



Department of Planning & Community & Economic Development

Planning Division

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October 5, 2016

Michelle Burse
Burse Surveying & Engineering, Inc.
2801 International Lane
Madison, Wisconsin 53704

RE: LNDCSM-2016-00035 – Certified Survey Map – 219-223 W. Gilman Street (Chabad Lubavitch, Inc.)

Dear Ms. Burse;

The one-lot certified survey of property located at 219-223 W. Gilman Street, Section 14, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned UMX (Urban Mixed-Use District) and was recently approved to allow for the expansion of a place of worship and student center at 223 following demolition of 219. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following item:

1. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM the applicant shall contact Brenda Stanley 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following eleven (11) items:

2. The applicant shall determine if the Joint Driveway Agreements per Doc No. 1663332 and 167841 have been extinguished through merger of title due to same ownership. If merger of title has occurred, they shall be removed from the CSM. If merger has not occurred, the applicant shall release the easements.
3. This property is subject to an easement per Document No. 1847238 for emergency vehicular and pedestrian egress in favor of 222 W. Gorham Street through the middle of this site. The proposed site plan for this site proposes to move this access further to the northeast along the northeast side of the site. The owner shall amend/restate this document and coordinate with the owner of 222 W. Gorham Street to provide the required access rights required and necessary for 222 W. Gorham Street. A draft of the document shall be provided for review and prior to final sign off of the CSM. It shall be recorded prior to final sign off of the site plan.

4. This property appears to be subject to a leased area for a trash enclosure in the southeast corner of the site in favor of 222 W. Gorham Street per Memorandum of Lease recorded as Document No. 3158415. This trash enclosure is also subject to an access easement over City of Madison parking facility lands adjacent and to the northeast of this site. The applicant shall provide documentation addressing how this enclosure lease is being addressed. Coordination regarding the access easement over City lands will be required due to any site changes impacting this access to the trash enclosure. Any required documents shall be recorded at the Dane County Register of Deeds prior to final site plan sign off.
5. Show, label and dimension the Gas Main Right of Way per Document No. 1862454.
6. The applicant shall be aware that the private storm sewer easements and agreements required for the future development of this site will be required after recording of this CSM but before the final sign off of any site plan.
7. This CSM is located in the SW 1/4 of the SE 1/4 not the SW 1/4 of the SW 1/4. Revise the headers and legal description accordingly.
8. Provide measured as coordinates for the true Southeast corner of Section 14. It is located 513.01 feet on the line extended between the South Quarter corner and the meander corner.
9. 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.
10. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject CSM, one (1) digital CADD drawing and one (1) signed copy of the final CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*New electronic final plat transmittals and notification of changes which occur to the final plat

during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

11. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
12. Add to the final course of the legal description that it is also along the southeast line of Lot 4.

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following four (4) items:

13. The applicant is proposing to connect to a private storm sewer located within Madison Park lands. The private storm sewer easement, Document No. 5054350, grants easement rights to 506 State Street, LLC. The applicant shall be required to contact the beneficiary of the easement and obtain permission to amend the existing easement with the City of Madison to allow for connection to the system. If permission is not granted the applicant shall not be allowed to convey water to this private storm sewer easement. The proposed private storm sewer connection also crosses 225 W. Gilman Street and will require a separate easement agreement with that property prior to the approval of the zoning application. If the property at 225 W. Gilman Street also contributes to the existing private storm sewer then the existing easement agreement may be required to be amended to benefit the property at 225 W. Gilman Street as well.
14. Prior to the approval to modify the existing private storm sewer easement agreement, the applicant shall provide stormwater flow calculations that verify that the existing private storm sewer will be able to handle the additional run off being conveyed from this site.
15. No work will be allowed on City of Madison park property without approval by the Board of Park Commissioners. Approval by the Board of Park Commissioners is required prior to modifications of any existing easement agreements.
16. The Parks Division will be required to sign off on this CSM.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

17. The Madison Fire Department does not object to the creation of 1 lot; however, extensive fire protection updates will be required once an addition or a change of use occurs.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following seven (7) items:

18. Signature block certifications shall be executed by 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. The title of each certificate shall be consistent with

the ownership interest reported in the most recent title report. The executed original hard stock recordable CSM shall be presented at the time of sign-off.

19. A certificate of consent for all mortgagees/vendors shall be executed prior to CSM approval sign-off.
20. A Consent of Lessee certificate shall be executed by any tenant interest prior to CSM approval sign-off.
21. As of September 8, 2016, the 2015 real estate taxes are paid for the subject property and there are no special assessments reported. 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. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to: City of Madison Treasurer; 210 Martin Luther King, Jr. Blvd.; Madison, WI 53701. If special assessments are levied against the property, they shall be paid in full prior to CSM approval sign-off.
22. Please coordinate with Tim Troester (267-1995) or Brenda Stanley (261-9127) in the City Engineering Division to obtain any outstanding storm water management fees from the City of Madison Water Utility. Receipts for the payment of the prorated fee shall be presented prior to CSM approval sign-off.
23. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Jenny Frese in City's Office of Real Estate Services (jfrese@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (May 23, 2016) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The surveyor shall update the CSM with the most recent information reported in the title update.
24. The CSM shall be revised prior to sign-off as follows:
 - 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 of said lands in record title.
 - b.) Depict, name, and identify by document number the MGE easement per Document No. 1862454.
 - c.) Per Document No. 1847238, coordinate with the adjacent owner to provide evidence of legal and reasonable access to Lot 12 in lieu of the easement that currently exists.
 - d.) If the leasehold interest for the "Enclosure" per Memorandum of Lease, Option, and Right of First Refusal per Document No. 3158415 is no longer applicable, prepare and record a termination document for said Memorandum.

Note: Approval of this CSM does not confer approval to construct new buildings on the site. Conditional approval for those activities was granted by the Plan Commission separately and will be

subject to separate conditions to be satisfied prior to issuance of permits for demolition or construction activities.

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 on September 20, 2016.

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 email the document number of the recorded CSM to Jenny Frese at the City's Office of Real Estate Services as soon as the recording information is available.

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: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Sally Sweeney, City Assessor's Office
Bill Sullivan, Madison Fire Department
Janet Schmidt, Parks Division
Jenny Frese, Office of Real Estate Services