



Department of Planning & Community & Economic Development
Planning Division

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February 8, 2012

Bradley Dahlk
3352 Meadow Road
Verona, Wisconsin 53593

RE: Consideration of a two-lot Certified Survey Map (CSM) of the David Zingg property located at 3371 Meadow Road, Town of Middleton, in the City of Madison's Extraterritorial Jurisdiction.

Dear Mr. Dahlk;

The Plan Commission, meeting in regular session on February 6, 2012, **conditionally approved** your two-lot Certified Survey Map of property located at 3371 Meadow Road, Town of Middleton. The conditions of approval from the reviewing agencies to be satisfied before final City 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 four (4) items:

1. The proposed dedication appears to be correctly shown on the CSM; however, the applicant shall confirm with the City of Madison Engineering Division and Planning Division staff that the proposed right of way dedication shown on this proposed CSM conforms to the conditionally approved subdivision plat of Meadow Estates, which defines the proposed realignment of Meadow Road / Pioneer Road north of the subject property.
2. The applicant shall dedicate a 15-foot wide Permanent Limited Easement for grading and sloping along Meadow Road.
3. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12 feet in width on the perimeter of the certified survey. For purposes of 2 or more lots combined for a single development site, or where 2 or more lots have a shared driveway agreement, the public easement for drainage purposes

shall be a minimum of 6 feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be 12 feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

Note: In the event of a City Of Madison Plan Commission- and/or Common Council- approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

In addition to notes such as this, Wisconsin State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

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 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.

Please contact Jennifer Frese of the City's Office of Real Estate Services at 267-8719 if you have questions regarding the following six (6) items:

5. The Owner's Certificate on the proposed CSM shall be executed by all parties having an ownership interest in the property. For parties other than sole proprietorships, the signatories shall provide to the City, prior to approval, documentation, which proves that, said signatories have legal authority to sign the Owner's Certificate. Prior to requesting sign-off by the City's Office of Real Estate Services, the owner shall have had the signature blocks fully executed for all parties of interest shown in the most recent title report pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a).
6. All real estate taxes, stormwater management charges, and special assessments due against the properties involved in this subdivision shall be paid in full (with copies of receipts for recent payments not reflected in public records) prior to final signoff of the CSM for recording. As of January 24, 2012, the 2011 real estate tax bills are unpaid for the subject property. In addition, tax payment delinquencies from 2009 and 2010 exist. The total payout amount listed above is good through the month of January. If paid in February or later, this amount will change.
7. Include a note addressing the restrictions recorded in Document Nos. 2278234 and 3049851, or provide evidence that these restrictions have been released.
8. The Office of Real Estate Services recommends recording a document that releases the annexation clause in the restrictive covenant recorded as Document No. 3049853.

9. Identify, depict and provide a certificate of consent for any tenancy in excess of one year. Said tenancy shall be made evident in record title and the document number shall also be. A copy of the recorded document giving evidence of the tenancy shall be included with and/or made part of the required title report.
10. Create, record, show or note dedications or easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
11. Record satisfactions or releases for all liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled, or resolved. This includes, but is not limited to, the following judgments against David Charles Zingg in favor of Dane County Clerk of Circuit Court:
 - \$723.00, docketed August 23, 2010, Case No. 10TR7716;
 - \$1,172.00, docketed June 28, 2011, Case No. 10CT1461.

Once the comments and conditions in this letter have been satisfied as verified on the (enclosed) certification form containing the required signatures and approvals from the reviewing agencies noted, the final executed Certified Survey Map 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, please 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 shall occur a minimum of two working days prior to final Engineering Division signoff. Electronic mail submittal of the final CSM in PDF form is preferred; please transmit to epederson@cityofmadison.com.

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 thirty (30) days from the date of this letter. The approval of this CSM shall be null and void if not recorded in **two years** from the date of this approval. 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
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations