



Department of Planning & Community & Economic Development

Planning Division

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February 5, 2015

John Krebs
JSD Professional Services, Inc.
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: File No. LD 1448 – Certified Survey Map – 740 University Avenue (University of Wisconsin Board of Regents)

Dear Mr. Krebs;

Your one-lot certified survey of property generally addressed as 740 University Avenue, Section 23, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CI (Campus–Institutional District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following twenty (20) items:

1. Update street name Lake Street to include pre-directional: “N. Lake Street”.
2. Murray Street name was changed to East Campus Mall per Resolution 07-00867. Revise the street name on the Certified Survey Map accordingly.
3. In the header and legal description, revise the notes accordingly that Fitch Court Discontinued/Vacated per Document No. _____. The resolution will not be effective until the discontinuance has been recorded at the Dane County Register of Deeds. Also revise Vacated Fitch Court on all map sheets to read Discontinued/Vacated Fitch Court.
4. The north line of the easterly half of the CSM should be 4.33 feet further north according to the title report that was provided and to match existing tax parcels. Revise the CSM accordingly.
5. The title report provided (NCS-706681-MAD) does not include portions of Lots 10 and 11 in the legal description or in the vesting deeds provided. Also, the title report is missing the vesting deed per Document No. 4577791 and its legal description for Parcel No. 0709-232-0410-4 (728 University Avenue). Provide the deeds and update the title report as necessary.
6. Show, dimension and label the Air Space Lease adjacent to this CSM over East Campus Mall per Document No. 4792491.

7. Remove the following from the title report: Easement for Public Bus Shelter per Document No. 2025626, Easement for Public Highway per Document No. 1447141, they not encumber lands within this Certified Survey Map. Document No. 4204091, it expired in 2007.
8. Add a note that lands within the Certified Survey Map are subject to Declaration of Restrictions per Document No. 2617814.
9. A portion of Fitch Court (alley) will need to be discontinued/ vacated for the CSM as proposed. The applicant shall provide written petition for the partial discontinuance of the portion of Fitch Court within this site with signatures and a Lis Pendens as required by statute to the City Engineer. Modification may be necessary with the possible movement of the north line of the CSM. Contact Jeff Quamme at jrquamme@cityofmadison.com or 266-4097 to coordinate this prior to filing the petition.
10. The Public Ingress/ Egress Easement shall be created by separate document as noted on the CSM and required for the Conditional Approval of the site. The map and legal description provided in the submittal materials require corrections to the bearings along Lake Street and Fitch Court along with any adjustments necessary in conjunction with the possible movement of the north line of the CSM. A separate City of Madison Real Estate project will be required to administer, draft, execute and record the document by City of Madison Real Estate staff. Provide a \$500 check made out to City of Madison Treasurer with the revised maps and legal description to Jeff Quamme of Engineering-Mapping to have the project created.
11. Add "Lake Street" to the label for the area being dedicated to the public.
12. The applicant shall dedicate right of way on N. Lake Street, as required by the City Engineer and the City Traffic Engineer for the proposed turn lane.
13. The applicant will be required to enter into a Developer's Agreement for the proposed work anticipated in the right of way(s), including but not limited to the abandonment and relocation of public utilities, and the construction of the turn lane on N. Lake Street. The applicant shall be responsible for reconstruction and relocation of the sidewalk and curb and gutter on N. Lake Street, new sidewalk on University Avenue, and work associated with the street vacation of Fitch Court while the City shall participate in the paving of N. Lake Street. If the applicant cannot or is unwilling to enter into a developer's agreement the City may allow the construction under a permit to excavate in the right of way. The permit would require deposits for all staff time, inspection, permitting, and other costs incurred by the City for this development. Proof of proper bonding shall also be required.
14. Changes proposed to the right of way as necessitated by this project are required to obtain Board of Public Works and Common Council approval.
15. The City of Madison does not have jurisdiction over permitting for erosion control or stormwater management over the University. The University shall provide copies of all erosion control and stormwater permits as obtained from the Wisconsin Department of Natural Resources (DNR).

16. For the owner's protection against future damage to private infrastructure, all unused sewer within the project limits should be removed or properly abandoned to the specifications of the City Engineer.
17. A minimum of 2 working days prior to requesting City Engineering sign-off on the CSM, the applicant shall contact Janet Schmidt (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).
18. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
19. 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.
20. In accordance with Section s.236.34(1m)(c), which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on the CSM. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the CSM.

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

21. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility per MGO Sec. 13.21.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following eight (8) items:

22. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to 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.
23. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final sign-off.

24. 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.
25. Per title report, Wisconsin State Agencies Building Corporation holds leasehold interest. Include a Consent of Lessee to be executed by Wisconsin State Agencies Building Corporation prior to sign-off.
26. Include the following Plan Commission certificate on the final CSM:

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

By: _____ Date: _____
Natalie Erdman, Interim Secretary Plan Commission

27. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.
28. Provide City Engineering with a Phase I Environmental Assessment for right of way dedication.
29. The following revisions shall be made to the CSM prior to final sign-off:
 - a.) Create note to define the purpose of and the ownership of the outlot. The note for an outlot dedicated to the public shall say: "Dedicated to the public for _____ purposes."
 - b.) Note/depict any maintenance agreements, easements, restrictions, and air space leases cited in record title and the updated interim report.
 - c.) Remove Certificate of City Treasurer.
 - d.) Add Kristi Chlebowski's name under Register of Deeds.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Note: Approval of this CSM does not confer any approval to construct any new buildings. Those approvals will be considered separately.

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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 on February 24, 2015.

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 jrquamme@cityofmadison.com.

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

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 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: Janet Schmidt, City Engineering Division
Dennis Cawley, Madison Water Utility
Sally Sweeney, City Assessor's Office
Heidi Radlinger, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations