



Department of Planning & Community & Economic Development

## Planning Division

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June 13, 2014

Timothy J. Moore  
Moore Surveying, LLC  
2918 Marketplace Drive #108  
Fitchburg, Wisconsin 53719

RE: Consideration of a two-lot Certified Survey Map (CSM) of the Barnes, Inc. property located at 6433 Nesbitt Road, Town of Verona, in the City of Madison's Extraterritorial Jurisdiction (Barnes, Inc.).

Dear Mr. Moore;

The City of Madison Plan Commission, meeting in regular session on June 9, 2014, **conditionally approved** your clients' two-lot Certified Survey Map of property located at 6433 Nesbitt Road, Town of Verona. 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 seventeen (17) conditions:**

1. Provide State Plane Coordinate values at the section corners noted on the CSM. Provide under note 1 on Sheet 1 the datum utilized for the state plane coordinate system (example: NAD83 – 2007 adjustment).
2. Add language to Note 2 as follows: "Easement to be created by separate instrument and recorded at the Dane County Register of Deeds."
3. The existing portion of Nesbitt Road within this CSM shall be dedicated to the public by this CSM. There currently are City of Madison storm sewer facilities within a portion of this area. Additional language acknowledging the dedication will be necessary for the Owner's, Consent of Mortgagee and Town of Verona Certificates.
4. Add a note along the southeasterly side of the CSM stating "No Access to US Highway 18 & 151 per Document No. 1667853."
5. Add a note stating US Highway 18 & 151 is a Controlled Access Highway per Finding, Determination and Declaration recorded as Document No.'s 914740 and 960048.

6. Only one Surveyor's Certificate is required on the CSM. Remove any unnecessary certificates on the CSM.
7. The total overall measured bearings and distances along the east and west lines of the CSM shall be shown. Also, the overall length of the west line of Lot 1 shall be shown.
8. The "City of Madison Parcel #398311" is actually in the Town of Verona as parcel no 062-0608-123-9831-1. The parcel numbers shown on the CSM are abbreviated and not the full parcel numbers. Adjoining lands should be noted as "Lands", recorded CSM or recorded subdivision name and underscored with a dashed or dotted line per statute. Parcel numbers are not required.
9. Lot areas excluding public right of way shall be shown for Lot 1 and Lot 2.
10. The first course of the legal description shall add "along the south line of the SW ¼ of said Section 12 327.36 feet.." to specify the section line.
11. The third course of the legal description shall add "along the said Highway Right-of-way" after the bearing and distance.
12. The Owner's Certificate shall add the City of Madison as an approving agency.
13. The Surveyor's Certificate shall state who directed the surveyor to complete the survey.
14. Discharge of stormwater off future development from Lot 2 shall not be directed to the City of Madison Retention Pond immediately adjacent to the site without a permit and review by the City of Madison Engineer.
15. The applicant shall dedicate a 15-foot wide Permanent Limited Easement for grading and sloping along Nesbitt Road.
16. 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.
17. City of Madison Environmental Projects staff has reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide 1 digital and 2 hard copies of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for further review.

**Please contact Jenifer Frese of the City's Office of Real Estate Services if you have questions regarding the following ten (10) items:**

18. 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.
19. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final CSM sign-off.
20. 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..."
21. Disclose any tenancy in excess of one year and provide the document number or tenancy description as a note on the face of the CSM.
22. Please remove the Madison Common Council certificate, as approval by that body is not required for this request.
23. Please include the Plan Commission Secretary's name, Steven R. Cover, in the City of Madison Plan Commission certificate.
24. Please include the name of the Dane County Register of Deeds, Kristi Chlebowski, in that certificate.
25. Per 236.21(3) Wis. Stats, the 2013 taxes shall be paid in full prior to final CSM sign-off if the tax bills have been distributed.
26. An Environmental Site Assessment is required for the public road dedication.
27. Include notes on the CSM to describe and label by document number the 7 encumbrances reported under #5 "Miscellaneous" in title.

**Please contact my office at 261-9632 if you have questions about the following item:**

28. Lot 1 shall be noted on the Certified Survey Map (CSM) to have no vehicular access to US Highway 18 & 151; this restriction shall be depicted graphically and as a note on the CSM.

**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](mailto: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  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations