

R E S O L U T I O N

WHEREAS, on January 26, 2006, a petition was filed by Maryland Science and Technology Center I, LLC and MSTC IX, LLC for the vacation of part of Melford Boulevard and Curie Drive in the subdivision of University of Maryland Science and Technology 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 March 1990, said streets, 130' and 80' in width, were created as public streets as part of a subdivision known as University of Maryland Science and Technology Center, all situated in the 7th Election District in Prince George's County; and

WHEREAS, the University of Maryland Science and Technology Center Subdivision appears on a plat recorded in Plat Book 152, Plat 16, 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-06001, 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 February 23, 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 February 23, 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. The petitioners shall record a new subdivision plat to dedicate an additional right-of-way at the intersection of Melford Boulevard and Curie Drive.

2. The petitioners shall grant easements satisfactory to Washington Suburban Sanitary Commission to protect the existing facilities or pay for relocation of said facilities.
3. The petitioners shall grant easements satisfactory to Baltimore Gas & Electric or pay for the relocation of existing facilities.
4. The petitioners shall grant easements satisfactory to Washington Gas to protect existing facilities or pay for the relocation of said facilities.
5. Vacated AREA-1, AREA-2 and AREA-3 shall revert to the ownership of the adjacent property owners as indicated on the Plat of Computation.

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 did not consent to this petition because the roads are under the jurisdiction of the City of Bowie.
3. The City of Bowie consented to this vacation as required by Section 24-112(e) of the Subdivision Regulations.
4. The 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.
5. Baltimore Gas & Electric Company (BGE) consented to this petition subject to the applicant paying the costs associated with the relocation of existing BGE utilities.
6. Washington Gas consented to this petition subject to the applicant granting easements to Washington Gas for existing facilities.
7. The applicant shall record a street dedication subdivision plat for dedication of additional right-of-way width at the intersection of Melford Boulevard and Curie Drive.
8. Vacated AREA-1 (31,950 square feet) shall revert to the ownership of the Maryland Science and Technology Center I, LLC.
9. Vacated AREA-2 (5,871 square feet) shall revert to the ownership of the Maryland Science and Technology Center I, LLC.

10. Vacated AREA-3 (35,117 square feet) shall revert to the ownership of MSTC IX, LLC.
11. 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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire, and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 23, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of March 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator