



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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Phone: (608) 266-4635
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May 19, 2020

Bryan Stueck
Birrenkott Surveying, Inc.
1677 N Bristol Street
Sun Prairie, Wisconsin 53590

RE: Approval of a Certified Survey Map (CSM) to create two lots from land addressed at 5381 Maly Road, Town of Burke, in the City of Madison's Extraterritorial Jurisdiction (Scott).

Dear Mr. Stueck;

The City of Madison Plan Commission, meeting in regular session on May 18, 2020, **conditionally approved** your clients' Certified Survey Map of property located at 5381 Maly Road, Town of Burke. The conditions of approval from the reviewing agencies to be satisfied before final City 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 condition:

1. The lots being divided are interdependent for drainage purposes. Provide comprehensive reciprocal easements and agreements for review, including for stormwater management.

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have questions regarding the following nine (9) conditions:

2. Provide for review an easement agreement (or provide on the CSM) addressing the driveway used by Lot 1 crossing over onto Lot 2. The easement shall set forth the terms, conditions and restrictions for the use and maintenance of the drive.
3. Dimension the Vision Corner within the Certified Survey Map boundary.
4. Add note that this Certified Survey Map is subject to Declaration of Conditions, Covenants and Restrictions per Document No. 4222847
5. 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 Jeff Quamme (jrquamme@cityofmadison.com), City Engineering. 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. Note: Land tie to two PLS corners required.

6. Prior to City Engineering final sign-off by main office for Certified Survey Maps (CSM), the final 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. E-mail submittal of the **final** CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.
7. Correct the arc length of the 15-foot radius curve in the northeast corner.
8. The Volume, Page and Document number shall be added to the legal description for CSM 1673.
9. Remove the City of Madison Common Council Certificate. This will be reviewed and acted on by the City of Madison Plan Commission only.
10. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement than the required submittals to 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 submittal.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have questions regarding the following condition:

11. The applicant shall install, or provide an executed copy of a cross-access agreement to allow vehicular movement onto and off of adjacent sites.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have questions regarding the following condition:

12. The subject parcels are located beyond the Madison Water Utility's existing service area. Note that future attachment to the City may require connection to the City water system if/when water service becomes available per MGO Section 13.07.

Please contact Andy Miller of the City's Office of Real Estate Services at 261-9983 if you have questions regarding the following ten (10) conditions:

13. Update the date in the notary block to 2020. 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 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.
14. A certificate of consent for all mortgagees shall be included following the Owner's Certificate and executed prior to CSM approval sign-off.
15. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to final sign-off.
16. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest include a Certificate of Consent for the option holder.
17. 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.
18. As of May 8, 2020, 2019 real estate taxes and special assessments are owed for the subject property. Per 236.21(3) Wis. Stats. 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. This includes property tax bills for the prior year that are distributed at the beginning of the year.
19. All special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property prior to CSM approval sign-off, they shall be paid in full.
20. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in City's Office of Real Estate Services (acmiller@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 (February 27, 2020?) 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. The surveyor shall update the CSM with the most recent information reported in the title update.
21. The owner shall email the document number of the recorded CSM to Andy Miller in the City's Office of Real Estate Services as soon as the recording information is available.
22. For properties not connected to municipal utility services, consider whether well abandonment ref. NR-141 needs to be addressed.

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

****NEW**** In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will transmit the CSM to the City Clerk's Office for execution of the Common Council certificate.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument will be returned electronically to the applicant by the Planning Division for printing and recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at 266-4141.

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

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Adam Wiederhoeft, Madison Water Utility
Andy Miller, Office of Real Estate Services