



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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May 18, 2021

Chris Adams  
Williamson Surveying  
104A W Main St  
Waunakee, WI 53597

RE: LNDCSM-2021-00011; Legistar ID 64916 – Certified Survey Map – 5109 Barton Road

Dear Mr. Adams;

Your one-lot certified survey of property located at 5109 Barton Road, Section 31, Township 07N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SR-C1 (Suburban Residential – Consistent 1 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 261-1995 if you have questions regarding the following one (1) item:**

1. 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](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at 608-261-9127 ([bstanley@cityofmadison.com](mailto: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).

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following thirteen (13) items:**

2. Dedicate lands for public street right of way at the southwest corner of this CSM using a 15' radius fillet. The existing public sidewalk shall not encroach upon the lot being created by this CSM.
3. The Covenants and Restrictions per Document No 922963 expired on June 1, 1981. The covenants explicitly refer to the 50' setback shown on the plat as being a restriction per the covenants. The building setback line can be removed from the face of the map and a note placed on sheet 2 stating that all setbacks expired on June 1, 1981 per the terms of the document.
4. 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 Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com))

5. The Surveyor shall identify any deviation from City Master Control for the section corners 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.
6. 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.
7. Provide the recorded as bearing of N 00°04' W on the west line and the south 150 feet of the east line of this CSM. Also add a recorded as bearing of N 89°54' W on the south line of this CSM.
8. There is a phantom line type line south of and extending from the common lot line between Lots 41 and 42. There does not appear to be a reason for the line. Label the lines meaning or remove it from the CSM.
9. The Owner's Certificate shall be revised to be a proper Corporate Owner's Certificate.
10. There are mortgages on this property. Consent of Corporate Mortgagee Certificates shall be added as required by statute to the Certified Survey Map.
11. Surveyors' Certificate commences at the SE corner. Reverse the bearings so that you travel north and west (not south and east).
12. Surveyor's Certificate ...1122.72 feet to the south right of way line of Flad Avenue. This should be the north right of way line of Flad Avenue.
13. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
14. Submit to Jeff Quamme, 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 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 one (1) item:**

15. The applicant shall construct sidewalk along their frontage of Barton Road and Lewon Drive according to plan approved by City Engineer.

**Please contact Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following twelve (12) items:**

16. 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. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
17. 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).
18. 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.
19. 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..."
20. 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, to be executed prior to CSM sign-off.
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. Correct the Plan Commission certificate so it reads "Plan Commission" (rather than "Planning Commission").
23. As of May 14, 2021, the 2020 real estate taxes are 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.

24. As of May 14, 2021, there are no special assessments reported as due. 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.
25. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report 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 date of the initial title report (dated March 16, 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.
26. 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.
27. If applicable, 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.

*The Planning Division, Office of the Zoning Administrator, Fire Department, Forestry Section, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.*

**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 reviewed by the Common Council at its June 1, 2021 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).

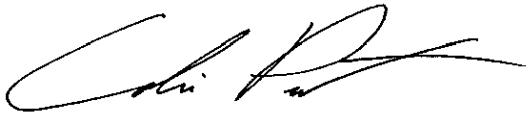
As soon as the comments and conditions have been satisfied, the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County 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.**

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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". The signature is fluid and cursive, with a long horizontal stroke at the end.

Colin Punt  
Planner

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division–Mapping Section  
Sean Malloy, Traffic Engineering Division  
Andy Miller, Office of Real Estate Services