

Public Works  
Public Hearing  
March 6, 2013 6:00pm

City of Madison,

Please know that we continue to object to your taking this and past action against our property when our property's title is in defect.

Please file this letter and the attached:

- letter to Larry Palm (March 3, 2013)
- examples to support our objection.

Respectfully,

A handwritten signature in cursive script, appearing to read "Marty S. Richards". The signature is written in dark ink and is positioned to the right of the word "Respectfully,".

Dennis Lynch and Marty Richards  
4040 Monona Drive  
Madison, WI 53716

1/12

March 3, 2013

copy

Larry Palm  
210 MLK Jr. Boulevard, Room 417  
Madison, WI 53703

Dear Alder Palm,

This letter is in response to a recent hearing notice we received regarding your legislation for police action in the name of the Monona Drive Reconstruction Phase II project on our property (see attached), although the city gave notice that all aspects of the project were complete in November 2012.

First, the fact that the publication of this notice was February 22 for a March 6 public hearing is not in compliance with the requirement of 10 working days' notice.

Second, the only material available for inspection from room 115 was a photograph of our home with what appears to be a property line, going through our neighbor's house and garage on the south side, and, we believe, sewer information, but with no information regarding the underground utility (see attached).

Third, we have been in contact with MG&E concerning their underground utility requirements and are currently getting quotes on having our home upgraded to their requirements. And as you know from your visit to our home, we already have underground utility on the east side of our property. So why do we need additional underground easement? And why are we the only ones on our block not getting electric power from the available easement in our backyard?

We ask you to please respond to the following:

- Please explain the role of the police action on our property in the Monona Drive Reconstruction Phase II project.
- Please explain the legal mapping and property documents required to support your legislation for police action on our property.
- Is the purpose of the police action only to get us to upgrade our electrical service, or does it have further powers?
- Please explain why our utility requirements are so special and why our neighbors don't share the same burden.

We realize this is short notice, but we do expect a response before this public hearing.

Respectfully,

Marty Richards and Dennis Lynch  
4040 Monona Drive  
Madison, WI 53716

cc: Mayor Soglin, 210 MLK Jr Blvd, Room 403, Madison, WI 53703

2/12

EXAMPLES TO SUPPORT OUR OBJECTION:

RE: Common Council Meeting, 3/16/10, agenda item #76

Sunday, March 21, 2010 5:37 PM

From: "Phillips, Rob" <RPhillips@cityofmadison.com>  
To: "d.lynch@sbcglobal.net" <d.lynch@sbcglobal.net>  
Cc: "Viste, Doran" <DViste@cityofmadison.com>, "Cieslewicz, Dave" <DCieslewicz@cityofmadison.com>, "Dryer, David" <DDryer@cityofmadison.com>, "Marx, Don" <DMarx@cityofmadison.com>, "May, Michael" <MMay@cityofmadison.com>, "Murphy, Brad" <BMurphy@cityofmadison.com>, "Bachmann, Christy" <CBachmann@cityofmadison.com>

You may have a dispute with the adjacent property owner in regards to the location of your common lot line but we do not regard that as an issue we are able to assist you with

**Sent:** Tue, August 31, 2010 2:58:48 PM  
**Subject:** RE: Inquiry regarding survey review  
Francis R. Thousand  
Executive Director  
Wisconsin Society of Land Surveyors  
5113 Spaanem Ave.  
Madison, WI 53716

Madison Gas and Electric and the City of Madison went together on a contract to produce a base map for the whole City some time ago. It was not surveyed but assembled from a number of documents and maps. There are errors in that mapping. Those maps do not affect your property so while they make for a handy picture of areas of the City, they do not control your property lines.

**From:** Frick, Daniel (Frick@countyofdane.com)  
**To:** d.lynch@sbcglobal.net; 1Palm@cityofmadison.com; DCieslewicz@cityofmadison.com; Chlebowski@countyofdane.com; jlund@cityofmadison.com; Falk@countyofdane.com; Rep.Parisi@legis.wisconsin.gov;  
**Date:** Fri, February 11, 2011 9:02:20 AM  
**Cc:** peter@gjmiesbauer.com; stacyjohnson@kjohnsonengineers.com; fthousand@charter.net;  
**Subject:** RE: 4040 Monona Dr.: Your #5994-00-00-2

As I had previously explained, the GIS mapping is not a property survey and does not have any authority in determining your property boundaries on the ground.

Todd J. Buhr RLS  
507 Meadowview Lane  
Deforest, WI 53532  
April 4, 2011

Department of Regulation and Licensing  
Attn: Marlene K. Meyer, Division of Enforcement  
1400 E. Washington Avenue  
Madison, WI 53703

I am aware that he did have a property survey prepared and did send it to the W.S.L.S. committee for review. That survey evidently did not fully comply with A-E7.04. The W.S.L.S. Ethics committee may be doing an additional review on his behalf but I am not aware of one.

It is not a requirement in preparing a WDOT right-of-way plat to define Mr. Lynch's side property lines.

**From:** "Franklin, Craig" <CFranklin@cityofmadison.com>  
**To:** "d.lynch@sbcglobal.net" <d.lynch@sbcglobal.net>  
**Cc:** "Palm, Larry" <district15@cityofmadison.com>  
**Sent:** Tue, July 19, 2011 11:14:00 AM  
**Subject:** RE: Monona Drive Assessment District-2011 for 53w0712

3/12

Dennis, I've forwarded your questions to Christy Bachman in our Engineering Division for response.

- Accuracy of Frontage (L.F.) of our surrounding neighbors. Frontages are approximate.

**EXAMPLES TO SUPPORT OUR OBJECTION:**

**1) Plat Map.**

Notice that West Lot 1 = 116.8' making Lot 1 22' from NE Lot 22.

Note: Lot #23 SW corner radius dimension.

**2) City of Madison Planning Map.**

Notice West Lot 1 = 106.0', making NW Lot 1 32' from NE Lot 22.

Note: Lot #23 SW corner (no marking).

**3) MG&E Maps [3 - A, B, C].**

Notice West Lot 1 = 106.00

Electric easement is not 5' north of Lot 22.

Gas easement is not 8' from North Lot 22.

Note: Lot SW corner (lot line moved).

**4) 4032 Monona Drive Map.**

Note: map appears to stake claim to the fence and trees on Lot #22.

**5) Parking Lot Map (4032 Monona Drive).**

Note: NE Lot, 22' appears changed to 11'. Note the effect on our trees.

**6) Plat of Right-of-Way**

Notice Parcel 28 on sheet 4.7, 4.8.

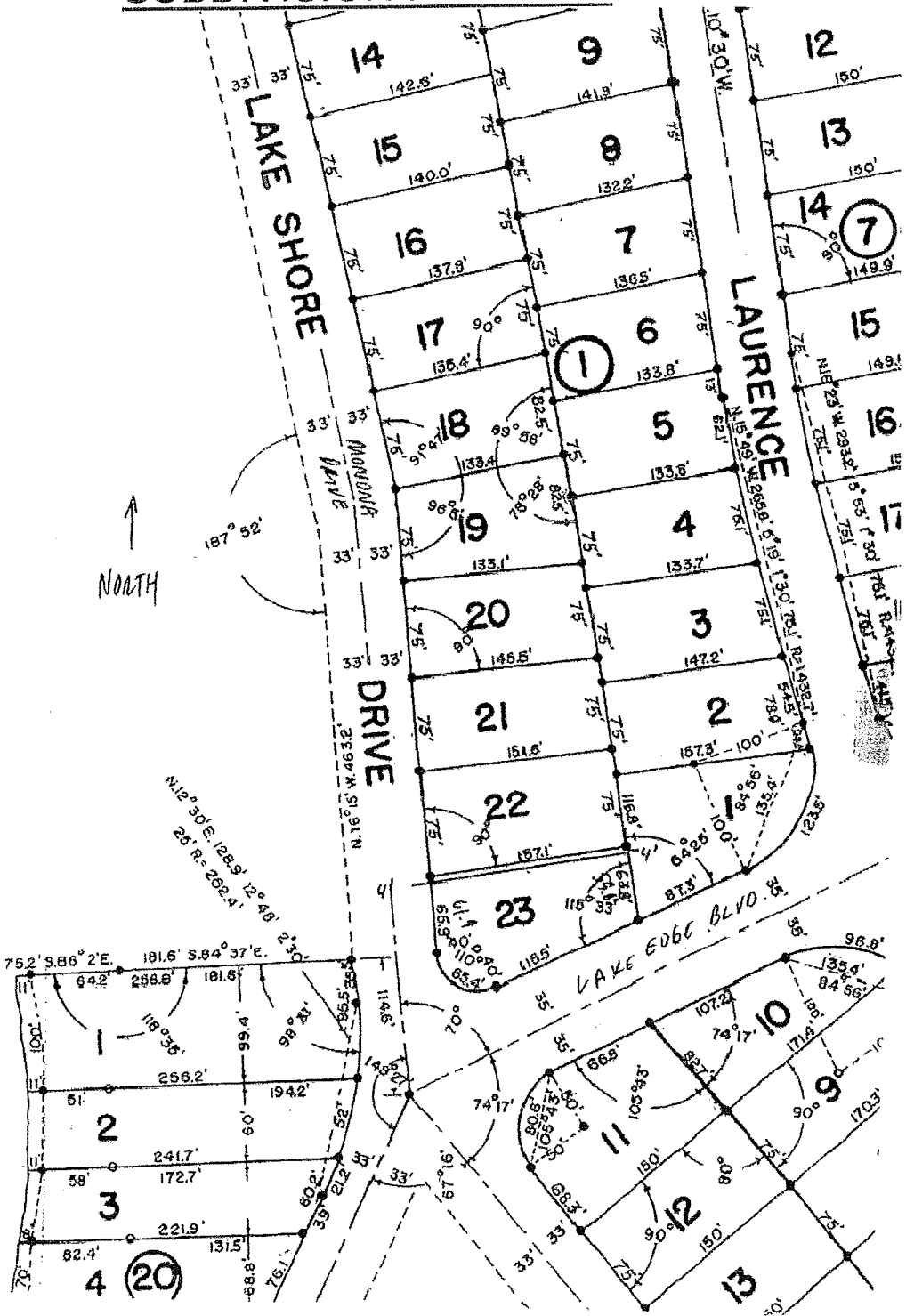
Note: Pt. of Lot 23 in two places.

4/12

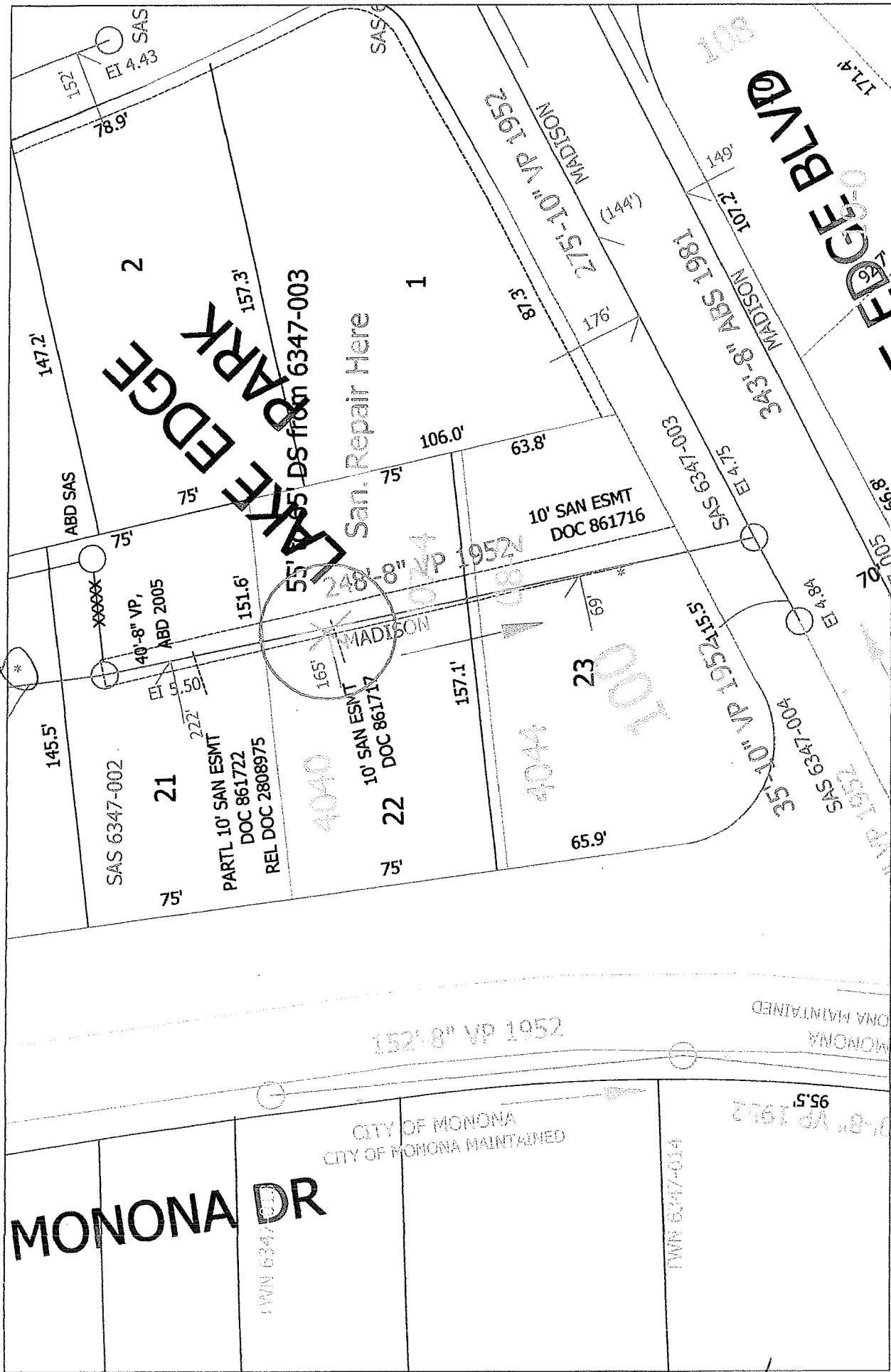
# SUBDIVISION PLAT MAP

len.  
fzer  
meyer.

MONONA



5/12 ~~17/12~~



Scale: 1 In = 50 Ft

Time: 10/22/2010 3:24:11 PM

Note: 1 In = 50 Ft

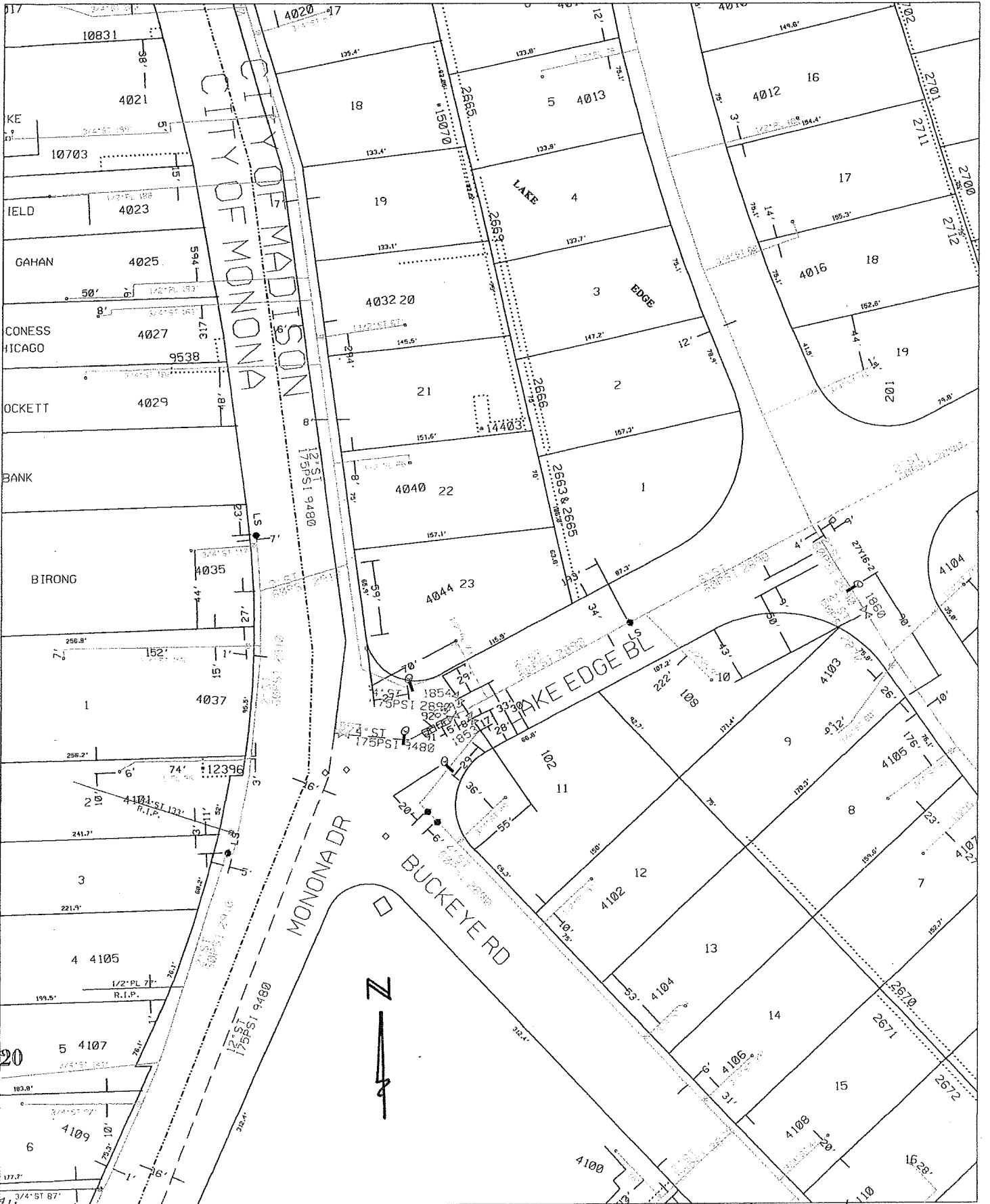
City of Madison, WI - GIS/Mapping data

Printed By: enmcm

Disclaimer: The City makes no representation about the accuracy of these records and shall not be liable for any damages

