



PGCPB No. 12-33

Petition No. V-12002

### RESOLUTION

WHEREAS, on March 9, 2012, a petition was filed by Contee Company, LLP c/o Thomas H. Haller for the vacation of part of Toledo Terrace in the subdivision of Prince George's Plaza, 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 1958, said street, seventy feet (70') in width, was created as a public street as part of a subdivision known as Prince George's Plaza, all situated in the 17th Election District in Prince George's County; and

WHEREAS, the Prince George's Plaza Subdivision appears on a plat recorded in Plat Book WWW 31, Plat 63, 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-12002, 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 12, 2012, 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 12, 2012, 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.

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. Pursuant to Section 24-112(e)(1) of the Subdivision Regulations, the Department of Public Works and Transportation (DPW&T) consented to this petition.
2. Pursuant to Section 24-112(e)(1) of the Subdivision Regulations, the Washington Suburban Sanitary Commission (WSSC) consented to this petition.
3. Pursuant to Section 24-112(e)(2) of the Subdivision Regulations, the public utilities were notified in writing of this petition.
4. No referral agency or department recommended disapproval of the petition.
5. Pursuant to Section 24-112(a) of the Subdivision Regulations, petitioners are the owners of all land abutting street area to be vacated; therefore, no informational mailing was required to abutting property owners.
6. Pursuant to Section 24-112(b) of the Subdivision Regulations, the applicant posted the property for public hearing 30 days prior to the public hearing.
7. Pursuant to Section 24-112(c) of the Subdivision Regulations, a minor final plat has been submitted to incorporate the vacated area and will be recorded in Land Records.


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 Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Bailey, Squire and Hewlett voting in favor of the motion at its regular meeting held on Thursday, April 12, 2012, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of May 2012.

Patricia Colihan Barney  
Executive Director

By   
Jessica Jones  
Planning Board Administrator

PCB:JJ:CB:arj

APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date 4/25/12