



Department of Planning & Community & Economic Development
Planning Division

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

November 2, 2012
Re-Issued: April 17, 2013

Mike Slavish
Hovde West Johnson, LLC
122 W. Washington Avenue, Suite 101
Madison, Wisconsin 53703

RE: File No. LD 1231 – Certified Survey Map – 305-325 W. Johnson Street & 316 W. Dayton Street

Dear Mr. Slavish;

The one-lot Certified Survey Map combining the property located at 305-325 W. Johnson Street and 316 W. Dayton Street, Section 23, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property was rezoned PUD-GDP-SIP. 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 five (5) conditions:

1. Submit a Phase 2 Environmental Site Assessment Report for this property to Brynn Bemis, 267-1986, bbemis@cityofmadison.com.
2. Create and record a private ingress-egress by separate recorded document (presumably post-CSM recording) covering the proposed access to W. Johnson Street on the south end of proposed Lot 1.
3. The developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer.
4. 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).
5. 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 Division. 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 or CSM. Note: Land tie to two PLS corners required.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following three (3) items:

- 6. The applicant shall provide a joint reciprocal driveway easement for the loading zone driveway on W. Johnson Street for the Fire Department and other entities.
- 7. The applicant shall enter in a developer's agreement and provide plans and specifications, easements, and a financial plan for the replacement City communications facilities currently in the Fire Administration Building to be rebuilt in the new building(s).
- 8. The applicant shall enter in a developer's agreement and provide plans and specifications, easements, and a financial plan for the replacement City fiber facilities currently in the Fire Administration Building to be rebuilt in the new building(s).

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

- 9. Prior to requesting final approval prior to recording, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The title report shows the following parties have an ownership interest in the lands within the CSM and shall be signatories on the Owner's Certificate:
 - Hovde West Johnson, LLC
 - Hovde Building, LLC
 - City of Madison
- 10. A certificate of consent by each mortgagee/vendor shall be included following the Owner(s) Certificate for each of the mortgagees/vendors listed below:
 - Anchorbank
 - Donald I. Hovde
- 11. If any leases are still in place at the time of CSM approval sign-off, please provide the document number or tenancy description as a note on the face of the CSM.
- 12. As of October 5, 2012 the second tax installment payment is outstanding for the parcels listed below, which shall be paid prior to final signoff of the CSM for recording. There are no special assessments and no outstanding storm water fees.

Parcel Address	Tax Parcel No.	Total Tax	Taxes Owed
305 W. Johnson Street	251-0709-231-0603-7	\$22,786.52	\$9,855.71
309 W. Johnson Street	251-0709-231-0604-5	\$43,959.68	\$20,562.43
316 W. Dayton Street	251-0709-231-0606-1	\$0 (Exempt)	\$0
Total			\$30,418.14

13. The following CSM revisions shall be made:

- a.) Per title, the Joint Driveway Agreement per Document Nos. 258892 and 1174554 is to be released prior to CSM recording. Please provide the recording information prior to final CSM approval.
- b.) If applicable, please place a note on the face of the CSM that the a portion of the lands within the CSM boundary are subject to a condition as contained in Warranty Deed Document No. 1173015.
- c.) 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.
- d.) Record satisfactions or releases for all mortgages, liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled or resolved.
- e.) Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats, if underlying utility easements will no longer be applicable; and prior to requesting sign-off, place a note in the proposed CSM citing the recording data for the City's recorded release of same.

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

A resolution re-approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division is scheduled for review by the Common Council on April 30, 2013.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (previously provided), 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 presenting the CSM for final sign-off by the Office of Real Estate Services, an updated/ interim title report shall be provided to Jennifer Frese of that office.

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.

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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 six (6) 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: Don Marx, Manager, Office of Real Estate Services
Jeff Quamme, Vierbicher
Janet Dailey, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations