



Department of Planning & Community & Economic Development

## Planning Division

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February 13, 2014

Michael S. Marty  
Vierbicher Associates, Inc.  
999 Fourier Drive, Suite 201  
Madison, Wisconsin 53717

RE: File No. LD 1357 – Certified Survey Map – 900 John Nolen Drive (900 Nolen Residences, LLC)

Dear Mr. Marty;

The one-lot certified survey combining property located at 900 John Nolen Drive, Section 36, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The site is zoned SE (Suburban Employment District). The conditions of approval from the reviewing agencies to be satisfied before final approval and recording of the CSM are:

**Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-two (22) items:**

1. Provide the satisfaction of Mortgages for those cited in the Title Report with the updated Title Report. For any that are not satisfied prior to recording of the Certified Survey Map, provide the required Mortgagee Certificates on the document.
2. The rights retained for the Madison Metropolitan Sewerage District (MMSD) per Document No. 773253 shall be included in the updated Title Report.
3. Correct the right of way for John Nolen Drive service road adjacent to the west of this Certified Survey Map. A portion of the right of way was discontinued per Document No. 1657885.
4. Provide dimensions to accurately locate the 10-foot stub along the southeast side for the easement per Document No. 1832054.
5. This CSM shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the City Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the City's permitting system can upload this data and permit issuance made available for this new land record.
6. The pending Condominium Removal Instrument shall be recorded prior to final sign off of this CSM.

7. Item 22 of the conditional use approval letter of November 7, 2013 shall be addressed: The Common Access Easements (per CSM 2358 and Document No. 1514548) along the southwesterly side of the site shall be revised/amended with the final proposed layout as necessary. The location of the public sanitary sewer easement per CSM 2358 shall remain unchanged.
8. Item 23 of the conditional use approval letter of November 7, 2013 shall be addressed: The 10-foot wide Madison Metropolitan Sewerage District (MMSD) is shown does not encompass the existing MMSD forcemain along the north side of this CSM. Coordinate with MMSD to create a new Easement Agreement for the proposed 25-foot wide easement and show and note the recording information on the CSM.
9. Item 24 of the conditional use approval letter of November 7, 2013 shall be addressed: The Joint Driveway Agreement (Document No. 1822070) along the southeasterly lot line, in common with 1020 John Nolen Drive, shall be restated/ amended to include the necessary areas required for changes to the access area and to accommodate any required fire lane areas.
10. Item 25 of the conditional use approval letter of November 7, 2013 shall be addressed: A private storm water drainage and storm sewer agreement shall be recorded and the recording information placed on the face of the CSM for any common drainage and storm sewer shared with 1020 John Nolen Drive to the southeast.
11. The CSM shall show the existing improvements and pavements that are to remain (common access area along the southwest) as required by ordinance.
12. The CSM shall note the one access point restriction as noted on Certified Survey Map 2358.
13. Provide the computed coordinates for the location of the North Quarter Corner of Section 36-7-9.
14. Clarify the location or remove the WisDOT railroad note shown on the section tie detail on sheet 3.
15. Correct sheet number designation on last page. It should be Sheet 8 of 8.
16. A 10-foot wide public storm sewer easement shall be provided along the north property line to coincide with the existing MMSD easement.
17. The applicant shall dedicate an additional 15-foot of easement width to the MMSD easement along the north lot line. Contact Curt Sauser at 222-1201 ext. 269 or [curts@madsewer.org](mailto:curts@madsewer.org) with any questions or concerns regarding this condition.
18. The applicant shall construct public sidewalk along the John Nolen Drive cul-de-sac adjacent to this property. The applicant shall provide a deposit to guarantee the work and take out a permit to excavate in the right of way for the construction. A sidewalk plan shall be provided to the City for approval in conjunction with the concurrent conditional use approval.
19. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division 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).

20. All outstanding Madison Metropolitan Sewerage District (MMSD) 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 Division signoff.
21. 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 Division. 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 or CSM. Note: Land tie to two PLS corners required.
22. 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 that are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements.

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

23. Note: Per MGO Section 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following item:**

24. 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."

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following item:**

25. Any existing conditional use that may have existed on the property is now null and void pursuant to section 28.191

**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:**

26. Prior to requesting approval sign-off of the CSM, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. Section 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.

27. A certificate of consent by all mortgagees/vendors shall be included following the Owner(s) Certificate and executed prior to final sign-off. Please ensure the mortgage certificates are consistent with the mortgages reported in the title update. If any mortgages have been satisfied prior to approval sign-off, a mortgage satisfaction document must be recorded.
28. Per Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g), the property owner shall pay all real estate taxes and special assessments for the subject property prior to CSM recording. Please provide staff with proof of payment prior to final signoff and recording of the CSM.
29. Please verify that stormwater management charges are paid in full by contacting Janet Dailey with City Engineering (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).
30. The following CSM revisions shall be made:
  - a.) Revise the label for the existing 30-foot-wide Access and Public Sanitary Sewer Easement, as Document No. 1514548 does not apply to the Sewer Easement.
  - b.) Research the legal description for Document No. 1354250 to determine if it affects the lands within the CSM boundary. If so, please depict and/or Note on the CSM.
  - c.) After the Condominium removal is recorded, the Declaration of Condominium and associated amendments should not appear in the title update.
  - d.) Satisfactions or releases for all mortgages, liens, judgments, or other instruments that no longer encumber the lands or ownership within the CSM boundary shall be recorded prior to CSM approval sign-off. There are seven judgments reported in title.

**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 February 4, 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](mailto: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 six (6) 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 Dailey, City Engineering Division  
Maureen Richards, City Assessor's Office  
Dennis Cawley, Madison Water Utility  
Kay Rutledge, Parks Division  
Pat Anderson, Assistant Zoning Administrator  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations