



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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August 12, 2022

Brett Stoffregan  
D'Onofrio Kottke & Associates  
7530 Westward Way  
Madison, Wisconsin 53717

RE: LNDCSM-2022-00030; ID 72366 – Certified Survey Map – 6-10 Terrace Court (Old Sauk Trails Park LTD)

Dear Brett;

The two-lot Certified Survey Map re-dividing property addressed as 6-10 Terrace Court, Section 22, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SEC (Suburban Employment Center 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 (608) 261-9127 if you have questions regarding the following three (3) items:**

1. These lots are interdependent for drainage purposes. An agreement describing and assigning rights and responsibilities shall be approved by City Engineering and recorded against both parcels.
2. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Please contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division signoff.
3. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the CSM contact either Tim Troester (West) at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at 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).

**Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following thirteen (13) items:**

4. Provide exhibit and legal description for 20-foot Public Sanitary Sewer & Storm Water Easement that runs through the current existing building. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City's Office of Real Estate Services. Contact Julius Smith of Engineering Mapping ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com), (608) 264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is

required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.

5. Correctly show and cite the two Public Drainage, Storm water and Greenway Maintenance easements per the Document Nos. 2916090 and 2916091. It is not clear if this was done on The American Center Plat Terrace Fifth Addition.
6. Better designate, call out or define the 341.52-foot length for the 15-foot wide public sanitary sewer easement per Document No. 3192540.
7. Show the WisDOT permanent limited drainage easement that is shown on the American Center Plat Terrace Fifth Addition over Part of Lot 28 as delineated. Work with your Title Company to see if there is a document for this easement.
8. Show recently recorded Initial Easement Document No. 5850360 Agreement on CSM.
9. Note to Owner(s): Current Lot 29 is in the DeForest Area School District and Lot 28 is in the Sun Prairie Area School District. Therefore, new lot 1 will have two tax parcels after the CSM is recorded: one for the portion still in DeForest and the additional area added that will be in Sun Prairie. The Owner(s) may wish to petition the school districts to remove the portion from Sun Prairie and attach it to DeForest in order to eliminate, in the future, the two tax parcels within Lot 1. The City of Madison would not be involved in any petition, only the school districts. This is not a requirement for recording of the CSM.
10. Grant a Public Sidewalk and Bike Path Easement(s) over the 56-foot stormwater easement along the north lot line of proposed Lot 1 to the City on the face of this Certified Survey Map. Contact Julius Smith for the required text to be placed on the Certified Survey Map.
11. Provide draft of interdependent drainage easement/ agreement for review. The easement/ agreement shall be recorded immediately after the recording of this Certified Survey Map.
12. Show the recorded-as bearing and distances from the plat for the overall section line and from the center of section to the parcel and the recorded distance from the section line to the nearest corner.
13. DMB Community Bank is currently showing as owning Lot 28; please add an additional owner's certificate for additional owner.
14. 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 ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com))
15. Prior to final City Engineering Division sign-off by main office for CSM, the final CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Julius Smith ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com)) for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.

16. The applicant shall submit to Julius Smith prior to final Engineering sign-off of the subject CSM, 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 CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

\*This transmittal is a separate requirement than the required submittals to 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 submittal.

**Please contact Debra Crary of the City Assessor's Office at (608) 266-4580 if you have questions regarding the following item:**

17. As of July 25, 2022, Old Sauk Trails Park LTD sold Lot 29 to DMB Community Bank, so there should be an update on the CSM to show two owners.

**Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have questions regarding the following item:**

18. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right of way per PSC 185.52 (2). A water lateral is not required if the parcel remains undeveloped.

**Please Lance Vest of the City's Office of Real Estate Services at (608) 245-5794 if you have questions regarding the following eight (8) conditions:**

19. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM 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 or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
20. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).
21. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off. Please include a Consent of Lessee certificate for the lessee as described in the Memorandum of Lease recorded as Document No. 3223334.

22. As of July 29, 2022, the 2021 real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes 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. 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.
23. As of July 29, 2022, 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 MGO Section 16.23(5)(g)1.
24. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest (lvest@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 (June 8, 2022) 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. The 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.
25. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. Please include a reference to the easements contained in the documents recorded as Document Nos. 1799793, 1988014, 2131076, 2953057, and 3485666, if applicable.
26. If all parties of interest agree that certain easements from prior plats or CSMs 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.

**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 September 6, 2022 meeting.**

In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will make the City Clerk's Office aware that the Common Council certificate may be executed.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 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 you may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or by e-mail at [tparks@cityofmadison.com](mailto:tparks@cityofmadison.com).

Sincerely,

A handwritten signature in black ink that reads "Timothy M. Parks". The signature is written in a cursive, flowing style.

Timothy M. Parks  
Planner

cc: Brenda Stanley, City Engineering Division  
Julius Smith, City Engineering Division—Mapping Section  
Jenny Kirchgatter, Assistant Zoning Administrator  
Debra Crary, City Assessor's Office  
Jeff Belshaw, Madison Water Utility  
Lance Vest, Office of Real Estate Services