

R E S O L U T I O N

WHEREAS, on November 1, 2005, a petition was filed by Golamreza Sheibaniagdam for the vacation of part of Brightseat Road in the subdivision of Dixie Dale, 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 1907, said street, twenty feet (20') in width, was created as a public street as part of a subdivision known as Dixie Dale, all situated in the 20th Election District in Prince George's County; and

WHEREAS, the Dixie Dale Subdivision appears on a plat recorded in Plat Book BDS1, Plat 40, 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-05011, 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 1, 2005, 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 1, 2005, 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 to adjust common lot lines and incorporate the vacated area in accordance with Section 24-108(a)(3).

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) of the Subdivision Regulations.
3. Washington Suburban Sanitary Commission (WSSC) 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.
4. This Vacation Petition is filed pursuant to Condition No. 3 of PGCPB No. 05-87 (DSP-03066).
5. The applicant shall record a minor subdivision plat in accordance with Section 24-108(a)(3) to adjust common lot lines, incorporate vacated areas pursuant to Condition No. 2 of PGCPB No. 05-87 (DSP-03066).
6. The vacated area of 2,558 sq. ft. shall revert to the ownership of Golamreza Sheibaniagdam, adjacent property owner.
7. 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 Vaughns, with Commissioners Squire, Vaughns and Eley voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, December 1, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of December 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:BN:rmk