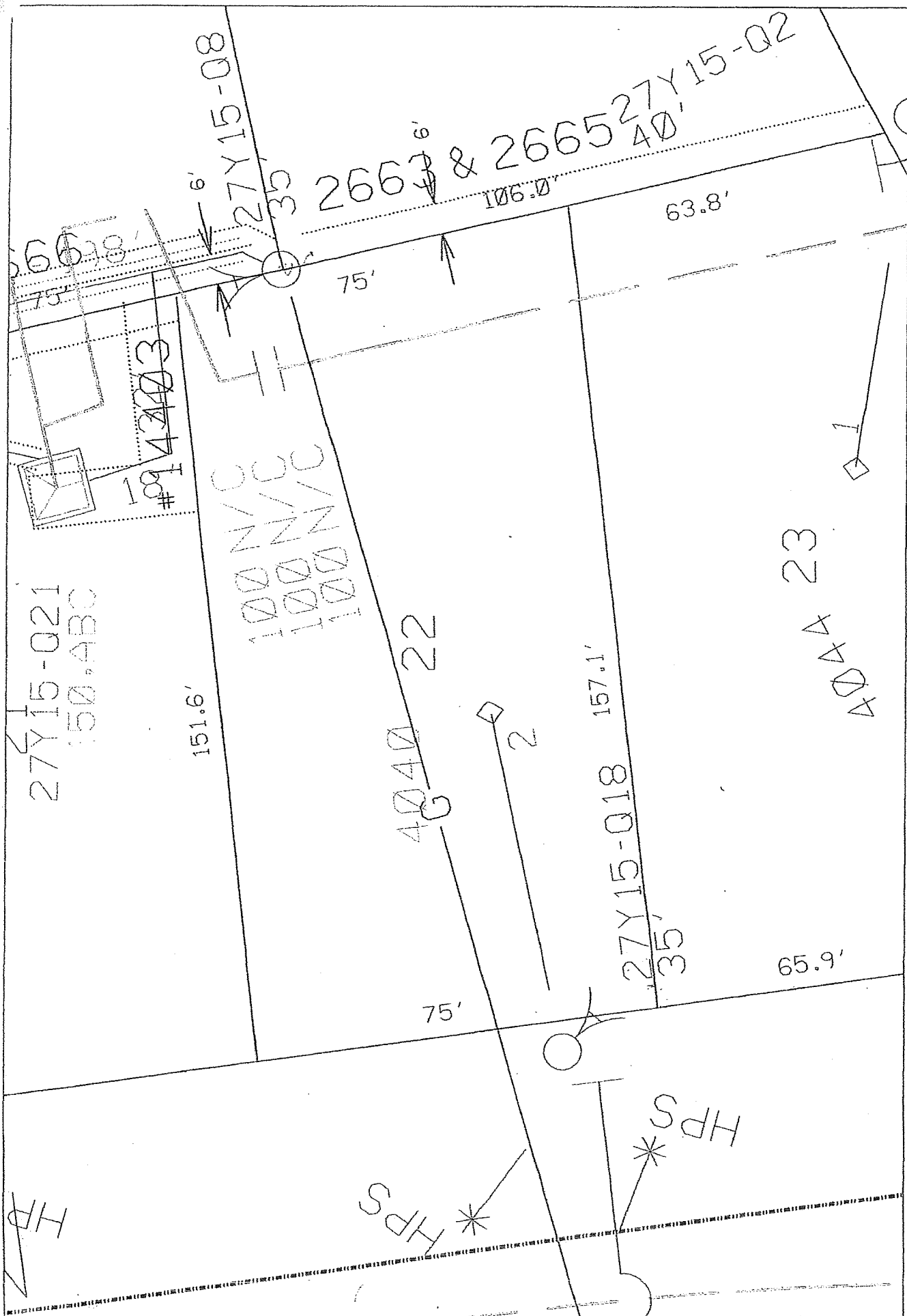
6/12





M. HALICAK  
CNSL  
SERV 4/15/2007

A 7/12



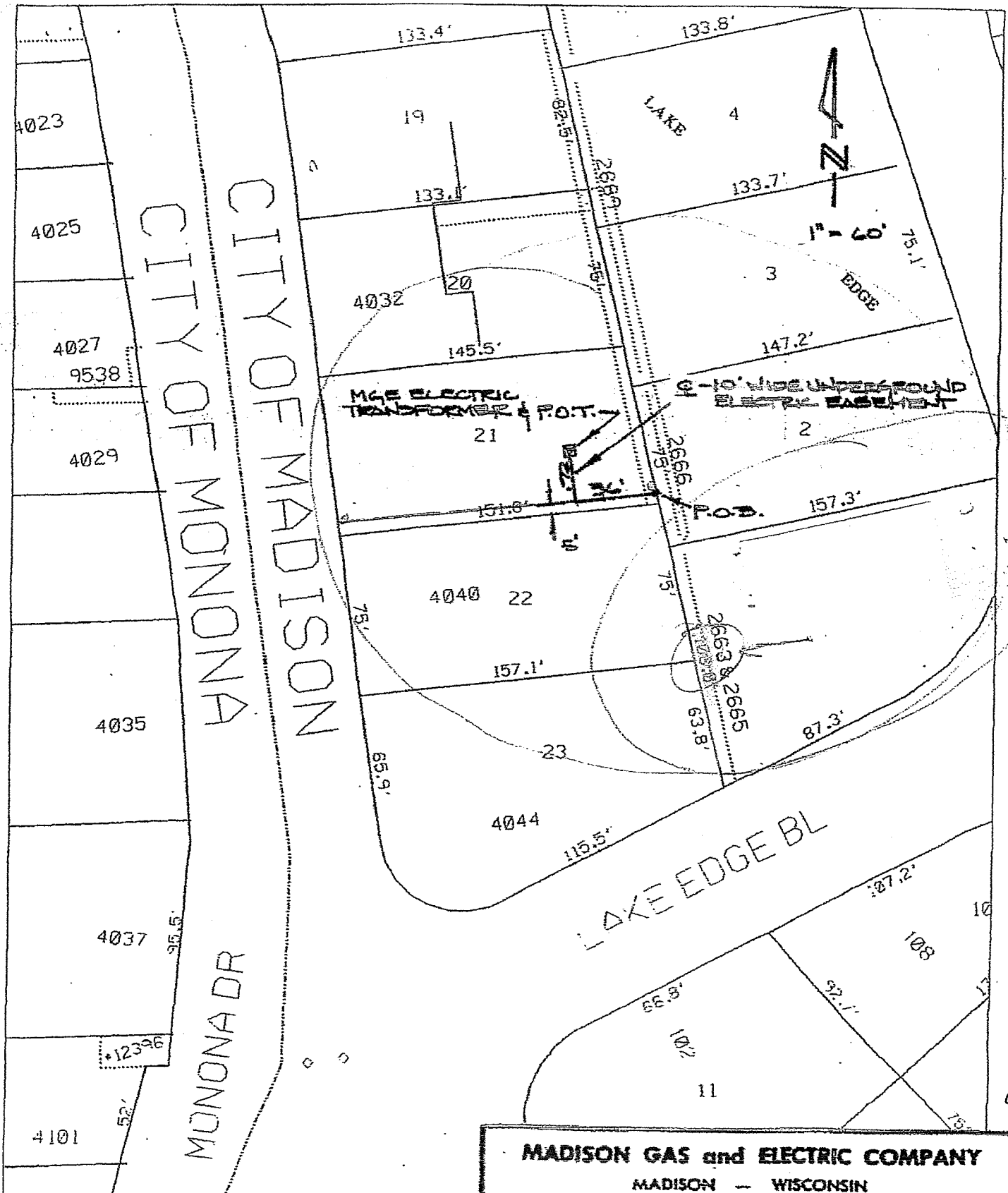
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2/8

(B)

*[Handwritten signature]*



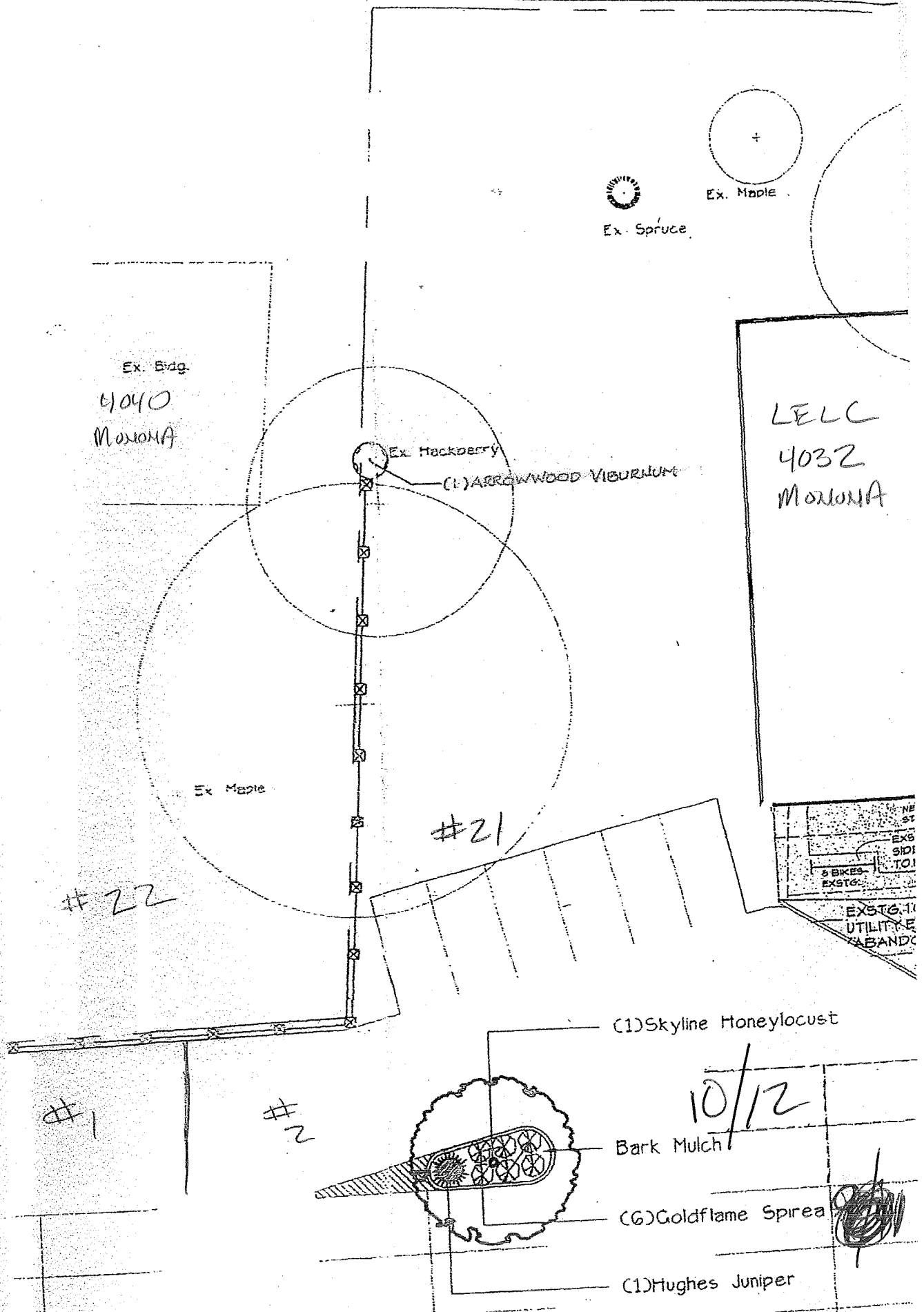


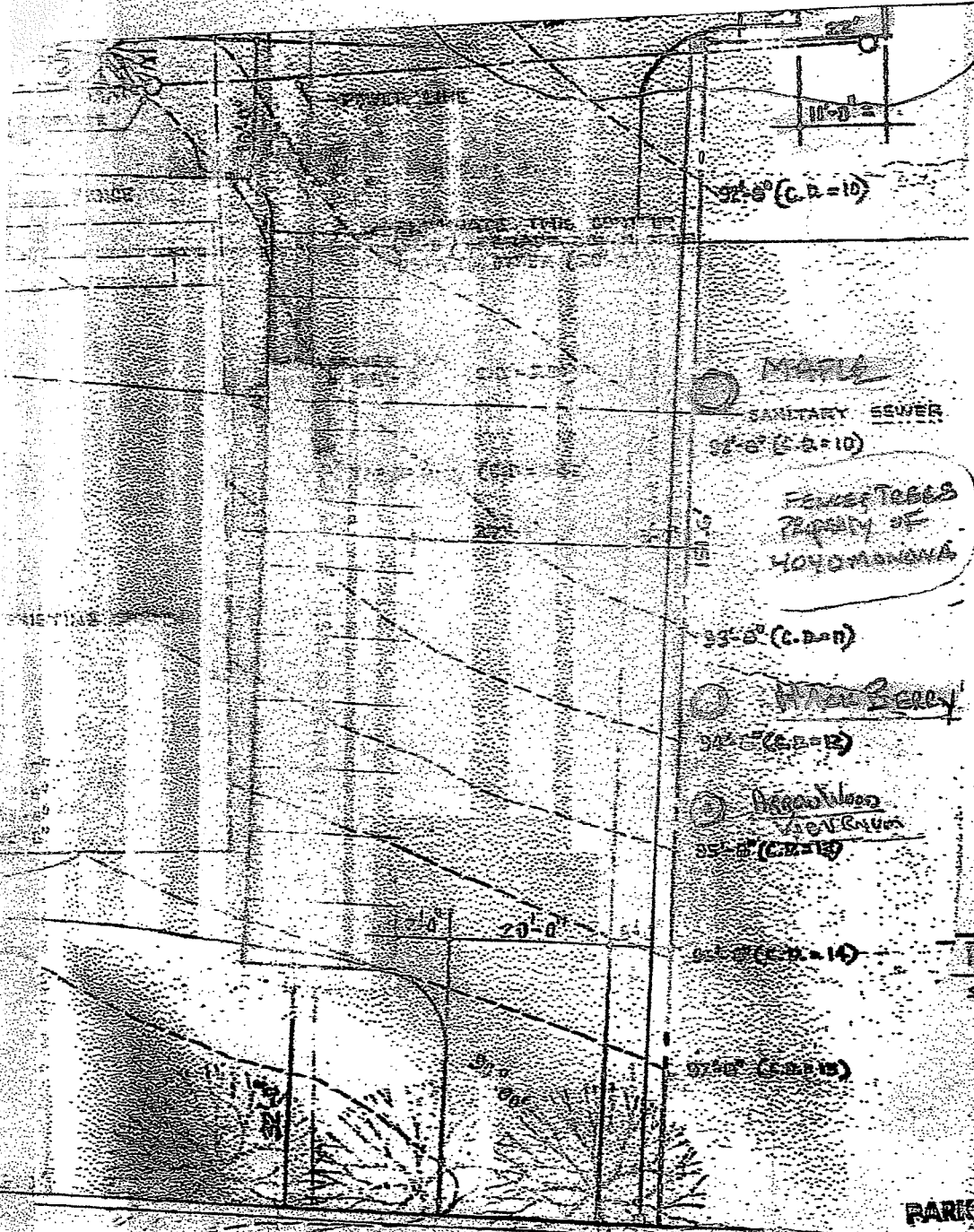
<b>MADISON GAS and ELECTRIC COMPANY</b>		
MADISON - WISCONSIN		
UNDERGROUND ELECTRIC EASEMENT LOT 21, BLK 1, LAKE EDGE PARK PLAT CITY OF MADISON		
DRAWN: L.D.F.	DATE: 4/2/04	EXHIBIT "A"
CHK'D:	APP'D:	

9/12

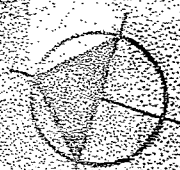
(C)

MONONA





12  
17  
4  
5  
6



P L O T P L A N  
S C A L E : 1" = 20'-0"

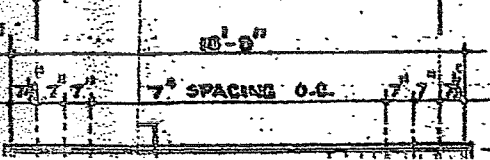
**PARKING LOT PLAN  
APPROVED**  
In accordance with Section 10.08 of the  
General Ordinances  
**CITY OF MADISON**

06/10/16  
DATE  
*[Signature]*  
TRAFFIC ENGINEERING DEPT.  
*[Signature]*  
POLICE DEPT.

Approved entrances must  
be constructed by a  
licensed cement finisher

12" WATER MAIN  
11'-0" WEST OF EAST  
12" GAS MAIN - HIGH PR.  
WEST OF EAST &

15 SPACES @ 7' O.C.



**DRAINAGE APPROVED**

*[Signature]*

12/20

R/W PROJECT NUMBER 5994-00-00-2	SHEET NUMBER 4.1	TOTAL SHEETS 10
FEDERAL PROJECT NUMBER	4.1	10
PLAT OF RIGHT-OF-WAY REQUIRED FOR MONONA DRIVE, CITY OF MONONA WINNEQUAH ROAD - COTTAGE GROVE ROAD		
CTH BB	DANE COUNTY	
CONSTRUCTION PROJECT NUMBER 5994-00-71		

SHEET # 4.3

SHEET # 4.8

ACCEPTED FOR  
DANE COUNTY

*[Signature]*  
Commissioner/Director  
(Title)


ACCEPTED FOR  
CITY OF MONONA

*[Signature]*  
CITY ENGINEER  
(Title)

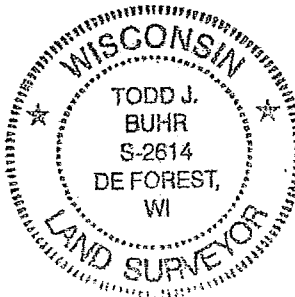
ACCEPTED FOR  
CITY OF MADISON

*[Signature]*  
Principal  
(Title)

R/W PLAT PREPARED BY:



Foth Infrastructure & Environment, LLC



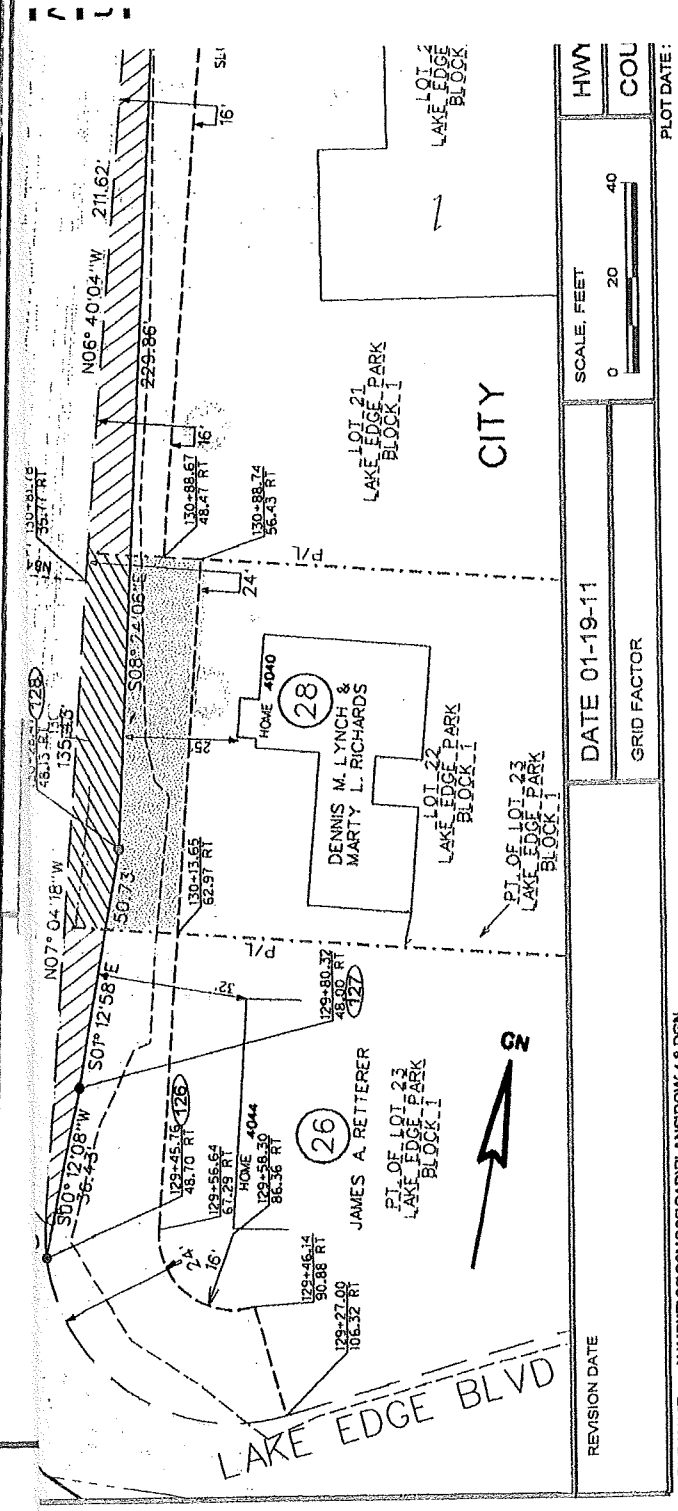
TODD J. BUHR  
S-2614  
DE FOREST, WI  
LAND SURVEYOR

1-19-11  
(Date)

*[Signature]*  
Todd J. Buhr REG. S-2614  
(Title)

### SCHEDULE OF LANDS & INTERESTS REQUIRED

NOTE: PARCEL NUMBERS SHOWN AS (*) ARE PARCELS BEING ACQUIRED IN THE NAME OF THE SHEET	SHEET
PARCEL NUMBER	OWNERSHIP
28	DENNIS M. LYNCH & MARTY L. RICHARDS
4.7, 4.8	



FILE NAME: X:\MIDVIEW\08\06\05\CAD\PLANS\FW-4.8.DGN

12/12

*[Handwritten scribble]*