

R E S O L U T I O N

WHEREAS, on September 17, 2008, a petition was filed by Ann G. Grauel and Laurel Ridge, LLC. for the vacation of unnamed street in the subdivision of Rosedale, 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 15, 1950, said street, fifty feet (50') in width, was created as a public street as part of a subdivision known as unnamed street, all situated in the 1st Election District in Prince George's County; and

WHEREAS, the Rosedale Subdivision appears on a plat recorded in Plat Book WWW 18, Plat 53, 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-08005, 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 October 23, 2008, 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 October 23, 2008, 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. In the event the property is not annexed into the City of Laurel, the petitioners shall file a subdivision plat in Prince George's County to record the vacated area as an outlot.
2. Easements to the benefit of Baltimore Gas and Electric (BG&E) recorded in Liber 2274, folio 105 and Liber 2278, folio 107 shall survive this vacation petition and be in full force and effect.

3. The petitioners shall grant a 10-foot-wide revertible grading easement to Prince George's County Department of Public Works & Transportation (DPW&T) for the construction of the County CIP Project on Contee Road.

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. 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 revertible grading easement for the construction of the County CIP Project on Contee Road.
3. Washington Suburban Sanitary Commission (WSSC) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
4. Baltimore Gas and Electric (BG&E) has six-inch-wide electric and gas mains located within the street area to be vacated and indicated that no structures shall be permitted in the right-of-way. Easements recorded in Liber 2274, folio 105 and Liber 2278, folio 107 shall survive this petition and be in full force and effect.
5. No referral agency or department recommended disapproval of the petition.
6. Petitioners are the owners of all land abutting street area to be vacated.
7. Total area being vacated is 10,818 square feet or 0.2484 acres, and shall revert to the ownership of Ann G. Grauel, with consents from Laurel Ridge, LLC. and NVR, Inc.

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 Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, October 23, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of November 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator