



Department of Planning & Community & Economic Development
Planning Division

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August 22, 2012

Mark Pynnonen
Birrenkott Surveying, Inc.
PO Box 237
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: File No. LD 1223 – Certified Survey Map – 4641 Verona Road (Amden, LLC)

Dear Mr. Pynnonen;

The two-lot certified survey of your client's property generally located at 4641 Verona Road, Section 32, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The subject site is zoned C2 (General Commercial District). The conditions of approval from the reviewing agencies to be satisfied before final approval and recording of the CSM are:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following nine (9) conditions:

1. The existing 20' by 20' Permanent Limited Easement for Sloping and Grading Purposes created by CSM 11554 is not shown and shall be added to the final CSM.
2. Add a metes and bounds legal description for the entire boundary of the CSM.
3. The CSM shall identify the point of beginning that corresponds to the Public Land Survey System land tie shown.
4. The 422.34' dimension shown on the CSM for the land tie appears to be an incorrect dimension and tie to the exterior boundary of Outlot 1, CSM 11554, which is within the interior boundary of this proposed CSM. The correct land tie distance appears to be 298.03'. Confirm this correct tie distance and reconcile on the final CSM.
5. Additional curve data for overall C2 shall be split and appropriately dimensioned for each segment of Lots 1 and 2 along the Atticus Way frontage.
6. Label the Atticus Way right of way acquisitions adjacent to proposed Lot 1 per recorded Document No. 4119909.
7. The applicant shall revise proposed CSM to show an easement for the private sanitary sewer running across Lot 1 serving Lot 2. A recorded private sanitary sewer easement is required.
8. The lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be

provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the Certified Survey Map, and recorded at the Dane County Register of Deeds.

9. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (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).

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have questions about the following three (3) items:

10. Each lot is required to have a separate water service lateral connected to a public water main.
11. It appears that the parcel immediately south of this property located at 4649 Verona Road has a water service lateral that crosses this proposed CSM. If so, a private water service lateral easement shall be dedicated as part of this CSM for the benefit of that property.
12. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO Section 13.21. All unused private wells shall be abandoned in accordance with MGO section 13.21.

Please contact Bill Sullivan of the Madison Water Utility at 261-9658 if you have questions about the following item:

13. The division of this lot shall not create violations to the Building and Fire codes. Evaluate for building setbacks and fire access requirements. Establish ingress/egress easements as necessary for access requirements.

Please contact Jennifer Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following eight (8) items:

14. Prior to requesting sign-off by the City's Office of Real Estate Services, the owner shall include and have fully executed the signature block certifications for all parties of interest, pursuant to Madison City Ordinance Section 16.23(5)(g)4 and 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.

15. A certificate of consent by the mortgagee/vendor shall be included following the Owner(s) Certificate for each of the mortgagees/vendors listed below. If mortgages have been satisfied, please provide the document number of said release.

→ Golden Eagle Community Bank

16. All ownership and mortgage certifications shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language ..."surveyed, divided, mapped and dedicated"...
17. Please update the notary acknowledgement following the owner's LLC certificate, to appear as follows:

- c.) Depict, name and identify by document number all existing easements reported in Exhibit B of the Special Warranty Deed, recorded as Doc. No. 4466605. If an item cannot be depicted, please describe and identify the item as a Note on the face of the CSM.
- d.) Place a Note on the CSM that the lands are subject to Post Closing Restrictive Use & Exclusive Use Agreement, recorded as Doc. No. 4661371.
- e.) Address the current Transportation Project Plat (TPP) in the area by placing the document number and potential acquisition description as a Note on the CSM.
- f.) Identify the two prior acquisition areas via Doc. No. 4119909.
- g.) Depict and dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells and septic systems associated with the lands described for the proposed CSM. (Well abandonment: ref. NR 141).
- h.) Create and record, or show as being dedicated in the proposed CSM, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
- i.) Please address the leases reported in title. 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.

Please contact my office at 261-9632 if you have questions about the following item:

22. The proposed land division and future development of the proposed lots will create a Planned Commercial Site as defined in the City's Zoning Code and Subdivision Regulations. Prior to final staff approval of the land division for recording, the applicant shall receive approval of a zoning site plan showing existing and known future improvements (buildings, parking lots, landscaping, etc.), and reciprocal land use agreements, reciprocal access easements and shared parking agreements sufficient to govern future development of the proposed lots. The site plan(s) shall be stamped approved by the Zoning Administrator following review by various City agencies. The agreement(s) and easement(s) shall be recorded with the Dane County Register of Deeds following approval by the City Engineer, Traffic Engineer, and Director of the Department of Planning and Community & Economic Development.

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 is scheduled for approval by the Common Council on September 4, 2012.

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 epederson@cityofmadison.com.

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 six (6) months from the date of the approving resolution or this letter, whichever is later.** If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Dan McCormick, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Bill Sullivan, Madison Fire Department
Pat Anderson, Asst. Zoning Administrator
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations