



Department of Planning & Community & Economic Development
Planning Division

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February 15, 2013

Mike Marty
Vierbicher
999 Fourier Drive, Suite 201
Madison, Wisconsin 53717

RE: File No. LD 1243 – Certified Survey Map – 413 & 429 S. Yellowstone Drive (Brookdale)

Dear Mr. Marty;

The one-lot certified survey combining your client's property located at 413 & 429 S. Yellowstone Drive, Section 25, Township 7N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned SE (Suburban Employment District). 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 nine (9) conditions:

1. Previous CSM 11598 created private sanitary sewer and water easement benefitting Lot 1. If this proposed CSM intends to perpetuate this existing private easement, it must be depicted and retraceable on this CSM.
2. Reconcile the N89°51'14"W bearing transposition on this CSM.
3. Reference Office of Real Estate Services Project No. 10086 for required easement releases. Final release documents shall be finalized and recorded prior to final CSM sign-off and recording.
4. Revise CSM to show existing public storm sewer easement (Document No. 1536478).
5. Revise note 2 on page 5 of 7 to remove reference to the interior 6-foot drainage easements. Work with City Engineering staff to reconcile any encroachments into the proposed 12-foot drainage easement on the perimeter of the proposed Lot 1.
6. The property at 429 S. Yellowstone Drive is subject to the City's Sauk Point Sanitary Sewer Area Connection charge. The current rate is \$12.60/1,000 square feet.
7. The developer shall enter into a City/ Developer agreement for the installation of public improvements required to serve this CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer.

8. 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).
9. 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 Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following item:

10. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

11. Per MGO Section 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 eight (8) items:

12. 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). 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:

- BKD Wynwood of Madison West Real Estate, LLC
- Brookdale Senior Living Communities, Inc.

If the property is conveyed to Park Town Development Corporation prior to CSM approval sign-off, please update the ownership certificates to reflect the correct ownership interest and remove notes regarding land lease.

13. A certificate of consent for mortgagee/vendor shall be included following the Owner's Certificate for any mortgagees/vendors of record:
14. 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.
15. Add a note stating that the some of the lands within the CSM boundary are subject to an unrecorded land lease with Park Town Development Corporation, or provide documentation that this lease is no longer valid.

16. The authorizing resolution for this CSM was recently passed, so please update the Common Council Certificate to show the details: Enactment#: RES-13-00104, File ID #28952 on February 5, 2013.
17. If the 2012 real estate taxes have not been paid for the two tax parcels within the CSM boundary, they shall be paid in full prior to signoff, with receipts provided on or before the time of signoff.
18. As of February 08, 2013, the special assessments are unknown. Please coordinate with the Office of Real Estate Services for potential assessments owed prior to approval sign-off. As of January 13, 2013 there are no special assessments reported for the subject property. Please verify that stormwater management charges are paid in full by contacting Janet Dailey with City Engineering (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).
19. The following CSM revisions shall be made:
 - a.) Update the end of Note 2 on Sheet 5 to state "Utility easements as herein set forth are for the use of public bodies and private public utilities having the right to serve the area."
 - b.) Please add a Note on Sheet 5 to describe the encroachment on Sheet 3 per CSM 11548.
 - c.) Coordinate with the Office of Real Estate Services (ORES) for the release of platted public easements for drainage, utility and storm water through Real Estate Project #10086. ORES will record the easement releases prior to CSM recording and forward the recording information to the surveyor to be included on the CSM.

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 February 5, 2013.

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.

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 may be of 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
Eric Halvorson, Traffic Engineering Division
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations