



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

August 28, 2014

Paul Spetz
Isthmus Surveying, LLC
450 N. Baldwin Street
Madison, Wisconsin 53703

RE: File No. LD 1422 – Certified Survey Map – 4659 Treichel Street (Ellefson Construction)

Dear Mr. Spetz;

The one-lot certified survey of property located at 4659 Treichel Street, Section 34, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SR-V2 (Suburban Residential – Varied 2 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 sixteen (16) items:

1. Remove notes 1 and 2 from the proposed Certified Survey Map (CSM).
2. Madison Metropolitan Sewerage District (MMSD) has a sanitary sewer main south of the proposed CSM where it is anticipated that there will be a propose connection. The applicant will be responsible for obtaining a sanitary sewer lateral connection permit from MMSD. The applicant will also need permission from MMSD to build a lateral in the MMSD owned easement. If connecting to the north (Treichel Street), provide evidence of a private easement for said lateral. If no easement exists a new private easement shall be recorded.
3. Insert the note from the plat of Twin Oaks and denote on the CSM the location of the non-exclusive drainage easements that were created by the plat.
4. Show, dimension and label the 6-foot wide Utility Easement per the plat of Twin Oaks over the northerly side of this CSM.
5. Provide adequate dimensioning to locate the Public Pedestrian and Bicycle Easement.
6. Remove the Utility Easement note under the legend. There are no Public Utility Easements being created by this CSM.

7. Add language to the 50-foot wide Gas Easement per Document No. 8704985 that it is a petroleum pipeline.
8. Revise the legal description on sheet 4 to commence at a section or quarter section corner as required by statute.
9. Comprehensive Reciprocal Agreement(s) / Easement(s) between this proposed CSM and Marsh Creek Condominium shall be drafted, recorded and the location of the easements, notes and recording information placed on this Certified Survey Map prior to recording of the Certified Survey Map. 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.
10. Add a note that this CSM may have rights of expansion into the existing Marsh Creek Condominium and may be subject to conditions, covenants and/or restrictions per the condominium declaration, declaration amendments and the condominium plat.
11. The CSM applicant and the owner of the lands included in this CSM should be aware of the restrictions regarding the development and requirements of owner occupancy that encumber the lands within this CSM as set out by Document No. 3886018.
12. 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).
13. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
14. This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division
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.236.34(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 two (2) items:

17. The proposed lot will require the installation of a new water service lateral connected to a public water main.
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 my office at 261-9632 regarding the following two (2) items:

19. Please submit all proposed cross-access and shared parking easements to serve the proposed lots and Marsh Creek Condominiums for review and approval prior to final approval of the CSM for recording.
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. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
22. When the title report is updated, the mortgage history must be examined, with all mortgages of record included in the updated report. A certificate of consent by all mortgagees/ vendors shall be included following the Owner's Certificate and executed prior to final sign-off.
23. 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 August 12, 2014, the 2013 real estate taxes are paid for the subject properties and there are no special assessments reported.

24. 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).

25. Revise the CSM prior to final sign-off as follows:

- a.) Correct typo in the document number for Gas Easement 870985 and change the label to Badger Pipeline Easement. Revise the label and depiction of the easement to show the 12-foot Badger Pipeline Easement recorded as Document No. 870985, modified to 50 feet in width per the Twin Oaks Plat.
- b.) Carry over all applicable Notes from the Twin Oaks plat to the proposed CSM.
- c.) Depict the 6-foot public utility easement set forth on the Twin Oaks plat and depicted on the recorded Marsh Creek Condominium plat. The depiction of this easement in the condo plat appears to differ from the depiction in the Twin Oaks plat. Reconcile the two and depict the correct location of said easement.

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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 is scheduled for review by the Common Council on September 2, 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