



Department of Planning & Community & Economic Development

Planning Division

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December 14, 2022

Matt Haase
JSD Professional Services
161 Horizon Dr
Verona, WI 53593

RE: LNDCSM-2022-00051; Legistar ID 74065 – Certified Survey Map – 2007 Roth Street

Dear Matt Haase;

Your three-lot certified survey of property located at 2007 Roth Street, Section 31, Township 08N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned TR-U2 and CN. 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 eight (8) items:

1. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com).
2. The property is an open contaminant site with the WDNR (BRRS #02-13-580328 HARTMEYER PROPERTY). Provide proof of coordination with the WDNR to investigate, remediate, mitigate, and close the site to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com).
3. 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)
4. Construct Madison Standard street, multi-use path, and sidewalk improvements for all streets within the plat/csm. (MGO 16.23(9)(d)6). Extend N/S street to current Ruskin St termination.
5. 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)
6. 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)

7. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7) (a)(13))
8. Confirm that adequate sight distance exists where public streets intersect per AASHTO design standards for intersection sight distance. If adequate sight distance does not exist, change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make the mitigating improvements as required by the City. Caution - The improvements indicated may require right-of-way outside of the plat/csm.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following twenty-one (21) items:

9. At the southerly end of the proposed Huxley Street to be dedicated by this Certified Survey Map, and across Lot 3, there exists a 66 foot wide private right-of-way that provides multiple private access rights per several Documents provided in the Title Report, both within the area to be dedicated and the future Lot 3. Portions of the area to be dedicated are also being currently used by the adjacent parcels for access and storage of vehicles and other materials. The acceptance of the Huxley Street area for dedication shall be dependent on the Owner providing proof of clear title for the area and release of the private right-of-way, as well as removal of encroachments within the area to be dedicated as public right of way. This also applies to the proposed PLE for Public Street Purposes proposed on this Certified Survey Map as an interim road bypass around the area not being dedicated at this time.
10. The proposed Permanent Easement for Public Street Purposes shall be granted on the Certified Survey Map. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the Terms and Conditions to be placed on the Certified Survey Map.
11. There is a gas house, private gas lines and gas bridge improvements encroaching into the proposed Coolidge Street right of way. These are privately owned improvements. They are not owned by MG&E. MG&E provides the gas to a meter set within the Gas House. These private improvements will need to be removed from the proposed Coolidge Street right of way, or a plan for removal shall be approved by the City Engineer, as a condition of approval. Removal can be included within the work to be performed under the developer's agreement, or the owner may enter into a lease for the use of the unimproved Coolidge Street right of way occupied by the Gas House, private gas lines and Bridge. Any such lease shall require removal of the private improvements from the dedicated right of way upon termination, and provide that if this is not done the costs thereof shall be recovered from the adjoining lots (Lots 1 and 2 of the proposed CSM) as special charges. Any such agreement allowing for a delayed removal of these improvements shall be entered into contemporaneously with the recording of the pending CSM.

12. Conditions of approval noted herein are not intended to be construed as a review determining all title boundaries, 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 and a boundary that represents title of the lands included within this CSM. The boundary of this CSM as shown appears to not be fully vetted.
13. Grant a 20' wide Public Sanitary Sewer Easement(s) to the City on the face of this Certified Survey Map near the east line of the Hartmeyer Parcel outside of the existing private encroachment easement extending northerly to where the sanitary sewer is to end after removal to the north to allow for a future relocation of sanitary sewer from under the existing ice arena. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required language.
14. Grant a 20' wide Public Sanitary Sewer Easement(s) to the City on the face of the pending Certified Survey Map near the Hartmeyer Parcel centered on the existing Public Sanitary Sewer to remain after the abandonment further to the north. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-2664097) for the final required language.
15. Grant a 20' Wide Public Sanitary Sewer Easement to the City on the face of the pending Certified Survey Map for the relocated sanitary sewer planned over the easterly side of proposed Lots 1 and 2 as shown on the site plans. The easement shall contain consent to occupy easement language for the private improvements planned within the easement. If the private improvements are required to be removed by the City for maintenance, repair or construction of the sanitary sewer, the owner is responsible for the replacement of the private improvements and / or associated costs. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608266-4097) for the final required language.
16. It shall be determined with City Engineering Stormwater staff if the remaining storm sewer bisecting this site after the removal of the northern portions will be public or private storm sewer. If it is determined that it will be Public, grant a Public Storm Sewer Easement(s) to the City on the face of this Certified Survey Map. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) for the final required easement language.
17. There is an MG&E easement per Doc No 2203348 that was not in the title report that is within the southerly end of proposed Huxley Street. This easement shall be released by MG&E or provide a conveyance of rights to the City of Madison.
18. Show a temporary limited easement for a temporary cul-de-sac on Coolidge St having a radius and a reverse curve radius as required by City of Madison Traffic Engineering and Engineering Division. The easement text is as follows: Temporary Limited Easement benefitting the City of Madison for temporary turnaround improvement purposes. Said Easement shall terminate upon the extension of Coolidge Street Easterly of this CSM along with the removal of the public temporary turnaround improvements within the easement area.
19. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.

20. Correct the Document No for the easement noted on Sheet 7 to 1383555. Also show and label all improvements, including existing pavements and improvements that lie within the CSM as required by ordinance, including the gas bridge and gas house.
 21. The portion of the Access Easement for the cell tower per Doc No 2203787 shall be released within the proposed right of way of Huxley Street.
 22. 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)
 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 Jeff Quamme (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.
 24. Correct the spelling of Railroad. (Soo Line Railroad).
 25. Show and label lands acquired by the City of Madison for the culdesac at the east end of Roth St per Doc No. 1223669. Provide recorded as data from the document.
 26. If the wetland contains a navigable body of water, provide the surveying information as required by Chapter 236.
 27. Add the 10' Wide Gas Easement per Document NO 1211659 adjacent to the west right of way of the Railroad
 28. This 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 or early start permit.
 29. 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, 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 Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following one (1) item:

30. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.

Please contact Kate Kane of the Parks Division at 261-9671 if you have any questions regarding the following four (4) items:

31. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 22041 when contacting Parks. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."

32. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."

33. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees.

34. The Parks Division shall be required to sign off on this CSM.

Please contact Andy Miller of the Office of Real Estate Services at 261-9983 if you have any questions regarding the following twelve (12) 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). 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.

37. 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....

38. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, 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. Stats. Sec. 236.34 and Sec. 236.21(2)(a).
39. 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.
40. As of October 28, 2022, all real estate taxes are paid for the subject property. 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. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
41. As of October 28, 2022, there are 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.
42. Pursuant to Madison City Ordinance Section 16.23, the owner shall furnish a 60 year title report via email to Andy Miller in the ORES (acmiller@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 60 year title report. Surveyor shall update the CSM with the most recent information reported in the title report. ORES reserves the right to impose additional conditions of approval in the event the title report contains changes that warrant revisions to the CSM.
43. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report.
44. 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.
45. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
46. 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.

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

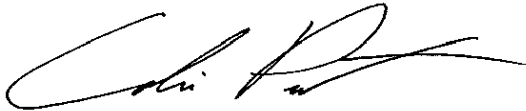
submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

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", with a stylized flourish at the end.

Colin Punt
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sean Malloy, Traffic Engineering Division
Kate Kane, Parks Division
Andy Miller, Office of Real Estate Services