



Prince George's County Planning Department
 Countywide Planning Division

301-952-3680

February 15, 2022

Mr. Robert Williams, Administrator
 Prince George's County Council
 County Administration Building
 14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772

RE: Renewal of Reservation Plats for Rights-of-Way Due to Expire on June 30, 2022

Dear Mr. Williams:

There are four reservation plats that are due to expire on June 30, 2022 which are eligible for renewal beyond that date.

Section 24-141 of the County Code requires that prior to the expiration date; the Planning Board shall provide an opportunity for the County Executive, the County Council, and any municipality within which such property is located to comment upon such renewal. It is further required that consent from the property owners be obtained prior to any continuation beyond the first three (3) years. At its meeting on February 10, 2022, the Planning Board authorized staff to send mail-back forms (affidavits for renewal) to the property owners to determine their intent to renew the reservations.

Table 1 (below) contains information on the reservation properties. The Planning Board will review the reservation plats for renewal at a meeting prior to June 30, 2022.

Table 1 - RESERVATION PLATS DUE TO EXPIRE ON JUNE 30, 2022

| | FACILITY | SUBDIVISION | PLAT | OWNER | ZONING | SIZE |
|---|--|---------------------------------|------------------------|--------------------------------|--------|------------|
| 1 | Branch Avenue/Surratt's Road Interchange | Parcel A Summit Creek | VJ 162-42 (5/15/1992) | KT III Associates | C-S-C | 0.85 acres |
| 2 | Branch Avenue/Surratt's Road Interchange | Parcels B, C, E, G Summit Creek | VJ 171-84 (1/11/1995) | Land and Commercial, Inc. | R-S | 3.64 acres |
| 3 | US 301 Upgrade | Part of Lot 4 Bowling Heights | REP 193-31 (9/13/2001) | Carolyn & Robert Bruce Swanson | R-R | 3.60 acres |
| 4 | US 301 Upgrade | Parcels A and B Mill Branch | SJH 244-41 (2/23/2016) | K & P Holdings, LLC | R-A | 4.1983 |

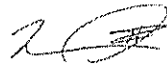
Mr. Robert Williams
February 15, 2022
Page 2

Mr. Robert Williams
February 15, 2022
Page 3

All the reservation plats were established for facilities recommended in adopted and approved master plans. It is requested that the County Council review the reservation plats and provide comments by March 25, 2022 so that they may be included in the staff report to the Planning Board. Enclosed for your information are copies of the resolutions and reservation plats for the current reservation period.

If there are any questions or additional information is needed, please contact Judith Howerton at Judith.Howerton@ppd.mncppc.org.

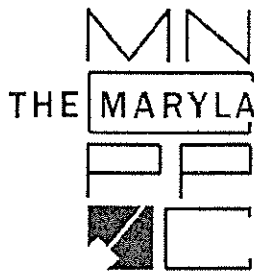
Sincerely,



William Capers III., PTP, Supervisor
Transportation Planning Section

Enclosures:
Copy of resolutions
Copy of reservation plats

cc: Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board
Andree Green Checkley, Esq., Planning Director, Prince George's County Planning Department
Katina Shoulars, Acting Chief, Countywide Planning Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
(301) 952-3650

February 15, 2022

**CERTIFIED,
RETURN RECEIPT**

Mr. Richard Thometz
Haily Development
3905 National Drive, Suite 105
Burtonsville, Maryland 20866

Re: Branch Avenue/Surratts Road Interchange
Parcel A
Summit Creek

Dear Mr. Thometz:

The reservation for public use on this property, and for tax abatement purposes, is due to expire on June 30, 2022. The law allows for the extension of a reservation for additional periods provided there is consent by all owners of record and the Planning Board determines that the property is still needed for public use. The Board has requested that we contact the property owners for their consent.

Enclosed is an affidavit to be completed. If the owners agree to continue the reservation, please return the completed affidavit to me, including the number of years of extension. If the owner decides not to continue the reservation, please return the incomplete affidavit so noted. All replies consenting to extending the reservation period must be received by March 18, 2022, so that the Planning Board may consider them for approval on one of its regular meeting dates in early April 2022.

Since we are still working remotely, in addition to mailing the original, please sign, scan and email back your signed affidavit to Judith Howerton at Judith.Howerton@ppd.mncppc.org. Please also send us your phone number and best email to reach you.

Sincerely,

William Capers III., PTP, Supervisor
Transportation Planning Section

Enclosure:
Affidavit
Copy of Resolution
Copy of reservation plat

AFFIDAVIT FOR EXTENSION OF RESERVATION
STATE OF MARYLAND, COUNTY OF PRINCE GEORGE'S

Comes now the undersigned affiant who states as follows:

That the undersigned are the sole owner(s) of record of certain land and properties situated in Prince George's County, Maryland, consisting of 0.8510 acres, more particularly described as Parcel A, Summit Creek, being the land shown on Reservation Plat recorded in Plat Book VJ 162 Plat No. 42 and as described by the draft resolution attached.

That the reservation of said land for public use expires on the 30th day of June 2022.

That the undersigned requests that the aforesaid property shall remain and continue in reservation for public use for an additional period of one (1) year from the 1st day of July 2022 through June 30, 2023.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing are true.

| | |
|------------|-------------------|
| _____ | _____ |
| Affiant(s) | Address/Phone No. |
| _____ | _____ |
| Affiant(s) | Address/Phone No. |
| _____ | _____ |
| Affiant(s) | Address/Phone No. |

Return no later than March 18, 2022 to:

The Maryland-National Capital Park and Planning Commission
c/o Judith Howerton, Transportation Planning Section
Countywide Planning Division
14741 Governor Oden Bowie Drive, CAB
Upper Marlboro, MD 20772



PGCPB No. 2021-26

RESOLUTION

FOR CONTINUATION OF RESERVATION OF LAND FOR PUBLIC USE

WHEREAS, KT III Associates, LLC, is the owner of a certain parcel of land consisting of 0.8510 acres, designated Parcel A, as shown on Preliminary Plan of Subdivision No. 4-90003, situated in Prince George's County, Maryland, Election District No. 9, and as shown on Tax Map 125, Grid E-2, located on the southwest side of Branch Avenue, MD 5 and Surratts Road, and having been conveyed by Realty Investment Associates III, by deed dated February 13, 1992, and recorded in Liber 8209 at folio 76; being also Parcel A as shown on Plat of Subdivision entitled Parcel A, Summit Creek and recorded in Plat Book VJ 159 at Plat 45, now also known as Reservation Plat, Parcel A, Plat Fourteen Summit Creek by plat recorded May 15, 1992 in Plat Book VJ 162 at Plat 42; all references being to the Land Records of Prince George's County, Maryland; and

WHEREAS, on April 23, 1992, The Maryland-National Capital Park and Planning Commission, by Resolution No. 92-97, duly adopted, placed the above-mentioned property in reservation for public use, and by Resolution No. 95-133, adopted May 18, 1995, and by Resolution No. 98-141, adopted May 21, 1998, and by Resolution No. 99-95, adopted May 27, 1999, and by Resolution No. 00-76, adopted June 1, 2000, and by Resolution No. 01-102, adopted May 24, 2001, and by Resolution No. 02-85, adopted May 16, 2002, and by Resolution No. 03-89, adopted May 15, 2003, and by Resolution No. 04-81, adopted June 10, 2004, and by Resolution No. 05-95, adopted May 26, 2005, continued said reservation for an additional one (1) year period; and by Resolution 06-89, adopted June 22, 2006, continued said reservation for an additional one (1) year; and by Resolution 07-127, adopted June 21, 2007, continued said reservation for an additional one (1) year period; and by Resolution 08-88, adopted June 12, 2008, continued said reservation for an additional one (1) year; and by Resolution 09-100, adopted June 25, 2009, continued said reservation for an additional one (1) year; and by Resolution 10-46, adopted June 24, 2010, continued said reservation for an additional one (1) year; and by Resolution 11-35, adopted May 26, 2011, continued said reservation for an additional one (1) year; and by Resolution 12-55, adopted June 7, 2012, continued said reservation for an additional one (1) year; and by Resolution 13-12, adopted June 20, 2013, continued said reservation for an additional one (1) year; and by Resolution 14-18, adopted June 19, 2014, continued said reservation for an additional one (1) year; and by Resolution 15-14, adopted June 18, 2015, continued said reservation for an additional one (1) year; and by Resolution 16-22, adopted June 2, 2016, continued said reservation for an additional one (1) year; and by Resolution 17-20, adopted June 29, 2017, continued said reservation for an additional one (1) year; and by Resolution 18-08, adopted June 21, 2018, continued said reservation for an additional one (1) year; and by Resolution 19-52, adopted May 23, 2019, continued said reservation for an additional one (1) year; and by Resolution 2020-15, adopted May 21, 2020, continued said reservation for an additional

one (1) year; and by Resolution 2021-26, adopted June 10, 2021, continued said reservation for an additional one (1) year;

WHEREAS the circumstances, needs and conditions set forth in said resolution or reservation dated April 23, 1992, still continue, and exist at the present time; and

WHEREAS, the aforementioned property is unable to be acquired by the Maryland State Highway Administration at this time and it is the desire and intent of the Maryland State Highway Administration, The Maryland-National Capital Park and Planning Commission, and all persons having any legal or equitable right, title or interest in said property that said lands shall remain and continue in reservation for an additional period of one (1) year; and

WHEREAS, KT III Associates, LLC, is the sole and only owner of any legal or equitable right, interest, or title in the aforementioned property, and has requested that the property shall remain and continue in reservation for public use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of the Land Use Article, Annotated Code of Maryland, including Section 23-104(c)(1)(iv), and Division 7 of the Prince George's County Subdivision Regulations, The Maryland-National Capital Park and Planning Commission hereby declares as follows:

1. That the above-described property, comprising 0.8510 acres, Parcel A, continue to be a Reservation of Land for Public Use, said land to be used for highway purposes for the Proposed Interchange of Branch Avenue, MD 5 and Surratts Road as shown on the *Subregion 5 Master Plan*; and
2. That, during the reservation period, no building or structure shall be erected upon the land so reserved. No trees, topsoil, or cover shall be removed or destroyed. No grading shall be done. No storm drainage structure shall be built so as to discharge water on the reserved land. No land so reserved shall be put to any use whatsoever, except upon written approval of the Planning Board. All land so reserved shall be maintained by the owner as required by County law. The Planning Board shall be notified immediately upon the sale of any land so reserved and shall be provided with documents from the public Land Records attesting to such sale; and
3. That, notwithstanding the above paragraph, the owner's request to use the property to construct and maintain over and upon the entirety of Parcel A such public utilities (including water, sewer and storm drainage) and sales and marketing structures as it may deem necessary or desirable, and further to grade within Parcel A upon a 15-foot-wide strip of land running and binding along the northern and western borders of Parcel A as described in a letter dated March 16, 1992, is hereby approved subject to a prohibition on construction of permanent buildings. All temporary use of the property shall be in accordance with the rules and regulations of applicable County Ordinance pursuant to Section 24-140(d) of the Prince George's County Code; and
4. That on April 20, 1995, KT III Associates, LLC, requested to use the aforesaid property to clear, grade and construct improvements in order to use the aforesaid property to provide a fully serviceable and public commercial entrance and roadway, including business signs, landscaping and utility installation. On May 11, 1995, the Prince George's County Planning Board approved the request; PGCPB Resolution No. 95-119. No permanent buildings will be constructed and all temporary use of the property shall be in accordance with the rules and regulations of the applicable County Ordinance; and

5. That certified copies of this Resolution be transmitted to the Owner of Record and to the Supervisor of Assessments, and to the Washington Suburban Sanitary Commission, advising said offices of the tax abatement provisions of the Land Use Article, Annotated Code of Maryland, and the ordinances of Prince George's County, with respect to such reservation of land for public use, so that the land so reserved may be exempted from the levy of state, county, and local taxes for a period of one (1) year beginning July 1, 2021, and ending June 30, 2022; and
6. That the Reservation Plat covering the aforesaid property, duly certified by this Commission, and being duly recorded among the Land Records of Prince George's County, Maryland, in Plat Book VJ 162, Plat 42, on May 15, 1992, shall be duly noted to apply to the aforementioned property herein resolved to be further reserved for public use; and
7. That a copy of the above Reservation Plat be attached to and accompany each copy of this Resolution which is transmitted to the Owner of Record and to the various state and county officials hereinbefore enumerated; and
8. That a notice of this Resolution be published once in each of the County newspapers of record in the Maryland-Washington Regional District in Prince George's County, as required by the above-mentioned Regulations for the Subdivision of Land.

* * * * *

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 Washington, seconded by Commissioner Doerner, with Commissioners Hewlett, Washington, Doerner and Geraldo voting in favor of the motion, and with Commissioner Bailey absent, at its regular meeting held on May 13, 2021 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of June 2021.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Jessica Jones
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY

John P. Smith

M-NCPPC Legal Department
Date: June 21, 2021



Prince George's County Planning Department
Countywide Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
(301) 952-3650

February 15, 2022

**CERTIFIED,
RETURN RECEIPT**

Ms. Carolyn Mae Swanson
Mr. Robert Bruce Swanson
16315 Swanson Road
Largo, MD 20774

Re: US 301 Upgrade
Part of Lot 4
Bowling Heights

Dear Mr. & Ms. Swanson:

The reservation for public use on this property, and for tax abatement purposes, is due to expire on June 30, 2022. The law allows for the extension of a reservation for additional periods provided there is consent by all owners of record and the Planning Board determines that the property is still needed for public use. The Board has requested that we contact the property owners for their consent.

Enclosed is an affidavit to be completed. If the owners agree to continue the reservation, please return the completed affidavit to me, including the number of years of extension. If the owner decides not to continue the reservation, please return the incomplete affidavit so noted. All replies consenting to extending the reservation period must be received by March 18, 2022, so that the Planning Board may consider them for approval on one of its regular meeting dates in April 2022.

Since we are still working remotely, in addition to mailing the original, please sign, scan and email back your signed affidavit to Judith Howerton at Judith.Howerton@ppd.mncppc.org. Please also send us your phone number and best email to reach you.

Sincerely,

William Capers III., PTP, Supervisor
Transportation Planning Section

Enclosure:
Affidavit
Copy of Resolution
Copy of reservation plat

AFFIDAVIT FOR EXTENSION OF RESERVATION
STATE OF MARYLAND, COUNTY OF PRINCE GEORGE'S

Comes now the undersigned affiant who states as follows:

That the undersigned are the sole owner(s) of record of certain land and properties situated in Prince George's County, Maryland, consisting of Part of Lot 4, consisting of 3.6042 acres, more particularly described as Bowling Heights, being the land shown on Reservation Plat recorded in Plat Book REP 193 Plat No. 31 and as described by Resolution 19-54, as attached.

That the reservation of said land for public use expires on the 30th day of June 2022.

That the undersigned requests that the aforesaid property shall remain and continue in reservation for public use for an additional period of one (1) year from the 1st day of July 1, 2022 through June 30, 2023.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing are true.

| | |
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| _____ | _____ |
| Affiant(s) | Address/Phone No. |
| _____ | _____ |
| Affiant(s) | Address/Phone No. |
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| Affiant(s) | Address/Phone No. |

Return no later than March 18, 2022 to:

The Maryland-National Capital Park and Planning Commission
c/o Judith Howerton, Transportation Planning Section
Countywide Planning Division
14741 Governor Oden Bowie Drive, CAB
Upper Marlboro, MD 20772



PGCPB No. 2021-28

RESOLUTION

FOR CONTINUATION OF RESERVATION OF LAND FOR PUBLIC USE

WHEREAS, Carolyn Mae Swanson, and Robert Bruce Swanson are the owners of part of Lot 4, consisting of 3.6042 acres of land as shown on Preliminary Plat of Subdivision 4-00027, entitled Bowling Heights, situated in Prince George's County, Maryland, Election District No. 3, and as shown on Tax Map 93, Grid C-1, located northwest of US 301 and Village Drive West, and having been conveyed by Jessie Millicent Swanson, by deed dated January 24, 1992, and recorded in Liber 8188 at Folio 521, in Plat Book REP 193 at Plat 31, all references being to the Land Records of Prince George's County, Maryland; and

WHEREAS, on December 13, 2001, The Maryland-National Capital Park and Planning Commission, by Resolution No. 01-172(A), duly adopted, placed the above-mentioned property in reservation for public use, and by Resolution No. 05-120, adopted May 26, 2005, continued said reservation for an additional one (1) year; and by Resolution 06-91, adopted June 22, 2006, continued said reservation for an additional one (1) year; and by Resolution 07-128, adopted June 21, 2007, continued said reservation for an additional one (1) year; and by Resolution 08-87, adopted June 12, 2008, continued said reservation of an additional one (1) year; and by Resolution 09-102, adopted June 25, 2009, continued said reservation for an additional one (1) year; and by Resolution 10-47, adopted June 24, 2010, continued said reservation for an additional one (1) year; and by Resolution 11-37, adopted June 26, 2011, continued said reservation for an additional one (1) year; and by Resolution 12-56, adopted June 7, 2012, continued said reservation for an additional one (1) year; and by Resolution 13-14, adopted June 20, 2013, continued said reservation for an additional one (1) year; and by Resolution 14-20, adopted June 19, 2014, continued said reservation for an additional one (1) year; and by Resolution 15-16, adopted June 18, 2015, continued said reservation for an additional one (1) year; and by Resolution 16-24, adopted June 2, 2016, continued said reservation for an additional one (1) year; and by Resolution 17-22, adopted June 29, 2017, continued said reservation for an additional one (1) year; and by Resolution 18-10, adopted June 21, 2018, continued said reservation for an additional one (1) year; and by Resolution 19-54, adopted May 23, 2019, continued said reservation for an additional one (1) year; and by Resolution 2020-17 adopted May 21, 2020, continued said reservation for an additional one (1) year; and by Resolution 2021-28 adopted June 10, 2021, continued said reservation for an additional one (1) year;

WHEREAS, the circumstances, needs and conditions set forth in said resolution of reservation dated December 13, 2001, still continue and exist at the present time; and

WHEREAS, the aforementioned property is unable to be acquired by the Maryland State Highway Administration at this time and it is the desire and intent of the Maryland State Highway Administration, The Maryland-National Capital Park and Planning Commission, and all persons having any legal or equitable right, title or interest in said property that said lands shall remain and continue in reservation for an additional period of one (1) year; and

WHEREAS, Carolyn Mae Swanson, and Robert Bruce Swanson are the sole and only owners of any legal or equitable right, interest, or title in the aforementioned property, and have requested that the property shall remain and continue in reservation for public use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of the Land Use Article, Annotated Code of Maryland, including Section 23-104(c)(1)(iv), and Division 7 of the Prince George's County Subdivision Regulations, The Maryland-National Capital Park and Planning Commission hereby declares as follows:

