



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

October 17, 2018

Todd Mosher
RA Smith National, Inc.
1245 E. Diehl Road, Suite 102
Naperville, Illinois 60563

RE: LNDSCM-2018-00035; ID 52915 – Certified Survey Map – 3729-3737 E. Washington Avenue (Discount Tire)

Dear Mr. Mosher;

The one-lot Certified Survey Map of property located at 3729-3737 E. Washington Avenue, Section 33, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CC-T (Commercial Corridor–Transitional 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 (608) 261-9127 if you have questions regarding the following five (5) items:

1. This site has a low area in the rear that is drained through the site and out to E. Washington Avenue. This shall be accommodated by any future redevelopment of the site.
2. 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.
3. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees.
4. 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) or Brenda Stanley at 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

5. The following note shall be placed on the Certified Survey Map: "All lots created by this Certified Survey Map are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to stormwater management at the time they develop."

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following fifteen (15) items:

6. The width of E. Washington Avenue is 120 feet and not 119 feet along the northeasterly side of this CSM. This is contrary to some existing maps and documents, but monumentation appears to be confirming this as well. Also, CSM 14568 dedicated an additional 0.74 feet of right of way along the northwest side of E. Washington Avenue. Revise the widths and dimensions of E. Washington Avenue accordingly.
7. The 55-foot and 145-foot width shown to the original reference line is not to the existing right of way where dimensioned. Additional nonstandard width has been acquired. Correct the widths accordingly.
8. Show CSM 14568 along the northwest side of E. Washington Avenue.
9. Add the recorded as information from Document No. 3981896 for the 77.71-foot long boundary line. Add a recorded bearing of N 48°40'05" E for the 100.54-foot long boundary line. Add recorded as information for the 140.99-foot long boundary.
10. Correct all references to Section 35 to Section 33 throughout the Certified Survey Map. Also, the header for the Surveyor's Certificate is completely in error and shall be corrected. Additionally, any reference in the description to a CSM lot shall include the volume, page and document number.
11. Add the missing found iron stake symbol along the southeasterly boundary.
12. Add to notes 3 and 7 that the easements are within the current right of way of E. Washington Avenue.
13. The conveyance to Halle Properties, LLC shall be completed and an updated title report provided prior to final CSM sign-off or the Owner's Certificate and Consent of Mortgagee shall be revised.
14. Remove the text, "does not affect" from Note 11, this CSM is benefitted from the easement. Also, Document No. 2688609 shall be amended to allow and acknowledge the existing parking by the parcel to the northeast that is within the easement area. The amended and recorded document shall be referenced on the CSM prior to final sign off.
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. 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 in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations.
17. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
18. On the surveyor's certificate, correct street name of "East Washington Street" to "East Washington Avenue."
19. Reconcile the discrepancy between surveyor's certificate and map drawing for second bearing directional. One says S/W; the other says N/W.
20. 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 Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following ten (10) items:

21. The owner's name in public record does not match the name in the title commitment. The owner's certificate shall contain the owner of record on the day of recording. Please inform the Office of Real Estate Services of any anticipated ownership changes prior to CSM recording. 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.

22. 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. Please include a certificate of consent for mortgagee Settlers Bank. Also, please include a certificate of consent for mortgagee Henning Investments, LLC.
23. 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. Please include a Consent of Lessee for Adams Outdoor Advertising per Document No. 4927545.
24. Madison Common Council Certificate: 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, a Madison Common Council Certificate shall appear as follows:

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 _____, 2018

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

25. Modify "Planning Commission" to read "Plan Commission":

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

By: _____ Date: _____
Natalie Erdman, Secretary of the Plan Commission"

26. Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds
Dane County, Wisconsin
Received for recording on _____, 20__ at ____ o'clock __ M, and
recorded in Vol. ____ of CSMs on page(s) _____, Document No. _____.

Kristi Chlebowski, Register of Deeds

27. As of September 28, 2018, the 2017 real estate taxes are paid for the subject property.
28. As of September 28, 2018, special assessments in the amount of \$398.91 are reported for tax parcel 251/0810-332-0439-8. All known special assessments are due and payable prior to final CSM 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.

29. Per the signed subdivision application on August 14, 2018 a title commitment is not acceptable and a 60-year report of title shall be provided. A title commitment may be provided, but will be considered only as supplementary information to the title report. 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), 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 (May 7, 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.

30. Revise the CSM prior to final approval and recording as follows:

- a.) Please correct the legal description in the Surveyor's Certificate. Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
- b.) Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary. In particular, there appears to be a fenced-in area to the northeast of the easternmost building. Please depict if necessary.
- c.) If all parties of interest agree that certain easements from prior plats or CSMs of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.
- d.) Ask the tile company to clearly indicate in the updated title report that no liens or judgments exist if that is the case. Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.
- e.) Show underlying lot lines of existing tax parcels for the two CSM lots.
- f.) Remove all notes for documents that do not affect lands within the CSM boundary.

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 October 30, 2018 meeting.

Note: The approval of this CSM does not grant permission to demolish any existing building or construct a new building; such approvals have been granted separately.

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.

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: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Lance Vest, Office of Real Estate Services