



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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November 6, 2012

Anthony Kasper
Birrenkott Surveying, Inc.
PO Box 237
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: Consideration of a Certified Survey Map (CSM) of property owned by Eberhard Mack located at 6201 N. Highlands Avenue creating 3 single-family residential lots.

Dear Mr. Kasper;

The Plan Commission, meeting in regular session on November 5, 2012, **conditionally approved** your client's three-lot Certified Survey Map of property located at 6201 N. Highlands Avenue. The conditions of approval from the reviewing agencies for the CSM to be satisfied prior to recording are:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following four (4) conditions:

1. Property shall either have two separate sanitary sewer laterals or an ownership/ maintenance agreement (recorded) shall be in place prior to CSM approval.
2. 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. 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.
3. 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 Plat or 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 of Madison Engineering Division website for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the Engineering Division for this information.
4. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to 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 sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred.

Please contact Pat Anderson, Assistant Zoning Administrator at 266-5978 if you have questions about the following two (2) items:

5. Lot 3 provides a less than 30-foot minimum side yard setback. The Certified Survey Map shall be revised to provide the 30-foot minimum setback.
6. Work with Zoning staff to provide a building envelopes for the proposed lots on the final CSM.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have questions about the following item:

7. The developer shall pay park dedication and development fees for the additional single-family residences proposed. The developer must select a method for payment of park fees before signoff on the CSM. Park dedication required=3 units at 1,100 square feet per unit=3,300 square feet. The fee in lieu of dedication is based on current property values up to \$2.33 per square foot for 2012. Park development fees for a single-family unit in 2012 are \$978.33 per new dwelling unit.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

8. Proposed Lots 1 and 2 will require new water service laterals.
9. In accordance with MGO Section 13.21, all operating wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

10. Ensure that the address for Lot 3 is posted and clearly visible from the street.

Please contact Jenny Frese Office of Real Estate Services at 267-8719 if you have questions about the following five (5) items:

11. Prior to requesting final approval prior to recording, 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). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. The title report shows the following parties have an ownership interest in the lands within the CSM and shall be signatories on the Owner's Certificate:

→ Eberhard A. Mack
→ Elisabeth F. Mack

12. A certificate of consent by the mortgagee/vendor shall be included following the Owner's Certificate(s) for each of the mortgagees/vendors listed below:

→ M&I Madison Bank

13. Include the following Plan Commission Certificate on the CSM:

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 _____, 20__

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

14. Note: As of October 22, 2012, the real estate taxes are paid, there are no outstanding special assessments, and the stormwater fees have been paid for the subject property.

15. The following CSM revisions shall be made:

- a.) 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 the title report; particularly with reference to Lot 20, Highlands.
- b.) Place a note on the face of the CSM stating that the lands within the CSM boundary are subject to Restrictions and Covenants contained in Warranty Deed recorded February 28, 1918 in Volume 257 of Deeds, Page 224, as Doc. No. 368851.
- c.) Please label and describe the depicted easement from CSM 1118 by use/purpose.
- d.) 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.
- e.) 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.

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division is scheduled for approval by the Common Council on November 27, 2012.

In the event that complying with the Zoning Administrator's requirement to provide a 30-foot side yard for Lot 3 causes the width of that lot to be reduced below 50 feet and for a deep residential lot to therefore be created (Condition 5), the Plan Commission provisionally approved the creation of the deep residential lot subject to final approval of the lot configuration by staff prior to final approval of the CSM for recording.

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
Dennis Cawley, Madison Water Utility
Pat Anderson, Assistant Zoning Administrator
Kay Rutledge, Parks Division
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations