



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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July 13, 2021

James Cappeart
JT Engineering, Inc.
6325 Odana Road, Suite 2
Madison, Wisconsin 53719

RE: LNDCSM-2021-00016; ID 65656 – Certified Survey Map – 849 E Washington Avenue and 14 S Paterson Street (Bakers Place, LLC)

Dear James;

At its July 12, 2021 meeting, the Plan Commission found the standards met and **conditionally approved** your one-lot Certified Survey Map of property generally addressed as 849 E Washington Avenue and 14 S Paterson Street, Section 13, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin. The property is zoned TE (Traditional Employment 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. Based on WDNR BRRTS record #03-13-561428 Humiston Keeling Company, the property contains residual petroleum soil contamination. If contamination is encountered, all WDNR and DSPS regulations for proper handling and disposal of contaminated soils shall be followed.
2. Enter into a City / Developer agreement for required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
3. Construct sidewalk, curb and gutter, terrace improvements, and pavement as approved by City Engineer.
4. 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.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following thirteen (13) items:

5. The City of Madison acquired lands per Document No. 3858958 and corrected by Document No. 3920530. A corner of the existing former Bakery building lies within a one-foot square portion of this acquisition. This was not the intent of the acquisition and the area is not required by the City for public right of way purposes. Therefore, please coordinate with Jeff Quamme (jrquamme@cityofmadison.com) for the disposal of and conveyance back to the owner of this site of a 1' x 1' area in order to remove the building corner from the right of way.
6. The Joint Driveway Agreement per Document No. 1748268 shown on the CSM appears as if it may have been extinguished based upon the Doctrine of Title Merger. The applicant shall consider this possibility of termination or record a document terminating the easement due to the identical ownership of the lands subject to and benefitting from the easement.
7. The applicant shall determine if the Parking Agreement is still in effect that is noted on the CSM. The public parking garage at the corner of E Main Street and S Livingston Street has been constructed and is in service.
8. The Owner's Certificate shall be updated to a Corporate Owner's Certificate correctly citing the current owner. The Consent of Corporate Mortgagee Certificate shall also be updated to reflect the correct mortgagee information.
9. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.
10. 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).
11. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control.
12. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format 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.
13. The Curve Data at the corner shall include the central angle and tangent bearings as required by statute.

14. Provide a Building Tie for the East corner of the existing building and for the building corner 45 feet northeast of the western most corner of the building.
15. Label the portions of the public right of way acquired by the City in the norther corner of the CSM per Document No. 3858958 as Corrected by Document No. 3920530.
16. Show the underlying existing lot lines within Lot 1. Also, add to the header on each sheet and the legal description that the CSM is also part of Government Lot 5 of Section 13.
17. 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 Kathleen Kane of the Parks Division at 261-9671 if you have any questions regarding the following two (2) items:

18. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 21015 when contacting Parks Division staff about this project.
19. The following note should be included on the CSM: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign off on this CSM.

Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following eight (8) items:

20. Prior to final approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM 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 or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of Office of Real Estate Services (ORES) approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

21. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).
22. If applicable, 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.
23. Please update the Plan Commission certificate as follows:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____ Date: _____
Matthew Wachter, Secretary of the Plan Commission

24. Please include a space for the Register of Deeds to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds
Dane County, Wisconsin
Received for recording on _____, 20__ at ___ o'clock __ M, and
recorded in Vol. ___ of CSMs on page(s) _____, Document No. _____.

Kristi Chlebowski, Register of Deeds

25. As of June 18, 2021, the 2020 real estate taxes are paid 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.
26. As of June 18, 2021, 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.
27. Pursuant to MGO 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 (May 24, 2021) 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.

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 approved by the Common Council at its July 20, 2021 meeting.

Approval of this Certified Survey Map does not include any approval to demolish existing buildings or construct new buildings on the subject site. A letter with the conditions of approval for the related redevelopment of the site was sent separately.

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 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 may be of any further assistance, please do not hesitate to contact my office at 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Kathleen Kane, Parks Division
Lance Vest, Office of Real Estate Services