



Department of Planning & Community & Economic Development
Planning Division

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August 9, 2013

Jerad Protaskey
Opus Development Corp., LLC
330 E. Kilbourn Avenue, Suite 422
Milwaukee, Wisconsin 53202

RE: File No. LD 1327 – Certified Survey Map – 1419 Monroe Street

Dear Mr. Protaskey;

The one-lot certified survey combining your property located at 1419 Monroe Street, Section 22, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned TSS (Traditional Shopping Street District).

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 six (6) conditions:

1. The applicant shall dedicate right of way to provide for a 5-foot radius at the corner Monroe Street and N. Randall Avenue.
2. 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.
3. The following note shall be added to the Certified Survey Map: "All lots created by this Certified Survey Map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."
4. 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).
5. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City 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 signoff.

6. 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.

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

7. This property is in wellhead protection district WP-27. All proposed uses on this property shall be reviewed by the Water Utility General Manager or his designee.
8. Note: Per MGO Section 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following seven (7) items:

9. Prior to requesting approval sign-off of the CSM, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. Section 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. If the property is not conveyed to Opus Development Company, LLC prior to CSM sign-off, please ensure the title of each owner's certificate is consistent with the ownership interest reported in the most recent title report at the time of sign-off.
10. A certificate of consent by all mortgagees/vendors as shown on the report of title and update shall be included following the Owner(s) Certificate and shall be executed prior to final sign-off.
11. 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..."
12. As of July 24, 2013, the second installment of 2012 real estate taxes is owed for the subject property. Under 236.21(3) Wis. Stats. and Section 16.23(5)(g)(1) of 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. Please provide staff with proof of payment.
13. Per MGO Section 16.23(5)(g)4, the property owner shall pay all special assessments levied against the subject property prior to CSM recording and provide staff with proof of payment. As of July 24, 2013, there are "final" special assessments owed for street improvements in the amount of \$3,548.58.
14. Please verify that stormwater management charges are paid in full by contacting Janet Dailey with City Engineering (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).

15. The following CSM revisions shall be made:

- a.) Revise the property legal description on the CSM so it is consistent with the legal description in record title. Please update the header on each page to include "Block 1" in the legal.
- b.) If all parties of interest agree that the easements mentioned in CSM Notes #2, #4 and #5 are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off. Please update the notes to include the document numbers for the recorded releases.
- c.) The City's Office of Real Estate Services (ORES) will prepare and record a release document for the easement discussed in Note #3 of the CSM via Real Estate project 10129. A \$500 administrative fee shall be provided to the ORES prior to recording. Recorded releases for all other parties that desire to release their interest in the vacated alley shall be provided prior to the recording of the City's release.
- d.) Satisfactions or releases for all mortgages, liens, judgments, or other instruments that no longer encumber the lands or ownership within the CSM boundary shall be recorded prior to CSM approval sign-off.

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 August 6, 2013.

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.

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

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.

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Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Maureen Richards, City Assessor's Office
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations