



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

December 16, 2014

John Krebs
JSD Professional Services, Inc.
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: File No. LD 1445 – Certified Survey Map – 6905 Odana Road (Westland Plaza, LLC)

Dear Mr. Krebs;

Your two-lot certified survey of property located at 6905 Odana Road, Section 25, Township 7N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CC (Commercial Center District). 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 sixteen (16) items:

1. The applicant shall be required to construct the public sidewalk on W. Platte Drive from the existing sidewalk to the south property line. The Applicant shall provide a detailed sidewalk plan for review and approval by the City Engineer. The plan shall be stamped by a professional engineer and shall be constructed by having the applicant's contractor take out a Permit to Excavate in the Right of Way. The applicant shall be required to provide a deposit or surety in the amount of \$10,000 to cover the guaranty of the sidewalk installation.

The permit application can be found at: <http://www.cityofmadison.com/engineering/permits.cfm>

2. Provide a note on the Certified Survey Map (CSM) that states that Lot 2 the proposed CSM shall have a separate sanitary sewer and water service lateral.
3. Correct the bearing of the North line of the NW 1/4 to N 89°23'43" E.
4. On the Surveyor's Certificate, the last distance of 287.76 is missing the decimal point.
5. Add official abbreviation of street name W. Platte Drive to drawing to show that "West" is a pre-directional.
6. Remove all apostrophes used on the CSM where used in the word 'Lot's'. It should be 'Lots'.

7. A note shall be added to the CSM that the all lots in the CSM are subject to a Declaration of Easement (common access between parcels) per Document No. 1568915. Subsequent to the recording of the CSM, an amendment to this Declaration of Easement shall be recorded to properly address the creation of the new parcels and rights and responsibilities of each parcel set forth. A draft of this amendment shall be provided prior to final sign off.
8. Dimension the stub going north along the south line of the MG&E easement per Document No. 1622344, amended by Document No. 3949870.
9. Show location on the map and label the Party Wall Agreement per Document No 1626587.
10. Separate into a new note the easement per Document 1659756 and fix the label accordingly. Also, there still exists a 2-foot wide remnant of the easement along the entire north line of this CSM. Add the easement and appropriate note to the CSM.
11. Add a note that this CSM is subject to Declaration of Conditions, Covenants, and Restrictions for Maintenance of Stormwater Management Measures per Document No. 3917621. (Note: This agreement rescinds Document No. 3881506).
12. There appear to be private common sanitary sewer, water services, and storm sewer facilities shared between the Lot 1 of this CSM and the property to the east. Also the common private sanitary service for Lot 1 of this CSM and the property to the east crosses proposed Lot 2. The applicant shall provide a copy of a recorded agreement addressing all common utility facilities prior to final sign off and the agreement shall be shown and noted on the face of the CSM with the recording data.
13. The lots within this CSM are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the CSM, and recorded at the Dane County Register of Deeds.
14. A minimum of 2 working days prior to requesting City Engineering signoff on the CSM, 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).
15. 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 Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
16. 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 Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

17. Each lot shall have a separate water service lateral connected to a public water main.
18. 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 regarding the following item:

19. The applicant is proposing to modify an existing Planned Multi-Use Site as defined in the City's Zoning Code and Subdivision Regulations. Prior to final staff approval of the CSM for recording, the applicant shall receive approval of the site plans, reciprocal land use agreements, reciprocal access easements and shared parking agreements sufficient to govern the proposed lots. Any new or amended agreement(s) and easement(s) necessary for this land division shall be recorded with the Dane County Register of Deeds following approval by the City Engineer, Traffic Engineer, and Director of the Department of Planning and Community & Economic Development and prior to recording of the CSM. Note: The Planned Multi-Use Site includes the subject site and parcels 251-0708-252-0421-0 (6909 Odana Road), 251-0708-252-0419-5 (6725 Odana Road), and 251-0708-252-0420-2 (6801 Odana Road).

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following six (6) items:

20. 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.
21. The certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM final sign-off.
22. 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.
23. 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. As of November 20, 2014, 2013 real estate taxes are paid for the subject property and there are no special assessments owed. [If 2014 real estate taxes are levied prior to requesting final sign-off, those taxes shall be paid in full, with receipts to be provided accordingly.]

24. 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.
25. Please revise the CSM prior to final sign-off as follows:
 - a.) Depict and dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells and septic systems associated with the lands described for the proposed CSM (Well abandonment: ref. NR 141).
 - b.) Reconcile depiction of Document Nos. 1622344 and 3949870 discussed in Note 4 on Sheet 3 with the legal descriptions in said documents.
 - c.) Note Document Nos. 1626587, 3917621, 1697572, and 1568915.
 - d.) Remove Note 5 on Sheet 3.
 - e.) Remove apostrophe in the word "LOTS" in legal description on each sheet.

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 on December 2, 2014.

Note: The Madison Fire Department does not object to this land division provided the project complies with all applicable fire codes and ordinances.

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.

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
Eric Halvorson, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Pat Anderson, Assistant Zoning Administrator
Sally Sweeney, City Assessor's Office
Heidi Radlinger, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations