



Department of Planning & Community & Economic Development
Planning Division

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October 31, 2013

Andrew W. Burt
Ruekert-Mielke, Inc.
258 Corporate Drive, Suite 200
Madison, Wisconsin 53714

RE: Approval of a final plat creating 1 lot for the future development of a rehabilitation hospital and 1 outlot for an existing private access drive (American Family Mutual Insurance Co.).

Dear Mr. Burt;

At its October 29, 2013 meeting, the Common Council **conditionally approved** the final plat of The American Center – Hanson Second Addition subject to the following conditions of approval from reviewing agencies. In order for the final plat to be approved for recording, the following conditions shall be met:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following sixteen (16) items:

1. The word “reasonable” shall be changed to “responsible” in note 3. Correct the spelling of “withe” to “with” per note 6.
2. Insert the record bearing along the northeast boundary of the plat. Also note Lot 37, The American Center Plat Biltmore Addition for the lands south of N. Biltmore Lane.
3. Modify the note for the Utility Easement per Document No. 417862 to “15’ Wide Non-Exclusive Easement Doc. No. 4217862.”
4. Dimension with bearings and distances the exterior of the Public Storm Water Drainage Easement per Document No. 4337650 to enable proper retracement in relation to the new lot and outlot.
5. The 60-foot wide Sidewalk/Greenway easement shall note that the portion that overlaps the Public Storm Water Drainage Easement per Document No. 4337650 is subject to the restrictions set out within that document. It is also recommended that additional notes be inserted on the plat or by a separate document recorded at the Dane County Register of Deeds that set out the specific conditions and restrictions of the easement along with the requirements for construction, maintenance and repair of facilities installed in conjunction with the easement rights.
6. Note that the 60-foot wide Sidewalk/Greenway easement is a private easement dedicated to the American Family Mutual Insurance Company.

7. The label for the Non-Exclusive Drainage Easement shall refer to the numbered notes relevant to the easement. (eg. See note x, x and x for further information) Also add a 12-foot dimension for the easement along the northeast line of Lot 59.
8. The “15.0’ Proposed Utility Easement” label shall be revised to “15’ Wide Public Utility Easement.” Also a note shall be added to the plat in reference to the Public Utility Easement that establishes the rights, restrictions and beneficiaries of the easement.
9. Only show the improvements and labels necessary to demonstrate the proper division of the property.
10. Correct the Northing and Easting for the two section corners: The northing value should be an easting and the easting should be a northing.
11. Identify the use of Outlot 1 on the face of the plat (i.e. private street purposes) in addition to the note.
12. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Dailey (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).
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 Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
14. 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.
15. The applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, 2 digital and 1 hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

16. In accordance with Wis. Stats. s.236.34(1)(c), which says a CSM shall be prepared in accordance with s.236.20(2)(c)&(f), 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. Identify the owner and/or benefiting interest of all easements.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have questions about the following item:

17. Lot 59 shall have no vehicular access to Eastpark Boulevard or to N. Biltmore Lane for the first 150 feet of lot frontage east of Eastpark Boulevard. This vehicular access restriction shall be shown graphically on the face of the final plat and acknowledged in a note.

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

18. 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 if you have questions about the following item:

19. The final plat shall be revised prior to final staff approval and recording to remove Note 11 regarding the SEC zoning of the site.

Please contact Jennifer 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 final sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate.
21. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate.
22. As of October 4, 2013, the 2012 real estate taxes and special assessments are paid for the subject property.
23. Stormwater management fees, if any, shall be paid in full prior to final sign-off.
24. The following revisions shall be made to the final plat prior to final approval and recording:
- a.) Include on the proposed plat a complete and accurate legal description of the lands that are to be included in the proposed plat. The legal description shall be reconciled with the legal description of said lands in record title.
 - b.) Revise Note #7 to match the note on the prior plat, if applicable.
 - c.) Correct the numbering typo that shows two Note #4 entries.

- d.) Document No. 1775171 is reported in title, but it appears to be outside the plat boundary. Please plot the location and depict on the plat if relevant. If not, this document should be omitted in the title update received prior to final sign-off.
- e.) Include item #3e of the title report as a note on the plat, if applicable. If it is not applicable, it shall be omitted when the title update is performed.
- f.) Include item #3f of the title report as a note on the plat, if applicable. If it is not applicable, it shall be omitted when the title update is performed.
- g.) Revise the label for the depiction of amendment Document No. 4294443 to include the original easement document number per item #3i of the title report.
- h.) Depict item #3j of the title report, if applicable. If not applicable to the lands within the plat boundary, it shall be omitted when the title update is performed.
- i.) Avigation Easement recorded as Document No. 3485666 is noted on the plat, but not in title. Please research whether or not this document affects the lands within the plat boundary. If so, please have this document included in the title update. If not, please omit from the notes on the plat.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

As soon as the comments and conditions have been satisfied for the final plat as verified with a completed affidavit form (attached), the original along with the revised final plat, 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 final plat at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this final plat shall be null and void if not recorded in twelve (12) months from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Planning & Development