



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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[www.cityofmadison.com](http://www.cityofmadison.com)

March 31, 2020

Eric Sturm  
RA Smith, Inc.  
16745 West Bluemound Road  
Brookfield, WI 53005

RE: LNDSCM-2020-00008; Legistar ID 59535 – Certified Survey Map – 1 & 33 Buttonwood Court

Dear Mr. Sturm;

Your one-lot certified survey of property located at 1 and 33 Buttonwood Court, Section 15, Township 08N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SEC (Suburban Employment Campus District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

**Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following three (3) items:**

1. 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. (MGO 16.23(9)(d)(4))
2. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at 608-261-9127 ([bstanley@cityofmadison.com](mailto: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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)
3. The following note shall be added to the CSM:

At the time of development the lots within this CSM are responsible for compliance with the requirements of MGO 37 regarding detention, sediment control, infiltration and oil and grease control.

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

4. This CSM states bearings are referenced to the Wisconsin County Coordinate System. While the coordinates on the section corners reflect City of Madison WCCS coordinates of record, the map bearings are not reflective of those coordinates and are actually based upon State Plane Coordinates NAD(83). The bearings shall be correctly referenced to the WCCS and recorded as information placed along all boundaries of the exterior boundary. Also correct as necessary the legal description under the Surveyor's Certificate.
5. Grant a Public Sidewalk and Bike Path Easement to the City on the face of this Certified Survey Map, not by a separate instrument. The easement shall be created to be a minimum of one foot behind the back of the existing sidewalk. Provide the dimensioning required to locate the easement on the Certified Survey. Contact Jeff Quamme for the required language containing terms and conditions for the easement.
  - a) No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: pavement and/or concrete for driveway purposes shall be permitted.)
6. A portion of the public utility easement per the plat of American Center Plat Buttonwood Addn through the middle of this site is to be released by separate document prepared by City Office of Real Estate Services Project No 12088. The release by the Utility Companies and the City of Madison is required prior to recording of the Certified Survey Map.
7. Insert standard language pre MGO 16.23(9)(d)2.a. verbatim. When done, all of the previous non-exclusive easements for drainage easements are released and new drainage easements defined by the current proposed Certified Survey Map.
8. Provide a draft of the private easement providing rights of access across Outlot 5 adjacent to the southeast side of this proposed development for review. The easement/agreement shall be recorded immediately after the Certified Survey Map and prior to final site plan sign off.
9. The Driveway Easement per Doc No. 5145524 corrected by Doc No. 5155012 and the Joint Driveway Easement per The American Center Plat Buttonwood Addn will not be utilized by this site or adjacent Lot 65. The easements shall be released by recorded instrument prior to final sign off of this Certified Survey Map. Remove the last note on Sheet 3 as it will not be applicable.
10. The lands within this CSM shall be conveyed to the entity noted as the Owner in the Owner's Certificate prior to final sign off. If the CSM is to be recorded as part of a closing, provide a letter from the title company providing proof of order of recording of documents being held in escrow.
11. Add a note that lands within this Certified Survey Map are subject to Affidavit, Resolution and revised Declarations of Protective Covenants and Conditions for the American Center per Document No 2379020.
12. 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 (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jquamme@cityofmadison.com](mailto:jquamme@cityofmadison.com))

13. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
14. Provide chords on the map on all curves as required by statutes.
15. Correct the symbol for the southeast corner of Section 15. Also provide the section corner information for the South Quarter Corner of Section 15 defining the line that is used for the legal description.
16. Fully dimension on sheet 2 the private Sanitary Sewer Easement per Doc 4103949 along the northerly side of the Certified Survey Map.
17. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
18. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, 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 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. all shown on the plat including wetland & floodplain boundaries.)

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 for any changes subsequent to any submittal.

**Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following six (6) items:**

19. Owner's Certification -- 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.
20. Mortgagee / Vendor Certification -- 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.

21. Certificate and Consent Requirements --

- a. 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....
- b. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number \_\_\_\_\_, File ID Number \_\_\_\_\_, adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Maribeth L. Witzel-Behl, City Clerk  
City of Madison, Dane County Wisconsin

- c. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2) (a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Matthew Wachter, Secretary of the Plan Commission

- d. Register of Deeds Certificate: Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds  
Dane County, Wisconsin  
Received for recording on \_\_\_\_\_, 20\_\_ at \_\_\_\_ o'clock \_\_ M, and  
recorded in Vol. \_\_\_ of CSMs on page(s) \_\_\_\_\_, Document No. \_\_\_\_\_.

\_\_\_\_\_  
Kristi Chlebowski, Register of Deeds

22. Real Estate Taxes and Special Assessments -- As of 03/27/20, there are no 2019 real estate taxes or special assessments reported as due or owing. Per 236.21(3) Wis. Stats. 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. This includes property tax bills for the prior year that are distributed at the beginning of the year. 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.

23. Title Report -- Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish a title report to Lance Vest in City's Office of Real Estate Services ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)), as well as the survey firm preparing the proposed CSM. The report shall include all associated documents. 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

24. Additional Requirements --

- a. Depict, name, and identify by document number all existing easements cited in record title and the title report.
- b. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.
- c. Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.

*The Traffic Engineering Division, Zoning, Fire Department, Madison Water Utility, Parks Division, Forestry Division, and Metro Transit reviewed this request and have recommended no conditions of approval.*

**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 March 31, 2020 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](mailto: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.**

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If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9135.

Sincerely,

A handwritten signature in black ink that reads "Chris Wells". The signature is written in a cursive style with a large initial "C" and "W".

Chris Wells  
Planner

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