



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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April 26, 2023

Brett Stoffregan
D'Onofrio, Kottke, & Assoc., Inc.
7530 Westward Way
Madison, WI 53717

RE: LNDCSM-2023-00007; Legistar ID 76902 – Certified Survey Map – 6853 McKee Rd

Dear Brett Stoffregan,

Your two-lot certified survey of property located at 6853 McKee Road, Section 12, Township 6N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned PD (Planned Development district). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Timothy Troester of the City Engineering Division at 267-1995 if you have questions regarding the following one (1) items:

1. 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))
2. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.

Please contact Sean Malloy of Traffic Engineering at 266-5987 if you have any questions regarding the following two (2) items:

3. The applicant shall work with Traffic Engineering and Metro Transit to confirm final geometrics and necessary Right of Way dedication of bus pull out.

4. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Maple Grove Road.

Please contact Jeff Belshaw of the Water Utility at 261-9835 if you have any questions regarding the following one (1) item:

5. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at 266-4097 if you have questions regarding the following fifteen (15) items:

6. Correctly show the 10' Public Utility Easement per Doc NO 4883711 around the northeast corner of Lot 2. No portion of the easement has been released and is still in effect.
7. Provide for review an amendment of the Amended Access Easement Agreement as per 5156035 (Amendment amended Document No's 2792220, 4881507, 4890745). Upon the recording of this CSM, Parcel A will have been divided into 3 Lots being Lot 1 of CSM 14204 and Lots 1 and 2 of this proposed CSM. This is needed particularly to address maintenance responsibilities and associated expenses between parties. The Amendment shall be recorded immediately after the CSM recording. All references to the document shall note that it will be amended by a separately recorded document.
8. Provide for review an amendment of the Declaration of Easements per Document No 5219549. Upon the recording of this CSM the Lot of Owner 2 will have been split into new Lots 1 and 2 of this proposed CSM. This is needed particularly to address maintenance responsibilities and associated expenses between parties. The Amendment shall be recorded immediately after the CSM recording. All references to the document on the CSM shall note that it will be amended by a separately recorded document.
9. Provide for review the necessary private sanitary sewer lateral easement over proposed Lot 1 to serve proposed Lot 2. The document shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
10. The existing Drainage Easement per Document No. 5219396 shall be amended to acknowledge the new lots and the drainage between them. Provide the draft for review. The document shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance. Also the Storm water management agreement per Document No. 4919917 that regulates the main basin may require amendment dependent on the management of storm water plans in conjunction with this development in the future.
11. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water management between the two lots per proposed site plans. A private Storm Sewer/Drainage Easement/Agreement for for this development shall be drafted, executed and recorded prior to building permit issuance.

12. 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)
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 Jeff Quamme (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.
14. Within the Private street area revise text to "See Note 1 Sheet 6". Also add text to note 1 on sheet 6 that the agreement shall be amended by a separately recorded document.
15. Move the 90' wide street width on Maple Grove further south to where the right of way is 90'. Add a 93' wide width for the portion adjacent to line L5.
16. Provide a detail of the 25' radius curve area at the northeast corner of the CSM, particularly to show the monumentation between the point of curve and the new right of way corner within the curve.
17. Move the L5, L6 and L7 labels on sheet two. The current configuration will not be legible once the CSM has been recorded and scanned at the Register of Deeds.
18. The beginning of the 10th sentence of the legal description the "Northwest" shall be changed to "Northeast". In the 12th sentence of the legal description the curve is to the left and not the right. In the 14th sentence modify the text to be ...feet along the North line to a point of non-tangent curve at the.....
19. This 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 or early start permit.
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 Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following seven (7) items:

21. OWNER'S CERTIFICATION

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.

22. MORTGAGEE/VENDOR CERTIFICATION

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). 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.

23. CERTIFICATE AND CONSENT REQUIREMENTS

- a. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, 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. Stats. Sec. 236.34 and Sec. 236.21(2)(a).
- b. 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.

24. REAL ESTATE TAXES

As of April 14, 2023, real estate taxes are owed 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, including all installments, 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. Payment is made to: City of Madison Treasurer, 210 Martin Luther King, Jr. Blvd., Madison, WI 53701

25. SPECIAL ASSESSMENTS

As of April 14, 2023, there are no special assessments reported. 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.

26. TITLE REPORT

The title report submitted with the proposed CSM, dated May 19, 2022, was older than required by the City, as detailed in the Subdivision Application. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report via email 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 initial title report, dated May 19, 2022, submitted with the CSM application and include all associated documents listed in the initial title report, as well as any documents that have been recorded since May 19, 2022. 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.

27. ADDITIONAL REQUIREMENTS

- a. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record.
- b. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.

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 will be reviewed by the Common Council at its May 2, 2023 meeting.

Please now follow the procedures listed below for your certified survey map:

1. In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will make the City Clerk's Office aware that the Common Council certificate may be executed.

2. Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 266-4141.
3. 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 243-0554.

Sincerely,



Lisa McNabola
Planner

cc: Timothy Troester, City Engineering Division
Sean Malloy, Traffic Engineering
Jeffrey Quamme, City Engineering Division–Mapping Section
Jeff Belshaw, Water Utility
Andy Miller, Office of Real Estate Services