



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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July 25, 2018

Paul Spetz  
Isthmus Surveying, LLC  
450 N. Baldwin Street  
Madison, Wisconsin 53703

RE: LNDCSM-2018-00018; ID 51956 – Certified Survey Map – 1335-1403 Gilson Street  
(BB Golden Enterprises, LLC and Valhalla Properties, LLC)

Dear Mr. Spetz;

The two-lot Certified Survey Map of property located at 1335-1403 Gilson Street, Section 26, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned TE (Traditional Employment District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following two (2) items:**

1. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
2. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM the applicant shall contact either Tim Troester at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 261-9127 ([bstanley@cityofmadison.com](mailto: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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following fourteen (14) items:**

3. The Easterly boundary of this CSM, as per Document No. 2650160 is described as 15 feet westerly of the main track "as originally located and established." The boundary as shown on this CSM is 15 feet from the existing track that is a realignment that occurred circa 2003 as the City acquired lands for the realignment per Document No. 3664811. The surveyor shall revise the CSM exterior boundary as needed to match title. Additionally, any change to this boundary will also result in revisions to the line between Lots 1 and 2 of this proposed CSM for the 30- by 35-foot rectangular area.

4. Correct spelling of owners name (Valhalla) within the Surveyor's Certificate on sheet 2.
5. Add a note to the gravel area easterly of the concrete ramp that the area is subject to Offer To Use Permit #13- 00450.
6. The note referencing the former railroad lands conveyance shall remove Document No. 5053315 and add Document Nos. 2650160 and 2688814, these two being the original conveyances from the C&NW Railroad.
7. Correct the Document No. 3306833 to 3306836 for the MG&E right of way near the northwest corner of the CSM.
8. Remove the "now owned by the State of Wisconsin Department of Transportation" text from the sheet headers and the description under the Surveyor's Certificate. It insinuates ownership within the CSM by WisDOT. Also revise the legal description after any revision to the exterior boundary.
9. Provide the lot widths for Lots 1 and 2 along Gilson Street. Also provide and overall lot distance for Lot 1 along the railroad right of way.
10. The RR right of way east of the centerline is not 50 feet wide. It is varied and the width is substantially less than 50 feet.
11. Correct the dimension between the meander corner and the actual corner at the Center of Section 26. The dimension does not match the coordinates.
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 Certified Survey Map. The surveyor shall identify any deviation from City Master Control with recorded and measured designations.
13. Add a note that Lot 2 is subject to a Declaration of Conditions, Covenants and Restrictions for Maintenance of Stormwater Management facilities per Document No. 5127721.
14. Correct the Ingress-Egress Easement over current Lot 8, Document No. 2402754 to 2400759. The applicant should consider evaluating if this easement has been terminated by the Doctrine of Title Merger due to identical ownership of both parcels and combination into one lot.
15. 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.

16. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

\*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 and a written notification to Engineering-Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following item:**

17. The applicant provide an executed copy of a cross-access agreement or install a physical barrier of substantial material and construction to prevent vehicular movements onto and off of adjacent sites.

**Please contact my office at 261-9632 if you have questions about the following two (2) items:**

18. Revise the CSM prior to final approval and recording to provide a width dimension for each proposed lot adjacent to Gilson Street.

19. To improve clarity, please consider revising the CSM to place existing improvements and related dimensions on a separate sheet, thereby creating a sheet 1 graphic that more clearly shows the dimensions of the proposed lots and relevant underlying plat information. If necessary, a separate graphic showing easements and other matters of title should also be considered.

**Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following six (6) items:**

20. Signature block certifications 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 at the time of execution. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.

21. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.

22. 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..."
23. The lands within the CSM boundary are partially located within Tax Incremental Financing District (TID) 42. Discussions with Joe Gromacki, the City of Madison's Tax Increment Financing coordinator, may be necessary before recording the CSM if a TIF application is required. Mr. Gromacki can be reached at 608-267-8724 or [jgromacki@cityofmadison.com](mailto:jgromacki@cityofmadison.com).
24. As of July 10, 2018, the 2017 real estate taxes in the combined total amount of \$6,458.60 are due for all three tax parcels included in this CSM. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), 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. 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. As of July 10, 2018, 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 MGO Section 16.23(5)(g)1.
26. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest in City's Office of Real Estate Services ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)), 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 (April 18, 2018) 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. The surveyor shall update the CSM with the most recent information reported in the title update.
27. Revise the CSM prior to final approval and recording as follows:
  - a.) Depict, name, and identify by document number all existing easements cited in record title and the updated title report. In particular the easements described in Document Nos. 5123697 and 5123698 if applicable.
  - b.) Correct reference to Document No. 3306866 for 10-foot Right-of-Way Grant for Underground Electric. Should be Document No. 3306836.
  - c.) Correct reference to Document No. 2402754 for Ingress and Egress easement; it should be Document No. 2400754.
  - d.) Include a note referencing the reservation of rights contained in Document No. 2650160, if applicable. Depict if possible.
  - e.) Ask Title Company to correctly reference Document No. 2078795 as there appears to be a typo in the title report.

- f.) It appears that Document No. 5127721 affects one of the parcels within the CSM boundary, but has been omitted from the title report. If applicable, please ask the title company to include in the title update and include a note in the CSM referencing said document number.
- g.) Include relevant notes and depictable easements from CSM 13706 recorded as Document No. 5066939.

**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 was approved by the Common Council at its July 24, 2018 meeting.**

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).

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.

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: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division—Mapping Section  
Sean Malloy, Traffic Engineering Division  
Jenny Kirchgatter, Assistant Zoning Administrator  
Lance Vest, Office of Real Estate Services