



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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December 29, 2022

Jason P. Lietha  
Rueckert & Mielke, Inc.  
465 Science Drive  
Madison, Wisconsin 53711

RE: LNDSCM-2022-00054; Legistar ID [74546](#) – Certified Survey Map – 917 Deming Way (FujiFilm Cellular Dynamic, Inc.)

Dear Jason;

Your one-lot certified survey of property located at 917 Deming Way, Section 15, Township 07N, Range 08E, 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 Timothy Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following item:**

1. 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)

**Please contact Julius Smith of the City Engineering Division–Mapping Section, at (608) 264-9276 if you have questions regarding the following sixteen (16) items:**

2. In accordance with Chapter 236, Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on a Plat or CSM. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division.
3. The 12' easement shown and noted on the CSM per Doc 2080800 has been described on the CSM as public utility easement. Revise this per the language in Document 2080800. the Document calls for an Underground Electric Easement and only directly benefits two utility companies not all companies that serve the area. Revise the call out for this Easement to read 12' underground electric easement to WP&L and Mid-Plains Telephone per Document #2080800, and note that the easterly portion is coincidental to the public utility easement per the plat.

4. Add the note from Old Sauk Trails Park First Addition about the Flow Arrows and Add the Flow arrows to the face of the CSM.
5. Show Plottable restriction per Declarations of Covenants, Conditions and Restrictions of Old Sauk Trails Park per Document No. 1918427
6. 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 Julius Smith, City Engineering ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com))
7. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.
8. 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 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 Engineering Division sign-off.
9. Per SS. 236.20(2)(c) Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys, "recorded as" bearings and distances shall be shown. Show the recorded bearings, distances and curve data for the parcel where they differ from measured values.
10. Verify Curve 1 as the Tangent in Should be N34 06' 05"W
11. Dimension the location of the existing buildings within the lot if they are to remain Per Chapter 16 of the MGO or label the buildings that are to be removed if there are any.
12. Labels for the underling lots 22 and 26 of Old Sauk Trails Park First Addition should be underlined. Remove the owner information.
13. Lot 27 of Old Sauk Trails Park First Addition has been platted over by CSM 5972 revise this to show the proper lot. Also consider showing supporting evidence along this CSM and Excelsior or across the ROW to explain not accepting line as found monumented.
14. Note that the parcel is subject to:  
  
Declarations of Covenants, Conditions and Restrictions of Old Sauk Trails Park per Document No. 1918427  
  
First Amendment to the Declarations of Covenants, Conditions and Restrictions of Old Sauk Trails Park Document No. 2630945

Second Amendment to the Declaration of Covenants, Conditions and Restriction of Old Sauk Trails Park Document No. 2764523

Declaration of Conditions and Covenants for Plat of Old Sauk Trails Park First Addition Document No. 2027436.

15. For clarity, reproduction and recording, consider using no smaller text than 5pt.
16. On sheet 1, Remove property address.
17. Submit to Julius Smith, 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, preferably closed polylines for lot lines, 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 Melissa Hermann of the Office of Real Estate Services at [MHermann@cityofmadison.com](mailto:MHermann@cityofmadison.com) if you have any questions regarding the following nineteen (19) items:**

18. 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.

19. 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....
20. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).

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.
22. 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 \_\_\_\_\_, 2022

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

23. 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

24. 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 Volume \_\_\_\_ of CSMs on page(s) \_\_\_\_\_, Document No. \_\_\_\_\_.

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

25. Is a property tax proration required? Yes/No

26. Does property abut or is it located within an existing TID? If so, include this comment:

The lands within the CSM boundary are partially located within TID XXX, a Tax Incremental Financing District. Discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before recording the CSM if a TIF application is required. Mr. Gromacki can be reached at 608-267-8724 or [jgromacki@cityofmadison.com](mailto:jgromacki@cityofmadison.com).

If property is within TID, 1) alert Joe G and Dan R that a CSM is pending approval within a TID and 2) include a comment for the applicant to inform ORES if a TIF Loan has been authorized for the project. If so, share the property info with Joe G and Dan R.

27. As of December 29, 2022 real estate taxes are paid for the subject property.
28. As of December 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 Madison General Ordinance Section 16.23(5)(g)1.
29. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Melissa Hermann [mhermann@cityofmadison.com](mailto:mhermann@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 (xx-xx-xx) 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. 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.

30. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
31. Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.
32. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.
33. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
34. 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.
35. 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.
36. Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for \_\_\_\_\_ purposes."

**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 January 3, 2023 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 [jqumme@cityofmadison.com](mailto:jrqumme@cityofmadison.com).

As soon as the comments and conditions have been satisfied, 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 (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 may be of any further assistance, please do not hesitate to contact my office at [cwells@cityofmadison.com](mailto:cwells@cityofmadison.com) or (608) 261-9135.

Sincerely,



Chris Wells  
Planner

cc: Timothy Troester, City Engineering Division  
Julius Smith, City Engineering Division—Mapping Section  
Melissa Hermann, Office of Real Estate Services