



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

November 11, 2014

Chris Adams

Williamson Surveying & Associates, LLC

104A W. Main Street

Waunakee, Wisconsin 53597

RE: File No. LD 1437 – Certified Survey Map – 7227-7269 Manufacturers Drive and 3853 Anderson Road
(Executive Management, Inc./ City of Madison)

Dear Mr. Adams;

Your one-lot certified survey of property located at 7227-7269 Manufacturers Drive and 3853 Anderson Road, Section 9, Township 8N, 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 twenty-seven (27) items:

1. The portions of the Public Water Main and Sanitary Sewer Easements per Document No.'s 4137450 and 4680615, shall be released by separate document prepared by City Office of Real Estate Services prior to recording the Certified Survey Map (CSM). This CSM approval by the Common Council will provide the necessary authorization for the releases. The applicant shall prepare metes and bounds legal descriptions and scale map exhibits for the portions to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits and payment of the required \$1,000 administration fee for two separate releases (\$500 each - check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary Office of Real Estate Services (ORES) Projects. ORES staff will then administer the release documents and record with the Dane County Register of Deeds.
2. New Public Sanitary Sewer and Water Main Easements shall be dedicated by this CSM. Coordinate with appropriate engineering and water utility staff the final configuration of the future public facilities and access requirements to provide final locations for the required easements on the CSM. Contact Jeff Quamme (jquamme@cityofmadison.com) for the required language to be placed on the CSM.
3. Provide an access easement through the proposed parking lot that will allow for City vehicles to access the site on a drivable surface. The current easement only allows physical access across unpaved areas.

4. The applicant shall dedicate a 15-foot wide sanitary easement adjacent to the 50-foot highway setback, up to Anderson Road. The applicant shall also dedicate a 15-foot wide sanitary easement along the S57°37'44"W line.
5. The Water Main Easement shown on the west side of the lot shall have the text changed to "20-foot Wide Public Water Main Easement per Document No. 4680615. Show the 10-foot portion that is within the adjacent lot to the west and the overall 20-foot width on the map.
6. Remove Note 3 on sheet 3. The lands are now in the City of Madison and are subject to City ordinances.
7. Remove Note 4 on sheet 3. This is a deed restriction that is not applicable as it is in regard to a Dane County Zoning deed restriction. This property is now in the City of Madison and subject to the City's Zoning Code.
8. Add the Access Note per the plat of Interstate Commerce Park.
9. Add the Setback Note per the plat of Interstate Commerce Park.
10. Add the Dane County Height Limitation Note per the plat of Interstate Commerce Park.
11. Add the Utility Easement note per the plat of Interstate Commerce Park and reference the note to the existing Utility Easements shown on the CSM.
12. Add the standard drainage note per MGO: Section 16.23(9)(d)2. (a. & b.). This language will release the existing drainage easements and create the new easements upon the recording of this CSM.
13. Modify Note 6 and remove the references to Document Nos. 4121457 and 4128118. These two documents encumber lands that are not included in this CSM.
14. The title report shall be updated upon the conveyance of the lands from the City of Madison to R&R Silver Spring Properties, LLC and execution of the mortgage as currently noted on the CSM.
15. Remove references in the headers to each sheet and the legal description to the SE ¼ of the SW ¼ of Section 9. This CSM does not reside in that quarter-quarter.
16. The recorded-as bearing data for L2 and L3 shall be revised to read "(S89°57'38"E)".
17. Place a bar scale on sheet 1.
18. The corner of commencement in the legal description shall be revised to be the West ¼ corner of Section 9. Also the third from the last course curve is concave southwesterly, not northeasterly.
19. The developer of Lot 1 shall be required to extend storm sewer from Manufacturers Drive north to serve the portion of the lot fronting on Anderson Road.

20. The applicant shall enter into a Development Agreement for the relocation of the existing water main that is running through the proposed building. The Development Agreement shall be fully executed and all related documents in place prior to the sign off of the CSM.
21. The current permitted use site plan shows a retaining wall that is located within the existing public sanitary sewer easement. Either remove the proposed wall from the easement or enter into a right to occupy agreement to allow for the wall to be located within the public easement. Any damage to the retaining wall due to inspection, maintenance, or repairs shall be at the owner's expense.
22. These lots have deferred assessments for the Manufacturers Drive Assessment District and Sanitary Sewer assessments for the Hanson Road Neighborhood Assessment District that are due and payable prior to the recording of the CSM.
23. The developer shall enter into a City/ Developer agreement for the installation of public improvements required to serve this CSM. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer.
24. 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).
25. All outstanding 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. This property is subject to Sanitary Connection charges for the Hanson Road Neighborhood Sewer and Assessment District (\$84.84/1,000 Square-foot Connection Rate (2014)) and deferred assessments for the 2014 Manufacturers Drive Assessment District (Street/ Stormwater/ Lighting/ Sanitary/ Storm/ Water).
26. 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.
27. 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 which 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 Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

28. This project will require water main relocation. All work shall be performed under a standard City of Madison contract for Subdivision Improvements.
29. 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 Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following six (6) items:

30. The name in the Owner's Certificate does not match the owner of record in the title report. Coordinate the order of CSM recording in relation to any anticipated conveyances with City staff. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, consistent with the owners reported in the title update, 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.
31. There are no mortgages reported in the title report so the Consent of Mortgagee can be removed. If there are any mortgages on the property at the time of final CSM sign-off, executed certificates of consent shall be included following the Owner's Certificate.
32. If the lands within the CSM boundary are still owned by the City of Madison and under contract for sale at the time of CSM approval sign-off, a Consent of Contract Purchaser certificate shall be included and executed by any and all contract purchasers.
33. 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 October 30, 2014, there are special assessments reported on each tax parcel within the CSM boundary.
34. 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.
35. The following revisions shall be made to the CSM prior to final sign-off:
 - a.) If all parties of interest agree that the Public Sanitary Sewer Easement Document No. 4137450 is no longer necessary, the release of said easement shall be recorded prior to CSM sign-off.
 - b.) Carry over all applicable notes from prior Interstate Commerce Park plat.

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 will be reviewed by the Common Council on November 18, 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
Dennis Cawley, Madison Water Utility
Sally Sweeney, City Assessor's Office
Heidi Radlinger, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations