



Department of Planning & Community & Economic Development

Planning Division

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October 13, 2025

Eric Drazkowski
Excel Engineering, Inc.
100 Camelot Drive
Fond du Lac, Wisconsin 54935

RE: LNDSCM-2025-00027; Legistar ID [89482](#) – Certified Survey Map – 53 West Towne Mall

Dear Eric:

Your two-lot certified survey of property located at 53 West Towne Mall, Section 26, Township 07N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The properties are zoned RMX (Regional 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 my office at cwells@cityofmadison.com or (608) 261-9135 if you have questions regarding the following item:

1. Per MGO Section 16.23(3)(a)2.c.i, whenever a parcel to be subdivided embraces any part of a street, highway or greenway designated in the official map, such part of such proposed public way shall be platted and dedicated by the subdivider in the location and at a width indicated. There are two areas reserved on the official map for future street purposes on the land to be divided with the proposed Certified Survey Map (CSM), which shall be dedicated.

However, in lieu of immediate dedication, the subdivider may map the reservation on the face of the CSM, which identifies the width and location of the designated future public streets. The subdivider shall also enter into an agreement with the City, which stipulates the future dedication of the reserved area at no cost to the City upon order of the Common Council and regulates the use or improvement of the reserved area in the interim. The deferred dedication agreement shall be binding on the subdivider and their successors and assigns, and no modification or release of the agreement shall be allowed without the approval of the Common Council. The Applicant/Owner/Developer is responsible for any City Office of Real Estate Services Projects and Fees that may be required to completely execute the deferred dedication agreement.

Please contact Kathleen Kane of the City Engineering Division–Main Office at (608) 266-4098 if you have questions regarding the following three (3) items:

2. 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))
3. 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).
4. Based on WDNR BRRS #s 02-13-188156, 09-13-295156, and 09-13-580610 associated with the former Sears Auto Center and Store, the property may contain residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.

Please contact Julius Smith of the City Engineering Division–Mapping Section, at (608) 264-9276 if you have questions regarding the following sixteen (16) items:

5. Grant a Public Sidewalk Easement(s) to the City on the face of this Certified Survey Map or Subdivision Plat with the final width and location to be approved by City Engineering and Traffic Engineering for a public sidewalk along the north line of Lot 1.

Contact Jule Smith with Engineering Mapping for the final language to be included on the face of the CSM.
6. Under MGO Section 16.23(3)(a)2.c.i, the Applicant shall dedicate/plat a 66' foot wide strip of Right-of-Way along the route of the officially mapped street per Resolution RES_23_00195. Or in lieu of immediate dedication, enter into a deferred dedication agreement.
7. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

Amend Document No. 5812957 to allow for the new Pad Site and define the responsibility's for the new shared use of utilities and drainage rights

8. In accordance with Chapter 236, Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on a Plat or CSM. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division. Also Per 236.20(2)(c) delineate all non typical easements and state who is actually benefitting and all of the benefiting parties and or uses are noted for each.
9. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
10. This parcel is subject to numerous other documents not listed on this CSM most notably all of the West town covenants, restrictions and Operating agreements as listed on the prior CSM and the Pad Site Declaration per Document 5812957. list these documents on the face of the CSM
11. 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 Jule Smith, City Engineering (jSmith4@cityofmadison.com)
12. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control 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.
13. 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 Jule 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.
14. Add U.S.H. 12 & 18, and W. Beltline Hwy as street names in addition to U.S.H. 12 & 14.
15. per 236.20(2)(c) The length and bearing of the exterior boundaries, the boundary lines of all blocks, public grounds, streets, and alleys, and all lot lines, except that when the lines in any tier of lots are parallel it shall be sufficient to mark the bearings of the outer lines on one tier. Easements not parallel to a boundary or lot line shall be shown by center line distance, bearing, and width or by easement boundary bearings and distances. Where easement lines are parallel to boundary or lot lines, the boundary or lot line distances and bearings are controlling. Where the exterior boundary lines show bearings or lengths that vary from those recorded in abutting plats or certified surveys there shall be the following note placed along the lines, "recorded as (show recorded bearing or length or both)." this applies to both lines and curves... Show the "Recorded as" information for all curves where different from record.

16. While the original CSM is not specific and clear on where the Northeast corner of CSM 15734 is fully located and states line falls in the building line. it appears that the original CSM intended to hold the Northeast corner of the existing building as the parcel limits explain why this is not continuing, it would appear the physical monument of the building still exists.
17. Note the Dane County ROD prefers that each sheet carry a block for the CSM No. the Document No. and the Volume and page on the bottom of each sheet. Contact the Dane County ROD for fully requirements for Recording
18. Add the document no. 5739229 to the caption at the top of each sheet
19. Per A-E 7.05(11) note the datum and adjustment for the county coordinates used ...E.G NAD 83(97)
20. Submit to Jule 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 Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following item:

21. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Please contact Trent Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:

22. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required as part of approving the proposed site changes, based on the proposed building size (2,667 sq. ft.) and amount of on-site parking (4 stalls).

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following item:

23. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-16). 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 Heidi Radlinger of the Office of Real Estate Services at (608) 266-6558 if you have any questions regarding the following eleven (11) items:

24. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), the Owner’s Certificate 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). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
- The City and 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.
25. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for Symetra Life Insurance Company shall be included.
26. If the 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.
27. 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....
28. 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 and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
29. 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.
30. Madison Common Council Certificate: Signatory is Michael Haas, Acting City Clerk
31. 2024 real estate taxes are paid in full for the subject property.
- Per 236.21(3) Wis. Stats. and 16.23(4)(f)(3) 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. This includes property tax bills for the prior year that are distributed at the beginning of the year.
32. As of the date of this letter, there are no special assessments reported. 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(4)(f)(3).

33. Pursuant to Madison City Ordinance Section 16.23(4)(c)(1), the owner shall furnish an updated title report to ORES via email to Heidi Radlinger 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 (7/18/2025) 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.

34. The owner shall email the document number of the recorded CSM to Heidi Radlinger when the recording information is available.

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

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) and cwells@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 (608) 261-9135 or cwells@cityofmadison.com.

Sincerely,



Chris Wells
Planner

cc: Kathleen Kane, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Jeff Belshaw, Water Utility
Heidi Radlinger, Office of Real Estate Services