



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

October 22, 2014

Al Kaukl

Badger Surveying & Mapping Service, LLC

525 W. Prairie Street

Columbus, Wisconsin 53925

RE: File No. LD 1434 – Certified Survey Map – 2705 E. Washington Avenue (MESC, LLC)

Dear Mr. Kaukl;

Your two-lot certified survey of property generally located at 2705 E. Washington Avenue, Section 6, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The properties are zoned CC-T (Commercial Corridor–Transitional District). The conditions of approval from the reviewing agencies to be satisfied prior to 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 twelve (12) items:

1. There are spacing issues and typo issues in the Surveyor's Certificate as follows: fourth line: EEXCEPT; fifth line: AA9 for the lot number 119?; twelfth line: 96.73 for CSM 9676; thirteenth line: LOT1 runs together; fourteenth line: A.E. PULS EPLAT; sixteenth line: NORTHLAWN is two words; seventeenth line: curve to the right should be curve to the left.
2. The adjoiner notation southwest of the CSM shall be revised to be Lot 119 of Farwells Eastern Addition.
3. Add to the exceptions for the location text at the top of the sheet the exception to the City of Madison per Document No. 837490.
4. The title report shall be revised to exclude lands that are within CSM 9676.
5. Lot 1 of CSM 9676 utilizes the access to E. Washington Avenue at the northeast corner of this Certified Survey Map. A recorded copy of the common access easement/agreement permitting this access shall be provided and noted on the final CSM.
6. Clarify that the bearing and distance of N 89°28'26" W, 2635.26 feet is between the Northwest and North Quarter corner of Section 5-7-10. Provide measured and record coordinates for the North Quarter corner of Section 5-7-10.

7. Show the parking lot parcel per Document No. 2605525 within the southwest corner of this CSM and label it accordingly.
8. Coordinate the necessary notations for existing leases that encumber this property with the City of Madison Office of Real Estate Service.
9. Note: The location and dimensions of Lot 1 of this proposed CSM match the ground lease area described within Document No. 4916930. It is assumed Lot 1 is intended to create a lot that is identical to the 20-year lease area.
10. Add the underlying lot lines from the original plats to the map.
11. 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. 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. Note: Land tie to two PLS corners required.
12. 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 CSM. Identify the owner and/or benefiting interest of all easements.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

13. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility per MGO Sec. 13.21.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following five (5) items:

14. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). The designated signatory shall provide documentation giving signing authority as a managing member of the LLC. Include the following language within the Owner's Certificate to address the multiple tenant interests: "The owner also certifies that this CSM will not have an adverse affect on any of the leasehold or possessory interests (including mortgage holders for leasehold interests) located within this CSM boundary."
15. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final sign-off.
16. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to

CSM recording. As of the writing of this letter, the 2013 real estate taxes are paid for the subject properties and there are no special assessments reported.

17. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.
18. Revise the CSM prior to final sign-off as follows:
 - a.) Revise the spelling and title of signatory for McDonald's USA in the Consent of Lessee.
 - b.) Revise the spelling for the Secretary in the City of Madison Plan Commission Certificate to Steven.
 - c.) Include, depict and describe Document No. 791922 with the label for Sewer Easement Document No. 4420289.
 - d.) Include and describe Document No. 4916931 as a note on the CSM.
 - e.) Show the underlying lot lines in grey scale on at least one sheet of the CSM.
 - f.) Correct the spelling errors in the Surveyor's Certificate legal description.

Please contact my office at 261-9632 if you have any questions about the following item:

19. The applicant is proposing to divide a Planned Multi-Use Site as defined in the City's Zoning Code and Subdivision Regulations. Prior to final staff approval of the CSM for recording, the applicant shall receive approval of the reciprocal land use agreements, reciprocal access easements and shared parking agreements sufficient to govern the proposed lots. Any new or amended agreement(s) and easement(s) necessary for this land division shall be recorded with the Dane County Register of Deeds following approval by the City Engineer, Traffic Engineer, and Director of the Department of Planning and Community & Economic Development and prior to recording of the CSM.

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 October 21, 2014.

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 jrquamme@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 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 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Schmidt, City Engineering Division
Dennis Cawley, Madison Water Utility
Pat Anderson, Assistant Zoning Administrator
Heidi Radlinger, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations