

R E S O L U T I O N

WHEREAS, on November 5, 2008, a petition was filed by Faison Brandywine, LLC; Faison Brandywine Investors, LLC; and Resun Modspace, Inc. for the vacation of Brandywine Road in Long's Subdivision and part of Timothy Branch Drive in the subdivision of Brandywine 301 Industrial Park, 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 1941 and 2004, said streets, of various widths, were created as a public street as part of a subdivision known as Long's Subdivision and Brandywine 301 Industrial Park, all situated in the 11th Election District in Prince George's County; and

WHEREAS, the Long's Subdivision appears on a plat recorded in Plat Book BB8, Plat 93 and Brandywine 301 Industrial Park recorded in Plat Book PM 224, Plat 54, 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-08006, 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 December 18, 2008, 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 December 18, 2008, 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 this vacation petition, the applicant shall file a final plat of subdivision to incorporate the vacated area pursuant to Preliminary Plan of Subdivision 4-07112.

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 (DPW&T) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations with the requirement that the applicant provide dedication along US 301 as shown on Preliminary Plan of Subdivision 4-07112.
3. The Washington Suburban Sanitary Commission (WSSC) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
4. No referral agency or department recommended disapproval of the petition.
5. Petitioners are the owners of all land abutting street area to be vacated.
6. Total area being vacated is 18,697 square feet or 0.4292 acres of Brandywine Road and 37 square feet or 0.0008 acres of Timothy Branch Drive.

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 Clark, seconded by Commissioner Squire, with Commissioners Clark, Squire, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, December 18, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of January 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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