



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

October 7, 2022

Kenneth Buesing
Buesing and Associates, Inc.
1212 Locust Street
Dubuque, Iowa 52001

RE: LNDCSM-2022-00040; ID 73356 – Certified Survey Map – 6611 McKee Road (TH Honey Mad, LLC)

Dear Kenneth;

The two-lot Certified Survey Map dividing property addressed as 6611 McKee Road, Section 13, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned PD (Planned Development District) and is subject to a Specific Implementation Plan. 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 (608) 267-1995 if you have questions regarding the following two (2) items:

1. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface stormwater drainage. A private Storm Sewer/ Drainage Easement/ Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to recording of the CSM or building permit issuance.
2. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the CSM contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 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).

Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following thirty-one (31) items:

3. Grant a Public Sidewalk Easement(s) to the City on the face of this Certified Survey Map over the westerly line of Maple Grove Drive to allow for an expanded street terrace. The width of the easement to be approved by the City Engineering Division and Traffic Engineering Division. Contact Julius Smith (jsmith4@cityofmadison.com) with Engineering Mapping for the required language to be included on the CSM.

4. In accordance with Chapter 236, Wisconsin Statutes, the applicant shall show the type, location and width of any and all easements on a plat or CSM. Clearly identify the difference between existing easements (cite recording data) and easements that are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division. Per s.236.20(2)(c), easements not parallel to a boundary or lot line shall be shown by centerline bearing, distance and width or by easement boundary bearings and distances. Multiple easements are shown on the CSM that are not parallel to or controlled by any lot line. Locate these easements in detail on the CSM in the manner described in state stat above.
5. Show the additional water easement area for the hydrant per affidavit of correction Document No. 3211895.
6. Insert standard language pre MGO 16.23(9)(d)2.a. verbatim. When done, all of the previous non-exclusive easements for drainage easements are released and new drainage easements defined by the current proposed Certified Survey Map.
7. Directly and clearly label the easements. For example, it cannot be discerned on the face of the CSM what type of easement is being labeled with (8). Also (8) lists multiple document numbers; clearly label each easement directly for all easements.
8. Document No. 3178008 contained a general easement for a pipe to cross the southerly drive of this parcel and use the stormwater pond. T his this should be added and noted in the general area.
9. The pipe and use of the storm pond in Document No. 3178008 conflicts with the restriction note on the current land division. Record an instrument to amend the CSM to allow for the existing connection, prior to recording this land division.
10. Show the applicable restriction notes from CSM 9130, flow arrows and revised notes via the affidavits of correction, and cite the affidavits of correction for the revised ones.
11. Revise joint agreement as set forth in Document No. 3038066 to include the third party/Lot. The new lot being created will not have its own direct access and will only have a shared access to the North this needs to be formally addressed and so should the utilities being provided to the new Lot. Provide draft of agreement.
12. Show the entire CSM boundary as a solid line. Do not show the right of way portion of Maple Grove Drive as dashed; this should be solid. Also, it could not be determined if the chord lines for the curves were dashed or dotted; they should be dashed or dotted.
13. Note that the utility Easements as shown as just being noted via (8) should be specifically cited as both existing 10' and 6' underground easements as set forth per CSM 9130 recorded as Document No. 3058871 and utility easements as set forth per Replat No.1 Fieldstone Addition to Meadowood recorded as Document No. 2671006 and that TDS and MT Vernon communication companies appear

to have released their rights to these easements in Document No. 3128887 as well as Wisconsin Power and Light in Document No. 3128888.

14. List the name of the lot that is subject to Condominium Document, Fieldstone Condominium. This should be shown as, Lot 258, Replat No.1 Fieldstone Addition to Meadowood subject to Fieldstone Condominium
15. 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 Julius Smith, City Engineering (jsmith4@cityofmadison.com).
16. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.
17. Prior to final City Engineering Division sign-off by main office for CSM, the final CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Julius Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.
18. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with Madison General Ordinances and State of Wisconsin Statutes. The licensed professional preparing the CSM is fully responsible for compliance with all ordinances and statutes regulating this proposed land division. Please see https://doa.wi.gov/DIR/_WI_Plattting_Manual-Certified_Survey_Maps.pdf
19. Revise title captions on all sheets to remove first reference of "In the city of Madison, Dane County, Wisconsin;" and include reference to missing affidavit of correction document, "Amended by Document No. 3211895"
20. Show the centerline of all streets per s. 236.20(2)(h).
21. Per S 236.20(3)(b), the location of the CSM shall be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. The monuments at the ends of the boundary line shall be described and the bearing and distance between them shown.
22. Per s. 236.20(3)(d), the names of adjoining streets, state highways and subdivisions shown in their proper location underscored by a dotted or dashed line. Underline McKee Road. Underline the names of all the adjoining lots, subdivisions and CSM names.

