



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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May 6, 2014

Bill Dunlop  
JSD Professional Services  
161 Horizon Drive  
Verona, WI 53593

RE: File No. LD 1355 – Certified Survey Map – 3009 University Avenue and 3118 Harvey Street

Dear Mr. Dunlop:

The certified survey of your client's property located at 3009 University Avenue and 3118 Harvey Street, Section 21, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. A separate approval letter has been issued for the requested zoning map amendment approved by the Common Council April 29, 2014 and the conditional use request approved by the Plan Commission on April 7.

The conditions of approval from the reviewing agencies to be satisfied before final approval and recording of the CSM are:

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following ten (10) conditions:**

1. New, up to date 60 year title reports for 3009 University Avenue and 3118 Harvey Street shall be provided. Currently only a title commitment for 3118 Harvey Street has been provided.
2. The overall distance between the NW corner and North Quarter corner of Section 21-7-9 computes to be 2676.00. Correct the distance or modify the coordinate values.
3. The 25' Wide Emergency Fire Lane Easement shall be recorded and the recording information placed on the face of the Certified Survey Map prior to final sign off of the Certified Survey Map.
4. Revise the text for the stormwater easement to "10' Wide Private Stormwater Easement Benefitting Lot 2 Of This CSM".
5. Show the Buildings and pavement limits on Sheet 2 as required by ordinance.
6. Provide adequate dimensions (bearings and distances) to locate the Emergency Fire Lane Easement on the Certified Survey map.

7. The lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds. (POLICY)
8. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)
9. In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.
10. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to 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 sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com) (POLICY)

**Please contact Bill Sullivan, Madison Fire Department at 266-4717 if you have questions regarding the following condition:**

11. MFD supports the CSM as it provides needed fire access to the existing 3009 University Ave. building.

**Please contact Kay Rutledge at 266-4717 if you have questions regarding the following four (4) conditions:**

12. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
13. No new street trees are required for this project – there is not enough space between existing trees and terrace sites are under high voltage power lines.
14. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in

section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.

15. This development is within the Garner park impact fee district (SI29). Please reference ID# 13173 when contacting Parks about this project.

**Please contact Denis Cawley of the Water Utility at 261-9243 if you have questions regarding the following condition:**

16. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

**Please contact Jenny Frese, Office of Real Estate Services if you have questions regarding the following 11 (11) items:**

17. Update the owner's certificate to be consistent with the ownership interest reported in the most recent title report. Prior to requesting approval sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate.
18. Revise the Consent of Corporate Mortgagee to reflect the current mortgagees reported in title and have the certificate executed prior to CSM 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. Include a Consent of Lessee for any tenancy in excess of one year and have it executed by all tenants prior to approval sign-off.
21. 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:
22. 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 \_\_\_\_\_, 2014

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

23. As of February 26, 2014, the 2013 real estate taxes are partially paid for the subject property, with the 2nd installment owed for one of the parcels. Under 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 2013 that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off and checks are payable to:

City of Madison Treasurer  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53701

24. As of February 26, 2014, there are no special assessments reported. If special assessments are applied to the subject property prior to CSM sign-off, they shall be paid in full per Ordinance Enactment No. ORD-08-00094, ID No. 10847, Enactment Date 8/23/2008.
25. Prior to CSM approval sign-off, please verify Janet Dailey at City Engineering (261-9688) or Sharon Pounders at the Water Utility (266-4641) that storm water management fees are paid in full.
26. The owner shall email the document number of the recorded CSM to Jenny Frese at the City's Office of Real Estate Services at [jfrese@cityofmadison.com](mailto:jfrese@cityofmadison.com) as soon as the recording information is available.
27. The following revisions to the CSM shall be made:
  - a. Depict, name, and identify by document number the MGE Easement recorded as Doc. No. 4146724
  - b. After the 25' wide ingress/egress easement is recorded, insert the Doc. No on Sheets 2 and 3.
  - c. For all leases, provide the document number or tenancy description as a Note on the face of the CSM.
  - d. Depict and dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells and septic systems associated with the lands described for the proposed CSM. (Well abandonment: ref. NR 141).
  - e. 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.

**Please contact my office at 267-1150 if you have questions regarding the following item:**

28. The CSM shall include the location of existing improvements, buildings, driveways as required by Section 16.23(7)

**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 approved by the Common Council on April 29, 2014.**

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As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (attached), 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.

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).

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

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 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 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 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Schmidt, City Engineering Division  
Sally Sweeney, City Assessor's Office  
Eric Halvorson, Traffic Engineering Division  
Kay Rutledge, Parks Division  
Dennis Cawley, Madison Water Utility  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations