



Department of Planning & Community & Economic Development

Planning Division

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September 22, 2014

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

RE: File No. LD 1429 – Certified Survey Map – 605 Cottage Grove Road (Capitol One Real Estate, LLC)

Dear Mr. Spetz;

Your two-lot certified survey of property located at 605 Cottage Grove Road, Section 9, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The properties are zoned CC-T (Commercial Corridor–Transitional 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. Provide the 50-foot street total width of Claire Street. Revise the location of the north line of Cottage Grove Road to be 40 feet north of the centerline (also the quarter line). Dimension the 40-foot widths north and south of the centerline and the total of 80-foot right of way for Cottage Grove Road. Note "width varies" for the portion where the right of way of Cottage Grove Road diverges southeasterly.
2. Provide an updated Subdivision Report for lands included in this Certified Survey Map (CSM) only.
3. The title work references a mortgage to the State Bank of Cross Plains encumbering this parcel with the previous property owner as the debtor. The updated title report shall address this issue and the Certified Survey Map shall include all Mortgagees of record.
4. The CSM references an unrecorded easement to Madison Gas & Electric. The applicant shall coordinate with Madison Gas & Electric the final required easement. The final easement document shall be recorded at the Register of Deeds. The recording information of the easement shall be placed on the final CSM along with the location of the easement with full dimensioning. This shall all be completed prior to recording the CSM.
5. Place an iron stake at the southeast corner of the CSM.

6. Provide "recorded as" information along the south line of the CSM per Lot 41 of the Assessor's Plat No. 7 of Blooming Grove.
7. Remove the Utility Easement Note on Sheet 1. There are not any easements being granted by this CSM.
8. The CSM indicates concrete pavement that encroaches into the Cottage Grove Road right of way. The applicant shall make an application with required fees to the City of Madison Office of Real Estate Services for a privilege in streets permit administered by that agency. An approval of the CSM does not constitute or guarantee approval of any encroachments within a public right of way.
9. Each lot shall have a separate sewer lateral.
10. NOTE: A closed (Leaking Underground Storage Tank) site is associated with this property: BRRTS # 03-13-000444 PECFA # 53716-1113-05.
11. The lots within this CSM are inter-dependent 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.
12. The following note shall be added to 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 stormwater management at the time they develop."
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.236.34(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 CSM. Identify the owner and/or benefiting interest of all easements.
17. City of Madison Environmental Project staff is not aware of any land dedications required for this CSM. As a result, a Phase 1 Environmental Site Assessment (ESA) **will not** be required of the applicant. If there are lands being dedicated, or rights conveyed to the City of Madison for public use as a result of the project, the applicant shall notify Brynn Bemis (267-1986) to determine if a Phase I ESA will be required.

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

18. Proposed Lot 2 will require a new water service lateral connection to a public water main.
19. 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:

20. 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). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
21. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final sign-off. Recorded satisfactions or releases for all mortgages that no longer encumber the lands or ownership within the CSM boundary shall be provided prior to final sign-off.
22. If there is an existing lease or tenant in excess of one year, they shall execute a Consent of Lessee 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 September 10, 2014, the 2013 real estate taxes are paid for the subject properties and there are no special assessments reported.
24. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Ponders at the Water Utility (266-4641) that stormwater management fees are paid in full.

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

25. The following note shall be added to the CSM: "Lots/ buildings within this subdivision / development are subject to impact fees that are due and payable at the time building permit(s) are issued."

Note: This letter pertains to the proposed land division CSM and not to the conditional use to allow construction of an apartment building on proposed Lot 2. The conditions of approval for that request have been provided separately following Plan Commission approval of that project.

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 September 16, 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.**

LD 1429
605 Cottage Grove Rd.
September 22, 2014
Page 5

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