



Department of Planning & Community & Economic Development
Planning Division

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September 20, 2013

Dave Riesop
Wisconsin Mapping, LLC
306 W. Quarry Street
Deerfield, Wisconsin 53531

RE: Consideration of a four-lot Certified Survey Map (CSM) of the James Alme property located at 2891-2917 CTH MN, Town of Pleasant Springs, in the City of Madison's Extraterritorial Jurisdiction.

Dear Mr. Riesop;

The City of Madison Plan Commission, meeting in regular session on September 16, 2013, **conditionally approved** your client's four-lot Certified Survey Map of property located at 2891-2917 CTH MN, Town of Pleasant Springs. The conditions of approval from the reviewing agencies to be satisfied before final City 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 eight (8) conditions:

1. The stormwater easement shall specify if it is public or private and which lots will benefit from the easement.
2. Lot 2 of Certified Survey Map 5112 states "NO VEHICULAR ACCESS" along the County Trunk Highway MN right-of-way. This restriction shall be shown on the CSM unless access restriction has been modified or removed. If this access restriction has been modified or removed, provide a copy of the official document. Also, if the restriction has not been removed, it may encumber the current west half of the joint driveway access that lies within this Certified Survey Map and may require appropriate action by the Town of Pleasant Springs.
3. Considering the noted shared access easement for Lot 3 as shown on Lot 4 of the proposed CSM. It is assumed Lot 3 will also utilize the shared driveway along the east side of the CSM. If so, the joint driveway agreement, per Document No. 2186533, will require an amendment to allow Lot 3 and Lot 2 along with Lot 1 of CSM 5112 to all use the joint driveway instead of the two original lots.
4. Lot 2 of CSM 5112 (part of this CSM) benefits from the 20-foot wide ingress and egress easement as shown on Lot 1 of Certified Survey Map 5112. These rights were granted by Document No. 1655556. This easement will need to be amended to specify the new lot(s) that will have rights to use this easement.

5. The home site on Lot 1 of the proposed CSM has a driveway and access point to CTH MN that crosses over Lot 2. If this driveway is to be shared between the lots, a joint driveway/access easement will be needed. If Lot 2 is to have a separate driveway an access easement in favor of Lot 1 will be required over Lot 2.
6. If any portion of the gas main easement per Document No. 1093211 encumbers any lands within this proposed CSM, it shall be shown on the face of the map.
7. 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. Note: Land tie to two PLS corners required.
8. 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 Jenifer Frese of the City's Office of Real Estate Services if you have questions regarding the following four (4) items:

9. 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). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
10. A certificate of consent by all mortgagees/vendors shall be included following the Owner's Certificate and executed prior to final CSM sign-off. All mortgages of record in the title report shall be present. Revise the existing Consent of Mortgagee certificate to appear in its complete format, similar to the Owner's certificate.
11. As of August 30, 2013, the 2012 real estate taxes are paid for the subject property, with the special assessments included in that payment.
12. The following revisions shall be made to the CSM prior to final sign-off:
 - a.) The legal description of the lands included in the proposed CSM shall be reconciled with the legal description of said lands in record title to ensure accuracy.
 - b.) Carry over all applicable Notes and depictions from CSM 5112, in particular the "No Access" area.
 - c.) Certain items in the title report don't appear to affect the lands within the CSM boundary. Please research the following miscellaneous items and either apply them to the CSM or have them removed from title: 3g, 3h, 3i, 3j.
 - d.) Revise the label for the ATC overhead electric easement to be consistent with its title in the recorded document. Place the document number for said easement under each label for clarity and depict the defined easement boundary. In addition, Doc. No. 4756484 is not included in the title report. Please ensure it is shown in the title update.

- e.) Include 3l and 3m from the title report as notes on the CSM.
- f.) Revise the easement area for Doc. No. 4758049 to include the entire name of the easement, as well as a defined easement boundary.
- g.) Coordinate with City staff regarding the creation of the shared access easement for Lot 3.
- h.) Doc. No. 1016977 is not included in the title report, but is referenced on the CSM. Please coordinate with City staff regarding the intent of this document.
- i.) Satisfaction 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.

Please contact my office at 261-9632 if you have questions regarding the following three (3) items:

- 13. The no vehicular access to Interstate 39-90 shall be better identified/ highlighted on the final CSM. A note shall be included on the final CSM specifically stating that Lots 1, 2 and 4 shall not have direct vehicular access to the adjacent interstate.
- 14. A note shall be placed on the CSM stating that any future residential buildings constructed on Lots 1-4 will be designed so that highway-generated interior noise levels will not exceed 52 decibels.
- 15. Include the following note on the CSM: *"The owners and occupants of existing and future residences on lots contained on this Certified Survey Map acknowledge the presence of high levels of noise and vibration resulting from adjacent Interstate 39-90 and shall hold harmless from damages the Wisconsin Department of Transportation and any municipality in whose jurisdiction these lots are located from any impacts on the use, enjoyment or value of these properties resulting from existing or future highway traffic volumes. Said owners and occupants hereby acknowledge that the State of Wisconsin may not be responsible for providing a noise barrier for Interstate 39-90 adjacent to this Certified Survey Map due to the provisions set forth in Wisconsin Admin. Code ch. Trans 405."*

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

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.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations