



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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May 25, 2022

Brad Tisdlae
MSA Professional Services, Inc.
1702 Pankratz Street
Madison, WI 53704

RE: LNDSCM-2022-00017; Legistar ID 70728 – Certified Survey Map – 1802-1902 Pankratz Street

Dear Brad Tisdale;

Your one-lot certified survey of property located at 1802-1902 Pankratz Street, Section 31, Township 08N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SE (Suburban Employment 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 six (6) items:

1. This proposed building is adjacent to the closed Dane County Truax Landfill. City of Madison zoning requires certain approved construction practices and safety precautions for buildings and homes adjacent to existing landfills. These requirements are outlined in subsection 29.23(11) of the Madison General Ordinance. You will be required to provide proof of compliance when applying for your building permit. Contact Brynn Bemis, City of Madison Engineering, with questions: bbemis@cityofmadison.com, 608.267.1986.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Construct sidewalk/path to a plan as approved by City Engineer
4. 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))
5. 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) or Brenda Stanley (East) at 608-261-9127 (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)

6. Sanitary Easement area shall have a solid surface or the property owner will be responsible for the repair of grass turf.

Please contact Julius Smith of the City Engineering Division–Mapping Section at 264-9276 if you have questions regarding the following twenty-seven (27) items:

7. Outlot 7 of Second Addition of Truax Air Park West was dedicated to the public for Pedestrian and Bicycle Path purposes. This Certified Survey Map has proposed to include the Outlot the Lot for development on the site. The City of Madison, who accepted dedication for these special purposes, shall release the dedication restriction in accordance with s. 66.1025(1) of the Wisconsin Statutes Relief of Gifts and Dedications by a resolution adopted by Common Council. The City of Madison, following conditional approval of the pending Certified Survey Map, shall proceed with preparation of resolution by Engineering for introduction to Common Council. Adoption of the Resolution and satisfaction of any conditions shall authorize the City of Madison Office of Real Estate Services to draft, administer and record the necessary conveyance/grant of land back to the original owner/dedicator/heirs, allowing the replatting of the Outlot. Additionally there is a recorded lease per Document No. 5035027 per the title work provided for this parcel. These lands have always been dedicated to the public. Applicant shall work with Dane County to clear title as necessary for OL 7 prior to any conveyance from the City of Madison. Contact Julius Smith of Engineering Mapping to coordinate the relief of the dedication, 608-264-9276 or jsmith4@cityofmadison.com
8. 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.
9. Grant a Public Sidewalk and Bike Path Easement to the City of Madison on the Certified Survey Map. Coordinate with Engineering Streets Staff and Traffic Engineering for the approval of the configuration of the path and the required easement area. The easement area shall encompass the area required for the construction, maintenance and repair of the bike path improvements. The terms of the easement shall contain text consenting to the two private access aisles crossing the easement areas and any associated restriction or requirements.
10. Grant a Public Sanitary Sewer Access Easement along the North and West side of the parcel to the City on the Certified Survey Map. Coordinate with Engineering Sewer staff to confirm the final easement configuration and associated access improvements and conditions. Contact Julius Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) for the final required language. Note the easement shall include terms if a hard surface access is not constructed, that the repair and related costs of the turf and private storm water management facilities upon the use of the easement by the City of Madison shall be the owner's cost and responsibility.
11. The length of the 6' retaining wall easement that affects this parcel needs to be shown and should be noted per both document 1121158 and 1162151 as noted on the underlying plat. This wall also

appears to be given further blanket rights in an encroachment agreement recorded in document no. 4435896 provided in the title work. This agreement shall be noted on the CSM.

