



Department of Planning & Community & Economic Development

Planning Division

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February 24, 2015

Stephan Southwell
RA Smith National, Inc.
16745 W. Bluemound Road
Brookfield, Wisconsin 53005

RE: File No. LD 1502 – Certified Survey Map – 3502 Lancaster Drive (Russ Darrow Madison Real Estate)

Dear Mr. Southwell;

Your one-lot certified survey of property located at 3502 Lancaster Drive, Section 22, Township 8N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned CC (Commercial Center 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 (608) 261-9688 if you have questions regarding the following twelve (12) items:

1. The current building has been constructed over a City of Madison storm sewer and is also within the 15-foot Storm Sewer Easement as set forth by East Towne Burke Plat. A Consent to Occupy Easement document shall be drafted and recorded by Office of Real Estate Services staff to define responsibilities and requirements in conjunction with the improvements within the easement and over the pipe. A City of Madison Real Estate project will be required along with a \$500 for administrative fee to create the document, obtain required approval(s) and record with the Register of Deeds. Coordinate with and provide legal descriptions and map exhibits along with the \$500 for administrative fees to Jeff Quamme at jrquamme@cityofmadison.com.
2. Show and denote a Public Storm Sewer Easement over the portion of vacated Wayne Terrace. Section 66.1005 of the Wisconsin Statutes provides for the retention of easement rights for a utility to continue after a discontinuance of a public way.
3. Show the 12-foot wide existing Public Utility Easement adjacent to and southeast of the original right of way of Wayne Terrace per the plat of East Towne Burke Plat.
4. Provide "Recorded As" data on all of the exterior boundary courses as required by statute.
5. Correct street name High Cross Blvd to read High Crossing Blvd on sheets 1, 2 and 3. The width of High Crossing Boulevard is not varied adjacent to this CSM. The width of the right of way is 128 feet.

Remove the variable note and show graphically the opposite side right of way lines of High Crossing Boulevard and Lancaster Drive with the correct widths labeled.

6. Remove the elevations shown on the section corners. Correct the overall distance of the east line of the quarter to be 2643.42 feet.
7. Refer to Document No. 2438397 in the two notes for the vacated portions of Wayne Terrace and High Crossing Boulevard.
8. Correct the legal description as necessary in conjunction with the 15.00 foot course in the southeast corner of the CSM. That course does not run along CSM 4956.
9. Change the note referencing the title information origin to match what has been provided to the City as part of application or eliminate the sentence altogether.
10. The applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along Lancaster Drive in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of MGO.
11. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."
12. 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.

Please contact Dennis Cawley of the Madison Water Utility at (608) 261-9243 if you have any questions regarding the following item:

13. 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 (608) 267-8719 if you have any questions regarding the following seven (7) items:

14. 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.
15. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM final sign-off.

16. A Consent of Lessee shall be included for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

17. Include the following Plan Commission certificate on the final CSM:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____
Natalie Erdman, Interim Secretary, Plan Commission

Date: _____

18. 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 February 9, 2015, the remainder of 2014 real estate taxes is owed, and a special assessment is reported against the property. The real estate taxes and special assessment(s) shall be paid in full prior to CSM sign-off.

19. 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.

20. The following revisions shall be made to the CSM prior to final sign-off:

- a.) Depict, name, and identify by document number all existing easements of record in the First American Title Report, order # NCS-705664-MAD, as well as the updated title report that will be requested prior to CSM approval sign-off.
- b.) Include notes to describe applicable items of record in the title report referenced above that cannot be physically depicted.
- c.) Clearly depict, label and dimension the limits of the sanitary sewer easement per Document No. 1382233, as seen in the exhibit to said document.
- d.) Clearly depict, label and dimension the limits of the 20-foot public sanitary sewer easement set forth by the prior plat, as they are not the same as Document No. 1382233.
- e.) Carry over all applicable notes from the prior plat and CSM.
- f.) The third note on Sheet 3 duplicates the text on Sheet 1, but they differ. Verify the required language with City Engineering and revise. One of the duplicated notes may be removed.
- g.) Revise Note 4 on Sheet 3 by including the text "said plat" prior to the text "modified by Affidavit".
- h.) Add the recorded Vacation Document No. 2438397 to Note 7.

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 March 3, 2015.

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
Jenny Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations