



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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October 26, 2023

Mike Ziehr
Vierbicher Associates
999 Fourier Drive, Suite 201
Madison, WI 53717
VIA EMAIL

RE: LNDCSM-2023-00027; Legistar ID 79981 – Certified Survey Map – 415 N Lake St

Mike Ziehr,

Your one-lot certified survey of property located at 415 North Lake St, Section 23, Township 07N, Range 09E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. 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 any questions regarding the following one (1) item:

1. 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))

Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following three (3) items:

2. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 22044 when contacting Parks about this project.
3. 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."

4. The Parks Division shall be required to sign off on this CSM.

Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following sixteen (16) items:

5. Grant a Public Sidewalk Easement(s) over the west 3.5 feet adjacent to N Lake Street to the City on the face of this Certified Survey Map. Contact Jeff Quamme (jrquamme@cityofmadison.com) for easement text to be placed on the Certified Survey Map.
6. Provide a detail of the location of the adjacent building that encroaches onto this parcel in the northwestern corner of this CSM. Also show the relationship to the limits of the lease agreement per Document No 4295324. Previous surveys indicate that the building extends beyond the limits of the lease area.

Add text to the label that the existing lease per Doc. No. 4295324 to be modified by separate recorded instrument.

7. Add text to the end of the Air Space Rights note on sheet 3: To be released by separately recorded instrument upon the removal of the connection bridges between parking structures.
8. Show and label the License for fence encroachment in the northeasterly corner of this CSM per Document No. 2253079.
9. 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 (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
10. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
11. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
12. Add "Recorded as" distances on the exterior boundary of the Certified Survey as required by Statute.
13. Provide building ties and necessary details for clarity to the buildings immediately adjacent to this Certified Survey Map.
14. Add text to the end of the labels on sheet 2 for the Aerial Connection Between Ramps: To be removed as part of Demolition of the Parking Ramp.

15. Provide street widths at the bend points in the N Lake Street right of way.
16. Coordinate the required text for the Owner's Certificate with City of Madison Real Estate Staff.
17. The Plat of University Addition to Madison is not tied to a quarter line as required by statute. Therefore, a metes and bounds description shall be added to the legal description on sheet 5.
18. Abbreviate the North predirectional on the appropriate sheets. (N. Lake Street).
19. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
20. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, 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, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match 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. all shown on the plat including wetland & floodplain boundaries.)

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 for any changes subsequent to any submittal.

Please contact Jennifer Frese of the Real Estate Office at (608) 267 8719 if you have any questions regarding the following six (6) items:

21. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

The signature block for the City, as owner, requires revision. ORES can provide the signature block to the surveyor upon request.

With the exception of the Surveyor's Certificate, the Register of Deeds will accept electronic signatures. ORES can assist in circulating the CSM for Mayor and Clerk's signatures, when needed.

A PDF of the CSM containing all electronic signatures is required prior to ORES approval to release/approve the CSM.

If the signed, unrecorded CSM needs to be held in escrow at a title company to meet closing needs, the City, Buyer and Title Company shall enter into an escrow agreement, detailing the order of recording.

22.MORTGAGEE/VENDOR CERTIFICATION

There are currently no mortgages of record for the property. If the buyer must secure a mortgage prior to CSM recording, an executed and notarized/authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate.

23.CERTIFICATE AND CONSENT REQUIREMENTS

- a. 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....

24.REAL ESTATE TAXES AND SPECIAL ASSESSMENTS

The property is not assessed and there are no taxes reportable. However, there special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off.

25.TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Jenny Frese (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 (9-4-23) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment is acceptable, as well, given the upcoming closing preparation. Surveyor shall update the CSM with the most recent information reported in the title update.

26.ADDITIONAL REQUIREMENTS

- a. Coordinate the exhibits required for the amendment to Lease Doc. No. 4295324 (ORES 8673) with Engineering and ORES.
- b. Revise the label of the subterranean encroachment per Doc. No. 1725671 to state Privilege Agreement, rather than Easement.
- c. The Deed of Easement per Doc. No. 1067711 is not evident in title and it does not appear to encumber the property.
- d. Lease 4295324 is depicted and labeled, so consider removing the duplicate in General Notes.

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 reviewed by the Common Council at its November 7, 2023 meeting. Please now follow the procedures listed below for your certified survey map:

1. 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 make the City Clerk's Office aware that the Common Council certificate may be executed.
2. Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 266-4141.
3. 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 243-0554.

Sincerely,



Lisa McNabola
Planner

cc: Brenda Stanley, City Engineering Division
Kathleen Kane, Parks Division
Jeffrey Quamme, City Engineering Division–Mapping Section
Jennifer Frese, Office of Real Estate Services