



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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November 11, 2014

Chris Adams  
Williamson Surveying & Associates, LLC  
104A W. Main Street  
Waunakee, Wisconsin 53597

RE: File No. LD 1409 – Certified Survey Map – 425-435 W. Johnson Street (West Johnson Apartments, LLC)

Dear Mr. Adams;

Your one-lot certified survey of property located at 425-435 W. Johnson Street, Section 23, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned UMX (Urban Mixed-Use District); a demolition permit and conditional use to redevelop the site with a mixed-use building was approved by the Plan Commission at its November 10, 2014 meeting.

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 nine (9) items:**

1. This Certified Survey Map (CSM) shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the City Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the permitting system can upload this data and permit issuance made available for this new land record.
2. The Joint Driveway agreement per Document No. 2156902 can be removed from the CSM based upon merger of title.
3. Dedicate a 3-foot wide public sidewalk easement along W. Johnson Street for a widened public sidewalk similar to the development at the corner of W. Johnson Street and N. Broom Street.
4. The developer shall enter into a City/ Developer agreement for the installation of public improvements required to serve this CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer.

5. The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map is subject to the following conditions:
  - a.) The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b.) No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c.) Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d.) The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City Engineering Division.
  - e.) The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
6. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."
7. The following note shall be placed on the CSM: "All lots created by this Certified Survey Map are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to stormwater management at the time they develop."
8. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, 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).
9. 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 Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have questions regarding the following item:**

10. The development is expected to increase the number of pedestrians using the public sidewalk along W. Johnson Street. The applicant shall dedicate a 3-foot wide permanent sidewalk easement along the W. Johnson Street frontage of the property to mitigate the impacts to the public sidewalk from this development. This easement shall be a continuation of the easement dedicated to the City on the adjacent property located at 415 W. Johnson Street.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:**

11. 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 my office at 261-9632 if you have any questions about the following item:**

12. 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 Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following five (5) items:**

13. 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.
14. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM final sign-off.
15. Disclose any tenancy in excess of one year and provide the document number or tenancy description as a note on the face of the CSM.
16. 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.
17. 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.

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

**A letter of conditional approval for the related demolition permit and conditional use for the subject site will be sent separately to the applicant for that project. This CSM shall not be signed by the Planning Division/ Secretary of the Plan Commission to allow its recording until the final demolition permit and conditional use plans for the subject property have received final approval by City agencies and raze permits have been issued for the existing buildings by the Zoning Administrator.**

**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 November 18, 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  
Kay Rutledge, Parks Division  
Eric Halvorson, Traffic Engineering Division  
Sally Sweeney, City Assessor's Office  
Jenny Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations