



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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October 3, 2018

Michelle Burse  
Burse Surveying and Engineering, Inc.  
2801 International Lane, Suite 101  
Madison, WI 53704

RE: ID 52913 | LNDCSM-2018-00032 – Certified Survey Map – 1848 Waldorf Boulevard

Dear Ms. Burse;

The two-lot Certified Survey Map for property located at 1848 Waldorf Boulevard, Section 34, Township 7N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The subject property is zoned PD (Planned Development 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 Engineering Division at (608) 267-1995 if you have questions regarding the following six (6) items:**

1. If the private sanitary sewer shown on the proposed CSM is connected, applicant shall provide an ownership maintenance agreement for the private sewer main.
2. All outstanding 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))
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact either Tim Troester at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 608-261-9127 ([bstanley@cityofmadison.com](mailto: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). (POLICY)
4. The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."

5. 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)
6. New development on these lots are subject to charges associated with the Upper Badger Mill Creek Stormwater Impact Fee district.

**Please contact Jeff Quamme of the Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following twenty-two (22) items:**

7. Add text to the Utility Easement per Document No. 3366458 and 3406969 that they are to Mt. Vernon Telephone Company.
8. Add text to the 10' Easement shown along the west side of the CSM that the same area is subject to a Utility Easement to Mt. Vernon Telephone Co. per Document No. 3388617.
9. A note shall be added to the CSM that lands within the CSM are subject to Declaration of Protective Covenants per Doc No, 3398892, First Amendment per Doc No. 3398891, Second Amendment per Doc No. 3450508.
10. Provide dimensioning to locate the Private Sanitary Sewer Easement per Doc No 4112903.
11. Declaration of Joint Driveway Easement per Document No. 4112904 is still in effect. The easement serves lands within this CSM and the parcel to the west at 8253 Mayo Drive. The easement shall either be shown on the CSM, amended to match the later configuration per the Ingress/Easement per CSM 11859 or released and replaced with a new Joint Driveway Agreement.
12. The Ingress/Egress Easement shown on the CSM shall be noted it is per CSM No. 11859. The easement shall be amended by separate instrument or made part of an amendment to Doc No 4112904 to provide terms for construction and maintenance and to provide the properties benefitting from the easement. Also provide curve data for the south side of the easterly most curve of the easement area and the central angle of the curves to the west are 46°10'55".
13. The No Vehicular Access to Mid Town Road hatching shall be corrected to go around the 25' radius at the southeast corner of the CSM and shall state the restriction is as set forth by CSM No. 11859.
14. Add the 40' Residential Setback Line as set forth by the plat of Second Addn. to Mid Town Commons.
15. Add a note that this CSM is subject to the Bylaws of Mid Town Commons Neighborhood Association and list the recorded documents.
16. Add notes 3 and 5 from the plat of Second Addn to Mid Town Commons to the CSM. Provide text that the notes are per the plat.

17. Insert the standard language pre MGO 16.23(9)(d)2.a. verbatim. If this is done, all of the previous non-exclusive easements for drainage easements are released and new drainage easements defined by the current proposed Certified Survey Map.
18. Add a note that this CSM is subject to Declaration of Conditions and Covenants per Doc No 4156176
19. Revise the note for the Private Utility Easement over the westerly side of the CSM. It is a Declaration of Sanitary Sewer Easement for private sanitary sewer per Document No. 4224228. Also add to the 20' wide Private Sanitary Sewer Easement per Doc No 4112903 that that easement is subject to Doc No. 4224228.
20. Add a note pointing to the northern side of this CSM that proposed Lot 1 is subject to a Retaining Wall Agreement per Document No. 4225310.
21. Add a note that this CSM is subject to Stormwater Maintenance Agreement per Document No 4247187.
22. The Owner's Certificate shall be revised to read "...divided, mapped and dedicated as represented...".
23. Provide coordinate values for the NE Corner of Section 3-6-8. Also correct the Range to East from West.
24. Correct the adjoiner to the east of this CSM. It has been replated as Midtown Center with new lots and outlots.
25. The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/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:
  - 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. 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).

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 and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

26. In accordance with Section s.236.34(1m) (c) which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on the Plat or CSM. 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. Include any and all language required to properly and legally create any easement by the CSM
27. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or 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 Plat or CSM in PDF form is preferred. Transmit to [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com).
28. 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.

**Please contact Sarah Lerner of the Parks Division at (608) 261-4281 if you have questions regarding the following two (2) items:**

29. The following note should be included on the subdivision: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
30. Parks Division will be required to sign off on this subdivision.

**Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following seven (7) items:**

31. OWNER'S CERTIFICATION -- Signature block certifications 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 at the time of execution. 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.
32. MORTGAGEE/VENDOR CERTIFICATION -- A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off.

### 33. CERTIFICATE AND CONSENT REQUIREMENTS

- a. 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...
- b. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or Right of First Refusal, please include a Certificate of Consent for the option holder.
- c. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

34. REAL ESTATE TAXES -- The 2016 real estate taxes are delinquent and must be paid prior to CSM approval sign-off. The payoff amount can be verified with Dane County. The "notice" and payment may be remitted to:

DANE COUNTY TREASURER  
PO BOX 1299  
MADISON WI 53701-1299

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 2018 that are distributed at the end of the year.

35. SPECIAL ASSESSMENTS -- As of September 28, 2018, 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.

36. TITLE REPORT UPDATE -- Pursuant to Madison City Ordinance 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 ("ORES") ([jfrese@cityofmadison.com](mailto: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 (07-17-18) 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.

### 37. CSM REVISION REQUIREMENTS

- a. Include Notes on the CSM for all declarations and agreements of record. Research each document in title to determine if it affects the lands within the CSM. For those documents that do not affect said lands, have the title company remove them from the report when the title update is ordered.
- b. Revise Note 2 on Sheet 5 to reference the Report of Title. If you are in possession of a title commitment because of an anticipated change in ownership, please communicate with ORES for said changes that may occur prior to CSM approval/recording.
- c. Include a complete and accurate legal description of the lands that are to be included in the proposed CSM, in particular the header on all Sheets.
- d. On Sheets 1-3, label the hatched 'no access' area with CSM No. 11859.

- e. Depict easements per Docs. No. 3388617, 4112904 and 4224228.
- f. Depict the 40' setback per the 2<sup>nd</sup> Add to Mid Town Commons.
- g. Include a label or legend for the 8' dimension on the perimeter of the CSM set forth by the 2<sup>nd</sup> Addition to Mid Town Commons.
- h. Include the document of origin, and other associated documents, for the private utility easement along the western boundary of proposed Lot 1.
- i. Depict and label the ingress/egress easement per CSM No. 11859 as shown on the CSM, or coordinate with City staff for its amendment.

**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 October 16, 2018.**

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 (608) 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](mailto:jrquamme@cityofmadison.com).

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 (608) 261-9135.

Sincerely,



Chris Wells  
Development Project Planner

cc: Timothy Troester, City Engineering Division  
Jeff Quamme, City Engineering Division—Mapping Section  
Sarah Lerner, Parks Department  
Jenny Frese, Office of Real Estate Services