

February 18, 2020

Department of Planning & Community  
& Economic Development  
Planning Division  
Madison, Wisconsin 53703



Attention: Mr. Timothy M. Parks  
Re: Herrling Property Subdivision

Enclosed you will find our responses to the Project Review of the preliminary plat of *Herrling Property Subdivision*, creating 129 lots for single-family detached residences, seven lots for future townhouse/rowhouse development, ten lots for the future apartment development, one outlot to be dedicated to the public for parkland, and 11 outlots for public stormwater management. [ID S5574 and 55182; LNDSP-2019-00004]

1. The plat as submitted provides for a 75-foot wide greenway, this may not prove sufficient - it is likely a 100-foot wide greenway shall be required. Calculations of 500-year flow through this corridor shall be completed to determine if 75 feet is sufficient to handle the design flow.
  - **500-year flow calculations have been completed for analysis of the greenway corridor width. The greenway corridor has been widened to 100 feet as needed at the lower portions of the corridor. The lot layout has been revised as necessary and is depicted on the revised preliminary plat.**
2. For lots backing up and discharging runoff to unplatted lands to the West, stormwater volume control features will be required (rain gardens, stone cribs...) that provide control of the 10-year discharge to the site from the lots to pre-development levels.
  - **This is noted and will be further coordinated with the City as the storm water management plan is finalized for this phase of development.**
3. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
  - **A Developer Agreement will be prepared and finalized with the City as the project progresses.**
4. Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
  - **A soil boring report will be provided to the engineering division prior to recording of the final plat – if conditions exist the necessary restriction will be placed on the final plat.**

5. This development is subject to impact fees for the West Elderberry Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall be put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
  - **All impact fees will be paid at the time building permits are issued. The requested note will be added to the final plat.**
6. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
  - **The developer will construct all necessary improvements to serve the lots.**
7. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection 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.
  - **All outstanding fees will be paid prior to City Engineering signoff.**
8. A Phase 1 environmental site assessment (Phase 1 ESA), compliant with ASTM E1527-13, is required for the project area. The applicant shall provide one (1) digital copy and a paper copy only if specifically requested. Staff review of this Phase 1 ESA will determine if a Phase 2 ESA is also required. Please submit report(s) to Brynn Bennis (608-267-1986, bbemis@cityofmadison.com) for review.
  - **Please note that Brynn Bennis has already reviewed and approved of the Phase 1 environmental site assessment per 2/14/2019 email.**
9. An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
  - **All necessary permits will be obtained and a preconstruction meeting will be held prior to construction. Soil loss calcs and an erosion control plan will be provided to the City for approval.**
10. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151. However, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
  - **All necessary City permits and a WRAPP permit from the DNR will be obtained prior to construction.**

11. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight-line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system—NAD 27. Note: It is required that this plan shall be stamped by and Registered Land Surveyor.

The following note shall accompany the master stormwater drainage plan: “For purposes of this plan, it is assumed that grading shall be a straight-line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows. No building permits shall be issued prior to the City Engineering Division’s approval of this plan.”

- **This is noted – all of the above materials will be provided to the City Engineering Division with the final construction plans and storm water management plan.**

12. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100- year storm events, matching post development rates to predevelopment rates; reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls; provide infiltration in accordance with MGO Chapter 37; and complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.

- **The final storm water management plan will comply with the above ordinances and City requirements.**

13. The developer shall construct Madison standard street and sidewalk improvements for all streets within the plat.

- **The developer will construct the necessary road improvements.**

14. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.

- **AASHTO intersection sight distances will be adhered to during the design of the streets.**

15. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.

- **Adequate sight distance will be provided at street intersections.**

16. The developer shall make improvements to Mineral Point Road and Pioneer Road to facilitate ingress and egress to the plat as required by the City Engineer, including the construction of acceleration and deceleration tapers and turn lanes. These improvements may require dedication of right of way outside of the limits of the plat.

- **The developer will make necessary improvements to Mineral Point and Pioneer Road as it relates to the proposed development.**
17. The developer shall construct curb, gutter and four (4) feet of pavement and along Mineral Point Road and Pioneer Road as required by the City Engineer.
- **The developer will make necessary improvements to Mineral Point and Pioneer Road as it relates to the proposed development.**
18. The developer shall construct a 10-foot wide public multi-use path along the north side of Mineral Point Road as required by the City Engineer.
- **The developer will construct a 10-foot multi-use path along Mineral Point road – this will be further coordinated with the City Engineer.**
19. The developer shall construct 10-foot wide public multi-use path along the greenway corridor as required by the City Engineer.
- **The developer will construct a 10-foot multi-use path along the greenway corridor – this will be further coordinated with the City Engineer.**
20. This plat requires a 30-foot wide Public Sanitary Sewer Easement along the north right of way of Mineral Point Road. Any other public utility easements required along Mineral Point Road shall be granted outside of the sanitary sewer easement areas. Contact Engineering (Jeff Quamme jrquamme@cityofmadison.com) to receive the appropriate easement terms/conditions language for inclusion on the final plat.
- **Based on subsequent coordination with the City, a 20-foot wide sanitary sewer easement has been agreed upon along the north right of way of Mineral Point Road. This easement has been added to the preliminary plat.**
21. Outlot 8 is being dedicated to the public. The designated Public Stormwater Drainage easements within Outlot 8 are unnecessary and shall be removed. Combine Outlots 9 and 10, as they are to be dedicated for the same public use for public storm water management.
- **The storm water easements have been removed from Outlot 8. Outlots 9 & 10 have been combined and dedicated for public use as storm water management facilities.**
22. The path shown through Outlot 141 within the public drainage easement shall have a separate easement for a public pedestrian and bike path granted on the final plat, or the entire easement shall be designated as an easement for both public drainage and path uses.
- **The entire easement has been designated for both drainage and path uses on the preliminary plat and will also be designated as such on the final plat.**
23. Contact Jeff Quamme (jrquamme@cityofmadison.com) for required language for all public easements for storm sewer and drainage, sanitary sewer and bike/pedestrian paths to be placed on the final plat.
- **The required language for all public easements will be provided on the final plat.**
24. Provide private Easements or Outlots to accommodate the now USPS required centralized delivery of mail using Cluster Box Units (CBUs). The applicant shall coordinate with the USPS Development Coordinator and City Engineering and Traffic staff the required locations for the CBUs. CBUs serving this plat will not be permitted within any publicly owned or dedicated lands. If the Developer is not able to determine the final locations prior to recording the final plat, the final placement of the CBUs shall be

determined and all documents recorded for the placement of the CBUs (after City review and approval) prior to construction of each phase. A recorded CBU owner's agreement shall be required prior to execution of the development agreement and prior to final sign-off of the plat.

- **This is noted – a CBU owner's agreement will be provided to the City prior to execution of the development agreement.**
25. The dedication text for Outlot 5 and Outlot 6 shall be revised to be dedicated to the public for public storm water drainage, stormwater management and public bike and pedestrian path purposes.
- **The dedication text for Outlots 5 & 6 has been revised as requested.**
26. 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.
- **Easements needed from utility companies will be coordinated and provided on the final plat.**
27. Outlot numbering will need to be revised on the final plat to be consistent with the route of the lot numbering.
- **Lot & Outlot numbering will be revised on the final plat based on the extents of the Phase 1 plat.**
28. The final plat shall show and label the Public Sanitary Sewer Easements per Document Nos. 4451162 and 5483522.
- **The final plat will show and label all existing and proposed easements.**
29. The final plat shall have a "No Vehicular Access Permitted" restriction placed on all lots abutting Pioneer Road and Mineral Point Road (Lots 17-24 and Lot 137).
- **A "No Vehicular Access Permitted" note has been added to the lots abutting Pioneer Road and Mineral Point Road on the preliminary plat. This note will also appear on the final plat.**
30. Based upon neighborhood development plans, "G" Street is an extension of Wilrich Street. Update G Street to Wilrich Street.
- **Street "G" has been updated to be named Wilrich Street.**
31. Show the areas outside of the plat to be dedicated to the public for public right of way and note that the dedication shall be by separate instrument.
- **The areas outside the plat are shown and noted to be dedicated to the public for right of way and will be dedicated by separate instrument.**
32. Specify that there are No Buildings Permitted within the wetland setback areas shown on the plat.
- **There are no wetlands located within the plat boundaries.**
33. Submit suggested street names to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.
- **Street names will be submitted to the City for review and approval prior to platting.**

34. The applicant shall dedicate 66 feet of right of way for Clear Pond Way between Elderberry Road and Mineral Point Road.
  - **Based on subsequent coordination with City staff, a 60-foot right of way for Clear Pond Way has been agreed upon. Clear Pond Way has been updated to 60-feet wide between Elderberry Road and Mineral Point Road.**
35. The applicant shall construct a multi-use path connection from the Tawny Elm Parkway/Street "A" intersection to the multi-use path in Outlot6.
  - **A multi-use path connection has been added to the plat in the desired location.**
36. Note: The applicant shall submit a deposit of \$30,000 for the installation of a Rapid Rectangular Flashing Beacon at the Mineral Point Road/Tawny Elm Parkway intersection at the time the phase is constructed.
  - **This is noted – the developer will submit the necessary fees at the time each phase of development progresses.**
37. The applicant shall dedicate 80 feet of right of way for "G" Street [western end of Wilrich Street].
  - **The preliminary plat has been updated to dedicate 80-feet of right of way for Wilrich Street.**
38. Prior to final sign-off, the applicant shall work with to record the necessary easements for streetlights the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot wide easement between lots and 6-foot easements on corner lots where streetlights are needed. Easements needed between lots: 2-3, 11-12, 25-26, 27-28, 30-31, 33-34, 36-37, 39-40, 42-43, 49-50, 53-54, 55-56, 66-67, 70-71, 81-82, 84-85, 93-94, 96-Outlot 2, 102-103, 105-106, 109-110, 112-113, 121-122, 124-125, 127-128, 129-Outlot 4. Easements are needed on the corner of Lots 1, 5, 8, 13, 16, 18, 24, 46, 47, 58, 73, 129, 130, 133, 144, 14S, Outlot 9, and Outlot 11.
  - **The developer will record the necessary easements prior to final sign-off.**
39. The applicant shall execute and return a declaration of conditions and covenants (DCC) for streetlights and traffic signals prior to sign off of the final plat.
  - **The developer will execute a DCC prior to sign-off of the plat.**
40. The applicant shall add a note to the final plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.
  - **The requested note will be added to the final plat.**
41. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).
  - **The developer will construct all necessary public water main improvements to serve the development.**

42. All public water mains and water service laterals shall be installed by a standard City of Madison Subdivision Contract. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.
- **This is noted – the developer will coordinate with the engineering division to schedule development of plans as the project progresses.**
43. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 130. Additional information is available at the Home Fire Sprinkler Coalition website. An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales.
- **This is noted - builders will coordinate with the fire dept on this item during the single family phase of development.**
44. The preliminary plat, as currently proposed includes 129 single-family units and 20 lots for multi-family development. The parkland dedication requirement for a single-family and duplex is 1,081 square feet and the dedication requirement for a multi-family unit is 734 square feet per MGO Sec. 16.23(8)(f) and 20.08(2). The total dedication requirement for single-family units is 3.2 acres. The total dedication for the multi-family lots will be determined based on the number of future multi-family units.
- **This is noted.**
45. On the preliminary plat submitted March 20, 2019, the applicant proposes to dedicate approximately 7.33 acres of public park, identified as Outlot 7, the location of which is generally consistent with the Elderberry Neighborhood Development Plan. The proposed public park is slightly smaller than the parkland shown in the neighborhood plan.
- **This is noted.**
46. Outlot 7 shall be dedicated to the public for park purposes and shall exclude the greenway corridor.
- **Outlot 7 excludes the greenway corridor.**
47. 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(6)) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 19022 when contacting Parks Division staff about this project.
- **Park impact fees will be coordinated with the Parks Division staff.**
48. The plat as submitted provides for a 75-foot wide greenway. Any widening of the greenway required by City Engineering shall not decrease the proposed 7.33 acres of property to be dedicated to the public for park purposes.
- **The 7.33 acres of park dedication will not be reduced.**

49. Lands that are dedicated for park purposes to fulfill the parkland dedication shall be suitable for park development. The applicant shall provide proposed grading plans prior approval of the area of dedicated public parklands. General guidelines for park development include:

- a.) Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area where fields are proposed.
- b.) No side slopes within the park dedication area shall exceed 4:1.
- c.) Large or excessive retaining walls shall not be allowed on public parklands to meet the grading requirements.
- d.) All off-site drainage that is routed through the park shall be reviewed and approved by Parks Division staff as part of the grading plan review.
- e.) No proposed utilities will be allowed on public parkland without prior approval by the Parks Superintendent or his designee.
- f.) Areas that are wetlands shall not be dedicated as public parkland.

- **The above park design guidelines are noted. Proposed grading and design plans will be prepared and provided to the Parks Division for approval as the project progresses.**

50. The applicant shall complete a tree inventory and health assessment for the trees located on the proposed expanded outlot dedicated for park purposes. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division with the final plat application.

- **A tree inventory and assessment will be provided if found necessary. We do not believe any trees exist in the area of park dedication.**

51. No farming or use of lands to be dedicated to the public for park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services.

- **This item will be further coordinated with City staff as the project progresses and final phasing is determined.**

52. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.

- **This item will be further coordinated with City staff as the project progresses and final phasing is determined. Staking will be completed at the correct stage of development.**

53. The following note should be included on the subdivision: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued."

- **The above note will be provided on the final plat.**

54. Prior to sign off on the final plat the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the Park Impact Fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.

- **The developer will record the declaration of conditions and the impact fees.**

55. The developer shall provide soil borings within any lands to be dedicated as parkland.

- **Soil borings will be provided to the City as the project progresses.**



56. Pursuant to MGO Section 20.08 (2)(c)2.d., the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons 55 years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.

- **This item will be further coordinated with the City as the project progresses.**

57. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

- **This is noted and will be further coordinated with City Forestry.**

58. Lots 1-127 shall be rezoned to the SR-C2 (Suburban Residential--Consistent 2) district instead of the requested SR-C3 district to ensure that those lots are developed at a density consistent with the maximum density allowed by the *City of Madison and Town of Middleton Cooperative Plan*. In the event that the requirements of the SR-C2 district are too restrictive, the applicant may request rezoning of those future lots to another district that allows only single-family detached residences but with less restrictive bulk requirements with the final plat.

- **Lots 1-127 will be rezoned to SR-C2 district – the preliminary plat has been updated to reflect this.**

59. Future development of Lot 146 shall comply with the density and building restrictions in Section 13.04 of the City-Town cooperative plan.

- **This is noted and will be further coordinated with the City during the planning for Lot 16.**

60. That a “No Vehicular Access” restriction be shown graphically and noted on the final plat for Lots 17- 24 adjacent to Pioneer Road consistent with the City-Town cooperative plan.

- **A “No Vehicular Access” note has been added to the lots adjacent to Pioneer Road.**

61. That a “No Vehicular Access” restriction be shown graphically and noted on the final plat for Lot 137 adjacent to Mineral Point Road.

- **A “No Vehicular Access” note has been added to the lots and outlots adjacent to Mineral Point Road.**

62. Prior to final approval and recording of a final plat of this subdivision, the applicant shall work with the Planning Division and Capital Area Regional Planning Commission (CARPC) to revise the environmental corridor map to reflect the approved subdivision.

- **The developer will work with CARPC to revise the EC map.**

63. Streets “A”, “B”, “C”, “D,” “E,” “F” and “H” appear to qualify for a 56-foot wide local street right of way width (29 feet of pavement curb to curb) per Section 16.23(8)(a)8.a.iv.B. of the Subdivision Regulations.

- **This is noted.**

64. The applicant shall submit a grading plan and landscaping plan (with cross-sections) for approval by the Planning Division with the final plat that provides a landscaped buffer for the western 80 feet of Lots 17-24 adjacent to Pioneer Road consistent with the City-Town cooperative plan. The planting area/ buffer strip adjacent to Pioneer Road shall be reserved for the planting and maintenance of trees or shrubs by the respective lot owners or an association, and the building of buildings within the 80-foot setback shall be prohibited. The final plat shall include a note identifying the rights and responsibilities of the owners of the affected lots and/or any association to install and maintain this 80-foot buffer.

- **The above design plans and information will be provided to the City during this phase of development.**
65. A phasing plan for the overall subdivision shall be submitted for approval with the final plat. The phasing plan shall outline when the streets and utilities serving the plat will be implemented to ensure that there is adequate access and circulation, etc. to serve all phases of the development as they are implemented.
- **A phasing plan will be provided at the time of final plat submittal.**
66. Prior to final plat approval sign-off, the Owner's Certificate(s) on the Final Plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of plat approval sign-off.
- **Owner's Certificates will be executed prior to final plat sign-off.**
67. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final plat sign-off. If mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.
- **A certificate of consent will be included if applicable.**
68. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded or unrecorded, and executed by said tenant prior to agency plat approval sign-off.
- **A consent of lessee certificate will be included on the final plat if applicable.**
69. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language "...surveyed, divided, mapped and dedicated..."
- **All consents and certifications will be provided on the final plat.**
70. An Environmental Site Assessment is required for the lands to be dedicated by the final plat, to be reviewed by Brynn Bemis in City Engineering ([bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).
- **The Environmental Site Assessment was reviewed and approved by Brynn Bemis per her 2/14/2019 email.**
71. The final plat shall include all of the necessary certificates and signature blocks for the Plan Commission, Common Council, Dane County Register of Deeds, City Treasurer, and Dane County Treasurer.
- **All necessary certificates and signature blocks will be provided on the final plat.**
72. As of May 10, 2019, there are no 2018 real estate taxes or special assessments reported as due or owing. Under 23-6.21(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 all parcels within the plat boundary prior to recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off; checks are payable to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701.
- **This is noted.**

73. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Lance Vest ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)) in the City's Office of Real Estate Services (ORES), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (February 6, 2019) and the date when sign-off approval is requested. A title commitment may be provided but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.

- **An updated title report will be provided when required by the City.**

74. The following revisions shall be made on the final plat prior to final approval and recording:

- a.) Depict, name, and identify by document number on the proposed plat all existing easements cited in record title. In particular, depict the easements described in Document Nos. 2062181, 4451162, and S483522.
- b.) Include on the proposed plat a complete and accurate legal description of the lands that are to be included in the proposed plat. The legal description shall be reconciled with the legal description of said lands in record title.
- c.) Include the following sentence with the dedicated utility easements depiction in the Legend: Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area.
- c.) If the lands within the Plat boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through Plat recording. Please contact Heidi Fischer at 264-9297 to discuss the potential lease terms. Said leases are authorized by Resolution 13-00247 (ID 29183), adopted April 16, 2013.

- **The above items will be provided on the final plat prior to approval and recording.**

Please feel free to contact me with any questions, comments or to further discuss the updated preliminary plat.

Sincerely,



Josh Pudelko, M.S., P.E.  
President  
Trio Engineering