



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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May 2, 2019

Michael Marty
Vierbicher Associates
999 Fourier Drive, Suite 201
Madison, WI 53717

RE: LNDSCM-2019-00012; Legistar ID 55027 – Certified Survey Map – 780 Regent Street

Dear Mr. Marty;

Your two-lot certified survey of property located at 780 Regent Street, Section 23, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned PD-SIP (Planned Development – Specific Implementation Plan District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following ten (10) items:

1. Title shows ownership in an entity different than in the Letter of Intent provided by Mortenson Development, Inc. Please inform the Office of Real Estate Services of any potential ownership changes prior to CSM sign off.
2. Signature block certifications 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 at the time of execution. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.
3. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.
4. As of April 22, 2019, the 2018 real estate taxes are not paid for the subject property.
5. 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. Payment is made to:

City of Madison Treasurer
210 Martin Luther King, Jr. Blvd.
Madison, WI 53701

6. As of April 22, 2019, 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.
7. Please remove reference to Parcel No. 251-0709-232-3005-0 and associated documents when the title update is prepared.
8. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in City's Office of Real Estate Services (acmiller@cityofmadison.com), 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 dated February 21, 2019, 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. Office of Real Estate Services reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
9. In the event of ownership change prior to CSM sign off and recording, please ensure that the UCC Financing Statement recorded as Doc. 5246241 and associated amendment is consistent with the new ownership.
10. The subject property benefits from an existing lease with the City allowing for the use of a portion of the City's adjacent transportation corridor for parking purposes (Document No. 4347972; reference City of Madison Real Estate Project 7997). The applicant shall contact the City's Office of Real Estate Services (Heidi Fischer, hfischer@cityofmadison.com, 608-264-9297) to request that the lease be amended to include the proposed Lot 2 owner as a party to the lease and to address the modification to the use of the corridor for both parking and access to proposed Lot 2. Such lease amendment shall specifically require that the lessees hold the City harmless for any loss of access and/or parking or for noncompliance with City zoning regulations that may result from the expiration or termination of the Lease. The lease amendment shall be recorded following recording of the proposed CSM.

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following four (4) items:

11. All outstanding 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.
12. Based on 1942 Sanborn maps, this property contained a former gas station and the Sinaiko Bros Coal & Oil Company. If contaminated soil is encountered as part of this redevelopment, all WDNR and DSPS regulations must be followed for proper handling and disposal.
13. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

14. 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 Co Register of Deeds.

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have questions regarding the following eleven (11) items:

15. The location of the Common Drive access between this Lot 2 of the CSM and the property to the east is being modified by the development on Lot 2. Also the proposed land division requires modification of the parcels subject to the agreement. Provide the amendment to the Driveway Easement per Doc No. 2540854. The final document shall be recorded immediately after the pending CSM. The amendment by a separate instrument shall be acknowledged on the CSM.

16. Lands within this CSM benefit from a parking lot lease over City lands per Doc No 4347972 along the northerly side of Lot 2. The lease area shall be shown and noted on the CSM. An amendment to the lease, administered by the Madison Office of Real Estate Services (Proj No 7997), shall be drafted and recorded after the recording of this CSM due to the new parcels created by this CSM.

Access runs westerly within the lease area and cuts southerly through the parking garage. There shall be language that upon the lease being terminated with the City, the northerly connection from the parking garage shall be closed and no access permitted to the City right of way to the north.

17. Amendments/Releases to the two MG&E Easements, Doc No's 5372092 & 2649308 may be necessary to construct the proposed project on Lot 2. Developer shall be responsible to coordinate with MG&E.
18. The Railroad Corridor label shall be revised to be owned by the Wisconsin Department of Transportation - Wisconsin Southern RR Operator
19. Leave the Secretary of the Plan Commission blank. Natalie Erdman is no longer the Secretary.
20. Provide dimensioning to locate the limits of Doc No's 4026880 and the Public Storm Sewer Easement per 2136359.
21. Provide revised drainage arrows. The note for the revised drainage arrows shall read: Arrows indicate the direct of drainage per the approved drainage plan. Drainage patterns shall be modified by the Lot owner unless modified with the approval of the City Engineer. The drainage arrows shown herein shall supersede and replace the Drainage Arrows shown on the Plat of West Madison Depot that lie within the exterior boundary of this CSM.
22. 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 for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). 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 and shall be attached to a signed and sealed monument condition report.

23. The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe pdf format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on 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. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

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 and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

24. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to 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 sign-off. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com
25. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have questions regarding the following one (1) item:

26. Note: The access to the westernmost driveway on Regent Street shall be altered, final geometry to be determined by the City Traffic Engineer, with the redevelopment of the parcel(s) on the south side of Regent Street. At this time, the preferred design will eliminate the Left Out movement onto eastbound Regent Street but preserve the Left In access from Eastbound Regent Street.

Please contact William Sullivan of the Fire Department at 261-9658 if you have questions regarding the following one (1) item:

27. Ensure any and all easements necessary for ingress/egress and fire access are documented on the certified survey map. The current fire access for the future proposed development on Lot 2 uses Lot 1 property that is not currently delineated as having an easement agreement.

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 May 21, 2019 meeting.

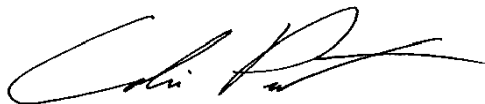
Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division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

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.

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: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
William Sullivan, Fire Department
Andy Miller, Office of Real Estate Services