



Department of Planning & Community & Economic Development

Planning Division

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June 14, 2016

Bill Ziegler
701 Holy Cross Way
Madison, Wisconsin 53704

RE: LNDCSM-2016-00014 – Certified Survey Map – 5310-5318 Fairview Drive

Dear Mr. Ziegler;

The three-lot certified survey of property located at 5310-5318 Fairview Drive, Section 34, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SR-C1 (Suburban Residential–Consistent 1 District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following seven (7) items:

1. Each lot shall have a separate sanitary sewer lateral.
2. The construction of this project will require the installation of public sidewalk adjacent to this project. The applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
3. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
4. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Greenway Swanton (\$9.60/1,000 sq. ft.) and Eagle Crest (\$5.17/1,000 sq. ft.) districts.
5. A minimum of 2 working days prior to requesting City Engineering signoff on the CSM the applicant shall contact Brenda Stanley at 261-9127(bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The

stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

6. The developer shall install sidewalk on Femrite Drive adjacent to proposed Lot 1. The applicant shall enter into a City/ Developer agreement or an equal agreement to secure surety that is acceptable with the City Engineer for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. [Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.]
7. Arrows shall be added to the Certified Survey Map indicating the direction of drainage for each property line not fronting on a public street. In addition, the CSM shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the CSM:
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the CSM. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have questions regarding the following ten (10) items:

8. Add a note referencing the noise note on Sheet 2 of Eagle Crest Subdivision as follows: The owners and occupants of the lots contained on this plat acknowledge the presence of high levels of existing

noise resulting from the adjacent highway and shall hold harmless the City of Madison from any impacts on the use, enjoyment or value of these properties resulting from existing or future highway noise.

9. Add, dimension and denote the 6' Gas Easement and the 10' Utility Easement over the portion of this CSM within Outlot 4 of Eagle Crest Subdivision.
10. Add all of the required "recorded as" bearings and distances from the original deeds that comprise this Certified Survey Map.
11. Remove any reference to being in the Town of Burke from the CSM headers on all sheets and the legal description under the Surveyor's Certificate.
12. Properly revise the Consent of Mortgagee Certificate to refer to the current mortgagee on the property.
13. Add a note that the portion of the CSM currently lying within Outlot 4, Eagle Crest Subdivision, is subject to Declaration and Covenants per Document Nos. 4176513 and 4176514.
14. Correct the spelling of the Holding Company on owner's certificate.
15. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.
16. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the Dane County Surveyor's Office (web address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact Engineering Division for this information.
17. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject CSM, one (1) digital CADD drawing and one (1) signed copy of the final CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and

private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

18. Proposed Lot 2 will require a new water service lateral connected to a public water main.
19. All operating private wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned in accordance with MGO Section 13.21.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

20. Provide the following information to the buyer of each individual lot: "The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e)."

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following four (4) items:

21. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Reindahl park impact fee district (SI22). Please reference ID# 16118 when contacting Parks Division staff about this project.
22. The following note should be included on the CSM: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."
23. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall provide the necessary recording fee as part of this requirement.
24. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact my office at 261-9632 if you have questions about the following item:

25. Revise the proposed lot line between Lots 2 and 3 to be more perpendicular to the curve of Holy Cross Way.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following seven (7) items:

26. Signature block certifications shall be executed by all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). Correct the typos in the owner's certificates to show the correct spelling of Eagle Aerie Holding Company, Inc. and the full legal name of William L. Ziegler. The executed original hard stock recordable CSM shall be presented at the time of sign-off.
27. Complete the mortgagee certificate of consent and accompanying notary block with the names of all mortgagees of record and have the original hard stock CSM executed by said mortgagees prior to CSM approval sign-off.
28. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language "...surveyed, divided, mapped and dedicated..."
29. Change the plural words in the notary block for the Owner's Certificates to state "owner" and "person".
30. As of May 24, 2016, the 2015 real estate taxes are paid for the subject property and there are no special assessments reported. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
31. Please coordinate with Tim Troester (267-1995) or Brenda Stanley (261-9127) in the City Engineering Division to obtain any outstanding storm water management fees from the City of Madison Water Utility. Receipts for the payment of the prorated fee shall be presented prior to CSM approval sign-off.
32. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Jenny Frese in City's Office of Real Estate Services (jfrese@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (March 31, 2016 and May 10, 2016) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The surveyor shall update the CSM with the most recent information reported in the title update.
33. The CSM shall be revised prior to sign-off as follows:
 - a.) Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.

- b.) Depict and dimension all easements set forth by the prior plat on Outlot 4.
- c.) Include Outlot 4 Eagle Crest Subdivision in the legal descriptions provided in the header and surveyor's certificate.
- d.) Label underlying Outlot 4 Eagle Crest Subdivision on that part of proposed Lot 3.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division was approved by the Common Council on June 7, 2016.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (attached), the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

Upon acceptance and recording of the Certified Survey Map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sally Sweeney, City Assessor's Office
Bill Sullivan, Madison Fire Department

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