



Department of Planning & Community & Economic Development
Planning Division

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May 16, 2012

Chris Schramm,
Urban Land Interests
10 E. Doty Street, Suite 300
Madison, Wisconsin 53703

RE: File No. LD 1209 – Certified Survey Map – 701-737 Lorillard Court and 159-171 Proudfit Street

Dear Mr. Schramm;

The one-lot certified survey combining property located at 701-737 Lorillard Court and 159-171 Proudfit Street, Section 23, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property was rezoned PUD-GDP-SIP by the Common Council on May 15, 2012. The conditions of approval from the reviewing agencies to be satisfied before final approval and recording of the CSM are:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following ten (10) conditions:

1. This Certified Survey Map shall create public sanitary sewer easement rights for the existing 8-inch public sanitary sewer located along Proudfit Street. It is required by Engineering that public sanitary sewer easement rights be created by this CSM in the same existing location of the public storm sewer easement that was created by Doc. No. 3970505. Coordinate this with City Engineering Division and Office of Real Estate Services staff.
2. Add "PRIVATE" designation so the existing note on Sheet 2 of 5 reads: "15' WIDE PRIVATE STORM SEWER EASEMENT DOC. NO. 3987437."
3. Add the graphical location to CSM Sheet 1 of 5 for the Consent to Occupy Doc. Nos. 4671191 & 4717711 within existing public storm sewer easement Doc. No. 3970505 for clarification.
4. Add "Re-division of Lots 2 & 3, CSM 11210" to the general legal description header on Sheet 1 of 5.
5. The developer shall construct city standard sidewalk along Lorillard Court in accordance with the plans approved by the City Engineer. The developer shall coordinate all right of way dedications and/or easements with the City Engineering Division.
6. The developer shall enter into a City/ Developer agreement for the installation of public improvements required to serve this CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer.

7. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) 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).
8. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering Division signoff.
9. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. 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. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.
10. In accordance with Section s.236.34(1)(c), which says a CSM shall be prepared in accordance with s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have questions about the following item:

11. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO Section 13.21. All unused private wells shall be abandoned in accordance with MGO section 13.21.

Please contact Jennifer Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following six (6) items:

12. Prior to requesting sign-off by the City's Office of Real Estate Services, the owner shall include and have fully executed the signature block certifications for all parties of interest, pursuant to Madison City Ordinance Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). The title and narrative of each certificate shall be prepared consistent with the interest involved and consistent with the most updated title report, e.g. ownership (sole proprietorship, corporate, Limited Liability Company, limited liability partnership, etc.) mortgage, tenancy, public body, etc.
13. A certificate of consent by the mortgagee/vendor shall be included following the Owner(s) Certificate for each of the mortgagees/vendors listed below:
 - US Bank National Association
 - No Certificate Of Consent is necessary, but please include a note that there is a Cross-Collateral and Cross-Default Agreement, recorded on March 11, 2010, as Document No. 4640416.

14. An Environmental Site Assessment is required.

15. As of April 23, 2012, the real estate tax bills are partially paid for the properties within the CSM boundary. Prior to CSM approval sign off and recording, the owner shall pay in full all real estate taxes that are outstanding for the subject property. Paid receipts must be presented to the City's Office of Real Estate Services before or at the time of sign off of this CSM. The following is a summary of the taxes owed:

Parcel Address	Tax Parcel No.	Taxes	Amount Owed
159 Proudfit Street	251-0709-234-0706-3	\$6,234.40	\$944.44
163 Proudfit Street	251-0709-234-0707-1	\$3,549.38	\$1,003.18
167 Proudfit Street	251-0709-234-0708-9	\$3,549.38	\$1,003.18
171 Proudfit Street	251-0709-234-0709-7	\$3,348.97	\$902.97
701 Lorillard Court	251-0709-234-1015-7	\$15,394.66	\$6,076.66
737 Lorillard Court	251-0709-234-1016-5	\$11,139.2	\$3,915.96
Total:			\$13,846.39

16. As of April 23, 2012, the special assessments listed below are due, including assessments for street improvements, water main and sewer main. Special assessments shall be paid in full prior to final approval of a CSM by the City of Madison. The stormwater fees for these properties have been paid in full. The following is a summary of the special assessments owed:

Parcel Address	Tax Parcel No.	Outstanding Assessment Owed
159 Proudfit Street	251-0709-234-0706-3	\$11,607.87
163 Proudfit Street	251-0709-234-0707-1	\$6,857.87
167 Proudfit Street	251-0709-234-0708-9	\$6,857.87
171 Proudfit Street	251-0709-234-0709-7	\$6,857.87
701 Lorillard Court	251-0709-234-1015-7	\$9,736.37
737 Lorillard Court	251-0709-234-1016-5	\$9,848.11
Total:		\$51,765.96

17. The following CSM revisions shall be made:

- a.) Please include the following Declarations of Conditions and Covenants under Note #5 on Sheet 3: Document Nos. 4156158 and 4156159.
- b.) Please depict and identify the easement recorded as Document No. 3958188.
- c.) Coordinate with city staff about the potential need for a sanitary sewer easement along the southwesterly boundary of the CSM, running parallel to Proudfit Street.
- d.) 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.
- e.) Identify, depict and provide a certificate of consent for any tenancy in excess of one year. Said tenancy shall be made evident in record title and the document number shall also be cited on the proposed CSM. A copy of the recorded document giving evidence of the tenancy shall be included with and/or made part of the required title report.

- f.) Record satisfactions or releases for all mortgages, liens, judgments, or other instruments that encumber the title of the subject lands, but where the purpose for such instrument has been satisfied, fulfilled, or resolved.

The Planned Unit Development (PUD) zoning of the subject property shall receive final staff approval and be received for recording by the Zoning Administrator prior to the final approval and recording of this CSM. Please contact my office at 261-9632 if you have questions about this requirement.

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 was approved by the Common Council on May 15, 2012.

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.

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 epederson@cityofmadison.com.

Upon acceptance and recording of the certified survey map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

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 six (6) 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: Janet Dailey, City Engineering Division
Bryan Walker, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations