



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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March 12, 2024

Paul Spetz  
Isthmus Surveying LLC  
450 N Baldwin St  
Madison, WI 53703

RE: LNDCSM-2024-00002; Legistar ID 81561 – Certified Survey Map – 633-711 West Badger Road

Dear Paul Spetz:

Your two-lot certified survey of property located at 633-711 West Badger Road, Section 35, Township 07N, Range 09E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is proposed to be zoned CC-T (Commercial Corridor-Transitional district). 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 267-1995 if you have questions regarding the following six (6) items:**

1. Each proposed lot shall have a separate sanitary sewer lateral
2. 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)
3. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer along both lots 1 & 2.
4. 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)
5. A note shall be added to the face of CSM indicating that each lot is responsible for compliance with MGO 37 at the time of development.
6. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water 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 building permit issuance.

**Please contact Julius Smith of the City Engineering Division–Mapping Section at 264-9276 if you have questions regarding the following twelve (12) items:**

7. Grant a Public Sidewalk Easement(s) to the City on the face of this Certified Survey Map
8. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. Work with City engineering to determine site grades for Sidewalk and grading into to Existing Sloping and grading easement per document no. 5137868 for the proposed development and upon approval provide fee, exhibit and description for release of this easement
9. In accordance with Chapter 236, Wisconsin Statutes, the Applicant must 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 which 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.
10. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
11. The land division as proposed will require multiple private utility rights and services, for Sewer, storm sewer, gas, water and electrical to cross Lot 2 and on to Lot 1 along storm water drainage and Cross access, ingress, egress easements and parking easements as proposed.
12. Add items 4-9 from the title work provided to the face of the map. including but not limited to the Public easement Water Main per documents 5083491
13. A note shall be added under all of the street names labeled and to be dedicated on the CSM/plat, "Dedicated to the Public" as required by 236.20(4)(b).
14. 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 Jule Smith, City Engineering (jsmith4@cityofmadison.com)
15. 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 Plat or 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 (web

address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.

16. 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](mailto: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.
17. Update road name to W. Badger Road. Add the alternative name of W. Beltline Hwy for USH 12 & 18
18. Submit to Jule Smith, 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 Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following two (2) items:**

19. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of W. Badger Road.
20. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

**Please contact Jeff Belshaw of the Water Utility at 261-9835 if you have any questions regarding the following one (1) item:**

21. The CSM for this project will result in Lot 1's water service to be located on Lot 2's parcel. It is recommended that an agreement shall be established between the owner of Lot 1 and Lot 2 as to the ownership and responsibility of this water service.

**Please contact Melissa Hermann of the Office of Real Estate Services at 264-9297 if you have any questions regarding the following seventeen (17) items:**

22. 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.
23. 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).
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 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).
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 \_\_\_\_\_, 2024

\_\_\_\_\_  
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 Volume \_\_\_ of CSMs on page(s) \_\_\_\_\_, Document No. \_\_\_\_\_.

\_\_\_\_\_  
Kristi Chlebowski, Register of Deeds

31. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email 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 (xx-xx-xx) 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.
32. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
33. 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.
34. 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.
35. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
36. 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.
37. 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.

38. 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."

**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 March 19, 2024 meeting.**

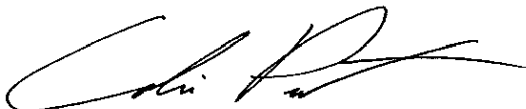
Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division 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 243-0455.

Sincerely,



Colin Punt  
Planner

cc: Tim Troester, City Engineering Division  
Julius Smith, City Engineering Division—Mapping Section  
Sean Malloy, Traffic Engineering Division  
Jeff Belshaw, Water Utility  
Melissa Hermann, Office of Real Estate Services