



Department of Planning & Community & Economic Development  
**Planning Division**

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November 7, 2013

Eric W. Sandsnes  
Royal Oak & Associates, Inc.  
3678 Kinsman Boulevard  
Madison, Wisconsin 53704

RE: File No. LD 1340 – Certified Survey Map – 6717-6733 Fairhaven Road (Kandel, LLC)

Dear Mr. Sandsnes;

The two-lot certified survey of your client's property located at 6717-6733 Fairhaven Road, Section 12, Township 6N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned PD (Planned Development 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 twelve (12) conditions:**

1. The instrument removing the Twisted Tree Condominium shall be executed and a recorded copy provided prior to sign off of the CSM. [Author's Note: This condition has been satisfied.]
2. The Termination of Joint Driveway Easement shall be executed and a recorded copy provided prior to sign off of the CSM.
3. There currently is a 12 foot wide Public Utility Easement that exists along the lot line to be dissolved by the required Certified Survey map. The owner/developer shall obtain and record easement releases from all of the utilities having the right to serve the area. Copies of the recorded documents shall be provided to the City prior to the City of Madison recording the document releasing its rights. Office of Real Estate Services project No. 10296 has been created to administer the City of Madison release of the Utility Easement.
4. Appropriate notes and details to release the Public Drainage Easement at the same location as the Utility Easement shall be added to the CSM. Contact Jeff Quamme at 266-4097 or [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com) to coordinate. See the note on CSM 12128.
5. All existing easements shall cite the recording information of the document in which they were created.
6. Drainage easements already exist on the north and south sides of this CSM and shall be noted appropriately. The CSM shall also denote specifically the non-exclusive Drainage Easement that will be created between Lot 1 and Lot 2 of the proposed CSM.

7. All documents of record encumbering this proposed CSM as listed on the submitted Title Report of October 15, 2013 by Fidelity National Title shall be noted and/or shown on the CSM.
8. The legal description contains typographical error on the tenth line: 524.04 feet should be updated to read 542.04 feet.
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).
10. 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.
11. In accordance with s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the CSM in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division at [http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html) for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.
12. 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 that are being conveyed by the 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:**

13. Note: Per MGO Section 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following six (6) items:**

14. Prior to requesting approval sign-off of the CSM, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. Section 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. Please update the certificate to be consistent with the ownership interest reported in the most recent title report, once the condo removal has been recorded.

15. A certificate of consent by all mortgagees/vendors as shown on the report of title and update shall be included following the Owner(s) Certificate and shall be executed prior to final sign-off. After the condo removal, mortgage satisfactions shall be recorded for those that no longer encumber the lands within the CSM boundary and provided with the title update.
16. 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..."
17. As of October 30, 2013, the 2012 real estate taxes are paid for the subject property and there are no special assessments reported. Note: 2013 real estate taxes will be levied shortly and payment of those taxes in full will be required prior to CSM signoff once they have been.
18. Please verify that stormwater management charges are paid in full by contacting Janet Dailey with City Engineering (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).
19. The following CSM revisions shall be made:
  - a.) RE Project 10296 Easement Release to be recorded prior to CSM approval sign-off.
  - b.) Research the legal description for Doc. No. 512428 and depict the easement on the CSM, if applicable.
  - c.) Carry over all applicable Notes and Easements from prior CSMs 10769 and 12128.
  - d.) Include Notes that describe Doc. No. 3494937 and 3403802, or provide evidence that they no longer encumber the land within the CSM boundary.
  - e.) Label all easements that are not being created via the proposed CSM with the prior description and Document No. that created them.
  - f.) Include the entire description of the 15' easement along the northerly limit of the CSM.
  - g.) Include Notes with description and Document No. for all items cited in record title that encumber the lands within the CSM boundary.
  - h.) Document Numbers 4381432 and 4381433 can be removed from title after the condo removal is recorded.
  - i.) 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.
  - j.) Satisfactions or releases for all mortgages, liens, judgments, or other instruments that no longer encumber the lands or ownership within the CSM boundary shall be recorded prior to CSM approval sign-off.

**The Planned Development zoning approval for the related apartment development shall receive final staff approval and be accepted for recording by the Zoning Administrator prior to the final approval and recording of this CSM. Please contact my office at 261-9632 if you have questions about this requirement.**

**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 October 29, 2013.**

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 [jquamme@cityofmadison.com](mailto:jquamme@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 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: Janet Dailey, City Engineering Division  
Maureen Richards, City Assessor's Office  
Dennis Cawley, Madison Water Utility  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations