



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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[www.cityofmadison.com](http://www.cityofmadison.com)

May 19, 2020

Bryan Stueck  
Birrenkott Surveying, Inc.  
1677 N Bristol Street  
Sun Prairie, Wisconsin 53590

RE: Approval of a Certified Survey Map (CSM) to create one lot from land located adjacent to 3101 US Highways 12 and 18 in the Town of Cottage Grove, in the City of Madison's Extraterritorial Jurisdiction (Skaar).

Dear Mr. Stueck;

The City of Madison Plan Commission, meeting in regular session on May 18, 2020, **conditionally approved** your clients' Certified Survey Map of property located adjacent to 3101 US Highways 12 and 18, Town of Cottage Grove. The conditions of approval from the reviewing agencies to be satisfied before final City approval and recording of the CSM are:

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following seven (7) conditions:**

1. This lot does not front any accessible public right of way. Provide an easement/agreement providing an access to a legally accessible public road serving lands within this Certified Survey Map. The document(s) shall be executed and recorded at the Dane County Register of Deeds.
2. Designate and note along the right of way for US Highways 12 and 18 that "No Access" is permitted to US Highways 12 and 18 per Document No. 1024462 and State Highway Project No F 04-2(31).
3. Add a note that this CSM is subject to Deed Restriction per Document No. 4692265 and Declaration of Restrictive Covenant per Document No. 4791242.
4. Correct the spelling of Southeast in the second line of the header on sheet 1.
5. Add recorded as bearing from Document No. 2783173 to the right of way of US Highways 12 and 18.
6. Prior to City Engineering final sign-off by main office for Certified Survey Maps (CSM), the 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. E-mail submittal of the **final** CSM in PDF form is preferred. Transmit to [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)

7. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, 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. The line work shall be void of gaps and overlaps and match 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).

\*This transmittal is a separate requirement than the required submittals to 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 submittal.

**Please contact Andy Miller of the City's Office of Real Estate Services at 261-9983 if you have questions regarding the following ten (10) conditions:**

8. 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). 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. 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... Add an "I" to the Owner's Certificate so that it starts, "As owner, I, Larry G. Skaar, hereby certify..."
9. A certificate of consent for all mortgagees shall be included following the Owner's Certificate and executed prior to CSM approval sign-off.
10. 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 final sign-off.
11. 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.
12. 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.
13. As of May 8, 2020, the 2019 real estate taxes are not paid for the subject property. Per 236.21(3) Wis. Stats., the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording.
14. As of May 8, 2020, there are no special assessments reported. All known special assessments are due and payable prior to final CSM sign-off.
15. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in City's Office of Real Estate Services ([acmilller@cityofmadison.com](mailto:acmilller@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 (March 17, 2020) 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.

16. The owner shall email the document number of the recorded CSM to Andy Miller at the City's Office of Real Estate Services at [acmiller@cityofmadison.com](mailto:acmiller@cityofmadison.com) as soon as the recording information is available.
17. For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR-141 needs to be addressed.

**Please contact my office at 261-9632 if you have any questions about the following four (4) items:**

18. The approval of proposed Lot 1 on this Certified Survey Map (CSM) is premised on the transfer of the lot to the adjacent parcel located at 3101 US Highways 12 and 18 (Lot 2 of CSM 8289) for the purpose of developing the two parcels jointly. The applicant shall execute a restrictive covenant on Lot 1 of the proposed CSM in a form approved by the Planning Division prior to final City approval of the CSM and recording. Said covenant shall require that Lot 1 be developed jointly with Lot 2 of CSM 8289. In the alternative, the construction of any principal or accessory buildings on Lot 1 if developed independently shall require written approval by the City of Madison Planning Division to ensure that the building(s) have adequate access and would not negatively impact the City's ability to accomplish future annexations or utility extensions consistent with the land division criteria in MGO Section 16.23. This restriction shall run with Lot 1 so long as the lot is subject to Dane County zoning, and shall not be modified or released without the written approval of the Planning Division.
19. A scaled map based on recorded information shall be included with the final CSM that includes the approximate area of the applicant's contiguous ownership parcel(s), with perimeter dimensions of the excluded lands in excess of 40 acres from which Lot 1 is being split.
20. Note: The Planning Division encourages the future development of the lands adjacent to CTH AB, including proposed Lot 1 of this CSM, occur in the City of Madison on City water and sanitary sewer service once available to the site.
21. Note: A subsequent CSM to combine proposed Lot 1 and Lot 2 of CSM 8289 (3101 US Highways 12 and 18) may be required prior to future development.

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

**\*\*NEW\*\*** In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the

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Plan Commission certificate is executed, the Planning Division will transmit the CSM to the City Clerk's Office for execution of the Common Council certificate.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument will be returned electronically to the applicant by the Planning Division for printing and recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please 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 you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

*Timothy M Parks*

Timothy M. Parks  
Planner

cc: Brenda Stanley, City Engineering Division  
Jeff Quamme, City Engineering Division – Mapping Section  
Andy Miller, Office of Real Estate Services