23. Per s236.20(3)(e), abutting street and state highway lines of adjoining plats shown in their proper location by dotted or dashed lines. The width of these streets and highways shall be given also. Show the proper location of the adjacent lots and show the opposing side of the road rights of way.
24. Per 236.20(c), where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys, "recorded as" bearings and distances shall be shown.
25. Revise the () record dimension to read () "Recorded as" and show record bearings in addition to distances where found in records. also show these in your line and curve tables.
26. Additionally, show the recorded as sub-distances for the proration performed at the northwest corner of the parcel.
27. Per Wisconsin AE 2.02 Professional Seal shall be between 1 5/8"- 2" and bear the name of the city in which the surveyor resides.
28. Remove pavement width labels on Sheet 1.
29. Per 236.20(2)(i), North shall be referenced to a magnetic, true or other identifiable direction. Related to a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. Include a north arrow on each sheet with details. North must be related to a PLSS Quarter line. WisCORS is GPS VRS network that provides RTK correction data. Please list the coordinate system and adjustment used while using the network.
30. Regarding the Office of Register of Deeds signature on sheet 9 of 9 and box on sheet 1 of 9, either of these will work with some edits. either the formatted Text will have to move to the box on the upper right hand corner on sheet 1 or the box can be removed and it can be left on sheet 9. See below:

The formatting of the text should be:

Office of the Register of Deeds Dane County Wisconsin
Received for Record _____ 20__ at ___ O'clock __M as Document No. _____
_____ in Volume _____ of Certified Survey Maps on Page(s)

Register of Deeds

Whichever page does not have this certificate should then include the CSM number, document number, volume, and page on the bottom.

31. Make the same changes for the written Legal Description that are noted for the caption, removing the first reference to the City of Madison Dane county and Wisconsin and adding the missing affidavit of correction. It should be noted per s.236.34(3) when a certified survey map has been recorded in accordance with this section, the parcels of land in the map shall be, for all purposes, including assessment, taxation, devise, descent and conveyance, as defined in s. 706.01 (4), described by reference to the number of the certified survey, lot or outlot number, the volume and page where recorded, and the name of the county. so the legal does not require an actual metes and bounds to

be written. However if one is written is will need to commence at a PLSS monument that is not a Center of Section Per A-E 7.04 So it will need to be revised. Also for the legal description correct the reference to the PC/PT as a Point of Reverse Curve for both and use the full description of Point of Tangency on the third curve. Individual lot descriptions are not required in Wisconsin either but these can remain and have no requirements, but I would start them again from the same POB from a Section Corner description.

32. For clarity of recording, reproducibility and scanning, no fonts or text should be smaller than 5pt. add sheets or details as needed.
33. The applicant shall submit to Julius Smith 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 (608) 266-5987, if you have questions regarding the following two (2) items:

34. The applicant shall dedicate right of way or grant a permanent limited easement for public sidewalk for a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance where needed along Maple Grove Drive.
35. The applicant shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at (608) 266-4429, if you have questions regarding the following item:

36. Submit a minor alteration to the Planned Development to reflect the lot division.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have questions regarding the following item:

37. The proposed CSM will cause the water service for proposed Lot 1 to cross Lot 2. Therefore, an agreement is required between Lot 1 and Lot 2 regarding the ownership of the water service lateral that currently serves future Lot 1.

Please Melissa Hermann of the City's Office of Real Estate Services at mhermann@cityofmadison.com if you have questions regarding the following five (5) conditions:

38. 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. 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.
39. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s). 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.
40. 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...
41. 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 and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
42. 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.
43. A Madison Common Council 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 _____, 2022

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

44. 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: _____
Matthew Wachter, Secretary of the Plan Commission

Date: _____

45. 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. _____.

Kristi Chlebowski, Register of Deeds

46. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes 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. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
47. As of September 26, 2022, there are special assessments reported in the amount of \$3,250. 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 MGO Section 16.23(5)(g)1.
48. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Melissa Hermann (mhermann@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 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
49. Please revise the CSM as follows prior to final approval and recording:
- a) Depict, name, and identify by document number all existing easements cited in record title and the updated title report including Document Nos. 3178008 and 3541841.

- b) 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.
- c) 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.
- d) Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
- e) If all parties of interest agree that certain easements from prior plats or CSMs 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.
- f) Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.
- g) Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for _____ purposes."

Please contact my office at (608) 261-9632 if you have questions about the following item:

50. The proposed Certified Survey Map modifies a planned multi-use site. Per Section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development and recorded in the office of the Dane County Register of Deeds. Approval of the plan and easement(s) to govern this site shall be approved prior to final approval of the CSM for recording. The new and/or amended easements shall address shared access, parking, utilities, stormwater, etc. resulting from the land division.

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 October 11, 2022 meeting.

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.

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.

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 (608) 261-9632 or by e-mail at tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Julius Smith, City Engineering Division–Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Jeff Belshaw, Madison Water Utility
Melissa Hermann, Office of Real Estate Services