



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

Madison Municipal Building, Suite 017

215 Martin Luther King Jr. Boulevard

Madison, Wisconsin 53703

Phone: (608) 266-4635

www.cityofmadison.com

****BY E-MAIL ONLY****

July 5, 2024

Zach Reynolds
Wyser Engineering
300 E Front Street
Mount Horeb, Wisconsin 53572

RE: LNDCSM-2024-00024; ID 83528 – Certified Survey Map – 2221 Mustang Way and 5026 Reef Court
(H & E Development, LLC)

Dear Zach;

The one-lot Certified Survey Map to combine property located at 2221 Mustang Way and 5026 Reef Court, Section 15, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned IL (Industrial–Limited 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 (608) 261-9127 if you have questions regarding the following two (2) items:

1. 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 ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering sign-off.
2. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the CSM, contact either Tim Troester (West) at 608-261-1995 (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 obsolescence of the existing parcel).

Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following fourteen (14) items:

3. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. The concurrent proposed development

is located over a public utility easement the will require release documents be filed by both the public utilities that serve the area and the City.

4. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, ingress egress, and storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance. There is an existing concrete drive apron shown at the Southeast corner of the parcel that appears to connect to the pavement and give large trucks better access to a loading dock on 2326 Vondron Road, which is all of Lot 31 and part of Lot 27 of First Addition to Capital Industrial Park. This appears to be used to allow trucks to back into the dock on the adjacent property. Provide necessary agreements to formalize any rights need for the present uses.
5. Coordinate with Madison Gas and Electric for the required releases of the easements per Document Nos. 2603708 and 2681237.
6. Show the 12-foot public utility easement per Capital Industrial Park recorded as Document No. 1333368 split along Lot 16 and what was Lot 17 and is now Lot 26, First Addition to Capital Industrial Park. Note the portion that is located in Lot 26 overlaps the public utility easement as set forth in said First Addition.
7. Confirm accuracy of title work. There are easements shown on CSM that are not provided or noted in the title work as being recorded against the property and other easements that do not affect, as they are not the same lots. Title work should have had Document No. 1364131 listed, Public Sanitary Sewer Easement it was recorded in the last 60 years. Provide revised title report with a complete and accurate search which would result in Document No. 1364131 being provided and without Document No 1668675 along with and all other recorded documents affecting the property.
8. 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 shall 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 Jule Smith (jsmith4@cityofmadison.com).
9. Prior to Engineering final sign-off for Certified Survey Maps (CSM), the final CSM shall be submitted in PDF format by email to City Engineering Division Land Records Coordinator Jule Smith (jsmith4@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.
10. Remove (Road) from the Reef Court street name. It may be referenced with separate less prominent text as 'Platted as Reef Road', as is show in all of the surrounding plats, but it has been officially renamed.
11. Note that the 6-foot portion of the MG&E Right-of-Way Grant Underground Electric is per Document No. 2681237 and not 2603708.

12. In the second line of the second paragraph of the as Surveyed Legal Description, after NORTH 01 DEGREE 10 MINUTES 53 SECONDS WEST add 532.91 Feet. This should match L-1 in the line table.
13. In the second line of the third paragraph of the as Surveyed Legal Description the bearing listed for the chord is NORTH 40 DEGREES 23 MINUTES 07 SECONDS WEST, in the Curve table this is listed as N 40° 23' 41"W. Make a correction of one of the bearings.
14. Use the updated Common Council Certificate to be provided by the City's Office of Real Estate Services.
15. 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 and early start permits for new construction.
16. The applicant shall submit to Julius Smith, 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 the Melissa Hermann Office of Real Estate Services at mhermann@cityofmadison.com if you have any questions regarding the following eleven (11) items:

17. Prior to 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.
18. 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).
19. 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.
20. 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..."

21. 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 and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
22. 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. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the ____ day of _____, 20__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 2024

Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County Wisconsin

24. Register of Deeds Certificate: Please include a space for the Register 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 Volume ____ of CSMs on page(s) _____, Document No. _____.

Kristi Chlebowsky, Register of Deeds

25. Per 236.21(3) Wis. Stats. and MGO Section 16.23(4)(f), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. As of June 14, 2024, there are real estate taxes due on 2221 Mustang Way of \$12,318.69, and \$822.55 on 5026 Reef Court.
26. Pursuant to MGO Section 16.23(4)(f), the owner shall furnish an updated title report to the ORES 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 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. ORES reserves

the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

27. Revise the CSM prior to final approval as follows:

- a) Depict, name, and identify by document number all existing easements cited in record title and the updated title report.
- b) Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.
- c) If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.
- d) Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.
- e) Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for _____ purposes."

Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:

28. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required as part of certified survey map review. A TDM Plan may be required as part of future development, if additional parking stalls are proposed.

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

A resolution approving the Certified Survey Map and authorizing the City to sign it and any other documents related to the CSM will be reviewed by the Common Council at its July 16, 2024 meeting.

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 make the City Clerk's Office aware that the Common Council certificate may be executed.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 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 (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

A handwritten signature in black ink that reads "Timothy M. Parks". The signature is written in a cursive, flowing style.

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Melissa Hermann, Office of Real Estate Services
Trent Schultz, Parking Division