

R E S O L U T I O N

WHEREAS, on May 17, 2007, a petition was filed by Angelique Louis and Jeffrey Raspberry for the vacation of part of Thaden Avenue in the subdivision of Kimberly Woods, 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 September 2004, said street cul-de-sac (50') in width, was created as a public street as part of a subdivision known as Kimberly Woods, all situated in the 5th Election District in Prince George's County; and

WHEREAS, the Kimberly Woods Subdivision appears on a plat recorded in Plat Book REP 202, Plat 69, 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-07002, 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 21, 2007, 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 21, 2007, 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 applicant shall record a new subdivision plat in accordance with Section 24-108(a)(3) to incorporate the vacated area.
2. The applicant shall provide a roadway turnaround as required 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 (DPW&T) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations with the requirement that the applicant provide a roadway turnaround in accordance with DPW&T Standard No. 200.10 and appropriate storm drain measures approved by DPW&T (CSD SD#24454-2004)..
3. The Washington Suburban Sanitary Commission consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
4. Roadway turnaround for emergency vehicles, trash trucks and DPW&T snow removal equipment will be provided where currently a dead-end street with no turnaround capabilities exists.
5. No referral agency or department recommended disapproval of the petition.
6. Petitioners are the owners of all land abutting lots and street areas proposed 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 Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt and Parker voting in favor of the motion, and with Commissioners Clark and Vaughns absent at its regular meeting held on Thursday, June 21, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of July 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator