



Department of Planning & Community & Economic Development
Planning Division

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December 21, 2012

Chris Adams
Williamson Surveying & Associates, LLC
104A W. Main Street
Waunakee, Wisconsin 53597

RE: Consideration of a two-lot Certified Survey Map (CSM) of the Miller property located at 4781 Norton Lane, Town of Sun Prairie, in the City of Madison's Extraterritorial Jurisdiction.

Dear Mr. Adams;

The City of Madison Plan Commission, meeting in regular session on December 3, 2012, **conditionally approved** your two-lot Certified Survey Map of property located at 4781 Norton Lane, Town of Sun Prairie. The conditions of approval from the reviewing agencies to be satisfied before final City approval and recording of the CSM are:

Please contact Janet Dailey of the City Engineering Division at (608) 261-9688 if you have questions regarding the following five (5) items:

1. The curve table elements for C3 appear to be incorrect as the long chord shown is longer than the arc. Reconcile this information on the final CSM prior to recording.
2. This CSM boundary indicates numerous recorded and measured differences from prior recorded CSM 7391, CSM 11285 and CSM 11372 that are not indicated on this CSM and shall be shown.
3. Label the appropriate horizontal datum reference for the PLSS section corner coordinates that are shown on this CSM.
4. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a.) Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b.) All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6 feet in width measured from the property line to the interior of each lot except that the easements shall be 12 feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall

be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

Note: In the event of a City of Madison Plan Commission and/ or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail. (MGO 16.23(3)(a)(2)(c) (plats) & 16.23 (5)(g)1. (CSM)

5. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.

Please contact Jennifer Frese of the City's Office of Real Estate Services at (608) 267-8719 if you have questions regarding the following five (5) items:

6. Prior to requesting final approval prior to recording, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29, i.e., by including the language "...surveyed, divided, mapped and dedicated..." The title report shows the following parties have an ownership interest in the lands within the CSM and shall be signatories on the Owner's Certificate:

- Kevin S. Miller
- Bonnie L. Miller
- Miller Construction, Inc.

7. A certificate of consent by each mortgagee/vendor shall be included following the Owner(s) Certificate for each of the mortgagees/vendors listed below:

- Anchorbank

8. The 2011 real estate taxes have been paid for the subject property. Special assessments were included in the paid amount.

9. Prior to final sign-off, any outstanding liens against the property must be satisfied, particularly regarding Dane County Circuit Court Case No. 2012FA001616.

10. The following CSM revisions shall be made:

- a.) 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 in record title. Also, there is a minor typo in the abbreviated legal header on each page of the CSM. Please correct the word "Lots" to read "Lot".
- b.) Create and record, or show as being dedicated in the proposed CSM, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
- c.) Record satisfactions or releases for all mortgages, liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled or resolved.
- d.) Please depict the "No Vehicular Access" hash marks along southern property line along Interstate 94, as shown on CSM 7391 recorded as Doc. No. 2583399.
- e.) Please place a note on the face of the CSM that the lands within the CSM boundary are subject to Private Sewage System Maintenance Agreement covenant and conditions as set forth in Doc. No. 2852941, Private Onsite Wastewater Treatment System Covenant, per Doc. No. 3710953, and Deed Restrictions as set forth in Doc. No. 3812013.
- f.) Research the legal description in Doc. No. 2503235 to determine if the 20-foot Wisconsin Bell Right-of-Way grant is located within the CSM boundary. If so, please depict the easement on the CSM.

Please contact my office at (608) 261-9632 if you have any questions about the following items:

11. That the CSM be revised per Planning Division approval prior to final approval and recording as follows:

- a.) correctly identify Norton Lane in accordance with Dane County mapping;
- b.) that a vehicular access restriction be added for Lot 1 along the northern right of way line of Interstate 94. The restriction shall be shown graphically on the face of the CSM and as a note acknowledging that no vehicular access shall be granted for those lots;
- c.) the residence on Lot 2 shall be identified accordingly on Sheet 1 of 5;
- d.) that a building envelope be identified for any future single-family residence on Lot 1;
- e.) that a note be placed on the CSM stating that any future residential buildings constructed on these lots will be designed so that highway-generated interior noise levels will not exceed 52 decibels;
- f.) include the following note on the CSM:

"The owners and occupants of existing and future residences on lots contained on this Certified Survey Map acknowledge the presence of high levels of noise and vibration resulting from adjacent Interstate 94 and shall hold harmless from damages the Wisconsin Department of Transportation and any municipality in whose jurisdiction these lots are located from any impacts on the use, enjoyment or value of these properties resulting from existing or future highway traffic volumes. Said owners and occupants hereby acknowledge that the State of Wisconsin may not be responsible for providing a noise barrier for Interstate 94 adjacent to Lot 1 of this Certified Survey Map due to the provisions set forth in Wisconsin Admin. Code ch. Trans 405."

12. The CSM shall be revised to dedicate a 12-foot wide utility easement adjacent to Norton Lane along the eastern edges of Lots 1 and 2, as requested by Alliant Energy. For more information on this condition, please contact Brand Smith at Alliant Energy, (608) 842-1705.

Once the comments and conditions in this letter have been satisfied as verified on the (enclosed) certification form containing the required signatures and approvals from the reviewing agencies noted, the final executed Certified Survey Map 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, please contact the Register of Deeds at 266-4141.

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 shall occur a minimum of two working days prior to final Engineering Division signoff. Electronic mail submittal of the final CSM in PDF form is preferred; please transmit to epederson@cityofmadison.com.

Upon acceptance and recording of the Certified Survey Map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this CSM shall be null and void if not recorded in **six (6) months** from the date of this approval. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: John Klement (BY E-MAIL ONLY)
Janet Dailey, City Engineering Division
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations