



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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March 6, 2013

Chris Adams
Williamson Surveying & Associates, LLC
104A W. Main Street
Waunakee, Wisconsin 53597

RE: File No. LD 1304 – Certified Survey Map – 1401 Emil Street (Scott Faust, JetMax, LLC)

Dear Mr. Adams;

The one-lot certified survey combining your client's property located at 1401 Emil Street, Section 34, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned CC (Commercial Corridor District). The conditions of approval from the reviewing agencies to be satisfied before final approval and recording of the CSM are:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following four (4) conditions:

1. The applicant shall identify the exact location of the existing sanitary sewer that runs along the east side of the property. If the sanitary sewer is shown to be on/near private property, the applicant shall dedicate a 10-foot sanitary sewer easement to the City.
2. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) 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).
3. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
4. 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 Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

5. Per MGO Section 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Jennifer Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following nine (9) items:

6. Prior to requesting final approval prior to recording, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). All signatory parties shall 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. Please update the Owner's Certificate signature line with Scott Faust, Managing Member, as well as the associated notary to reflect the LLC entity. An example of a notary block is as follows:

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 2013, the above named _____, Managing Member, of _____, a _____ limited liability company, known to me to be the person who executed the above and foregoing instrument and acknowledged that he/she executed the foregoing instrument as such Managing Member as the deed of such limited liability company, by its authority.

Notary Public, State of Wisconsin

(print or type name)

My Commission: _____

7. A certificate of consent for mortgagee/vendor shall be included following the Owner's Certificate for any mortgagees/vendors of record.
8. 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..."
9. Disclose any tenancy in excess of one year and provide the document number or tenancy description as a note on the face of the CSM.
10. Please include the following certificate:

Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number RES-13-_____, File ID Number 29181, adopted on the _____ day of _____, 2013, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 2013

Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County Wisconsin

11. Pursuant to MGO Section 16.23(5)(e)4 and Wis. Stats. 236.21(2) (a), all CSMs that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

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

By: _____ Date: _____
Steven R. Cover, Secretary Plan Commission

12. As of February 22, 2013, the 2012 real estate taxes have been partially paid for the subject property, with the second installment of **\$2,948.35** due. "Paid" tax receipts are to be provided on or before final sign-off. There are no special assessments reported.

13. The applicant shall verify that stormwater management charges are paid in full by contacting Janet Dailey with City Engineering Division (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).

14. The following CSM revisions shall be made:

- a.) Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
- b.) Include a Note on Sheet 3 that states the lands within the CSM boundary are subject to restrictions contained in certain Quit Claim Deeds recorded as Document Nos. 1070284 and 1102125.
- c.) Revise the pages numbers at the bottom of the CSM and update the Sheet # on Sheet 1 for the Note regarding Notes.
- d.) Coordinate with City staff to determine if the existing sanitary sewer facility along the southeasterly property line adjacent to Damon Road is within the right-of-way or lies within the CSM boundary. There may be a potential need for a sanitary sewer easement.

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 February 26, 2013.

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 epederson@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 six (6) 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: Janet Dailey, City Engineering Division
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations