

PRINCE GEORGE'S COUNTY GOVERNMENT Office of the County Executive

EXECUTIVE ORDER

No. 19 - 2020

August 4, 2020

WHEREAS, Sections 23-156 and 23-157 of the Prince George's County Code, provide that the County Executive may, upon recommendation of the Director of the Department of Public Works and Transportation, authorize the closing of any road under the jurisdiction of the county; and

WHEREAS, Paragraph (a) of the cited Section 23-157 requires, where the users of the road or portion of road to be closed will not be denied access to any property or area which was previously accessible, the County Executive may authorize the closing upon the certification of such facts by the Director; and

WHEREAS, Paragraph (b) of the cited Section 23-157 required, where the closing will deny access to public users to areas or properties accessible from the road to be closed, that the Director of the Department of Public Works and Transportation shall first hold a public hearing to determine that reasonable or alternative means of access exist and the road is no longer needed as a public way; and

WHEREAS, the Director of the Department of Public Works and Transportation has caused a public hearing to be held on March 10, 2020, after duly posting notices at end of the roadway petitioned to be closed, placing notices in two county Newspapers of Record for two consecutive weeks prior to the hearing date, and mailing notices to all owners of record of properties abutting or adjacent to the roadway petitioned to be closed, and to all franchised public utilities, the police, fire department, postal service, and the Maryland-National Capital Park and Planning Commission, the County Executive and the Chairman of the County Council; and

WHEREAS, comments, concerns, and objections to the closing of sections of Moore's Way, which limits are properly described in the roadway petitioned to be closed, have been received either in writing or in person by the Department of Public Works and Transportation during the notification period, at the public hearing, nor for fifteen days thereafter; and

WHEREAS, the Director of the Department of Public Works and Transportation provided appropriate response to each person of record that posed comments, concerns and objections during the public hearing period; and

WHEREAS, the Director of the Department of Public Works and Transportation certified by reason of evidence of the public hearing that reasonable or alternative means of access exist for all public users of Moore's Way and that the road is no longer needed as a public way; and

WHEREAS, the Director of the Department of Public Works and Transportation has recommended Moore's Way be closed to public; and

NOW THEREFORE, by virtue of the power vested in me as the County Executive, under Section 23-156 and 23-157 of the Prince George's County Code.

IT IS HEREBY ORDERED THAT portions of Moore's Way, being more specifically described in the attached description labeled as Exhibit A, with this exhibit being made part of this Executive Order, are authorized to be closed to all public use.

Angela Alsobrooks Angela D. Alsobrooks

County Executive

Walton

November 25, 2019

Terry Bellamy, Director Department of Public Works and Transportation, Prince George's County 9400 Peppercorn Place, Suite 300 Largo, Maryland 20774

RE: Westphalia Town Center ("WTC") request to permanently close portions of existing Moore's Way in the Westphalia Sector.

Dear Mr. Bellamy,

On behalf of the owners of WTC, (Walton Westphalia Development (USA), LLC, Walton Westphalia Europe, LP, Walton Maryland, LLC, and WUSF 1 Westphalia, LLC), Walton Development and Management (USA), Inc. is requesting the permanent closure of portions of Moore's Way between the two closure locations further defined in this letter (see Survey Descriptions for the request herby attached to this letter).

We are requesting the Moore's Way closure starting at the intersection of Pennsylvania Avenue, running north, 4,395 feet, to the limit of the previous closure approved under Executive Order 13-2017 (see Executive Order attached to this letter). The closure is requested to allow WTC to perform its development work. In addition, we are aware of the current utilities running along Melwood Road (Verizon) and we are coordinating our efforts with Mr. Robert Murray at Verizon.

Please review the provided documentation and upon instruction by your department, we will proceed with necessary plan submission.

Best Regards.

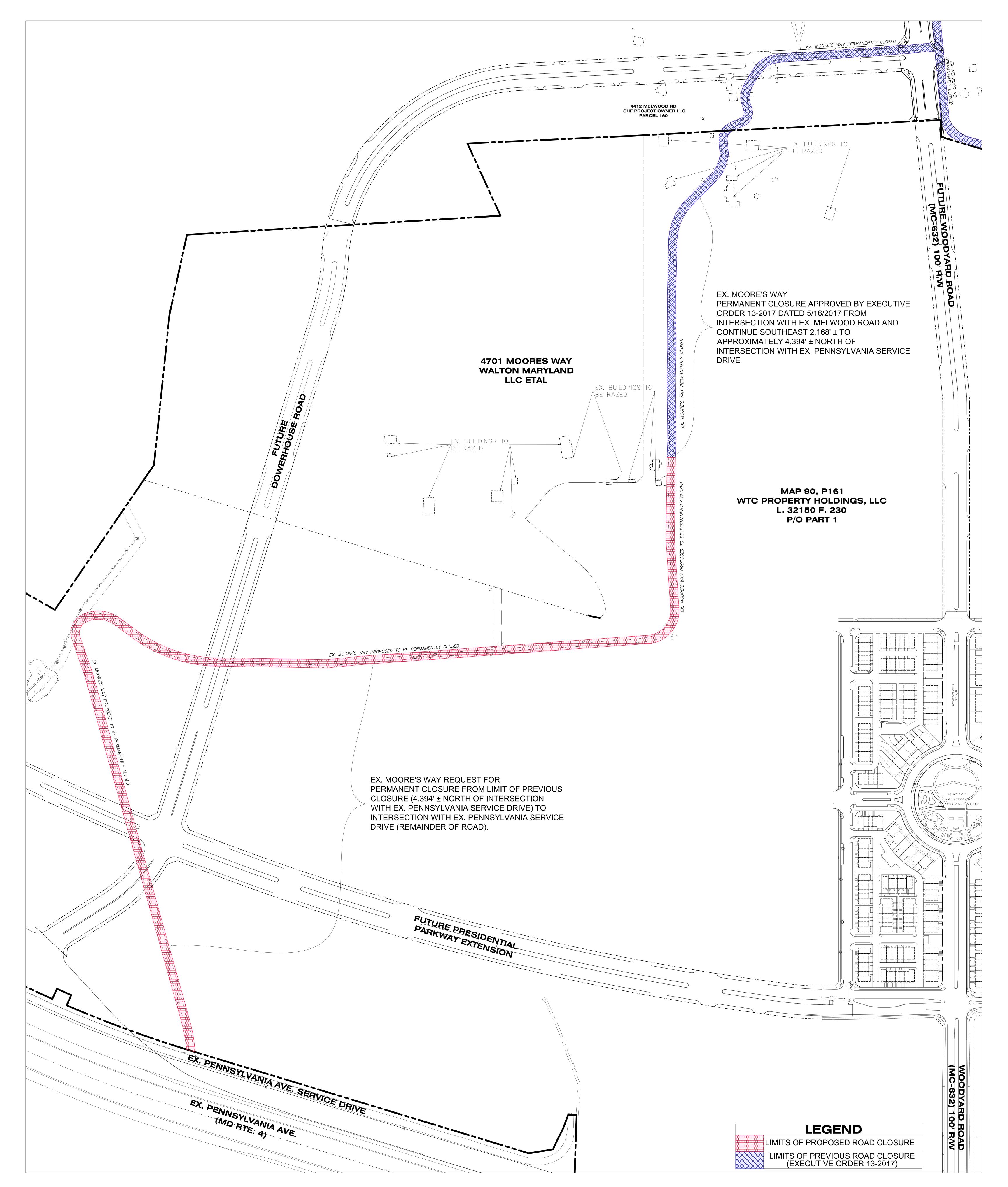
Edward R. Fleming Vice President

Enclosures

CC: Walton Westphalia Development (USA), LLC Walton Westphalia Europe, LP Walton Maryland LLC WUSF 1 Westphalia, LLC

WALTON DEVELOPMENT AND MANAGEMENT (USA), INC.

8000 Westpark Drive, Suite 430 | McLean, Virginia, USA 22102 | 703.677.9068 | Walton.com



	DATE	TITLE	SCALE	NORTH
Dewberry	MARCH 2018	EX. MOORE'S WAY LIMITS OF PROPOSED CLOSURE THROUGH WESTPHALIA	1" = 100'	
PROJECT	PROJ. NO.		SHEET NO.	
WESTPHALIA	50077436		1 OF 1	



Dewberry Engineers Inc. 4601 Forbes Boulevard, Suite 300 Lanham, MD 20706-4825 www.dewberry.com

301 731 5551 301.731.0188 fax

Tax ID #s: 15-5513692 15-5513704 15-5513715

EXHIBIT A

DESCRIPTION OF A PRESCRIPTIVE RIGHT-OF-WAY QUITCLAIM

PRINCE GEORGE'S COUNTY, MARYLAND TO WALTON MARYLAND, LLC, a Maryland limited liability company and WUSF 1 WESTPHALIA, LLC, a Maryland limited liability company

BEING a piece or parcel of land, in, through, over and across the property acquired by WALTON MARYLAND, LLC, a Maryland limited liability company, from WTC PROPERTY HOLDINGS, LLC, a Delaware limited liability company by Special Warranty Deed dated February 13, 2012 and recorded among the Land Records of Prince George's County, Maryland in Liber 33367 at folio 293, and by WUSF 1 WESTPHALIA, LLC, a Maryland limited liability company, from WALTON MARYLAND, LLC, a Maryland limited liability company by Special Warranty Deed dated February 15, 2012 and recorded among said Land Records in Liber 33455 at folio 141, by Special Warranty Deed dated February 21, 2012 and recorded among said Land Records in Liber 33613 at folio 471, by Special Warranty Deed dated February 28, 2012 and recorded among said Land Records in Liber 33455 at folio 153, by Special Warranty Deed dated March 4, 2012 and recorded among said Land Records in Liber 33455 at folio 165, by Special Warranty Deed dated March 12, 2012 and recorded among said Land Records in Liber 33455 at folio 177, by Special Warranty Deed dated March 26, 2012 and recorded among said Land Records in Liber 33514 at folio 499, by Special Warranty Deed dated April 24, 2012 and recorded among said Land Records in Liber 33613 at folio 471, being more particularly described in Maryland State Plane Meridian (NAD 83/91) as follows:

BEGINNING for the same at a point, said point being located South 66°44'40" East 537.03 feet from the northwesterly end of the third (3rd) or North 66°44'40" West 974.76 feet deed line of Parcel Nine of the aforementioned deed Liber 33613 at folio 471; thence in, through, over and across Parcels Nine, Ten, and Eight of said deed

- 1. North 15°25'54" West 273.81 feet to a point; thence
- 2. North 14°20'37" West 111.93 feet to a point; thence
- 3. North 17°55'01" West 213.56 feet to a point; thence
- 4. 115.33 feet along an arc of a tangent curve deflecting to the right, having a radius of 65.00 feet, subtended by a chord bearing and distance of North 33°30'21" East 100.79 feet to a point; thence
- 5. North 88°06'58" East 46.89 feet to a point; thence

- 6. 75.26 feet along an arc of a tangent curve deflecting to the right, having a radius of 122.00 feet, subtended by a chord bearing and distance of South 72°06'22" East 74.07 feet to a point; thence
- 7. South 54°34'58" East 106.52 feet to a point; thence
- 8. 272.62 feet along an arc of a tangent curve deflecting to the left, having a radius of 445.00 feet, subtended by a chord bearing and distance of South 73°11'33" East 268.38 feet to a point; thence
- 9. South 88°55'15" East 332.70 feet to a point; thence
- 10. 100.57 feet along an arc of a tangent curve deflecting to the left, having a radius of 800.00 feet, subtended by a chord bearing and distance of North 88°54'28" East 100.50 feet to a point; thence
- 11. North 85°46'19" East 1,087.54 feet to a point; thence
- 12. 181.21 feet along an arc of a tangent curve deflecting to the left, having a radius of 115.00 feet, subtended by a chord bearing and distance of North 40°25'57" East 163.03 feet to a point; thence
- 13. North 04°43'49" West 165.71 feet to a point; thence
- 14. 49.29 feet along an arc of a tangent curve deflecting to the right, having a radius of 583.41 feet, subtended by a chord bearing and distance of North 01°59'15" West 49.27 feet to a point; thence
- 15. North 00°06'32" East 226.62 feet to a point; thence
- 16. 63.99 feet along an arc of a tangent curve deflecting to the right, having a radius of 2,668.78 feet, subtended by a chord bearing and distance of North 01°15'24" East 63.98 feet to a point; thence
- 17. North 00°00'00" East 30.02 feet to a point; thence
- 18. 64.16 feet along an arc of a non-tangent curve deflecting to the left, having a radius of 2,638.78 feet, subtended by a chord bearing and distance of South 01°16'09" West 64.16 feet to a point; thence
- 19. South 00°06'32" West 226.67 feet to a point; thence
- 20. 46.75 feet along an arc of a tangent curve deflecting to the left, having a radius of 553.41 feet, subtended by a chord bearing and distance of South 01°59'15" East 46.74 feet to a point; thence
- 21. South 04°43'49" East 165.54 feet to a point; thence
- 22. 228.54 feet along an arc of a tangent curve deflecting to the right, having a radius of 145.00 feet, subtended by a chord bearing and distance of South 40°26'28" West 205.61 feet to a point; thence
- 23. South 85°46'19" West 1,087.47 feet to a point; thence



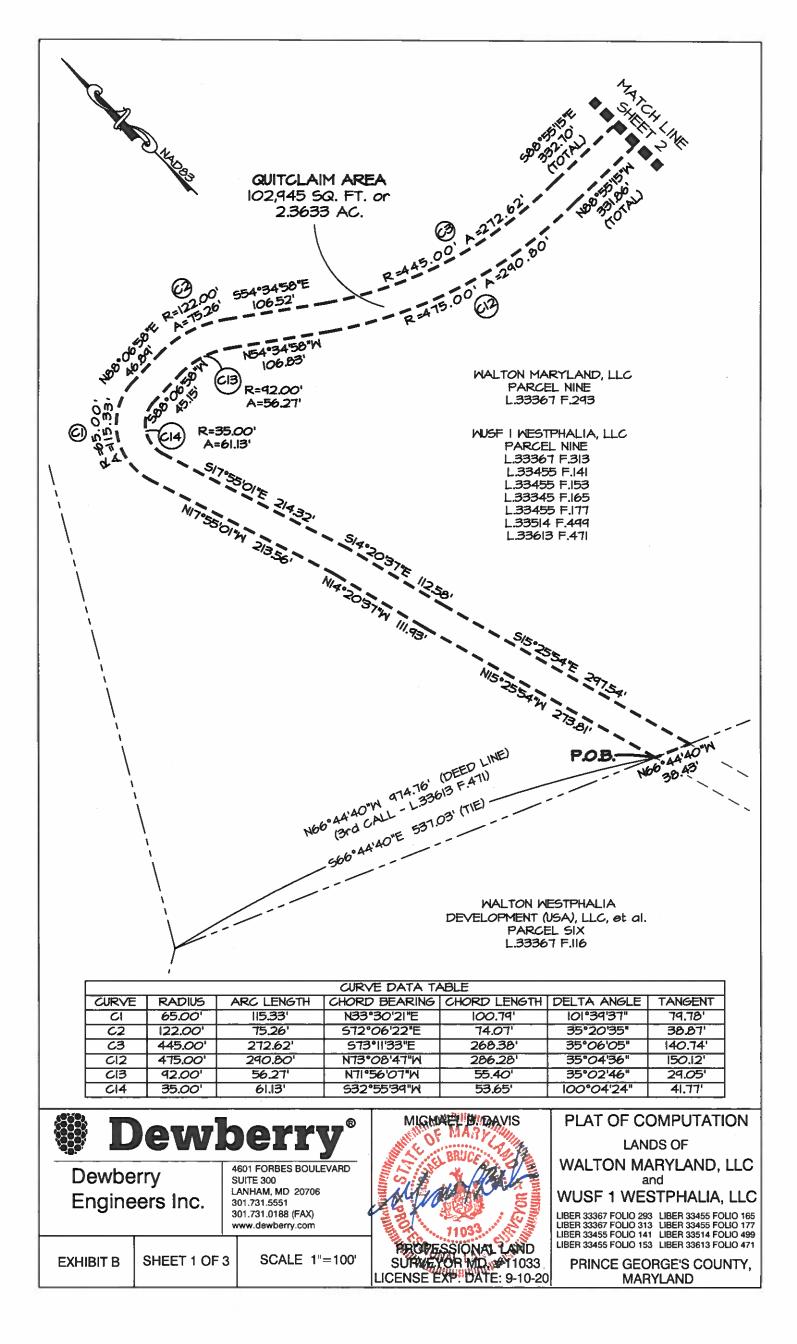
- 24. 103.84 feet along an arc of a tangent curve deflecting to the right, having a radius of 830.00 feet, subtended by a chord bearing and distance of South 88°53'56" West 103.77 feet to a point; thence
- 25. North 88°55'15" West 331.86 feet to a point; thence
- 26. 290.80 feet along an arc of a tangent curve deflecting to the right, having a radius of 475.00 feet, subtended by a chord bearing and distance of North 73°08'47" West 286.28 feet to a point; thence
- 27. North 54°34'58" West 106.83 feet to a point; thence
- 28. 56.27 feet along an arc of a tangent curve deflecting to the left, having a radius of 92.00 feet, subtended by a chord bearing and distance of North 71°56'07" West 55.40 feet to a point; thence
- 29. South 88°06'58" West 45.15 feet to a point; thence
- 30. 61.13 feet along an arc of a tangent curve deflecting to the left, having a radius of 35.00 feet, subtended by a chord bearing and distance of South 32°55'39" West 53.65 feet to a point; thence
- 31. South 17°55'01" East 214.32 feet to a point; thence
- 32. South 14°20'37" East 112.58 feet to a point; thence
- 33. South 15°25'54" East 297.54 feet to a point on the aforementioned North 66°44'40" West 974.76 feet deed line; thence with a part of said deed line
- 34. South 66°44'40" West 38.43 feet to the POINT OF BEGINNING containing 102,945 sq. ft. or 2.3633 acres of land, more or less, as shown on Exhibits B, C, and D, Sheets 1 through 3 of 3, attached hereto and made a part hereof by this reference.

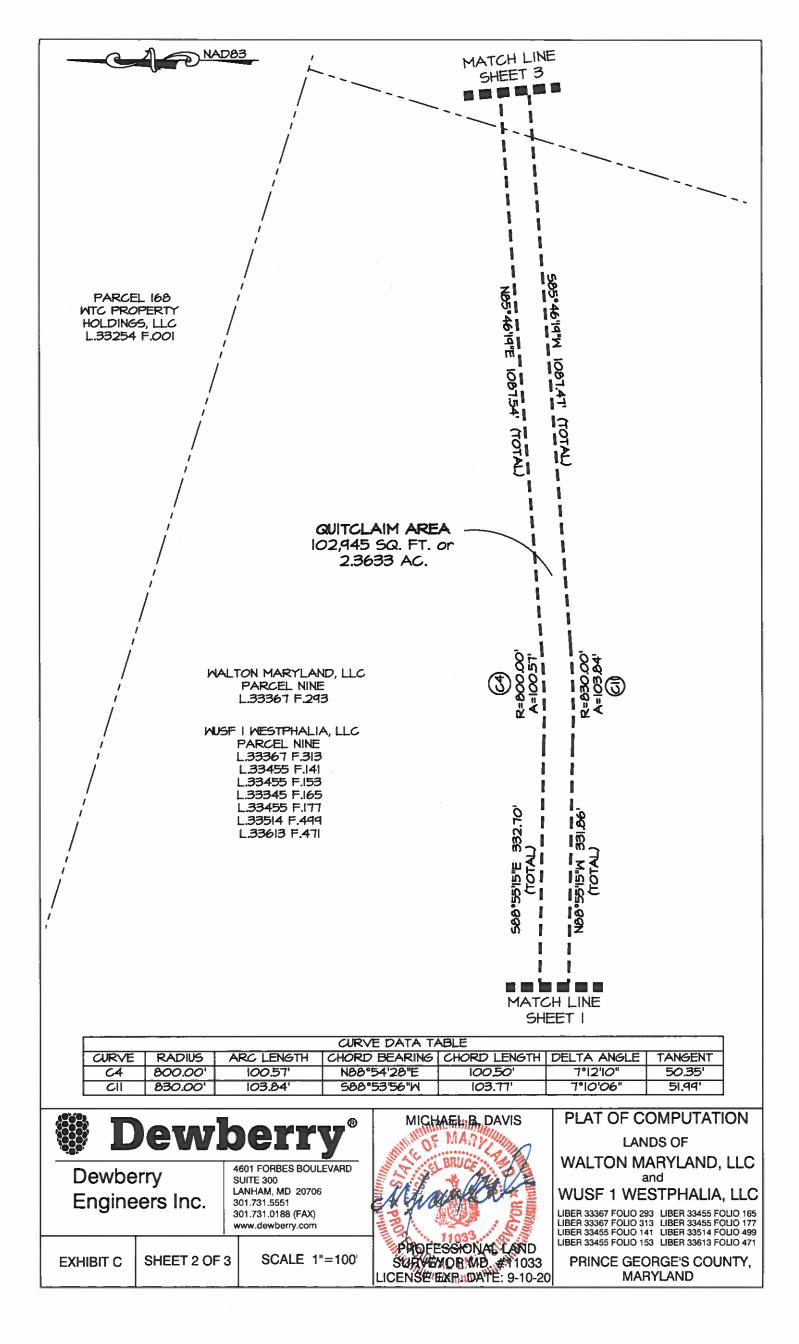
I hereby certify that I was in responsible charge of the preparation of this document, and any survey work reflected in it, and that it has been prepared in accordance with GOMAR 09.13.06.12.

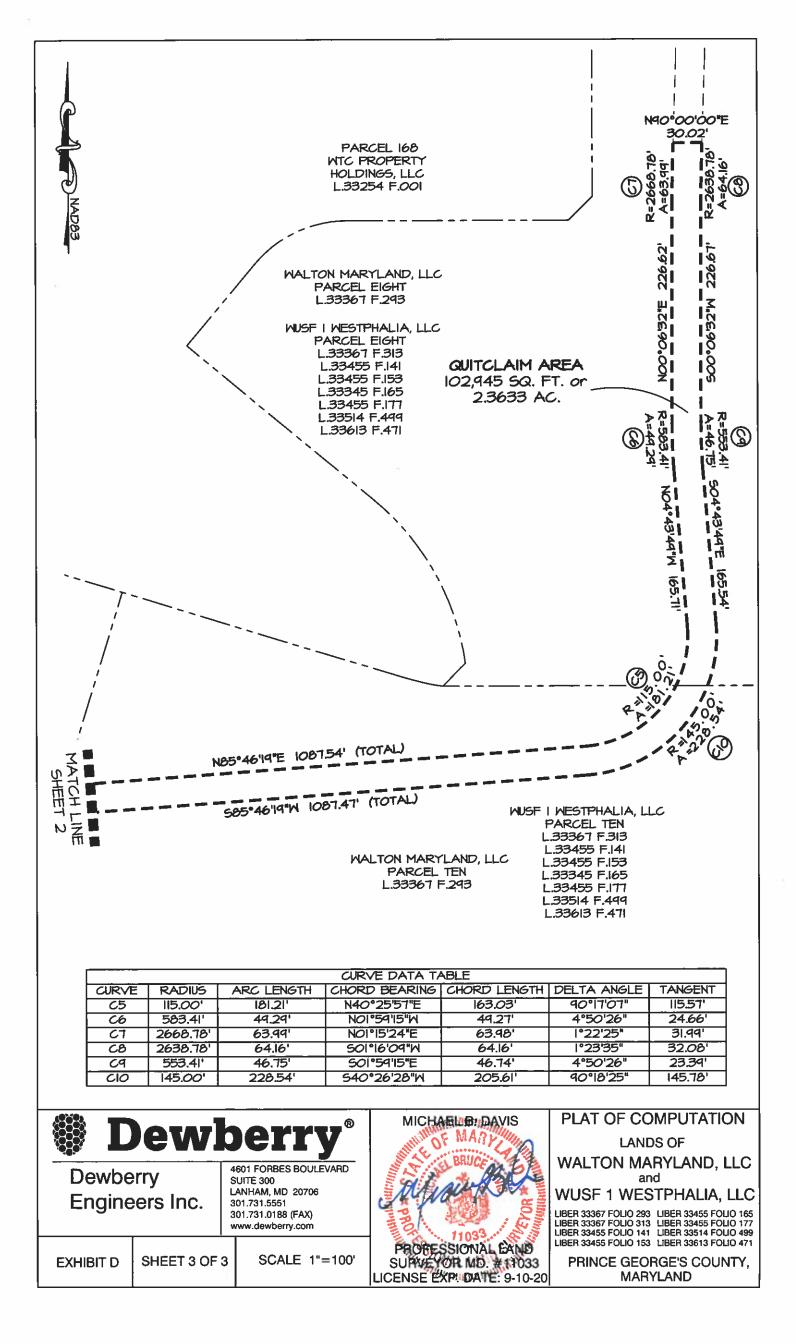
Michael B. Davis Professional Land Surveyor MD License No. 11033 Expiration Date: 9-10-2020













Dewberry Engineers Inc. 4601 Forbes Boulevard, Suite 300 Lanham, MD 20706-4825

301.731.5551 301.731.0188 fax www.dewberry.com

Tax ID#: 15-5113670

EXHIBIT A

DESCRIPTION OF A PRESCRIPTIVE RIGHT-OF-WAY QUITCLAIM

PRINCE GEORGE'S COUNTY, MARYLAND TO WALTON WESTPHALIA DEVELOPMENT (USA), LLC, a Maryland limited liability company and WALTON WESTPHALIA EUROPE, LP, a Delaware limited partnership

BEING a piece or parcel of land, in, through, over and across the property acquired by **WALTON WESTPHALIA DEVELOPMENT (USA), LLC**, a Maryland limited liability company, from **WTC PROPERTY HOLDINGS, LLC**, a Delaware limited liability company by deed dated February 13, 2012 and recorded among the Land Records of Prince George's County, Maryland in Liber 33367 at folio 116, and by **WALTON WESTPHALIA EUROPE, LP**, a Delaware limited partnership from **WALTON WESTPHALIA DEVELOPMENT (USA), LLC**, a Maryland limited liability company by Special Warranty deed dated August 20, 2012 and recorded among said Land Records in Liber 34095 at folio 024, and by **WALTON WESTPHALIA EUROPE, LP**, a Delaware limited partnership from **WALTON WESTPHALIA DEVELOPMENT (USA), LLC**, a Maryland limited liability company by Special Warranty deed dated October 31, 2012 and recorded among said Land Records in Liber 34218 at folio 516, being more particularly described in Maryland State Plane Meridian (NAD 83/91) as follows:

BEGINNING for the same at a point, said point being located South 66°44'40" East 537.03 feet from the northwesterly end of the second (2nd) or South 66°44'40" East 974.76 feet deed line of Parcel Six of the aforementioned deed Liber 33367 at folio 116; thence with a part of said deed line

- 1. South 66°44'40" East 38.43 feet to a point; thence in, through, over and across said Parcel Six
- 2. South 15°30'37" East 693.23 feet to a point; thence
- 3. 37.94 feet along an arc of a tangent curve deflecting to the left, having a radius of 120.00 feet, subtended by a chord bearing and distance of South 24°31'56" East 37.78 feet to a point; thence
- 4. 71.20 feet along an arc of a reverse curve deflecting to the left, having a radius of 125.00 feet, subtended by a chord bearing and distance of South 24°15'00" East 70.24 feet to a point; thence
- 5. South 07°55'56" East 133.86 feet to a point on the eleventh (11th) or North 73°07'08" West 1,260.71 feet deed line of Parcel Six, said point being located on the northeasterly right of way of Maryland Route 4, Pennsylvania Avenue (variable width R/W); thence with a part of said right of way and the outline of Parcel Six
- 6. North 73°07'08" West 23.76 feet to a point; thence

- 7. 9.03 feet along an arc of a tangent curve deflecting to the right, having a radius of 4197.37 feet, subtended by a chord bearing and distance of North 73°03'18" West 9.30 feet to a point; thence
- 8. North 07°55'56" West 119.97 feet to a point; thence leaving said outline and in, through, over and across Parcel Six
- 9. 55.72 feet along an arc of a tangent curve deflecting to the left, having a radius of 95.00 feet, subtended by a chord bearing and distance of North 24°44'00" West 54.92 feet to a point; thence
- 10. 49.48 feet along an arc of a tangent curve deflecting to the right, having a radius of 150.00 feet, subtended by a chord bearing and distance of North 24°55'29" West 49.26 feet to a point; thence
- 11. North 15°30'27" West 717.28 feet to the POINT OF BEGINNING containing 28,169 sq. ft. or 0.6467 acres of land, more or less, as shown on Exhibit B, Sheet 1 of 1, attached hereto and made a part hereof by this reference.

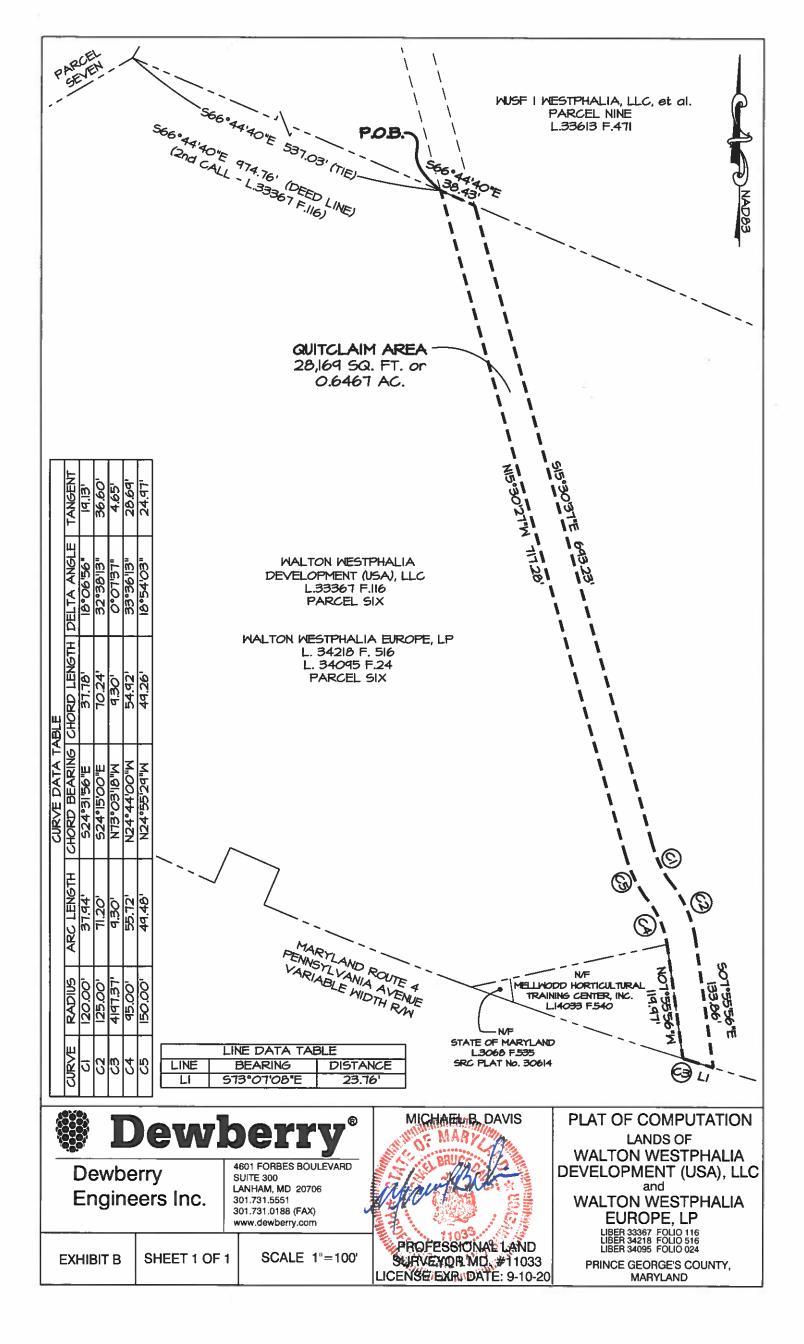
I hereby certify that I was in responsible charge of the preparation of this document, and any survey work reflected in it, and that it has been prepared in accordance with 00MAR 09.13.06.12.

Michael B. Davis

Michael B. Davis Professional Land Surveyor MD License No. 11033 Expiration Date: 9-10-2020









PRINCE GEORGE'S COUNTY GOVERNMENT OFFICE OF THE COUNTY EXECUTIVE

Rushern L. Baker, III County Executive

> EXECUTIVE ORDER No. <u>13</u> - 2017 May 16, 2017

WHEREAS, Section 23-156 of the Road Ordinance of Prince George's County, Maryland, provides that the County Executive may, upon recommendation of the Director of the Department of Public Works and Transportation, authorize the closing of any road under the jurisdiction of the County; and

WHEREAS, Paragraph (a) of Section 23-157 provides that where the users of the road or portion of road to be closed will not be denied access to any property or area which was previously accessible, the County Executive may authorize the closing upon the certification of such facts by the Director; and

WHEREAS, Paragraph (b) of Section 23-157 provides that where the closing will deny access to public users to areas or properties accessible from the road to be closed, that the Director of the Department of Public Works and Transportation shall first hold a public hearing to determine that reasonable or alternative means of access exist and the road is no longer needed as a public way; and

WHEREAS, the Director of the Department of Public Works and Transportation has caused a public hearing to be held on November 1, 2016, after duly posting notices at end of the roadway petitioned to be closed; placing notices in two County Newspapers of Record for two consecutive weeks prior to the hearing date; and mailing notices to all owners of record of properties abutting or adjacent to the roadway petitioned to be closed, and to all franchised public utilities, police department, fire department, postal service, Maryland-National Capital Park and Planning Commission (M-NCPPC), the County Executive and the Chairman of the County Council; and

WHEREAS, comments, concerns, and objections to the closing of sections of Melwood Road, which limits are properly described in Exhibit A, have been received either in writing or in person by the Department of Public Works and Transportation during the notification period, at the public hearing, and for fifteen days thereafter; and

WHEREAS, the Director of the Department of Public Works and Transportation provided an appropriate response to each person of record that posed comments, concerns and objections during the public hearing period; and

14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772 (301) 952-4131 www.princegeorgescountymd.gov WHEREAS, the Director of the Department of Public Works and Transportation certified by reason of evidence of the public hearing that reasonable or alternative means of access exist for all public users of Melwood Road and that the road is no longer needed as a public way; and

WHEREAS, this recommendation to close Melwood Road to all public use does not affect underlying private property rights of use, if any; and

WHEREAS, the Director has provided such recommendation and certification of facts to the County Executive for the road closure; and

NOW THEREFORE, by virtue of the power vested in me as the County Executive, under Section 23-156 and 23-157 of the Road Ordinance of Prince George's County, Maryland,

IT IS HEREBY ORDERED THAT portions of Melwood Road, being more specifically described in the attached description labeled as Exhibit A, with this exhibit being made part of this Executive Order, are authorized to be closed to all public use.

Keyf

Rushern L. Baker, III County Executive

EXHIBIT A

