



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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****BY E-MAIL ONLY****

April 13, 2022

Chris Adams
Williamson Surveying and Associates, LLC
104A W Main Street
Waunakee, Wisconsin 53597

RE: Approval of a Certified Survey Map (CSM) to reconfigure three parcels generally addressed as 3779 Gala Way in the Town of Cottage Grove in the City of Madison's Extraterritorial Jurisdiction (LNDCSM-2022-00014; ID 70347).

Dear Chris;

The City of Madison Plan Commission, meeting in regular session on April 11, 2022, **conditionally approved** the above-referenced extraterritorial Certified Survey Map subject to the conditions of approval from reviewing agencies in the following sections, which shall be satisfied before final City approval and recording:

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following condition:

1. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands *dedicated to the City*. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com).

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at (608) 266-4097 if you have questions regarding the following nine (9) conditions:

2. Along the southern and eastern property lines of proposed Lot 2, provide a 35-foot public storm water drainage easement(s) to the City on the face of this Certified Survey Map with the following conditions:
 - a) No above-ground improvements other than storm sewer related improvements shall be allowed in the public storm sewer easement area(s) by the City or the property owner (Optional: pavement and/or concrete for driveway purposes shall be permitted.)
 - b) Plantings and landscaping within the public storm sewer easement area(s) shall be permitted with conditions.
 - c) The property owner shall not change the grade of the public storm sewer easement area(s) without the prior written approval of the City's Engineering Division. Contact Jeff Quamme of Engineering Mapping (jquamme@cityofmadison.com or (608) 266-4097) for the final required easement language.

3. Add standard note for public utility easements being granted on this CSM: "Public Utility Easements as herein set forth are for the use by Public Bodies and Private Public Utilities having to right to serve the area."
4. Modify note 3 on sheet 5. Title work has been provided and shall be acknowledged.
5. Add the name of the streets to the labels for the two areas that are being dedicated for road right of way.
6. Prior to recording this CSM, add the CSM numbers of the two adjacent pending Certified Survey Maps.
7. Add language to the Surveyor's Certificate that the City of Madison Subdivision Ordinance has also been complied with.
8. 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 Jeff Quamme (jrquamme@cityofmadison.com), City Engineering.
9. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), the CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.
10. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, 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 shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).
11. *This transmittal is a separate requirement than the required submittals to 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 submittal.

Please contact the City's Office of Real Estate Services at (608) 267-8719 if you have questions regarding the following nine (9) conditions:

12. 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.

13. 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).
14. 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.
15. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language "...surveyed, divided, mapped and dedicated..."
16. 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.
17. 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. Per 236.21(3) Wis. Stats., 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. 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 prior to CSM sign-off.
20. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to the 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 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. Staff reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

Please contact my office at (608) 261-9632 if you have questions about the following two (2) conditions:

21. That a note be placed on the Certified Survey Map (CSM) requiring written approval from the Director of the City of Madison Planning Division prior to the construction of any principal or accessory structures on Lots 1 and 2. The purpose of this restriction is to ensure that no structures are built that would prevent implementation of the street network envisioned by the Yahara Hills Neighborhood Development Plan, including the future extension of an east-west collector street and the future extension of Gala Way south to that street.
22. That final approval and recording of this CSM occur concurrent with the final approval and recording of the approved CSMs of 3784-3796 Gala Way and 3802-3820 Gala Way. The goal is for all ten lots being created by the three CSMs to be created contemporaneously so that there are no gaps created in the land record.

Note: This property is currently outside the Madison Water Utility service area. Note that future attachment to the City may require connection to the City water system, if/when water service becomes available per MGO 13.07.

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

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 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.

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 (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

A handwritten signature in cursive script that reads "Timothy M Parks".

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Office of Real Estate Services