



Department of Planning & Community & Economic Development

Planning Division

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December 16, 2014

Chris Adams

Williamson Surveying & Associates, LLC

104A W. Main Street

Waunakee, Wisconsin 53597

RE: LD 1411—Consideration of a two-lot Certified Survey Map (CSM) of the WEA Trust and Wisconsin Education Association Council properties located at 33-45 Nob Hill Road, Town of Madison, in the City of Madison's Extraterritorial Jurisdiction.

Dear Mr. Adams;

The City of Madison Plan Commission, meeting in regular session on December 15, 2014, **conditionally approved** your clients' two-lot Certified Survey Map of property located at 33 and 45 Nob Hill Road in the Town of Madison. The conditions of approval from the reviewing agencies to be satisfied before final City 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 sixteen (16) conditions:

1. Updated title work was not provided with this submittal. Additional lands have been added to the proposed Certified Survey Map (CSM) since the original review in May of 2014. Provide the required title report and supporting documents as required. City of Madison Engineering reserves the right to provide additional conditions of approval upon the receipt and subsequent review of the complete title information.
2. Provide confirmation that Document No.'s 872187 and 2040624 do not encumber and or benefit the lands within this CSM.
3. Show the area and provide a note along the south 100 feet of this CSM that the area is subject to a proposed Parkway as per the City of Madison Official Map.
4. Non-exclusive drainage easements were created by CSM 11532. Coordinate any necessary releases of the easement areas no longer required by the Town of Madison. Also, show those to remain on the CSM with proper references to the recording information.
5. Show the Permanent Limited Easement Area along Nob Hill Road and the area subject to the restrictions per Document No. 2047772.

6. Include the Volume and Page (and document number) for the Certified Survey Maps referenced in the legal description under the Surveyor's Certificate as required by statute.
7. There is public sanitary sewer that transects Lot 1 of this proposed CSM. The existing easement for this sewer per Document No. 1028395 was granted to Madison Metropolitan Sewerage District. The sewer facilities are now owned and operated by the Town of Madison. Town staff have been contacted regarding this situation to have the Town accept a grant of a 15-foot wide Permanent Limited Easement for Public Sanitary Sewer centered on existing facilities. The easement would be granted to the Town of Madison, its successors and assigns. Coordinate the language for the easement with City of Madison and the Town of Madison staff. The Town approval certificate will also need to be appropriately modified to accept the easement.
8. A 10-foot wide Public Permanent Limited Easement for Sloping and Grading shall be provided along the Nob Hill Road right of way where none currently exists. Town of Madison Staff have been contacted regarding this situation to have the Town accept a grant of the easement to the Town of Madison, its successors and assigns. The Town approval certificate will also need to be appropriately modified to also accept the easement.
9. Show the overall distance between monuments at the end Coyier Lane (88.24 feet).
10. Place bar scales on all sheets with maps as required by statute.
11. In the northwest corner of Sheet 6 correct the label for the electric easement to the water main easement per Document No. 4021585. Also, the MG&E Easement shown having a bearing of S 31-06-38 E appears to be mislabeled and should be labeled as Document No. 3966567. Please check all notations on the CSM to assure all easements and restrictions are labeled correctly.
12. The storm sewer pond area shall be shown in its entirety on the Certified Survey Map. It currently is truncated on Sheet 6.
13. Add the word "private" to the label for the 20-foot Sanitary Sewer Easement benefitting Lot 2. It is advised that language be added to the CSM or a separate instrument be recorded subsequent to the CSM that sets out conditions, restrictions and maintenance responsibilities for this private easement.
14. The lots within this Certified Survey Map are interdependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the CSM and recorded at the Dane County Register of Deeds.
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. 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.

16. In accordance with Section s.236.34(1m)(c), which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2)(c) & (f), Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on the CSM. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements that are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the CSM.

Please contact Jenny Frese of the City's Office of Real Estate Services at 267-8719 if you have questions regarding the following six (6) items:

17. Please include Owner's Certificates for all four ownership interests reported in the title report. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. Signature blocks and certificates shall match the current ownership interests at the time of CSM recording. Please inform City staff of any pending closing dates, in the event the property is planning to be sold.
18. If any mortgages are obtained prior to approval sign-off, a certificate of consent shall be included and executed by all of the mortgagees/ vendors.
19. Remove the Note on Sheet 9 from the Town Board certificate and place it with the other Notes on Sheet 1 or 2.
20. Include a Consent of Lessee for any tenant in excess of one year, to be executed prior to final sign-off.
21. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. As of December 9, 2014, there are delinquent taxes for parcel 0709-361-9068-4. The 2013 real estate taxes (including special assessments) are paid for all remaining parcels. Taxes for 2014 shall be paid in full prior to final sign-off once levied against the properties.
22. The following revisions shall be made to the CSM prior to final sign-off:
 - a.) The legal description in the CSM header shall be reconciled with the legal description in record title, and revised if necessary.
 - b.) Update Note 1 on Sheet 1 to "see sheets 3-7" with regard to easement detail.
 - c.) Remove Notes 1 and #2 on Sheet 4.
 - d.) On Sheets 3 and 4, revise the label for the Gas Main easement per Document No. 1140692 to include the Power Line easement per Document No. 2040624, which was reserved over the same area.

- e.) Coordinate with City and Town staff regarding the potential need for the partial release of drainage easements created by prior CSM 11532. Depict those that remain.
- f.) Coordinate with City and Town staff regarding the potential need to create drainage and public utility easements on the proposed CSM.
- g.) Revise the label for Holtzman Road.
- h.) In the northwest corner of Sheet 6, with reference to electric easement per Document No. 3966567, add leaders to properly locate the westerly limits of said easement, while adding a label for Public Water Main easement per Document No. 4021585 to the existing leaders showing this easement.
- i.) On Sheet 6, it is difficult to determine the easement limits for Public Water Main per Document No. 4021585, MGE easement per Document No. 3966567, and Sanitary Sewer and Water Main easements per Document No. 1115739. For clarity, add another page for easement depiction, or at least another detail image for this area.
- j.) Depict the entire easement area for the Storm Sewer and Pond easement per Document No. 2792522 on Sheet 6. Include Agreement per Document No. 2792523 in the label.
- k.) On Sheets 6 & 7, add "CL" to the label for the 10-foot hydrant easement depiction south of the building on proposed Lot 2.
- l.) MGE easement Document No. 1742720 contains three 10-foot strips. Clearly depict each strip, including dimensions and limits. An easement detail or an additional sheet might be helpful for clarity.
- m.) Correctly depict the 25-foot and 10-foot-wide easement areas, including their limits, of easement per Document No. 1825058.
- n.) Clearly depict the limits of easement per Document No. 1825068, as well as accurately showing its 10-foot width. The measurement appears to conflict with other items labeled as 10-foot on the proposed CSM.
- o.) On Sheet 6, add "CL" to the label for the 10-foot MG&E easement depiction per Document No. 2717356.
- p.) On Sheet 6, add "CL" to the label for the 10'-foot MG&E easement depiction per Document No. 2822953 and clearly depict the easement limits, as the line interferes with another. An easement detail may be necessary for clarity, or add an additional sheet to separate easement features.
- q.) Please research the following documents to determine if they affect the lands within the CSM boundary, and if so, physically depict them where possible, or describe them by title and

document number under Notes: 872187, 1028392, 3749770, 1167359, 1693286, 2025812, 2047772, 2036415, 1185515, 2169337, 2169338 and 2178017.

- r.) MG&E Document No. 2182077 is not reported in title. Please verify that it has not been released.
- s.) Provide an explanation for omitting from the CSM any easement or encumbrance that is of record in the title report.

Please contact Pat Anderson, Assistant Zoning Administrator at 266-5978 if you have questions about the following item:

- 23. Show on the CSM any wetland and flood plain areas. Provide a 75-foot protective buffer from the wetlands and or floodplain pursuant to Madison General ordinances 37.09(3)(h) and the Wisconsin Administrative code (NR 103.04).

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

- 24. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO Section 13.21.

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