



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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March 8, 2024

Michelle Burse
Burse Surveying and Engineering, Inc.
2801 International Lane, Suite 101
Madison, WI 53704
VIA EMAIL

RE: LNDCSM-2024-00004; Legistar ID 81938 – Certified Survey Map – 220 Cottage Grove Road

Michelle Burse,

Your three-lot certified survey of property located at 220 Cottage Grove Road, Section 09, Township 07N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned Industrial Commercial Corridor – Transitional (CC-T) District. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following two (2) items:

1. Based on WDNR BRRRTS records #0213001690 and #0313002448, the property may contain residual petroleum contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
2. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

Please contact Julius Smith of the City Engineering Division – Mapping Section at 264-9276 if you have questions regarding the following twelve (12) items:

3. Show the agreement for the retaining wall and sign per Document No. 1293693 or provide recorded release of the document.
4. Show the areas acquired in for Right-of-Way in Document Nos. 1154395 and 935964 on the face of the map with dotted lines within the limits of the current right-of-ways and call them out.
5. Add a note to the effect of: Right-of-way of Clover Lane is based on deed provided, which has based on Ely surveys from late 1950's. the Right-of-way was actually acquired in Deed document 935964 however the curve lengths given did not seems to fully work out between the given tangent sections. The surveys found at Dane County Land Records Office under File Nos. Survey 2330 and Survey 2330 performed by Alex Ely in 1957 and 1958, reflect the attempts to fit the curves at record length with different tangent bearings to rectify the misclosure. His surveys appear to be the source for the title legal description for the parcel after the conveyance of the right-of-way. These solutions have been further perpetuated in CSM 55 for the Easterly right- of-way of Clover Lane.
6. Cite the Document No. 887274 for Assessors plat no. 7 of Blooming Grove in the Caption at the Top of Each page and in the legal description.
7. 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 Jule Smith, City Engineering (jsmith4@cityofmadison.com)
8. 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 Jule Smith (jsmith4@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.
9. A-E 7.05(11) cite the Datum and Adjustment used for the WCCS Coordinates used. Example: NAD 83 (2011)
10. List the tangent bearing of C2
11. Show the Chord line of C5
12. Correct the owners name in the second paragraph in the owner's certificate.
13. Leave more space for the month in the common council certificate
14. 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 Heidi Radlinger of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following seven (7) items:

15. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services, the Owner's Certificate 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). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.

A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

16. MORTGAGEE CERTIFICATION

- a. A certificate of consent for Oak Bank shall be included following the Owner's Certificate and executed prior to CSM approval sign-off. If the CSM is signed electronically, a PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
- b. 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.

17. CERTIFICATE AND CONSENT REQUIREMENTS

- a. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2), 236.34(1)(dm) and 236.29 by including the language ...surveyed, divided, mapped and dedicated....
- b. 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. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
- c. 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.

18. REAL ESTATE TAXES

2023 real estate taxes are paid 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 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.

19. SPECIAL ASSESSMENTS

There are no special assessments reported on the subject parcel. If special assessments are levied against the property during the review period prior to CSM approval sign-off they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

20. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services 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 (8/18/2023) 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. 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.

21. COPY OF RECORDED CSM

The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

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 March 19, 2024 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: Tim Troester, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Heidi Radlinger, Office of Real Estate Services