



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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December 9, 2019

Tim Schleeper
Vierbicher Associates
999 Fourier Drive, Suite 201
Madison, Wisconsin 53717

RE: LNDCSM-2019-00045; ID 57985– Certified Survey Map – 2602 Shopko Drive (Simsiman)

Dear Mr. Schleeper;

The three-lot Certified Survey Map of property located at 2602 Shopko Drive, Section 31, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The 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 Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following four (4) items:

1. Upon development, each proposed lot shall have a separate sanitary sewer lateral.
2. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the Certified Survey Map (CSM), the applicant shall contact Tim Troester at 261-1995 (ttroester@cityofmadison.com) or 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).
4. Based on aerial photos and reports, the property may contain residual contamination associated with fill materials. If contamination is encountered, follow all Wisconsin Department of Natural Resources (WDNR) and DSPS regulations for proper handling and disposal.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following sixteen (16) items:

5. The proposed parcels within this development and the adjacent lot (Lot 1 of CSM 8047) are dependent on each other for overland and subsurface storm water drainage. A private storm sewer/drainage easement/agreement for all parcels within (and/or adjacent to) this development shall be required. The document(s) shall be executed and recorded immediately subsequent to the Certified Survey Map (CSM) recording.
6. The Non-Exclusive Access Easement granted for the City to access its facilities and easement areas within and adjacent to this CSM shall be amended to better fit the existing pavement configuration that it is to be used by City crews along the east side of this CSM. The amendment shall also include the ability for the City to install a gravel access drive within the new easement area from the northerly side of the existing paved driveway to the north line of the CSM. Provide map exhibit and legal description to Jeff Quamme (jrquamme@cityofmadison.com) to set up a Real Estate project to accomplish the amendment.
7. Add a note that lands within this Certified Survey Map are subject to an Avigation Easement per Document No. 1737571.
8. Add a note that lands within this Certified Survey Map are subject to Declaration of Conditions and Covenants per Document No. 1741420.
9. Add clarification to all of the labels for the Public Sewer and Water Easements per Document No. 1735558 that the easements are "Public".
10. Correct the header on each sheet. This Certified Survey Map is a part of Lot 1 of CSM No 3903; a portion was removed by CSM 8047. In light of this, the legal description shall be changed to a metes and bounds description with calls on all lines.
11. Add a note that lands within this Certified Survey Map are subject to Declaration of Cross-Easements and Covenants and Restrictions per Document No. 2726748 and amended by Document No. 3155756 and Acknowledged by Document No. 3920032. The Declaration is hereby required to be amended, restated or released, as appropriate, with the development or redevelopment of any lot within this CSM.
12. Add a note to the Access Easement per Document No. 3114992 that it is for the benefit of Lot 1, CSM 3954.
13. All City of Madison Easements shall be fully dimensioned to be retraceable on this CSM.
14. Provide a separate draft agreement for the new Cross Access Easement shown on the CSM setting forth the terms and conditions necessary for the use and maintenance of the access area. The note on the CSM shall be modified to include the lots benefitting from the easement and shall state: "See the separate recorded agreement setting forth terms and conditions." The document shall be recorded immediately after the CSM.

15. Add building ties to the adjacent property lines.
16. Revise the Secretary of the Plan Commission to Interim Secretary Nan Fey.
17. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison General Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all ordinances and statutes regulating this proposed land division.
18. Prior to Engineering final sign-off by main office for a CSM, the final CSM must be submitted to City 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 City Engineering Division sign-off. Electronic mail submittal of the **final** CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.
19. 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 monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering Division (jrquamme@cityofmadison.com). 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 and shall be attached to a signed and sealed monument condition report.
20. Submit to Jeff Quamme, prior to Engineering Division sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. 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 CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*NOTE: This transmittal is a separate requirement from the required Engineering Division Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat/CSM, electronic data for any changes subsequent to any submittal.

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

21. Consider the need for additional cross access easements between Lots 2 and 3 and Lot 1 to account for Fire Department access for any potential future development of Lots 2 and 3.

Please contact Jeff Belshaw of the Madison Water Utility at 261-9835 if you have any questions regarding the following item:

22. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right of way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

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

23. Final approval of a minor alteration to the Planned Development–Specific Implementation Plan that governs the site to reflect the proposed lot lines shall be required prior to final approval and recording of the CSM.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following nine (9) items:

24. 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.
25. Include a certificate of consent for both mortgagees and execute prior to CSM approval sign-off.
26. If a mortgage or other financial instrument is reported in record title but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
27. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other option interest, please include a Certificate of Consent for the option holder.
28. The interim secretary of the Plan Commission is Nan Fey.
29. As of November 27, 2019, there are no 2018 real estate taxes or special assessments reported as due or owing. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. All known special assessments are due and payable prior to CSM approval sign-off. There is a special assessment reported on the subject property. All special assessments shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.
30. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services (hradlinger@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 (August 27, 2019) 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. The surveyor shall update the CSM with the most recent information reported in the title update.

31. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.
32. Please revise the CSM prior to final approval and recording 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 and dimension all existing improvements including buildings, drives, and parking lots located within the CSM boundary.
 - c.) Add notes for Avigation Easement and Declaration of Conditions and Covenants.

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 at its January 7, 2020 meeting.

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.

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: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division–Mapping Section
Jenny Kirchgatter, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Jeff Belshaw, Madison Water Utility
Lance Vest, Office of Real Estate Services