



Department of Planning & Community & Economic Development

Planning Division

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August 28, 2014

Adam Gross
Snyder & Associates, Inc.
5010 Voges Road
Madison, Wisconsin 53718

RE: File No. LD 1425 – Certified Survey Map – 5302 Voges Road (TNT of McFarland, LLC)

Dear Mr. Gross;

The two-lot certified survey of property located at 5302 Voges Road, Section 27, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned IL (Industrial–Limited 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. The applicant shall provide evidence of septic tank abandonment when Lot 2 develops and connects to the sanitary sewer system. The applicant shall remove the existing septic vent from the Voges Road right of way.
2. Add language that the survey is in compliance with the City's Land Subdivision Regulations to the Surveyor's Certificate.
3. TNT of McFarland, LLC is the current owner of the lands within this Certified Survey Map (CSM). Modify the Owner's Certificate of Dedication as required.
4. Modify the Consent of Corporate Mortgagee Certificate to include McFarland State Bank as noted in the title report.
5. Provide the City of Madison record coordinates for the section corners noted on the CSM. Also the coordinate values noted for the Northeast Corner of Section 27-7-10 shall be corrected.
6. Provide a note stating the referenced benchmark and Datum for the elevations shown on the map.
7. Show the corners set at each end of the new line between Lots 1 and 2.

8. This CSM shall designate a common driveway access easement over part of the common lot line as per the configuration shown on the recently submitted site plan under review. Show a common driveway access easement noting that it is for the benefit of both lots within the CSM along with the conditions for construction, maintenance and use of the easement.
9. Add a note that the CSM is subject to Declaration of Conditions and Covenants per Document Nos. 4483886 and 4483891.
10. The Declaration of Conditions, Covenants and Restrictions for Maintenance of Stormwater Management Measures per Document No. 4395304 are for site improvements that were never constructed within this CSM. This existing agreement shall be rescinded by reference within the new agreement that will be required to be executed and recorded in conjunction with the stormwater facilities to be constructed on this site.
11. The lots within this CSM have deferred assessments, which are due and payable at the time of the CSM recording. If Lot 2 is not developing at this time, the applicant may request the Board of Public Works to keep the assessments as deferred until such time as the lot further divides or is developed a building permit is requested for that lot.
12. The applicant shall construct sidewalk on Voges Road adjacent to Lots 1 and 2 in accordance with a plan approved by the City Engineer. Surety shall be required for the sidewalk construction and the work shall be completed with a Permit to Excavate in the Right of Way.
13. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision 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).
14. 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.
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. 236.18(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 Eric Halvorson, Traffic Engineering Division, at 266-6527 if you have any questions regarding the following two (2) items:

18. The applicant shall revise the CSM to prohibit motor vehicle access onto Voges Road beginning at Marsh Road and extending along Voges Road to a point 200 feet west. This restriction shall be shown graphically on the map, and as a note.
19. The applicant shall revise the CSM to prohibit motor vehicle access onto Marsh Road. This restriction shall be shown graphically on the map, and as a note.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

20. Proposed Lot 2 will require a new water service lateral.
21. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility per MGO Sec. 13.21.

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:

22. 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. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
23. 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.
24. 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 14, 2014, the 2013 real estate taxes are paid for the subject property. Special assessments are owed for the subject property and shall be paid in full prior to final sign-off, with receipts to be provided for any payments not reflected in the title report update.

25. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.
26. Revise the CSM prior to final sign-off as follows: Add notes on Sheet 2 to include Items 6-8 under Part A of the title report dated May 16, 2014.

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

27. The proposed CSM shall be revised to show a 75-foot setback for the wetland delineated on the subject site in October 2013. The required setback would be consistent with the 75-foot setback established on the subject property by CSM 12378 per an earlier delineation.

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.**

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If you have any questions or if you 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
Dennis Cawley, Madison Water Utility
Eric Halvorson, Traffic Engineering Division
Matt Tucker, Zoning Administrator
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations