



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266-4747  
FAX 608 266-8739  
PH 608 266-4635

December 7, 2012

Adam Gross  
Snyder & Associates  
5010 Voges Road  
Madison, Wisconsin 53718

RE: File No. LD 1237 – Certified Survey Map – 638 Hercules Trail (Hercules Trail Apartments, LLC)

Dear Mr. Gross;

The one-lot certified survey combining your client's property located at 638 Hercules Trail, Section 11, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The conditions of approval from the reviewing agencies to be satisfied before final 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 two (2) conditions:**

1. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) 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).
2. 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 Dennis Cawley of the Madison Water Utility at 261-9243 if you have questions regarding the following comment:**

3. Per MGO 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Please contact Jennifer Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following seven (7) items:**

4. Prior to requesting final approval prior to recording, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and 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 title report shows the following parties have an ownership interest in the lands within the CSM and shall be signatories on the Owner's Certificate:

→ MREC VH Madison Investors, LLC, a Delaware limited liability company

5. A certificate of consent by the mortgagee/vendor shall be included following the Owner's Certificate for all mortgagees/vendors listed below:

→ MREC VH Madison LLC

6. All ownership and mortgage certifications shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language ..."surveyed, divided, mapped and dedicated"...

7. Include the following Common Council Certificate on the CSM. This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, the Madison Common Council Certificate shall appear as follows:

**Madison Common Council Certificate:**

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
 Maribeth L. Witzel-Behl, City Clerk  
 City of Madison, Dane County Wisconsin

8. Include a Plan Commission Certificate on the CSM. Pursuant to Madison City Ordinance Section 16.23(5)(e) 4 and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: \_\_\_\_\_  
 Steven R. Cover, Secretary Plan Commission

Date: \_\_\_\_\_

9. As of November 21, 2012, the 2011 real estate taxes are paid for the subject property and there are no outstanding stormwater fees. There are special assessments owed for two of the parcels listed above. Please provide paid receipts for payment prior to requesting signoff. The special assessments owed for the following parcels are:

Parcel Address	Tax Parcel No.	2005 Preliminary Assessment (URD-UCD Street Lighting)
638 Hercules Trail	251-0710-112-1601-9	\$0
5802 Halley Way	251-0710-112-1602-7	\$0
701 Jupiter Drive	251-0710-112-1603-5	\$2,782.80

5817 Charon Lane	251-0710-112-1604-3	\$1,391.40
<b>Total</b>		<b>\$4,174.20</b>

10. The following CSM revisions shall be made:

- a.) Place a note on the CSM stating that the subject lands are subject to the Additional Terms of Conveyance, as shown as Exhibit B of the Special Warranty Deed, recorded as Doc. No. 4897644.
- b.) Removal of Doc. No. 3943185 from Note 4 on Sheet 2 may be necessary, as it does not appear to affect the subject lands.
- c.) The inclusion of Doc. No. 4897648 to Note 4 on Sheet 2 might be necessary, as it appears to affect the subject lands.
- d.) The easements created by Doc. No.'s 3913260 and 3963053 might need to be removed from Note 4 on Sheet 2, as they are not depicted in the proposed CSM and because the creation of the proposed single-lot CSM will replace these easements. Please coordinate with City Engineering and the Office of Real Estate Services for direction.
- e.) Please note that the lands within the CSM boundary are subject to Notes created in the Plat of Grandview Commons, recorded as Doc. No. 3583911.
- f.) Create and record, or show as being dedicated in the proposed CSM, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
- g.) Record satisfactions or releases for all mortgages, 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.

**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 is scheduled for approval by the Common Council on December 11, 2012.**

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 [epederson@cityofmadison.com](mailto: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 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in six (6) months from the date of the approving resolution or this letter, whichever is later.** If you have any questions or if you may need 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  
Dennis Cawley, Madison Water Utility  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations