



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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November 10, 2020

Kevin Pape  
D'Onofrio, Kottke & Associates  
7530 Westward Way  
Madison, WI 53717

RE: LNDCSM-2020-00039; ID 61680 – Certified Survey Map – 1313 Regent Street

Dear Mr. Pape;

Your one-lot certified survey of property located at 1313 Regent Street and 7 S Randall Avenue, Section 22, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned Traditional Shopping Street (TSS) District and Wellhead Protection District 27 (WP-27). 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 Engineering Division at (608) 267-1995 if you have questions regarding the following four (4) items:**

1. Enter into a City/Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)(c))
2. Construct sidewalk/terrace/pavement improvements to a plan as approved by City Engineer.
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) 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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)
4. This development is adjacent to a closed site containing residual petroleum soil and groundwater contamination: WDNR BRRS #03-13-000364, "CHUCKS SERVICE". If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.

**Please contact Sarah Lerner of the Parks Division at (608) 261-4281 if you have any questions regarding the following three (3) items:**

5. 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# 20031 when contacting Parks about this project.

6. 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."
7. The Parks Division shall be required to sign off on this CSM.

**Please contact Jeff Quamme of Engineering – Mapping Section at (608) 266-4097 if you have any questions regarding the following thirteen (13) items:**

8. Grant a Public Sanitary Sewer Easement to the City for the in-place subterranean maintenance, repair or lining of the existing sanitary sewer that exists in place along the north line (Regent Street Right of Way) or any portion that lies within this this Certified Survey Map. The easement shall expire upon the abandonment of the existing sewer main as part of a future City of Madison Public Works Project providing alternate sanitary sewer connections for all buildings currently served by this main.
9. Grant a 7.5. x 7.5' Public Storm Sewer Easement(s) to the City over the southeast corner of the site on the face of the Certified Survey Map. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required easement language.
10. Provide a Public Utility Easement over the west side of this Certified Survey Map encompassing the utilities that exist within this site.
11. 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)
12. 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.
13. Provide "recorded as" distances on the exterior boundary of the Certified Survey Map.
14. Add Doc No 695645 as a second document listed for the alley vacation on the header and in the legal description under the Surveyor's Certificate.
15. The CSM is located in the NE 1/4 of the SE 1/4 of Section 22, not the NW 1/4 of the SE 1/4. Fix all references at the top of the sheets and within the legal description under the Surveyor's Certificate.

16. The plat of Eighmy Replat and Eighmy-Ramsay Co's Addition were not tied to a quarter line, therefore a metes and bounds description of the CSM exterior tied to the quarter line is required. Also capitalize the word "Replat" in the legal description under the Surveyor's Certificate.
17. Correct the Document No. in Note 1(G) to 5267583. Also the Owner should consider terminating the easement after recording this Certified Survey Map.
18. The Secretary of the Plan Commission is now Matthew Wachter.
19. This 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 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. 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 for any changes subsequent to any submittal.

**Please contact Andy Miller of the Office of Real Estate Services at (068) 261-9983 if you have any questions regarding the following seventeen (17) items:**

21. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) 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.
22. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

23. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off. If the CSM is signed electronically, a PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
24. 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 CSM approval sign-off.
25. 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....
26. 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.
27. 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.
28. 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 \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, 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 \_\_\_\_\_, 2019

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

29. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2) (a), all CSM's 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: \_\_\_\_\_  
Matthew Wachter, Secretary of the Plan Commission

30. Register of Deeds Certificate: Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds  
Dane County, Wisconsin

Received for recording on \_\_\_\_\_, 20\_\_ at \_\_\_ o'clock\_\_ M, and  
recorded in Vol. \_\_\_ of CSMs on page(s) \_\_\_\_\_, Document No. \_\_\_\_\_.

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Kristi Chlebowski, Register of Deeds

31. The 2019 real estate taxes are paid 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. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
32. As of September 4, 2020, there are special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.
33. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in the ORES ([acmiller@cityofmadison.com](mailto: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 (6-12-2020) 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. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
34. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record. If documents included in the 6-12-2020 title report do not apply to the area within the proposed CSM, have them removed from the updated title report.
35. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.
36. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
37. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.

**Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following three (3) items:**

38. Madison Water Utility will be required to sign off as part of the approval review associated with this

Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

39. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-27). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102.
40. The agency reviewed this request and has recommended no conditions of approval.

**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 reviewed by the Common Council at its November 17, 2020 meeting.**

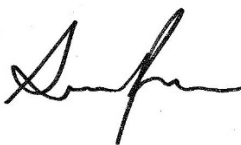
Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com).

As soon as the comments and conditions have been satisfied, 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.

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 [sprusak@cityofmadison.com](mailto:sprusak@cityofmadison.com).

Sincerely,



Sydney Prusak, AICP  
Planner

cc: Tim Troester, Engineering Division  
Sarah Lerner, Parks Division  
Jeff Quamme, Engineering Division—Mapping Section  
Andy Miller, Office of Real Estate Services  
Jeff Belshaw, Water Utility