



Department of Planning & Community & Economic Development

Planning Division

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May 23, 2014

Mike Calkins
Snyder & Associates, Inc.
5010 Voges Road
Madison, Wisconsin 53718

RE: File No. LD 1408 – Certified Survey Map – 3864 Maple Grove Drive (Copper Creek Apartments, LLC)

Dear Mr. Calkins;

The one-lot certified survey of property located at 3864 Maple Grove Drive, Section 12, Township 6N, Range 8E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned PD (Planned Development District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following seventeen (17) items:

1. This Certified Survey Map (CSM) shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
2. Comprehensive agreement(s) / easement(s) between the this proposed CSM lot and Country Grove Condominiums shall be drafted, approved, and recorded and the location of the easements, notes and recording information placed on the pending CSM prior to recording of the CSM. The agreement(s)/easement(s) shall address all common **private** vehicular and pedestrian access facilities, storm sewer facilities, storm water management facilities, sanitary sewer facilities, water main facilities and common open space areas/facilities.
3. Show, dimension, and label on map the easement to Mt. Vernon Telephone Company per Document No. 4711999.
4. Replace the word 'plat' with 'CSM' at all instances in note 1 on sheet 2. Also revise note numbering on sheet 2 to that it is sequential.

5. This CSM is subject to Declaration of Conditions, Covenants and Restrictions per Document No. 4323125. This shall be added to the notes on sheet 2.
6. Remove the reference to the Permanent Limited Easement per Document No. 3638679 from note 4 on sheet 2. This easement does not encumber this CSM.
7. Add a note that this CSM lot may have rights of expansion into the existing Country Grove Condominiums and may be subject to conditions, covenants and/or restrictions per condominium declaration recorded as Document No. 4299252 and condominium plat recorded as Document No. 4299253.
8. Revise the legal description on sheet 4 to commence at a section or quarter section corner as required by statute.
9. Correct the road name in the legal description from Maple Grove Road to Maple Grove Drive.
10. Add the City of Madison Subdivision Ordinance to the compliance section of the Surveyor's Certificate.
11. Current owner is AnchorBank, fsb. Either a conveyance from AnchorBank, fsb to Copper Creek Apartments will be required or the Owner's Certificate shall be revised accordingly.
12. Lot 1 of the proposed CSM and remaining portion of Lot 1 of CSM 12108 shall enter into a shared stormwater/ drainage easement since the lots will be interdependent on each other for surface and subsurface drainage.
13. The following note shall be placed on the CSM: "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."
14. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Schmidt (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).
15. 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.
16. 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 plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners

within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data (http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.

17. 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 Plat/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 any questions regarding the following item:

18. Note: All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

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

19. Ensure necessary access/egress easements are in place or ensure all exiting access requirements for 3848 and 3864 Maple Grove Drive can be accommodated on-site.

Please contact my office at 261-9632 regarding the following item:

20. This CSM is approved subject to complying with all of the provisions contained in MGO Section 16.23(7)(d)1, adopted by Ord. 12-00014, January 24, 2012, which states (excerpt):

"For lands subject to a condominium plat, a lot or lots may be created from a lot in said plat provided that no part of a lot or lots to be created shall be part of a condominium and shall be capable of being served by City water and sewer. Service from a private water or sewer system shall not be permitted. The lot or lots created may share cross access, parking, and stormwater management facilities if such sharing was required by any zoning approval for the property and if adequate easements and/or agreements are provided, subject to the approval of the City Engineer, City Traffic Engineer, and Planning Director."

The final CSM shall include a note affirmatively stating that the proposed lot conforms to this section of MGO without exception or variance.

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

21. 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. All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. The certificate shall be prepared with the correct ownership interest and title shown in the title update. 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:

→ AnchorBank, fsb

22. A certificate of consent by all mortgagees/ vendors shall be included following the Owner's Certificate and executed prior to final sign-off.
23. Please include the name of the signatories for the City Clerk and the Register of Deeds in their certificates.
24. Per Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g), the property owner shall pay all real estate taxes and special assessments for the subject property prior to CSM recording. Please provide staff with proof of payment prior to final signoff and recording of the CSM. As of May 8, 2014, the second installment of the 2013 real estate taxes is owed for the subject property. There are no special assessments reported for property.
25. Please verify that stormwater management charges are paid in full by contacting Janet Schmidt with City Engineering (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).
26. Revise the CSM prior to final sign-off as follows:
 - a.) Research Easement Document No. 520751 to determine if it is located within the CSM boundary. If so, depict, name, and identify it by document number on the proposed CSM.
 - b.) Remove Document No. 3638679 from Note #4 on Sheet 2 of the proposed CSM, as this easement has been replaced by public dedication for road purposes.
 - c.) Create separate notes to describe each document in Note #4 on Sheet 2 of the proposed CSM by document number.
 - d.) Include and describe Document Nos. 4323125, 2074866, 2797610, 4299252 and 4299253 as separate notes on Sheet 2 of the proposed CSM.
 - e.) Depict and label easement by Document No. 4711999.
 - f.) Record and include document numbers in labels for the water main and sanitary sewer easements depicted on the proposed CSM.

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 20, 2014.

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 jrquamme@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 twelve (12) 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 Schmidt, City Engineering Division
Sally Sweeney, City Assessor's Office
Dennis Cawley, Madison Water Utility
Bill Sullivan, Madison Fire Department
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations