



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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September 11, 2012

Chet Hermansen
Hermansen Real Estate
1745 Boyd Avenue
Madison, Wisconsin 53704

RE: File No. LD 1221 – Certified Survey Map – 1321-1331 Everett Street

Dear Mr. Hermansen;

The one-lot certified survey combining your property located at 1321-1331 Everett Street, Section 31, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The subject site was rezoned to zoned M1 (Limited Manufacturing District) by the Common Council on September 4, 2012 (see separate approval letter). 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 nine (9) conditions:

1. Reconcile the bearing typo identified along the railroad that exists between the CSM map portion on Sheet 1 of 3 and the legal description contained within the Surveyor's Certificate on Sheet 2 of 3.
2. If agreeable to the owner, Engineering Mapping suggests inclusion of the property at 1326 Packers Avenue (251-0810-312-2418-2) with this Certified Survey Map (CSM).
3. The proposed CSM shall include both a horizontal datum and bearing reference.
4. The proposed buildings are in very close proximity to an existing public storm sewer. Field locate and survey the existing storm sewer and show the surveyed location on revised plans. Modify the plans to show the existing storm sewer easement. The buildings must not encroach into the easement or within 10 feet of the storm sewer. If in conflict revise the building location or enter into a Developers Agreement to relocate the storm sewer. If the storm sewer is outside the existing drainage easement a new public storm sewer easement shall be dedicated by the applicant.
5. The applicant shall dedicate a new 20-foot wide storm sewer easement from the sewer main on Everett Street north through the site to the northwest corner of the property to help resolve the drainage problem. No building encroachments or improvements will be allowed within the easement. Any future storm sewer improvements made by the City to resolve the drainage issues would be assessable to any benefitting property owner within the drainage area.
6. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."

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. 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.
9. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997Coordinates 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 with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division web address http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact City Engineering Division for this information.

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

10. 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 three (3) items:

11. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). Please update the signature block to be consistent with the ownership interest reported in the most recent title report; for example:

Hermansen Real Estate Company, a Wisconsin General Partnership duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of the City of Madison General Ordinances.

In witness whereof, said Hermansen Real Estate Company, a Wisconsin General Partnership, has caused these presents to be signed by its General Partnership officer's listed below on this _____ day of _____, 2012.

HERMANSEN REAL ESTATE COMPANY, a Wisconsin General Partnership

By: _____
Chester E. Hermansen, General Partner

By: _____
Carol M. Hermansen, General Partner

12. Please update the notary acknowledgment for the owner's Partnership interest with appropriate language, shown in the following example:

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this ____ day of _____, 2012, the above named Chester E. Hermansen and Carol M. Hermansen, General Partners of Hermansen Real Estate Company, a Wisconsin general partnership, known to me to be the persons who executed the above and foregoing instrument and acknowledged that they executed the foregoing instrument as such General Partners as the deed of such partnership, by its authority.

Notary Public, State of Wisconsin

(print or type name)
My Commission Expires:_____

13. Please update the Consent of Mortgagee to conform to Wis. Stats. 236.21(2) and 236.29 by including the language ..."surveyed, divided, mapped and dedicated".
14. 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 _____, 2012

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

15. City of Madison Plan Commission Certificate: Pursuant to MGO Section 16.23(5)(e)4 and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

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

By: _____ Date: _____
Steven R. Cover, Secretary Plan Commission

16. As of August 7, 2012, the 2011 real estate tax bills have been paid for the subject property. There are no special assessments due, but stormwater fees are owed. Prior to final sign-off, the owner shall pay all outstanding fees for the subject property and provide paid receipts.

| Parcel Address | Tax Parcel No. | Taxes Paid | Special Assessments | Stormwater Fees Due |
|---------------------|---------------------|------------|---------------------|---------------------|
| 1321 Everett Street | 251-0810-312-2405-9 | Yes | None | \$232.51 |
| 1331 Everett Street | 251-0810-312-2448-9 | Yes | None | \$538.48 |
| Total | | | | \$770.99 |

17. The following CSM revisions shall be made:

- a.) Disclose any tenancy in excess of one year and provide the document number or tenancy description as a Note on the face of the CSM. For example, please research Memorandum of Lease, recorded as Document No. 2268290 to confirm whether or not it affects any portion of the lands within the CSM. If so, please Note the lease on the CSM.
- b.) Please research Warranty Deed Document No. 1504236 to determine if it encumbers any portion of the lands within the CSM. If so, include as a note on the CSM.
- c.) Please remove the notes following the legal description in the Surveyor's Certificate and combine them with the Notes on Sheet 1.
- d.) Correct typo on Note 2 to read "public".
- e.) Depict the entire 10' easement as shown in Exhibit A of Document No. 3179575, specifically the portion located along the westerly Packers Avenue right-of-way.
- f.) Update Note #4 description to read "Two MG&E Underground Electric Easements, one being 10' and the other being 12', as per Document No. 3179575 and Affidavit of Correction Document No. 4900957."
- g.) Update Note 6 description to read "Two City of Madison Storm Sewer easements, one being 6' per Document No. 866518 and the other being 4' per Document No. 936340."
- h.) Per Note 8, depict the 6-foot easement for Document No. 866517.
- i.) Create and record, or show as being dedicated in the proposed CSM, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.

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

These conditions need to be met separate from the conditions of approval for the rezoning and demolition permit approvals granted for the same property.

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 September 4, 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 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
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations