

R E S O L U T I O N

WHEREAS, on February 14, 2005, a petition was filed by Prince George's County Maryland and Safeway, Inc. for the vacation of Willowbrook Parkway and part of Prince George's Boulevard in the subdivision of Collington Center, 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 April 4, 1989 and August 1, 1990, said street, three hundred feet (300) in width, was created as a public street as part of a subdivision known as Collington Center, all situated in the 7th Election District in Prince George's County; and

WHEREAS, the Collington Center Street Dedication Plats appear on plats recorded in Plat Book NLP 154-30 and NLP 145 -61, 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-05001, 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 March 31, 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 March 31, 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 petitioner, Prince George's County, shall grant easements to WSSC as specified in the WSSC consent letter dated October 15, 2003.
2. The petitioner, Prince George's County, shall record a new final plat of subdivision, subsequent to the approval of this vacation petition.

3. The final plat of subdivision shall be in conformance with approved CDP-9006/02, which will incorporate the vacated area of 22.925 acres, as shown on Exhibit C.
4. Maryland State Assessment Office shall revert 22.925 acres of land to the ownership of Prince George's County, as shown on Exhibit C.
5. Maryland State Assessment Office shall revert 6.94 acres of land to the ownership of Safeway, Inc., as shown on Exhibit C.

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 and the Washington Suburban Sanitary Commission have consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
3. The Washington Suburban Sanitary Commission (WSSC) has consented to this petition subject to the petitioners granting necessary easements to WSSC to protect the existing 24-inch water main within the portion of Willowbrook Parkway to be vacated. This easement will be established through the new subdivision plat prepared for the property owned by Prince George's County.
4. The petitioner, Prince George's County, is required to do a new subdivision plat to consolidate the vacated area into a parcel subject to conditions of CDP-9006/02.
5. State Highway Administration (SHA), Michael J. Haley, Chief, Engineering Access permits Division, consented to this vacation petition. As part of their official comment, they strongly encourage the county to identify, through the Bowie master plan or countywide transportation master plan updates, a new interchange location in this vicinity that would provide suitable access to Collington Center, Beech Tree, Karrington, and other planned development projects on the west side of US 301.
6. No referral agency or department recommended disapproval of the petition.
7. No objections were received from adjacent property owners.
8. Petitioners are the owners of all land abutting street area to be vacated.

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 Vaughns, with Commissioners Squire, Vaughns, Harley and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, March 31, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of April 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:BN:rmk