1. That the above-described property, comprising 3.6042 acres, Part of Lot 4, continue to be a Reservation of Land for Public Use, said land to be used for highway purposes for the Proposed US 301 upgrade the F10 and A-61 facility as shown on the Master Plan of Transportation; and
2. That during the reservation period, no building or structure shall be erected upon the land reserved. No trees, topsoil, or cover shall be removed or destroyed. No grading shall be done. No storm drainage structure shall be built so as to discharge water on the reserved land. No land so reserved shall be put to any use whatsoever, except upon written approval of the Planning Board. All land so reserved shall be maintained by the owner as required by County law. The Planning Board shall be notified immediately upon the sale of any land so reserved and shall be provided with a document from the public Lands Records attesting to such sale; and
3. That certified copies of this Resolution be transmitted to the Owner of Record and to the Supervisor of Assessments, and to the Washington Suburban Sanitary Commission, advising said offices of the tax abatement provision of the Land Use Article, Annotated Code of Maryland, and the ordinances of Prince George's County, with respect to such reservation of land for public use, so that the land so reserved may be exempted from the levy of state, county and local taxes for a period of one (1) year beginning July 1, 2021, and ending June 30, 2022; and
4. That the Reservation Plat covering the aforesaid property, duly certified by this Commission, and being duly recorded among the Land Records of Prince George's County, Maryland, in Plat Book REP 193, Plat 31, on January 18, 2002, shall be duly noted to apply to the aforementioned property herein resolved to be further reserved for public use; and
5. That a copy of the above Reservation Plat be attached to and accompany each copy of this Resolution which is transmitted to the Owner of Record and to the various state and county officials hereinbefore enumerated; and
6. That a notice of this Resolution be published once in each of the County newspapers of record in the Maryland-Washington Regional District in Prince George's County, as required by the above-mentioned Regulations for the Subdivision of Land.

* * * * *

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 Washington, seconded by Commissioner Doerner, with Commissioners Hewlett, Washington, Doerner and Geraldo voting in favor of the motion, and with Commissioner Bailey absent, at its regular meeting held on May 13, 2021 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of June 2021.

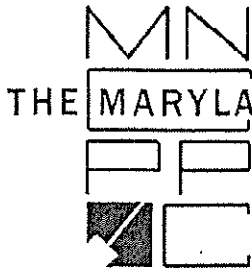
Elizabeth M. Hewlett
Chairman

By: Jessica Jones
Jessica Jones
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY

Peter Feldman

M-NCPPC Legal Department
Date: June 21, 2021



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
(301) 952-3650

February 15, 2022

**CERTIFIED,
RETURN RECEIPT**

Attention Mr. John Piper
K & P Holdings, LLC
13627 Annapolis Road
Bowie, MD 20720

Re: Parcel A and Parcel B of Mill Branch
Mill Branch Road and Crain Highway (US 301)
for the proposed F-10 US 301 upgrade

Dear Mr. Piper:

The reservation for public use on this property, and for tax abatement purposes, is due to expire on June 30, 2022. The law allows for the extension of a reservation for additional periods provided there is consent by all owners of record and the Planning Board determines that the property is still needed for public use. The Board has requested that we contact the property owners for their consent.

Enclosed is an affidavit to be completed. If the owners agree to continue the reservation, please return the completed affidavit to me, including the number of years of extension. If the owner decides not to continue the reservation, please return the incomplete affidavit so noted. All replies consenting to extending the reservation period must be received by March 18, 2022, so that the Planning Board may consider them for approval on one of its regular meeting dates in early April 2022.

Since we are still working remotely, in addition to mailing the original, please sign, scan and email back your signed affidavit to Judith Howerton at Judith.Howerton@ppd.mncppc.org. Please also send us your phone number and best email to reach you.

Sincerely,

William Capers III., PTP, Supervisor
Transportation Planning Section

Enclosure:
Affidavit
Copy of Resolution
Copy of reservation plat

AFFIDAVIT FOR EXTENSION OF RESERVATION
STATE OF MARYLAND, COUNTY OF PRINCE GEORGE'S

Comes now the undersigned affiant who states as follows:

That the undersigned are the sole owner(s) of record of certain land and properties situated in Prince George's County, Maryland, consisting of 4.1983 acres, more particularly described as Parcel A and Parcel B of Mill Branch Road and Crain Highway (US 301), being the land shown on Reservation Plat recorded in Plat Book MMB 240 at Plats No. 57 and 58, and as described by the draft resolution attached.

That the reservation of said land for public use expires on the 30th day of June 2022.

That the undersigned requests that the aforesaid property shall remain and continue in reservation for public use for an additional period of one (1) year from the 1st day of July 2022 through June 30, 2023.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing are true.

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| _____ | _____ |
| Affiant(s) | Address/Phone No. |
| _____ | _____ |
| Affiant(s) | Address/Phone No. |
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| Affiant(s) | Address/Phone No. |

Return no later than March 18, 2022 to:

The Maryland-National Capital Park and Planning Commission
c/o Judith Howerton, Transportation Planning Section
Countywide Planning Division
14741 Governor Oden Bowie Drive, CAB
Upper Marlboro, MD 20772



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2021-29

RESOLUTION

WHEREAS, K & P Holdings, LLC, is the owner of Parcel A and Parcel B, consisting of 4.1983 acres of land as shown on Preliminary Plat of Subdivision 4-05140, entitled Mill Branch, situated in Prince George's County, Maryland, Election District No. 7, and as shown on Tax Map 63, Grid E-1, located southeast of the intersection of Mill Branch Road and Crain Highway (US 301), and having been conveyed by Thomas H. Price, III and James J. Fitzgibbons, Trustees, by deed dated December 27, 2010, and recorded in Liber 32315 at Folio 51, in Plat Book MMB 240 at Plats 57 and 58, all references being to the Land Records of Prince George's County, Maryland; and

WHEREAS, the Commission, upon review of the Preliminary Subdivision Plan submitted herein, which incorporates the parcels of this plan to be reserved, referred the Preliminary Subdivision Plan to its General Plan and studies related thereto, to determine the need for reserving for public use any of the land included in the Preliminary Subdivision Plan; and

WHEREAS, on February 18, 2016, The Maryland-National Capital Park and Planning Commission, by Resolution No. 16-16, duly adopted, placed the above-mentioned property in reservation for public use, and by Resolution No. 19-07, adopted February 14, 2019, continued said reservation for an additional one (1) year; and by Resolution 19-55, adopted May 23, 2019, continued said reservation for an additional one (1) year; and by Resolution 2020-18, adopted May 21 2020, continued said reservation for an additional one (1) year; and by Resolution 2021-29, adopted June 10, 2021, continued said reservation for an additional one (1) year;

WHEREAS, the circumstances, needs and conditions set forth in said resolution of reservation dated February 18, 2016, still continue, and exist at the present time; and

WHEREAS, the above-described property lies within the right-of-way for the proposed F-10 US 301 upgrade, said proposed improvement being referred to in the Bowie and Vicinity Master Plan, as part of the General Plan for the Physical Development of the Maryland-Washington Regional District, and said property is accordingly required for public use; and

WHEREAS, studies by The Maryland-National Capital Park and Planning Commission determine and demonstrate the necessity of locating the proposed F-10 US 301 upgrade, as shown on the Bowie and Vicinity Master Plan, Prince George's County, incorporated herein, and emphasize the need to preserve the required land against loss or encroachment; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Division II of the Land Use Article of the Annotated Code of Maryland, and the Regulations for the Subdivision of Land for the Maryland-Washington Regional District in Prince George's County, Maryland, as amended, The Maryland-National Capital Park and Planning Commission hereby declares the above described 4.1983 acres of land to be a Reservation of Land for Public Use; said land to be used for the proposed F-10 US 301 upgrade; and

BE IT FURTHER RESOLVED, during the reservation period, no building or structure shall be erected upon the land so reserved. No trees, topsoil, or cover shall be removed or destroyed. No grading shall be done. No storm drainage structure shall be built so as to discharge water on the reserved land. No land so reserved shall be put to any use whatsoever, except upon written approval of the Planning Board, as provided herein. All land so reserved shall be maintained by the owner as required by County law. The Planning Board shall be notified immediately upon the sale of any land so reserved and be provided with documents from the Land Records attesting to such sale; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be transmitted to the Owner of Record and to the Supervisor of Assessments and to the Washington Suburban Sanitary Commission, advising said offices of the tax abatement provisions of Division II of the Land Use Article of the Annotated Code of Maryland and the ordinances of Prince George's County, with respect to such reservation of land for public use, so that the land so reserved may be exempted from the levy of State, County and local taxes for a period of one (1) year beginning July 1, 2021 and ending June 30, 2022.

BE IT FURTHER RESOLVED that an appropriate Reservation Plat covering the aforesaid property, be prepared by the staff of this Commission, certified by its authorized representatives, and duly recorded among the Land Records of Prince George's County, Maryland; and

BE IT FURTHER RESOLVED that a copy of the above Reservation Plat be attached to and accompany each Resolution which is transmitted to the Owner of Record and to the various State and County officials hereinbefore enumerated; and

BE IT FURTHER RESOLVED that a notice of this Resolution be published once in each of the County newspaper of record, in the Maryland-Washington Regional District in Prince George's County, as required by the above-referenced Regulations for the Subdivision of Land.

* * * * *

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 Washington, seconded by Commissioner Doerner, with Commissioners Hewlett, Washington, Doerner and Geraldo voting in favor of the motion, and with Commissioner Bailey absent, at its regular meeting held on May 13, 2021 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of June 2021.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Jessica Jones
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY

Peter Feltsmith

M-NCPPC Legal Department
Date: June 21, 2021



Prince George's County Planning Department
Countywide Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

(301) 952-3650

February 15, 2022

**CERTIFIED,
RETURN RECEIPT**

Mr. Leo Bruso
Land and Commercial, Inc.
14416 Old Mill Road, Suite 201
Upper Marlboro, MD 20772

Re: Branch Avenue/Surratts Road Interchange
Parcels B, C, E and G
Summit Creek

Dear Mr. Bruso:

The reservation for public use on this property, and for tax abatement purposes, is due to expire on June 30, 2022. The law allows for the extension of a reservation for additional periods provided there is consent by all owners of record and the Planning Board determines that the property is still needed for public use. The Board has requested that we contact the property owners for their consent.

Enclosed is an affidavit to be completed. If the owners agree to continue the reservation, please return the completed affidavit to me, including the number of years of extension. If the owner decides not to continue the reservation, please return the incomplete affidavit so noted. All replies consenting to extending the reservation period must be received by March 18, 2022, so that the Planning Board may consider them for approval on one of its regular meeting dates in early April 2022.

Since we are still working remotely, in addition to mailing the original, please sign, scan and email back your signed affidavit to Judith Howerton at Judith.Howerton@ppd.mncppc.org. Please also send us your phone number and best email to reach you.

Sincerely,

William Capers III., PTP, Supervisor
Transportation Planning Section

Enclosure:
Affidavit
Copy of Resolution
Copy of reservation plat

AFFIDAVIT FOR EXTENSION OF RESERVATION
STATE OF MARYLAND, COUNTY OF PRINCE GEORGE'S

Comes now the undersigned affiant who states as follows:

That the undersigned are the sole owner(s) of record of certain land and properties situated in Prince George's County, Maryland, consisting of 3.6364 acres, more particularly described as Summit Creek, Parcels B, C, E & G, Block L, being the land shown on Reservation Plat recorded in Plat Book V J171 Plat No. 84 and as described by the draft resolution attached.

That the reservation of said land for public use expires on the 30th day of June, 2022.

That the undersigned requests that the aforesaid property shall remain and continue in reservation for public use for an additional period of one (1) year from the 1st day of July 2022, through June 30, 2023.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing are true.

| | |
|------------|-------------------|
| _____ | _____ |
| Affiant(s) | Address/Phone No. |
| _____ | _____ |
| Affiant(s) | Address/Phone No. |
| _____ | _____ |
| Affiant(s) | Address/Phone No. |

Return no later than March 18, 2022 to:

The Maryland-National Capital Park and Planning Commission
c/o Judith Howerton, Transportation Planning Section
Countywide Planning Division
14741 Governor Oden Bowie Drive, CAB
Upper Marlboro, MD 20772



PGCPB No. 2021-27

RESOLUTION

FOR CONTINUATION OF RESERVATION OF LAND FOR PUBLIC USE

WHEREAS, Land & Commercial, Inc. Profit Sharing Plan, is the owner of certain parcels of land consisting of 3.6364 acres as shown as Parcels B, C, E and G, Block L on Preliminary Plat of Subdivision No. 4-90003, situated in Prince George's County, Maryland, Election District No. 9, and as shown on Tax Map 125, Grid F-1, located on the northwest side of Branch Avenue, MD 5 and Surratt's Road, and having been conveyed by Realty Investment Associates III, by deed dated May 9, 2001 and recorded in Liber 14603 at Folio 736, also being Parcel B, Block L as shown on a plat of subdivision entitled Plat Twenty-One, Summit Creek and Parcel C, Block L as shown on Plat Twenty-Two, and Parcel E, Block L as shown on Plat Twenty-Three and Parcel G, Block L as shown on Plat Twenty-Four, Summit Creek and recorded in Plat Book VJ167 at 100 and Plat Book VJ168 at 1, 2 and 3, now also known as Reservation Plat, Parcels B, C, E and G, Block L, Summit Creek, by plat recorded January 11, 1995 in Plat Book VJ 171 at 84; all references being to the Land Records of Prince George's County, Maryland; and

