



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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November 20, 2014

Michael S. Marty  
Vierbicher Associates, Inc.  
999 Fourier Drive, Suite 201  
Madison, Wisconsin 53717

RE: File No. LD 1442 – Certified Survey Map – 710 E. Mifflin Street and 124 N. Livingston Street  
(Reynolds Rigging & Crane Service, Inc. and T. Wall Enterprises Wisconsin, LLC)

Dear Mr. Marty;

Your two-lot certified survey of property located at 710 E. Mifflin Street and 124 N. Livingston Street, 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 TR-U2 (Traditional Residential–Urban 2 District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following fifteen (15) items:**

1. Show and note the access easement benefitting lands within this Certified Survey Map (CSM) over the Das Kronenberg Condominium per Document Nos. 2129137 and 2239049.
2. Add recorded as data of the adjacent Das Kronenberg Condominium plat.
3. The applicant shall have the City release the easement rights retained within the discontinued alley per Document No. 2129638. The easement shall be released by separate document prepared by the Office of Real Estate Services (ORES). The applicant shall prepare legal descriptions and scale map exhibits for the portions to be released within this CSM and provide to Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary ORES Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds.
4. The vacated Market Place shown on the proposed CSM is shown and dimensioned as being 40 feet wide. The resolutions vacating Market Place per Document Nos. 2144696 and 2408352 indicate a width of 66 feet. Document No. 2408352 in the title information also contains information indicating that Market Place may have been 50 feet wide per a survey completed by Richard Rasmussen. Also

the condominium plat of Das Kronenberg shows the width of vacated Market Street to be 50 feet. The applicant's surveyor shall review this information and modify the CSM accordingly.

5. Add Document No. 2129638 to the note for the vacated alley area in which easement rights were retained on sheet 3 and modify the easement width as discussed above.
6. The boundary of this CSM does not include a rectangular area of vacated Market Place adjacent to the southeast side of the portions of Lot 40 and Lot 39 of Mendota Realty Company Replat. The title information provided did not reference or include the vacation of Market Place per Document No. 2144696. This rectangular area is currently occupied and maintained by the owner's of the lands included in this CSM. The applicant shall investigate and determine the entity having ownership of this rectangular area and modify the CSM boundary accordingly. Additionally, if ownership is not vested with the owner of this CSM, additional private easements/ agreements will be required to address the occupation and access over the rectangular area.
7. If future redevelopment is to encroach into the retained telephone cable easement retained by Document No. 2408352 it is advised that the applicant coordinate with the communications utilities serving the area and obtain the necessary release(s) of the easement. Also modify the width of the easement to match the correct width of vacated Market Place.
8. Provide the survey number in Note 4 on sheet 4.
9. Correct the spelling of the second word of Note 10: it is intended to be "to".
10. Correct Surveyor's Certificate: The legal description reads along the centerline of said vacated alley; but then jumps to southerly most corner of Lot 9. It should read to the intersection with the southeasterly extension of the southwest line of said Lot 9.
11. The lots within this CSM are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the CSM, and recorded at the Dane County Register of Deeds.
12. A minimum of 2 working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision 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).
13. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
14. Prior to final approval, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing lateral that serves a

building which is proposed for demolition. For each lateral to be plugged, the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. Note: New plugging procedures and permit fees are in effect as of January 1, 2013.

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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. 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. Note: Land tie to two PLS corners required.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following three (3) items:**

16. Lands in this CSM are included in City of Madison Wellhead Protection District WP-24. All proposed land uses in this district shall be reviewed by the Madison Water Utility General Manager or his/her designee in accordance with MGO Sections 13.22 and 28.107.
17. Each lot shall have a separate water service lateral connected to a public water main.
18. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility per MGO Sec. 13.21.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

19. Proposed lot line location appears to create a Building Code violation for the existing building. Ensure that the lot line location and/or existing building walls and openings comply with IBC 602 and 705.

**Please contact my office at 261-9632 if you have any questions regarding the following two (2) items:**

20. The applicant is proposing to create a Planned Multi-Use Site as defined in the City's Zoning Code and Subdivision Regulations. Prior to final staff approval of the CSM for recording, the applicant shall receive approval of the site plans, reciprocal land use agreements, reciprocal access easements and shared parking agreements sufficient to govern the proposed lots. Any new or amended agreement(s) and easement(s) necessary for this land division shall be recorded with the Dane County Register of Deeds following approval by the City Engineer, Traffic Engineer, and Director of the Department of Planning and Community & Economic Development and prior to recording of the CSM.
21. The following note shall be added to the CSM: "Lots/ buildings within this subdivision / development are subject to impact fees that are due and payable at the time building permit(s) are issued."

**Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following five (5) items:**

22. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
23. The certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM final sign-off.
24. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. As of November 12, 2014, 2013 real estate taxes are paid for the subject property and there are no special assessments owed. [If 2014 real estate taxes are levied prior to requesting final sign-off, those taxes shall be paid in full, with receipts to be provided accordingly.]
25. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.
26. Please revise the CSM prior to final sign-off as follows:
  - a.) Satisfactions or releases for all mortgages, liens, judgments, or other instruments that no longer encumber the lands or ownership within the CSM boundary shall be recorded prior to final CSM sign-off.
  - b.) 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 sign-off, with the recording information for the release included as a note on the proposed CSM.
  - c.) Correct spelling of the word "DETAIL" on sheet 4.
  - d.) On Note 10, add a "T" to the word "TO" so that it reads "Subject to Encroachment Agreement..."

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

**Note: Approval of this CSM does not confer any approval to demolish existing buildings or construct any new buildings. Those approvals will be considered separately.**

**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 on December 2, 2014.**

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 [jrquamme@cityofmadison.com](mailto:jrquamme@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 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 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Schmidt, City Engineering Division  
Dennis Cawley, Madison Water Utility  
Eric Halvorson, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Pat Anderson, Assistant Zoning Administrator  
Kay Rutledge, Parks Division  
Sally Sweeney, City Assessor's Office  
Heidi Radlinger, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations