Eley, with Commissioners Vaughns, Eley, Squire, Clark and Parker voting in favor of the motion at its regular meeting held on Thursday, October 19, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of November 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator