



Department of Planning & Community & Economic Development

Planning Division

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November 11, 2015

Mike Ziehr

Vierbicher Associates, Inc.

999 Fourier Drive, Suite 201

Madison, Wisconsin 53717

RE: LNDCSM-2015-00023 – Certified Survey Map – 8201 Flagstone Drive (Hawks Meadows Townhomes, LLC)

Dear Mr. Ziehr;

The one-lot certified survey of property located at 8201 Flagstone Drive, Section 3, Township 6N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SR-V2 (Suburban Residential – Varied 2 District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following seven (7) items:

- 1.) This lot is part of the upper badger mill creek impact fee district. Charges for this district are due and payable prior to issuance of building permits.
- 2.) The lots within this site plan are inter-dependent upon one another for stormwater 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 site plan, and recorded at the Dane County Register of Deeds.
- 3.) Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of Madison General Ordinances and substantial thermal control.
- 4.) The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
- 5.) All work in the public right of way shall be performed by a City-licensed contractor.

- 6.) All damage to the pavement on Flagstone Drive and Jeffy Trail adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.
- 7.) Proposed Lot 1 has existing private storm sewer and sanitary sewer serving the condos at the corner of Flagstone Drive and Jeffy Trail. Revise CSM to show private easements over these private utilities. Prior to approval, provide ownership and maintenance agreement for said storm and sanitary sewers.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following twelve (12) items:

- 8.) Provide a copy of and place location of the easement with the recording information on the face of the CSM for any required easement for the private water service lateral that will encumber the adjacent Hawk's Creek Condominium for the benefit of this property.
- 9.) Provide a copy of and place location of the easement with the recording information on the face of the CSM for any required easement for the private sanitary lateral that will encumber this CSM to serve the adjacent building in Hawk's Creek Condominium.
- 10.) Add note 5 from the plat of Hawk's Creek. Refer to the document number in the note.
- 11.) Record and provide the recorded copy of the Waiver of Right to Expand Hawk's Creek Condominium Townhomes.
- 12.) Provide a dimension from the west line to the 20-foot Shared Driveway Access near the west side of the CSM.
- 13.) Add to the note for the west portion of the Shared Driveway Access that it was revised by Document No. 4310896 and amended by Document No. 4471263.
- 14.) Add to the note for the southern portion of the Shared Driveway Access that it was amended by Document No. 4295458, revised by Document No. 4310896 and amended by Document No. 4471263.
- 15.) Add a note to the face of the map on Sheet 1: "Lot 1 is subject to a Reciprocal Cross Easement per Document No. 5098620."
- 16.) 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 City Assessor's Office can then create the new parcel data in the City's property database so that the permitting system can upload this data and permit issuance made available for this new land record.
- 17.) Insert the standard language per MGO Section 16.23(9)(d)2.a. verbatim. Once done, all of the previous nonexclusive easements for drainage easements are released and new drainage easements defined by the current proposed Certified Survey Map.

18.)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.

19.)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.

Please contact my office at 261-9632 regarding the following three (3) items:

20.)Please submit all proposed cross-access and shared parking easements to serve the proposed lots and Hawks Creek Condominiums Townhomes for review and approval prior to final approval of the CSM for recording.

21.)In consultation with the City Engineering Division and the Water Utility, both the proposed CSM lot and Hawks Creek Condominium Townhomes will need separate connections to both City water and sanitary sewer (i.e. no connections to private utilities), but that the individual laterals can cross the other property to get from point to point so long as there are recorded easements in place prior to recording of the proposed CSM. This approach would be consistent with the intent of Section 16.23(7)(d)1 of the Subdivision Regulations.

22.)This CSM is approved subject to complying with all of the provisions contained in MGO Section 16.23(7)(d)1, adopted by Ord. 12-00014, January 24, 2012, which states (excerpt):

"For lands subject to a condominium plat, a lot or lots may be created from a lot in said plat provided that no part of a lot or lots to be created shall be part of a condominium and shall be capable of being served by City water and sewer. Service from a private water or sewer

system shall not be permitted. The lot or lots created may share cross access, parking, and stormwater management facilities if such sharing was required by any zoning approval for the property and if adequate easements and/or agreements are provided, subject to the approval of the City Engineer, City Traffic Engineer, and Planning Director.”

The final CSM shall include a note affirmatively stating that the proposed lot conforms to this section of MGO without exception or variance.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following six (6) items:

- 23.) Prior to requesting approval sign-off, signature block certifications shall be executed by all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). All signatory parties provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.
- 24.) A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate and executed prior to CSM approval sign-off.
- 25.) Pursuant to MGO Section 16.23(5)(e)4 and Wis. Stats. 236.21(2)(a), revise the City of Madison Plan Commission Certificate to appear as follows:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____
Natalie Erdman, Secretary of the Plan Commission

Date: _____

- 26.) Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), 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. As of November 5, 2015, the 2014 real estate taxes are paid for the subject properties and there are no special assessments reported. If 2015 real estate taxes are levied prior to final approval of the CSM for recording, they shall be paid in full prior to requesting sign-off.
- 27.) 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.
- 28.) Revise the CSM prior to final sign-off as follows:
 - a.) Coordinate with City Engineering to determine which Notes from the plat of Hawk's Creek are required to carry forward on the proposed CSM.
 - b.) Revise Note 5 on sheet 4 to individually describe each document by full title and document number.

- c.) Remove reference to Document No. 4390308 in Note 5 on sheet 4, as this is a termination document.
- d.) Remove reference to Document No. 5098620 in Note 5 on sheet 4, as it is depicted on sheet 1.
- e.) Depict the easement areas from Exhibit D of Document No. 5098620. Revise the title of the easement in the label to state "Reciprocal Cross Easement".
- f.) Add Document No. 4310896 to the label for the 20-foot access easement per Document No. 4295458 on sheet 1.

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 is scheduled for review by the Common Council on November 17, 2015.

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.

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

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. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

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.**

LNDCSM-2015-00023
8201 Flagstone Drive
November 11, 2015
Page 6

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: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division–Mapping Section
Sally Sweeney, City Assessor’s Office
Dennis Cawley, Madison Water Utility
Janet Schmidt, Parks Division
Bill Sullivan, Madison Fire Department
Jennifer Frese, Office of Real Estate Services