



Department of Planning & Community & Economic Development
Planning Division

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December 12, 2013

Bill Dunlop
JSD Professional Services, Inc.
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: File No. LD 1344 – Certified Survey Map – 1403 Gilson Street (Brekke/ Madison Taxi)

Dear Mr. Dunlop;

The one-lot certified survey combining your client's property located at 1403 Gilson Street, Section 26, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned TE (Traditional Employment 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 nineteen (19) items:

1. Note: The Certified Survey Map (CSM) reviewed is the resubmitted copy dated November 11, 2013.
2. The headers on each sheet and the header to the legal description in the Surveyor's Certificate shall be revised to properly acknowledge all of Lot 9 of Woodlawn Addition to South Madison is included in the CSM.
3. The Subdivision Approval Report shall be updated and re-submitted for review including former railroad lands within the proposed CSM per deed recorded as Document No. 2650160.
4. Provide record distance data along the northwesterly and northeasterly lot lines.
5. An easement/agreement for the area noted as "Area of Occupation by Parcel to North" shall be recorded and the recording data placed on the CSM. The map notes "recorded as" data for the limits of this area. If a document of record currently exists, it shall be noted on the CSM.
6. Provide the City of Madison coordinates of record for the Center and South Quarter Corner of Section 26, T7N, R9E.
7. Identify the parenthesis on the map in the Legend as "Recorded As" information.
8. The current owner of the property owns all lands granting and benefitting from the Ingress/Egress and Parking Easement per Document No 1912722. The proposed building to be constructed on the site overlays

these easement areas. Applicant shall have the easement(s) released, remove the reference from the Certified Survey Map and provide the recorded document releasing the easement.

9. Revise the last course of the legal description under the Surveyor's Certificate to reflect that the course not only follows the extension of the Lot line, but actually follows the Lot line as well. Also, verify that the survey was in fact completed under the direction of Valhalla Properties, LLC or under the direction of the Owner per the Title Report.
10. The certificate titled Corporate Owner's Certificate title shall be revised to Owner's Certificate.
11. Under the Consent of Corporate Mortgagee, replace "... surveying, dividing, mapping and restricting..." with "...surveying, dividing mapping and dedication..."
12. Update all headers and the legal description to reference Union Pacific Railroad, not Wisconsin Southern Railroad.
13. Verify lot square footage; City mapping COGO differs from what is given.
14. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."
15. 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).
16. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering 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 Division signoff.
17. 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.
18. In accordance with s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the CSM in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division at http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.

19. In accordance with Section s.236.34(1)(c), which says a CSM shall be prepared in accordance with s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant shall show the type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements that are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

20. Note: 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 Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following seven (7) items:

21. Prior to requesting approval sign-off of the CSM, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. Section 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate.

22. A certificate of consent by all mortgagees/vendors as shown on the report of title and update shall be included following the Owner(s) Certificate and shall be executed prior to final sign-off.

23. Any tenancy in excess of one year shall sign a Consent of Lessee and the recorded document number, or tenancy description if unrecorded, shall be Noted on the face of the CSM.

24. Update the Common Council Certificate to 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 32126, 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 _____, 201__

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

25. As of November 21, 2013, the 2012 real estate taxes are paid for the subject property, but there is a final special assessment reported in the amount of **\$957.50**. Once levied, 2013 real estate taxes shall be paid prior to final sign-off of the CSM. Per MGO Section 16.23(5)(g), the property owner shall pay all real estate taxes and special assessments for the subject property prior to CSM recording. Please provide staff with proof of payment.

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

27. The following CSM revisions shall be made:

- a.) Note 4 on Sheet 2 of the CSM lists a couple documents that encumber the property, but are not included in the title report. Upon ordering the required title update, please have the title company include the former railroad areas adjacent to Lots 9, 10 and 11 in their search and provide all supporting documents associated with that property.
- b.) Please label, note, describe and/or depict the rights retained by the railroad per Document No. 2650160, which should be included in the title update.
- c.) If possible, depict the 10' wide easement, per Document No. 2694025, or update the note to state something to the effect of: "not traceable".
- d.) It would be helpful to create another note to separately describe License No. 93761.
- e.) Revise the legal description header on each CSM sheet to include all of Lot 9 and remove the apostrophe on the word "Lot's".
- f.) Create and record, or show as being dedicated in the proposed CSM, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.

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 December 3, 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 you 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
Maureen Richards, City Assessor's Office
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations