

EXHIBIT C
Release Request Letter



Michelle M. Affatati

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*Received 3/4/20
Main Engineering
Office
Hand Delivered*

March 4, 2020

City of Madison, Department of Engineering
Attn: Mr. Jeff Quamme
City-County Building, Room 115
210 Martin Luther King Jr. Boulevard
Madison, WI 53703

HAND DELIVERED

Dear Mr. Quamme:

We represent Adelpia, LLC ("Adelpia"), owner of property located at 1209 Deming Way in Madison, Wisconsin (the "Property"). It recently came to our attention that a twelve (12) foot drainage easement and direction of drainage swale restrictions remain as encumbrances on the property. We are writing to ask the City to agree to release this drainage easement and direction of drainage swale restriction.

The drainage easement is noted on the Old Sauk Trails Park Sixth Addition plat map. It states that "the easement shall be 12 feet in width on the perimeter of the plat." The direction of drainage swale restriction is noted on the Old Sauk Trails Park Second Addition plat map. It states that "arrows indicate that direction of drainage swale construction during grading. Drainage swales shall be maintained by the lot owner unless modified with the approval of the City Engineer."

In 2005, Adelpia combined Lot 63 of Old Sauk Trails Park Sixth Addition with part of Lot 34 of Old Sauk Trails Park Second Addition to the south to create the Property, now known as 1209 Deming Way, Madison, Wisconsin. In other words, the Property straddles the Sixth Addition plat and the Second Addition plat. The City approved the development plans for the Property which included drainage and storm water management.

The drainage easement that is noted on the Old Sauk Trails Park Sixth Addition plat, providing for a twelve foot drainage easement along the perimeter of the plat boundary is no longer needed along the southern border of Lot 63 of the Sixth Addition. The direction of drainage swale restriction that is noted on the Old Sauk Trails Park Second Addition plat is no longer needed along the northern border of Lot 34 of the Second Addition. As platted, this drainage easement and direction of drainage swale restriction now run right through the middle of the building that has existed on the Property for fifteen (15) years. This restricted drainage area and direction of drainage swale no longer have any drainage use, and the lot includes adequate drainage and storm water management by other means, as approved by the City.

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March 4, 2020

Page 2

We request that the City agree to release the drainage easement and direction of drainage swale restriction which run through the middle of the Property.

Enclosed is the recent survey, dated January 14, 2020 that includes the legal description for the Property.

Please let me know if you have any questions about this matter or need any additional information to release this drainage easement.

Best regards,

STAFFORD ROSENBAUM LLP



Michelle M. Affatati

MMA:tmh

Enclosures

cc: Mr. Dennis Sandora
Ms. Cathy O'Donnell
Mr. Richard A. Latta

SURVEYOR'S CERTIFICATE

To: Sara Investment Real Estate LLC, a Wisconsin limited liability company
First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 "Minimum Standard Detail Requirements for ALTA/NPS Land Title Surveys", jointly established and adopted by ALTA and NPS, and includes items 1, 3, 4, 6(c), 7(c), 8, 9, 11, 16 & 19 of Table A thereof. The field work was completed on December 31, 2019.

Date of Map: January 14, 2020

Braff T. Stoffregen, Professional Land Surveyor S-2742

NOTES

- Address: 1209 & 1240 Deming Way, Madison, WI
- Flood Zone Designation: The property is not located in a flood prone area, flood hazard area or in a flood plain or floodway district. Based upon the Flood Insurance Rate Map (FIRM), Dane County, Wisconsin, Map No. 55050383g, dated January 2, 2009, this property is within Zone "X", defined as areas determined to be outside the 0.2% annual chance floodplain.
- Gross land area: Parcel I-A = 274,318 square feet
Parcel II-A = 335,380 square feet
- Zoning: Per zoning letters from the City of Madison Zoning Administrator Matt Tucker dated December 20, 2013 both Parcel I-A and II-A are zoned SEC Suburban Employment Center District
- Parking Spaces: Parcel I-A Regular - 96 Accessible - 4
Parcel II-A Regular - 224 Accessible - 9
Total: 100 Accessible - 9
- While conducting this survey there was no observed evidence of recent earth moving work, building construction, or building obstructions.
- Surveyed for: Sara Investment Real Estate
1955 Atwood Avenue
Madison, WI 53704

LEGAL DESCRIPTION

Parcel I:
Lot 63, Old Sauk Trails Park Sixth Addition, in the City of Madison, Dane County, Wisconsin,
and
Part of Lot 34, Old Sauk Trails Park Second Addition, in the City of Madison, Dane County, Wisconsin,
described as follows: Beginning at the Northwest corner of said Lot 34; thence South 88° 28' 29" East,
604.96 feet; thence South 01° 31' 31" West, 198.66 feet; thence North 88° 28' 29" West, 604.96 feet; thence North 01° 31'
31" East, 198.67 feet to the point of beginning.

Parcel I-B:
Together with easements for use and maintenance as contained in Storm Sewer Easement, recorded
June 9, 2006 as Document No. 4200964.

Parcel II:
Parcel II-A:
Lots Sixty-Five (65) and Sixty-Six (66) Old Sauk Trails Park Sixth Addition, in the City of Madison, Dane County,
Wisconsin.

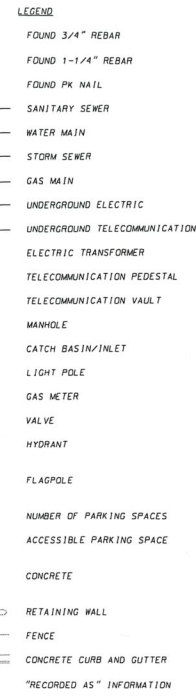
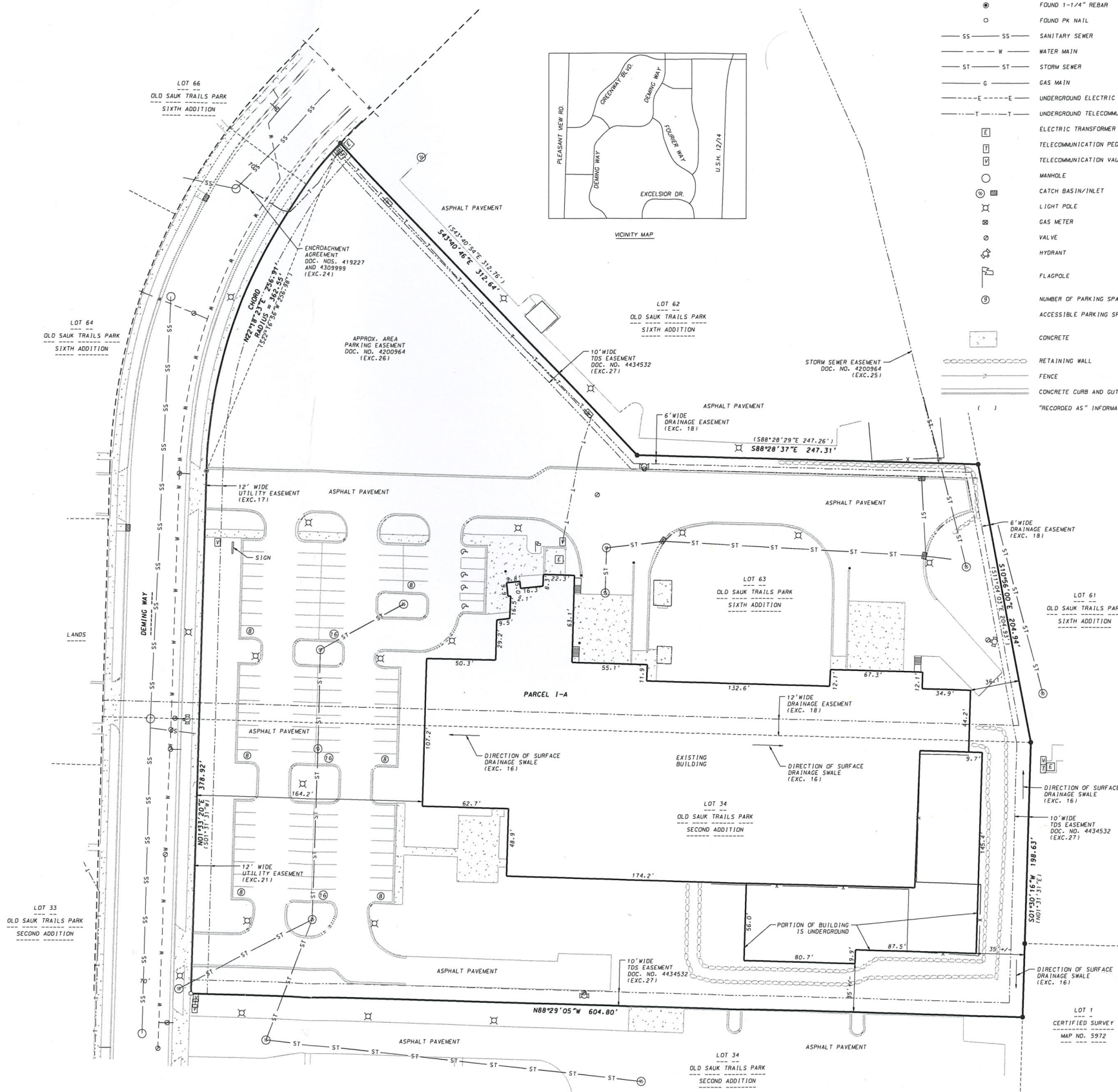
Parcel II-B:
Together with easement established in Encroachment Agreement recorded May 16, 2006 as Document
No. 4192227 and by First Amendment to Encroachment Agreement recorded May 16, 2007 as Document
No. 4309999.

TITLE COMMITMENT

Disposition of Exceptions Identified in Schedule B - Part II
Commitment for Title Insurance
Issued by First American Title Insurance Company
Commitment date: January 10, 2020 Revision #1
Title Insurance Commitment No.: NCS-994512-MAD

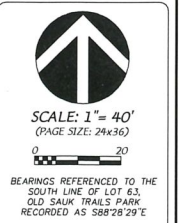
EXCEPTION:

- 1-11, 30-34. These items are statements, standard exceptions or financial matters which cannot be recorded on this survey.
12. Declaration of Covenants, Conditions and Restrictions recorded January 21, 1986 in Volume 7716 of Records, page 23 as Document No. 1918427.
First Amendment recorded September 9, 1994 in Volume 28395 of Records, page 35 as Document No. 2630945.
Second Amendment recorded in Volume 32955 of Records, page 15, as Document No. 2764523.
-Affects subject parcel, not plottable.
13. Grant of easement to Wisconsin Power and Light Company recorded on August 25, 1986 in Volume 8672 of Records, page 71 as Document No. 188148.
-Affects Parcel II
-Affects subject parcel, not plottable.
14. Declaration of Conditions and Covenants recorded on June 23, 1987 in Volume 10216 of Records, page 20 as Document No. 2027436.
-Affects Parcel II
-Affects subject parcel, not plottable.
15. Declaration of Conditions and Covenants recorded on February 23, 1996 in Volume 32088 of Records, page 74 as Document No. 2740209.
-Affects subject parcel, not plottable.
16. Restrictions relative to the direction of drainage swale constructions as shown on the recorded plats, Old Sauk Trails Park Sixth Addition and Old Sauk Trails Park Second Addition.
-Affects Parcel I, arrows shown on survey. No drainage arrows shown on Old Sauk Trails Park Sixth Addition.
17. Utility Easement over the Westerly and the Northwesterly 12 feet of Lot 63 - as shown on the recorded plat, Old Sauk Trails Park Sixth Addition.
-Affects Parcel I
-Affects subject parcels, shown on survey.
18. All lots within this plat are subject to a non-exclusive easement for drainage purposes and shall be a minimum of 6 feet in width as measured from the property line to the interior of each lot, except that the easement shall be 12 feet in width on the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public street - as shown on the plat, Old Sauk Trails Park Sixth Addition.
-Affects subject parcels, shown on survey.
19. The intra-block drainage easement shall be graded with the construction of each principal structure in accordance with the approved Stormwater Drainage Plat on file with the City Engineer and the Zoning Administrator, as amended from in accordance with the Madison General Ordinances - as shown on the Plat, Old Sauk Trails Park Sixth Addition.
-Affects Parcel I, not plottable.
20. Declaration of Conditions and Covenants recorded on March 09, 1989 in Volume 12580, page 13, as Document No. 2130403.
-Affects Parcel II
-Affects subject parcel, not plottable.
21. Utility easement over the Westerly 12 feet of Lot 34 as shown on the Plat of Old Sauk Trails Park Second Addition.
-Affects Parcel II
-Affects subject parcel, shown on survey.
22. Declaration of Conditions and Covenants recorded on January 16, 1998 as Document No. 2924736.
-Affects Parcel II
-Affects subject parcel, not plottable.
23. Declaration of Conditions, Covenants and Restrictions for Maintenance of retaining walls and stormwater management measures recorded on November 08, 2005 as Document No. 4130015.
-Affects Parcel I
-Affects subject parcel, observed retaining walls and storm sewer shown on the survey.
24. Encroachment Agreement recorded May 16, 2006 as Document No. 4192227.
Amended by First Amendment to Encroachment Agreement recorded May 16, 2007 as Document No. 4309999.
-Affects subject parcels, approximate location shown on survey.
25. Storm Sewer Easement recorded June 9, 2006 as Document No. 4200964.
-Affects Parcel II
-Affects subject parcel, located on the property north of the surveyed parcel.
26. Parking Easement recorded June 9, 2006 as Document No. 4200965.
-Affects subject parcel, approx. easement area shown on the survey.
27. Corporate Conveyance of Easement in Favor of Mid-Plains Telephone Co. d/b/a TDS Telecom LLC, a limited liability company recorded May 21, 2008 as Document No. 4434532.
-Affects Parcel II
-Affects subject parcel, shown on survey.
28. Utility Easement, grading and sloping easement as shown on plat of subdivision of Old Sauk Trails Sixth Addition.
-Affects Parcel II
-Affects subject parcel, shown on survey.
29. Declaration of Conditions and Covenants - Old Sauk Trails Park Sixth Addition recorded on July 02, 1996 as Document No. 2775562.
-Affects Parcel II
-Affects subject parcel, not plottable.



D'ONOFRIO KOTTME AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

ALTA/NPS LAND TITLE SURVEY
1209 DEMING WAY
LOT 63, OLD SAUK TRAILS PARK SIXTH ADDITION AND PART OF LOT 34, OLD SAUK TRAILS PARK SECOND ADDITION
LOCATED IN SW 1/4 OF THE NW 1/4 AND THE SE 1/4 OF THE NW 1/4 OF SECTION 15, T7N, R0E,
CITY OF MADISON, DANE COUNTY, WISCONSIN



DATE: 01-14-2020
REVISED:

FN: 19-02-158
Sheet Number:
1 of 2