

R E S O L U T I O N

WHEREAS, on February 15, 2006, a petition was filed by John and June Hillegas for the vacation of part of a right-of-way at Edge Avenue and Dolby Avenue in the subdivision of Glendale Heights, 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 1913, said street, fifty feet (50') in width, was created as a public street as part of a subdivision known as Glendale Heights, all situated in the 14th Election District in Prince George's County; and

WHEREAS, the Glendale Heights Subdivision appears on a plat recorded in Plat Book RNR 2, Plat 26, 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-06002, 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 June 15, 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 June 15, 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 conditions:

1. Prior to the issuance of permits, 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).
2. Prior to the issuance of permits, the Petitioners shall perform the work outlined below in accordance with memo dated March 23, 2006, from DPW&T:

- a. The established common area is to be cleaned of debris, garbage, yard clippings, and household trash. The tree underbrush is to be cut and dead trees removed.
- b. A curb inlet is to be constructed over the 36-inch RCP at the west side of Franklin Avenue to intercept runoff from the adjacent roadways. Curb and gutter is to be installed along the west side of Franklin Avenue adjacent to the established common area. This is to divert the road runoff to the curb inlet to be constructed.
- c. A yard inlet is to be constructed adjacent to house number 10101 Dolby Avenue (Lot 70, Block 5) to receive the proposed gravel trench underdrain pipe that intercepts and conveys ground and surface water from the common area.
- d. The common area is to be graded properly with positive drainage toward the yard inlet.
- e. The asphalt area, including the basketball structure at Edge Avenue west of Franklin Avenue, is to be removed and stabilized. The asphalt ditch along Edge Avenue is to be removed, regraded and stabilized with sod.

These conditions may be modified by DPW&T.

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 with conditions outlined in a memo dated March 23, 2006. These conditions pertain to future improvements to the land.
3. The Washington Suburban Sanitary Commission (WSSC) has 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. No objections were received from adjacent property owners.
6. 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.

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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 Clark, with Commissioners Vaughns, Clark, Eley, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, June 15, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of July 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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