

R E S O L U T I O N

WHEREAS, on November 15, 2007, a petition was filed by Mazza Family of College Park and Kenneth H. Michael for the vacation of part of Autoville Drive, 25-foot wide unnamed alley and Lots 1-8, Block D and Lots 10-17, Block E in the subdivision of Autoville, 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 1908, said street, forty feet (40') and alley of variable width, was created as a public street as part of a subdivision known as Autoville, all situated in the 21st Election District in Prince George's County; and

WHEREAS, the Autoville Subdivision appears on a plat recorded in Plat Book 1, 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-07005, 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 20, 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 December 20, 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 subdivision plat pursuant to Preliminary Plan 4-04104 and Detailed Site Plan DSP-04049, previously approved by the Prince George's County Planning Board.
2. The petitioners shall grant easements satisfactory to WSSC to protect the existing facilities. The right-of-way granted to WSSC by document recorded in Liber 4308, folio 954 shall remain in full force and effect.

3. The vacated area of 52,088 square feet shall revert to the ownership of Mazza Family of College Park.
4. The vacated area of 4,734 square feet shall revert to the ownership of Kenneth H. Michael.
5. The area of Lots 1–8, Block D and Lots 10–17, Block E shall be retained in the ownership of the Mazza Family of College Park.

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 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 an eight-inch sewer line that exists along the northern boundary of the vacated area. Right-of-way granted to WSSC by document recorded in Liber 4308 folio 954 shall remain in full-force and effect.
3. The applicant shall record a subdivision plat pursuant to Preliminary Plan 4-04104 and Detailed Site Plan DSP-04049, previously approved by the Prince George's County Planning Board.
4. The vacated area of 52,088 square feet shall revert to the ownership of Mazza Family of College Park.
5. The vacated area of 4,734 square feet shall revert to the ownership of Kenneth H. Michael.
6. The area of Lots 1–8, Block D and Lots 10–17, Block E shall be retained in the ownership of the Mazza Family of College Park.
7. No referral agency or department recommended disapproval of the petition.
8. The College Park City Council, at its October 23, 2007, regular meeting consented to the vacation 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, Cavitt, Clark and Parker voting in favor of the motion at its regular meeting held on Thursday, December 20, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of January 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator