



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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August 5, 2019

Andrew Goodman
GMX Real Estate Group, LLC
3000 Dundee Road #408
Northbrook, Illinois 60062

RE: ID 56399 | LNDCSM-2019-00029 – Certified Survey Map – 23 West Towne Mall

Dear Mr. Goodman;

The two-lot certified survey of property located at 23 West Towne Mall, Section 26, Township 7 North, Range 8 East, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The subject property is zoned CC (Commercial Center 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 Engineering Division at (608) 261-9127 if you have questions regarding the following five (5) items:

1. Each lot shall have a separate sanitary sewer lateral. If the proposed lot #1 has a sewer lateral that crosses the proposed lot #2 of the CSM, applicant shall dedicate a private sanitary sewer easement on the proposed lot #2.
2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 608-261-9127 (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). (POLICY)
4. The lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds. (POLICY)

5. The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."

Please contact Lori Zenchenko of the Engineering–Mapping Section at (608) 266-5952 if you have any questions regarding the following fifteen (15) items:

6. Provide a detail of the Encroachment and Fire Corridor Easement(s) per Doc No. 1303874.
7. Denote and label the general location of the 30' Wide Main Roadway Easement on the Map portion of the CSM per the REA documents noted under Note 3(b).
8. Show the north right of way of Mineral Point Road and the adjoiners.
9. Correct the date of the Commitment in note 3 to February 20, 2019. If an update is required prior to final sign off this note shall again be updated.
10. Add a note on sheet 7 that this Certified Survey Map is subject to Reciprocal Agreement of Covenants, Conditions and Restrictions per Doc. No. 5073369.
11. Note: Applicant is solely responsible for compliance and necessary amendments in regard to any private restrictions, covenants or similar private agreements in conjunction with the land division proposed with the Certified Survey Map.
12. Correct any 2018 dates to 2019. Also, correct the Secretary of the Plan Commission to Nan Fey.
13. 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 monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). 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 and shall be attached to a signed and sealed monument condition report.
14. 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.

15. The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/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:
- a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. 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).

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

16. In accordance with Section s.236.34(1m) (c) which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on the CSM. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the CSM
17. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to 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 sign-off. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.
18. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
19. Correct the street name to S Gammon Rd on all appropriate sheets.
20. Correct the owner name to JC Penney Properties Inc.

Please contact Heidi Radlinger of the Office of Real Estate Services at (608) 266-6558 if you have any questions regarding the following six (6) items:

21. OWNER'S CERTIFICATION -- Signature block certifications shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). The executed original hard stock recordable CSM shall be presented at the time of sign-off.
22. CERTIFICATE AND CONSENT REQUIREMENTS
 - a. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2), 236.34(1)(dm) and 236.29 by including the language ...surveyed, divided, mapped and dedicated....
 - b. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder.
 - c. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
23. REAL ESTATE TAXES -- 2018 real estate taxes remain outstanding for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. 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
24. SPECIAL ASSESSMENTS -- There are no special assessments reported on the subject parcel. If special assessments are levied against the property prior to CSM approval sign-off they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.
25. TITLE REPORT UPDATE -- Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services (hradlinger@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 (6/28/19) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update.
26. COPY OF RECORDED CSM -- The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

Please contact Adam Wiederhoeft of the Madison Water Utility at (608) 266-9121 if you have any questions regarding the following item:

27. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

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 will be before the Common Council on August 6, 2019.

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 (608) 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 [jqumme@cityofmadison.com](mailto:jrqumme@cityofmadison.com).

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 (608) 261-9135.

Sincerely,



Chris Wells
Planner

cc: Brenda Stanley, City Engineering Division
Lori Zenchenko, City Engineering Division—Mapping Section
Heidi Radlinger, Office of Real Estate Services
Adam Wiederhoeft, Madison Water Utility