



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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August 8, 2014

Jeff Ekola  
5029 Academy Drive  
Madison, Wisconsin 53716

RE: File No. LD 1419 – Certified Survey Map – 4032 Monona Drive and 4013 Hegg Avenue (Lake Edge Lutheran Church)

Dear Mr. Ekola;

The two-lot certified survey of property located at 4032 Monona Drive and 4013 Hegg Avenue, Section 9, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SR-C1 (Suburban Residential–Consistent 1 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 sixteen (16) items:**

1. Add a note that the Certified Survey Map (CSM) is subject to private restrictions as noted per Document Nos. 311803a, 323467a, 341392, 445993 and 537749.
2. The CSM indicates the Sanitary Sewer Easement per Document No. 861699 is to be released. This easement shall be released by separate document prepared by the Office of Real Estate Services. The applicant shall prepare metes and bounds legal descriptions and scale map exhibits for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds. This release shall be completed prior to recording of the CSM permitting the removal of the note and easement shown on sheet 2.
3. The remaining portion of the Sanitary Sewer easement per Document No. 1159481 (partially released by Document No. 2808975) shall be released as authorized by RES-06-00620, file 03846 in conjunction with Engineering Project No. 53B1989 abandoning the sanitary sewer and Real Estate Project No. 8491. Coordinate the drafting and execution of the document with the Office of Real Estate Services. This release shall be completed prior to recording of the CSM permitting the removal of the note and easement shown on sheet 2.

4. Dimension the width, location and bearing of the portion of the Sanitary Sewer Easement per Document No. 861722 not released by Document No. 2808975. Provide confirmation that the easement encompasses the existing remaining public sanitary sewer facilities.
5. The Fire Hydrant Easement per Document No. 1612891 shall have language added to the note stating it is subject to Conveyance of Rights in Lands per Document No. 4828522.
6. Label the 5-foot width of the Permanent Limited Easement for Grading and Sloping per Document No. 2811043.
7. The header on each sheet and for the legal description under the Surveyor's Certificate shall be revised to read "All of Lots 1 through 5 and ***part*** of Lots 18..."
8. Provide "recorded as" information as follows: S 54°21'13" W, 156.08 for L-2; S 22°21'20" E, 35.75 for L-8; N 69°29'51" E, 134.30 and 133.8 for L-9; and S 10°25'25" W, 34.69 feet for the chord data of C-2.
9. Clarify the Private Storm Sewer Easement shown on sheet 2. The CSM shall identify the beneficiary of the easement and all uses, conditions and/or restrictions in conjunction with the easement grant.
10. Confirm the officer to execute the Owner's Certificate. Typically, congregations have a President and a President Elect who will execute documents.
11. Thrivent Financial for Lutherans is based in Minnesota. Confirm where this corporation is organized and existing and modify the certificate if required.
12. Provide additional bearing and distance data in Line Table for Lot 1 and Lot 2 of Line L-9.
13. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision 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. 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 Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
15. 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.

16. In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.

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

17. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following two (2) items:**

18. Provide lot coverage calculation for both proposed lots per the definition in MGO Section 28.211.

19. Provide a rear yard setback dimension for the residence per the SR-C2 zoning district and the detached accessory building on Lot 2.

**Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following five (5) items:**

20. 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. Revise the signature block by removing Managing Member and including the appropriate authorized agent for the corporation.

21. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final CSM sign-off. Revise the Consent of Corporate Mortgagee certificate to remove the word 'restricting' and replace with 'dedicating' per Wis. Stats. 236.21(2) and 236.29. Revise the certificate as needed to account for the location of the notary if out of state.

22. Under 236.21(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 the subject property prior to CSM recording. As of August 5, 2014, the 2013 real estate taxes are paid for the subject property. Special assessments are owed for the subject property and shall be paid in full prior to final sign-off, with receipts to be provided for any payments not reflected in the title report update.

23. 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.

24. Revise the CSM prior to final sign-off as follows:

- a.) Describe the following documents that encumber the subject property under Notes on the proposed CSM: 311803a, 323467a, 341392, 445993, and 537749.
- b.) Coordinate with city staff regarding the need for easement releases to be prepared and recorded prior to CSM sign-off for the following easements: Document No. 861699 and 1159481. Remove the depiction of these easements from the CSM.
- c.) Remove the depiction of the easement release area for Document No. 861722 and move the leader to label and dimension only the remaining easement area.
- d.) Revise the label for the fire hydrant easement to include the language "subject to Conveyance in Rights of Land per Document No. 4828522".
- e.) Add the easement width dimension to the label for PLE Document No. 2811043.
- f.) Extend the southerly limit of MGE easement per Document No. 2835711 to match the exhibit in said document and include the easement width in the label.
- g.) Correct the northerly limit of MGE easement per Doc. No. 3912026 to match the exhibit in said document and include the easement width in the label.
- h.) Depict and dimension all existing improvements (encroachments, buildings, drives, parking lots, etc.) within the CSM boundary, including a revision of the columbarium to depict the entire structure.
- i.) Create and record, or show as being dedicated on 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.

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

- 25. The Certified Survey Map shall be revised to show all existing improvements on the proposed lots, including all buildings, salient site features, driveways and the boundaries of all parking areas per the requirements for Certified Survey Maps in MGO Section 16.23(7)(d).

**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 was approved by the Common Council on August 5, 2014.**

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](mailto: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  
Pat Anderson, Assistant Zoning Administrator  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations