



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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June 14, 2022

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

RE: LNDSCM-2022-00023; Legistar ID 70780 – Certified Survey Map – 317-323 East Wilson Street

Dear Paul Spetz;

Your one-lot certified survey of property located at 317-323 East Wilson Street, Section 13, Township 07N, Range 09E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned UMX (Urban Mixed Use district). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following two (2) items:

1. 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 Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
2. 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)

Please contact Julius Smith of the City Engineering Division–Mapping Section at 264-9276 if you have questions regarding the following fourteen (14) items:

3. The CSM indicates the existing structure encroaching into the Wilson and Hancock Street right of way, along with encroachments into a City owned parcel to the Southeast of the site that the parcel leases from the City. The Applicant shall confirm and note on the CSM all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Real Estate for a privilege in streets agreement and agreement for the encroachments in to the leased parcel area. Contact Julius Smith with Engineering Mapping to set

up a Real Estate Project.(jsmith4@cityofmadison.com). An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.

4. Show Contiguous ownership Z's within City owned parking lot portions of lots 2-4 and label these lands with quit claim deed 2265621. Also review this deed and its attached exhibit portion of the Gruber survey which showed~ 0.5' difference in building encroachments. Confirm parcel location.
5. Show and label lease agreement for parking area between the City of Madison and the parcel in Document 2689282 and the access agreements and Easements in Documents 2981796 and 5345478
6. Provided Vesting Deed that acquired portion of Lot 2 along the building face presumably to address the prior encroachment show and detail the building face/plated lot line how much of lot 2 is being included in this CSM label this area as being acquired with the vesting deed e.g. (Quit Claim Deed XXXXXX)
7. Label the previous North portion the 34' x 7' triangle of Lot 4's outline shown, now a portion Wilson Street, as being acquired for right-of-way in Document No. 0871401
8. 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)
9. 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 Julius Smith (jsmith4@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.
10. Further Detail location of all outer building corners, also confirm if there is an underground foundation and basement located at the North corner of Lot 4. Building plans previously provided to the City of Madison seemed to indicate the presence of such a structure.
11. Show Scale on sheet one
12. show split distances to CL on ROWs 33' 33', Varies 33'
13. Header Caption on Sheet 1 is different than on sheets 2-4. Make caption on sheet 1 match other sheets. Add recording information to original Pritchett plat Vol A Page 3, Document 102
14. In the caption for the Measured legal description in the Second line after Plat of Madison, Revise to say "Plat of Madison Recorded in Volume A of Plats on Page 3 as Document 102, located in Government Lot 4, in the SE".....
15. In the Measured legal description in the 17th line replace the word "existing" with the word "former" to describe the Northwestern right-of-way of a Wisconsin Department of Transportation Railroad ...

16. Submit to Julius 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 Jeff Belshaw of the Water Utility at 261-9835 if you have any questions regarding the following one (1) item:

17. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-17). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102.

Please contact Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following fourteen (14) items:

18. 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. A PDF of the owner-signed CSM shall be provided to ORES prior to approval sign-off.

19. 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.

20. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, 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. Stats. Sec. 236.34 and Sec. 236.21(2)(a).

21. 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.

22. Madison Common Council Certificate: Update the dates to “202_”.

23. City of Madison Plan Commission Certificate: Add a space to insert the date signed.
24. The lands within the CSM boundary about TID 25, a Tax Incremental Financing District. Discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before recording the CSM if a TIF application is required. Mr. Gromacki can be reached at 608-267-8724 or jgromacki@cityofmadison.com. Please inform Andy Miller in ORES (acmiller@cityofmadison.com) if a TIF Loan has been authorized for the project.
25. As of June 3, 2022, the 2021 real estate taxes are not paid for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
26. As of June 3, 2022, there are no special assessments reported. 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 Madison General Ordinance Section 16.23(5)(g)1.
27. The title report submitted with the CSM did not meet the requirements detailed in the City's Subdivision Application; it was dated more than three months prior to the date of the application. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report via email to Andy Miller in the ORES (acmiller@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the initial title report, dated November 11, 2021, 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.
28. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record.
29. The lands within this CSM benefit from a lease related to City-owned lands, with said lease recorded as Document No. 2689282, ORES project No. 2328. The applicant shall contact Andy Miller in the ORES (acmiller@cityofmadison.com) to communicate their intentions for the use of the leased premises.
30. 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.
31. 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.

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 June 21, 2022 meeting.

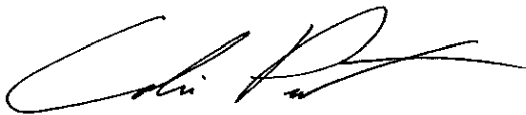
Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to [jqumme@cityofmadison.com](mailto:jrqumme@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,

A handwritten signature in black ink, appearing to read 'Colin Punt', with a stylized flourish extending to the right.

Colin Punt
Planner

cc: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Jeff Belshaw, Water Utility
Andy Miller, Office of Real Estate Services