



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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October 3, 2023

Brett Karns
JSD Professional Services, Inc.
161 Horizon Dr, Ste 101
Verona, WI 53593

RE: LNDSCM-2023-00025; Legistar ID 79337 – Certified Survey Map – 3100 East Washington Avenue

Dear Brett Karns:

Your one-lot certified survey of property located at 3100 East Washington Avenue, Section 32, Township 08N, 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 261-9127 if you have questions regarding the following four (4) items:

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
2. Construct sidewalk, terrace, curb & gutter and pavement as needed along Ridgeway Ave, Melvin Court & E Washington Ave to a plan as approved by City Engineer
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
4. 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 seventeen (17) items:

5. Grant a Public Storm Sewer Easement(s) to the City on the face of this Certified Survey Map in the place of easement being displaced by the proposed development. The size and location of the easement shall be approved by City Engineering. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com) for the final required easement language.
6. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. Assuming approval of release of existing easement by City Engineering. Provide legal description, exhibit and fee for release of existing Public Storm Sewer Easement per Doc 1488066. Also it appears in the development plans the Sanitary sewer easement will no longer be required. Supply any easement and exhibit for this as well if this is approved by City Engineering. Additionally apply for Rezoning to fit proposed development upon receiving conditional approval provide any needed documents to release deed restriction Document no. 3085824
7. In accordance with Chapter 236, Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on a Plat or CSM. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division.
8. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
9. Make a note on CSM to the effect of the dumpster easement per Document 1717458 has been presumed terminated but hereon forth both this easement and the ingress egress easement that have not been shown on this CSM are considered terminated via merger both into a common parcel and a common title owner within the limits of this parcel.
10. Offsite access, ingress egress and light pole easement as shown affecting Part of Outlot 36 per Doc 1461295, 1504924(not listed) and Doc 3011360, the developer should consider to release. The easement which appears to date back to the late 1970s, the building on the portion of lot 36 was constructed in 1984 directly over it, apparently without any recorded contest. This easement should be further explored from the adjacent parcel's title record to see if it actually still exists before any attempt is made to further perpetuate it.
11. 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)

12. 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 Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.
13. 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.
14. per A-E 7.05(3) The map shall show the length and bearing of the boundaries of the parcels surveyed. Bearings, angles, and distances on any property survey map shall be in accordance with s. A-E 7.06 (5). Where the boundary lines show bearings, lengths or locations which vary from those recorded in deeds, abutting plats, or other instruments, there shall be the following note placed along such line, "recorded as (show recorded bearing, length or location)".
Show the "Recorded As" Bearings of those in Special Warranty Deed Doc 2886526 and Warranty Deeds Doc 1280465, 1285750, 1488065 and 3323673
15. Use a solid line for the CSM boundary. While technically not directly in state stats. The following can be found on plat review website checklist and is the standard of care throughout the county...
s. 236.20 (2) (a) The exterior boundaries of the land surveyed and divided must be clearly shown. [Use a solid heavy line.] https://doa.wi.gov/DIR/WI_CSM_Checklist.pdf
16. Cite datum and adjustment for coordinate system used. Per A-E 7.05(11)(11)? When coordinate values are shown on the face of the map, the map shall comply with and be subject to the provisions of s. 236.18, Stats., and include the coordinate system, datum, and adjustment.
17. Update the legend, Remove the setback line and match the Scale/perspective of the model space 1" Iron Pipe found to the paper space 1" Iron Pipe found. it is hard to differentiate the two symbols the 3/4" rebar and 1' Iron Pipe in the legend when printed. It can be seen in the model space version though.
18. Remove owner and address information and do not label the accesses.
19. Re-label those areas as exception = as right-of-way acquired per Doc....
20. Use the Updated Common Council Certificate. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com) for the required language.
21. 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 Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following one (1) item:

- 22. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a terrace, five (5)-foot wide sidewalk, and additional one (1) foot for maintenance along Ridgeway Avenue. Applicant shall work with Traffic Engineering staff to finalize details.

Please contact Kate Kane of the Parks Division at 261-9671 if you have any questions regarding the following three (3) items:

- 23. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 23031 when contacting Parks about this project.
- 24. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
- 25. The Parks Division shall be required to sign off on this CSM

Please contact Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following eleven (11) items:

- 26. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) 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). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
- 27. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s). 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.

28. 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. Stats. Sec. 236.34 and Sec. 236.21(2)(a).
29. 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.
30. 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 _____, 20____

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

31. As of September 8, 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. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
32. As of September 8, 2023, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval 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 Madison General Ordinance Section 16.23(5)(g)1.
33. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report via email to Andy Miller in the ORES (acmiller@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the initial title report, dated June 22, 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.
34. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record. If documents included

in the 12-23-2019 title report do not apply to the area within the proposed CSM, have them removed from the updated title report.

35. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
36. If all parties of interest agree that certain easements from prior plats or CSM's 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.

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 17, 2023 meeting.

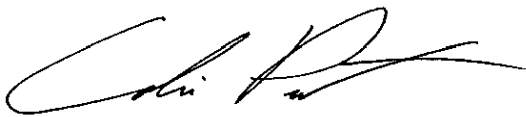
Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to [jqumme@cityofmadison.com](mailto:jrqumme@cityofmadison.com).

As soon as the comments and conditions have been satisfied, 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 243-0455.

Sincerely,



Colin Punt
Planner

cc: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Kate Kane, Parks Division
Andy Miller, Office of Real Estate Services