



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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Madison, Wisconsin 53703
Phone: (608) 266-4635
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October 31, 2022

Paul Spetz
Isthmus Surveying LLC
450 N Baldwin Street
Madison, Wisconsin 53703

RE: LNDCSM-2022-00043; ID 73823 – Certified Survey Map – 3842-3850 Merchant Street (City of Madison)

Dear Paul;

The one-lot Certified Survey Map dividing property addressed as 3842-3850 Merchant Street, Section 16, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned IL (Industrial - Limited District) and is located in the Third Lake Ridge Historic 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) 261-1995 if you have questions regarding the following three (3) items:

1. 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))
2. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Hanson Road Neighborhood Sanitary Sewer Assessment District \$109.53/1000 sf of lot area (2022 rate)
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) or Brenda Stanley (East) at 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).

Please contact Jeffrey Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following fifteen (15) items:

4. Grant a Public Sidewalk Easement(s) to the City on the face of this Certified Survey Map 1 foot behind the existing sidewalk where the encroachment exists along Curve C2. Contact Jeff Quamme (jrquamme@cityofmadison.com)
5. Add a set of notes titled "Applicable Notes From The Center For Industry And Commerce Plat, Doc No. 3708481" and insert notes 1, 3, 6, 10 and 14 below the text.
6. Add Document No 3708481 to the labels for the Existing Sanitary Sewer, Storm Water Drainage and Access Easement and Utility Easements that were granted by the plat of The Center For Industry and Commerce.
7. Add Document No. 5304795 to the label for Vacated Graaskamp Way
8. Add a note that the 10' Public Utility Easement granted by The Center For Industry and Commerce over the westerly 10 feet of this CSM was released by Doc No's 5338216, 5338217, 533218 and 5346420.
9. Add a note: "This CSM is subject to Declaration Covenants, Conditions and Restrictions per Document No 3677132 and Modifications and/or Amendments per Document No's 4023951, 5344856, 5461197 and 5562138.
10. Cross hatch and provide a leader for the Easement Area of Document No. 5654856.
11. The Avigation Easement lines are not parallel as they are supposed to be. It appears the 276.07 dimension for the 970.57 contour is incorrect. Surveyor shall confirm the correct location and direction.
12. 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)
13. 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.
14. 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.

15. Remove the text and linework for the encroaching sidewalk at the southwesterly corner of this CSM. The sidewalk is being removed and extended straight westerly as part of the development project to the west.
16. Correct the street name spelling of Manufacturers to Manufacturers on all appropriate sheets.
17. The pending 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.
18. 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 Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have questions regarding the following item:

19. Note that records indicate deferred water main assessments exist against these parcels. Improvements which substantially change the use of the property may require any outstanding deferred assessments to be paid in full prior to proceeding with the proposed improvements (MGO 4.081(4)). Please contact Wendy Murkve of the City of Madison Finance Department to review the status of the deferred water main assessment associated with this property - Phone: (608) 266-4008 - Email: wmurkve@cityofmadison.com.

Please Andy Miller of the City's Office of Real Estate Services at (608) 261-9983 if you have questions regarding the following seven (7) conditions:

20. 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.

21. 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.
22. The City will electronically sign the Owner's Certificate, so replace the notary blocks with the following:

AUTHENTICATION

The signatures of Satya Rhodes-Conway, Mayor, and Maribeth Witzel-Behl, Clerk, on behalf of the City of Madison, are authenticated on this ___ day of _____, 202__.

_____, Assistant City Attorney
Member of the Wisconsin Bar

23. As of October 14, 2022, the lands within this CSM are listed as exempt from real estate taxes. In the event the tax status of the property changes prior to CSM recording, 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.
24. As of October 14, 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.
25. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated 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 search the period subsequent to the initial title report, dated August 15, 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. 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.
26. 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, and include relevant notes from plats or CSMs of record

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 November 1, 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) 261-9135 or by e-mail at cwells@cityofmadison.com.

Sincerely,



Chris Wells
Planner

cc: Timothy Troester, City Engineering Division
Jeffrey Quamme, City Engineering Division—Mapping Section
Jeff Belshaw, Madison Water Utility
Andy Miller, Office of Real Estate Services