12. The 50 ft wide Public Sanitary Easement Document 3221730 has been incorrectly labeled on sheets 1 and 2. Document No. 3268680 the Perpetual Easement for Public Sanitary Sewer Purposes grants easement over Lots 47 and 48. Document No. 3268680 granted a non-exclusive easement for sanitary sewer purposes to the City of Madison over a portion of Outlot 7. Label and depict these easements correctly on the CSM.
13. Show 35' wide Highway setback line shown on the Plat and also note that the first 30 feet of the 35 feet of the setback line is landscape buffer per chapter 16 of the Madison ordinances, as noted in Document no. 3241625.
14. Remove note about public bus stop easement as it does not encumber the lots in this CSM.
15. Show access Restriction along Packers Ave per Plat Second Addition to Truax Air Park West.
16. 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.
17. Show bearing and distance for the proposed access easements. Show label the easement as Public Sanitary Sewer Access Easement.
18. Note the Reciprocal easement agreement in Document No 3615606 and cite the nature of the agreement. Developer/ Owner should consider amending the agreement after recording the CSM to include the newly incorporated contiguous improvements that fall within the nature of the this agreement.
19. Add notes 4, 5 and 6 from Second Addition to Truax Air Park West Verbatim to the CSM.
20. Add notes about items 3, 4, and 9, from the provided title report the CSM parcel is subject to these Document No's. 1829663, 1842455 and 3357855.
21. 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)
22. 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.

23. 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) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
24. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
25. Show and tie the CSM boundary to the quarter line. Per SS 236.20(3)(b) The location of the subdivision shall be indicated by bearing and distance from a boundary line of a government lot monumented in the original survey or resurvey of Wisconsin, quarter section, recorded private claim, or federal reservation in which the subdivision is located. The monumentation at the ends of the boundary line shall be described and the bearing and distance between them shown.
26. Show the centerline of Packers Ave. Per SS 263.20(2)(h) and the recorded 33' and 77' to each right-of-way
27. Add additional highway label to Packers Ave. STH 113 and show both sides of state trunk highway right-of-way and show the recorded 110' width, per SS 236.20(3)(e) under the width varies text. Abutting street and state highway lines of adjoining plats shown in their proper location by dotted or dashed lines. The width of these streets and highways shall be given also.
28. Lot 49 of Second Addition to Truax Air Park West has been re-divided. Correct the label of this parcel to read Lot 1 of Certified Survey Map No. 13200
29. Correct the bearing reference on sheets 1 and 2 to the quarter line per SS 236.20(2)(i) North referenced to a magnetic, true or other identifiable direction. Related to a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. Include a north arrow on each sheet with details.
30. Show the bearing and distance to the found 3/4 rebar on West line Lot 1 of CSM 13200 per A-E 7.05(4) The map shall describe by bearing and distance the corner monuments used in determining the location of the parcel boundary
31. Revise the word "Section" in the caption on all sheets.
32. In the Surveyors Certificate, add divided after surveyed....
I HAVE SURVEYED, DIVIDED AND MAPPED LANDS
33. In the Owners Certificate of dedication, remove combined, and add divided and dedicated...
TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following one (1) item:

34. Applicant shall work with Traffic Engineering and Engineering on finalizing the easements needed for relocated path.

Please contact Melissa Hermann of the Office of Real Estate Services at 264-9297 if you have any questions regarding the following nineteen (19) items:

35. 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.
36. 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).
37. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
38. 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....
39. 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 executed prior to CSM sign-off.
40. 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.
41. 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

42. 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

43. 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

44. As of May 6, 2022 there is an outstanding Specials tax/municipal bill of \$620.34 for the address of 1902 Pankratz. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, 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
45. As of May 6, 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. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the CSM boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.
46. 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 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.

47. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
48. 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.
49. 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.
50. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
51. 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.
52. 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.
53. 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 was reviewed by the Common Council at its May 24, 2022 meeting.

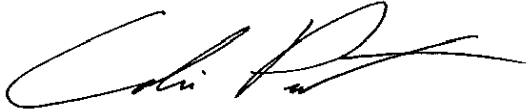
Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

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 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 243-0455.

Sincerely,

A handwritten signature in black ink, appearing to read "Colin Punt". The signature is fluid and cursive, with a long horizontal stroke at the end.

Colin Punt
Planner

cc: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Melissa Hermann, Office of Real Estate Services