



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

215 Martin Luther King Jr. Blvd.
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Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
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May 29, 2020

Mark Pynnonen
Birrenkott Surveying, Inc.
1677 N Bristol Street
Sun Prairie, WI 53590

RE: LNDCSM-2020-00023; ID 60349 – Certified Survey Map – 4002 E Washington Avenue

Dear Mr. Pynnonen

Your one-lot certified survey of property located at 4002 E Washington Avenue, Section 28 Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned Commercial Corridor - Transitional (CC-T). 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 Engineering Division at (608) 261-9127 if you have questions regarding the following three (3) items:

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
2. Construct sidewalk to a plan and profile as approved by City Engineer.
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (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 and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following two (2) items:

4. Lands within this Certified Survey Map include possible lands necessary for a future Bus Rapid Transit Station adjacent to the site on westbound East Washington Avenue between the west Portage Road crosswalk and 100 feet to the west. (Thierer Rd-Portage Rd intersection) Additional lands beyond the current right of way of E Washington Avenue may be required to accommodate a future BRT Station at the intersection of Portage Road and E Washington Ave. Applicant/Owner shall coordinate with

City of Madison Traffic Engineering Division and Metro Transit to determine any area of reservation required for future acquisition to accommodate a future BRT station. Any required reservation for future acquisition shall be dimensioned and noted on the Certified Survey Map. The proposed Parkside Drive discontinuance shall be conditioned upon this comment being addressed to the satisfaction of Traffic Engineering and Metro Transit.”

5. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, a minimum eight (8)-foot terrace, and additional one (1) foot for maintenance along Portage Road.

Please contact Jeff Quamme of Engineering – Mapping Section at (608) 266-4097 if you have any questions regarding the following twenty (20) items:

6. If not already done, the applicant shall have the Madison Water Utility mark on site the public water facilities. Applicant shall work with City Engineering to determine the required public water main and sanitary sewer easements required. The easements will be reserved by the City of Madison as part of the discontinuance of Parkside Drive and the terms of the easements shall be added by the Certified Survey Map.
7. Lands within this Certified Survey Map include possible lands necessary for a future Bus Rapid Transit Station adjacent to the site on westbound East Washington Avenue between the west Portage Road crosswalk and 100 feet to the west. (Thierer Rd-Portage Rd intersection) Additional lands beyond the current right of way of E Washington Avenue may be required to accommodate a future BRT Station at the intersection of Portage Road and E Washington Ave. Applicant/Owner shall coordinate with City of Madison Traffic Engineering Division to determine any area of reservation required for future acquisition to accommodate a future BRT station. Any required reservation for future acquisition shall be dimensioned and noted on the Certified Survey Map. The proposed Parkside Dr discontinuance shall be conditioned upon this comment being addressed to the satisfaction of Traffic Engineering.
8. This CSM requires the partial discontinuance and vacation of a 66' width area of Parkside Drive originally laid out by 1857 Order to lay out road in County Highway Book for Burke, page 63. The portion already vacated per Document No. 1299258 shall be excluded from the area to be vacated. Provide a map exhibit along with legal description prepared, signed and sealed by a Professional Surveyor of the right of way to be discontinued and other required materials after first consulting with Engineering Mapping Staff. The materials will be circulated by Mapping staff to agencies within the City for comment and possible changes dependent on needs of the City for portions of the right of way that will be required to maintain adequate and safe public facilities. The discontinuance process being initiated shall be contingent upon comments and approvals by agencies.

Upon the above conditions being satisfied, Mapping staff will initiate the resolution process for the discontinuance under Chapter 66.1003(4) of the Wisconsin Statutes the vacation shall be conditioned upon the approval conditions of this Certified Survey Map approval being met to a level of satisfaction as determined by the City Engineer before it can be made effective by recording at the Register of Deeds.

9. There are additional dry utilities for electric and communications within the portion of Parkside Drive to be discontinued. The rights of those utilities continue upon the discontinuance of the right of way. Applicant shall determine the utilities within the right of way being discontinued to attempt to coordinate new more specific easements necessary to accommodate their facilities.
10. The areas included in the CSM currently owned by the Wisconsin DOT (Part of lands included in Doc No's 927256 and 1878774) shall be conveyed to the owner of the lands within this CSM prior to final sign off. Prior to the conveyances, applicant/owner shall provide the draft legal descriptions and maps of the areas to be conveyed to assure adequate right of way remains for Parkside Dr, Portage Rd and E Washington Avenue to the satisfaction of the City Engineer.

The areas of conveyance shall be shown on Sheet 3 and labeled appropriately with the recorded Document Numbers prior to final sign off.

11. The area of Document No 1268986 proposed to be Vacated and Discontinued shall be determined if this will be accomplished via vacation procedures or a land disposal process since the lands were purchased from the Town of Burke.
12. The proposed discontinuance of Parkside Dr shall be modified to exclude the existing Public Bus Shelter that exists along E Washington Avenue.
13. The Applicant shall Dedicate a strip of Right of Way as necessary along Portage Rd to accommodate construction of a 14' terrace minimum (8 ft grass terrace to face of curb, 5' sidewalk and 1' behind sidewalk) Note additional right of way may be required to avoid existing underground utilities and associated pedestals near the intersection with E Washington Ave.
14. The area of Parkside Dr to be discontinued shall be labeled as "Partially Vacated and Discontinued Parkside Drive per Resolution RES-20-_____, File ID _____, recorded as Document No_____.
15. Show, label and dimension the Underground Electric right of way to MG&E per document No 1888899.
16. 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 (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
17. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
18. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison 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.

19. On sheet 3, the Old road right of way label shall be revised to read: 1857 Order to Lay Out Road per County Highway Road Book for Burke, page 63. (4 rod road)
20. On Sheet 3, all of the adjacent public right of way conveyances per Doc No's 1268986, 1261004, 9211128, 1878774, 1309332, 1309333, 1309251, 927256 and 928361 shall be shown and labeled. The recorded as information for lines of these conveyances that are common to the exterior boundary of this CSM shall be provided on the face of the map on sheet 1.
21. The reference lines for E Washington Avenue and Parkside Drive shall be mathematically dimensioned fully to allow the determination of their locations adjacent to this Certified Survey Map.
22. Add a note that E Washington Avenue is a Controlled Access Highway per Document No.913143.
23. Correct the section number labels on the two public land corners shown on the CSM from Section 17 to Section 28. Label widths to reference lines at all bend points in the boundary.
24. Remove the State of Wisconsin Owner's Certificate. The conveyances will be required prior to final signoff of the Certified Survey Map.
25. Submit to Jeff Quamme, prior to Engineering 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. The line work shall be void of gaps and overlaps and match 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 for any changes subsequent to any submittal.

Please contact Lance Vest of the Office of Real Estate Services at (608) 245-5794 if you have any questions regarding the following ten (10) items:

30. 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.

31. 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.
32. 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. In particular, the right of first refusal referenced in the Memorandum of Lease recorded as Document No. 3195109.
33. City of Madison Plan Commission Certificate: Please revise the Plan Commission Certificate to reflect Matt Wachter as the current Secretary of the Plan Commission.
34. As of 05/22/20, real estate taxes remain due for the subject property. 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

35. As of 05/22/20, 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. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest in City's Office of Real Estate Services (lvest@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 (03/11/20) 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. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
37. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. In particular, the easement recorded as Document No. 1888899
38. Please depict and indicate that access is restricted between the parcel and U.S.H. 151.

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 June 16, 2020 meeting.

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.

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 sprusak@cityofmadison.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sydney Prusak', written in a cursive style.

Sydney Prusak, AICP
Planner

cc: Brenda Stanley, Engineering Division
Sean Malloy, Traffic Engineering
Jeff Quamme, Engineering Division–Mapping Section
Lance Vest, Office of Real Estate Services