WHEREAS, on December 8, 1994, The Maryland-National Capital Park and Planning Commission, by Resolution No. 94-359, duly adopted, placed the above-mentioned property in reservation for public use; and by Resolution No. 98-139, adopted May 21, 1998, and by Resolution No. 01-100, adopted May 24, 2001, and by Resolution No. 04-82, adopted June 10, 2004, and by Resolution No. 05-96, adopted May 26, 2005, continued said reservation for an additional one (1) year; and by Resolution 06-90, adopted June 22, 2006, continued said reservation for an additional one (1) year; and by Resolution No. 07-126, adopted June 21, 2007, continued said reservation for one (1) additional year; and by Resolution 08-89, adopted June 12, 2008, continued said reservation for an additional one (1) year; and by Resolution 09-101, adopted June 25, 2009, continued said reservation for an additional one (1) year; and by Resolution 10-45, adopted June 24, 2010, continued said reservation for an additional one (1) year; and by Resolution 11-36, adopted June 26, 2011, continued said reservation for an additional one (1) year; and by Resolution 12-54, adopted June 7, 2012, continued said reservation for an additional one (1) year; and by Resolution 13-13, adopted June 20, 2013, continued said reservation for an additional one (1) year; and by Resolution 14-19, adopted June 19, 2014, continued said reservation for an additional one (1) year; and by Resolution 15-15, adopted June 18, 2015; continued said reservation for an additional one (1) year; and by Resolution 16-23, adopted June 2, 2016; continued said reservation for an additional one (1) year; and by Resolution 17-21, adopted June 29, 2017; continued said reservation for an additional one (1) year; and by Resolution 18-09, adopted June 21, 2018, continued said reservation for an additional one (1) year; and by Resolution 19-53, adopted May 23, 2019, continued said reservation for an additional one (1) year; and by Resolution 2020-16, adopted May 21, 2020, continued said reservation for an additional one (1) year; and by Resolution 2021-27, adopted June 10, 2021, continued said reservation for an additional one (1) year;

WHEREAS, the circumstances, needs and conditions set forth in said resolution of reservation dated December 8, 1994, still continue, and exist at the present time; and

WHEREAS, the property is unable to be acquired by the Maryland State Highway Administration at this time and it is the desire and intent of the Maryland State Highway Administration, The Maryland-National Capital Park and Planning Commission, and all persons having any legal or equitable right, title, or interest in said property that said lands shall remain and continue in reservation for an additional period of one (1) year; and

WHEREAS, Land & Commercial, Inc. Profit Sharing Plan, is the sole and only owner of any legal or equitable right, interest, or title in the property, and has requested that the property shall remain and continue in reservation for public use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of the Land Use Article, Annotated Code of Maryland, including Section 23-104(c)(1)(iv), and Division 7 of the Prince George's County Subdivision Regulations, The Maryland-National Capital Park and Planning Commission hereby declares as follows:

1. That the above-described property, comprising 3.6364 acres, Parcels B, C, E and G, continue to be a Reservation of Land for Public Use, said land to be used for highway purposes for the Proposed Interchange of Branch Avenue, MD 5 and Surratt's Road as shown on the *Subregion 5 Master Plan*; and
2. That during the reservation period, no building or structure shall be erected upon the land so reserved. No trees, topsoil, or cover shall be removed or destroyed. No grading shall be done. No storm drainage structure shall be built so as to discharge water on the reserved land. No land so reserved shall be put to any use whatsoever, except upon written approval of the Planning Board. All land so reserved shall be maintained by the owner as required by County law. The Planning Board shall be notified immediately upon the sale of any land so reserved and shall be provided with documents from the public Land Records attesting to such sale; and
3. That certified copies of this Resolution be transmitted to the Owner of Record and to the Supervisor of Assessments, and to the Washington Suburban Sanitary Commission, advising said offices of the tax abatement provisions of the Land Use Article, Annotated Code of Maryland, and the ordinances of Prince George's County, with respect to such reservation of land for public use, so that the land so reserved may be exempted from the levy of state, county and local taxes for a period of one (1) year beginning July 1, 2021, and ending June 30, 2022; and
4. That the Reservation Plat covering the aforesaid property, duly certified by this Commission, and being duly recorded among the Land Records of Prince George's County, Maryland, in Plat Book VJ 162, Plat 42, on January 11, 1995, shall be duly noted to apply to the aforementioned property herein resolved to be further reserved for public use; and
5. That a copy of the above Reservation Plat be attached to and accompany each copy of this Resolution which is transmitted to the Owner of Record and to the various state and county officials hereinbefore enumerated; and

6. That a notice of this Resolution be published once in each of the County newspapers of record in the Maryland-Washington Regional District in Prince George's County, as required by the above-mentioned Regulations for the Subdivision of Land.

* * * * *

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 Washington, seconded by Commissioner Doerner, with Commissioners Hewlett, Washington, Doerner and Geraldo voting in favor of the motion, and with Commissioner Bailey absent, at its regular meeting held on May 13, 2021 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of June 2021.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Jessica Jones
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY

Peter J. Smith

M-NCPPC Legal Department
Date: June 21, 2021

