



City of Fitchburg  
 Planning/Zoning Department  
 5520 Lacy Road  
 Fitchburg, WI 53711  
 (608-270-4200)

## LAND DIVISION APPLICATION

The undersigned owner, or owner's authorized agent, of property herein described hereby submits ten (10) copies of the attached maps, one (1) copy no larger than 11" x 17", and one (1) pdf document of the complete submittal (planning@fitchburgwi.gov) for approval under the rules and requirements of the Fitchburg Land Division Ordinance.

- 1. Type of Action Requested:**
- Certified Survey Map Approval
  - Preliminary Plat Approval
  - Final Plat Approval
  - Replat
  - Comprehensive Development Plan Approval

**2. Proposed Land Use (Check all that Apply):**

- Single Family Residential
- Two-Family Residential
- Multi-Family Residential
- Commercial/Industrial

**3. No. of Parcels Proposed:** One

**4. No. Of Buildable Lots Proposed:** One

**5. Zoning District:** SC-NC; SmartCode - New Community

**6. Current Owner of Property:** Goldleaf Fitchburg, LLC

**Address:** 2379 University Avenue, Madison, WI 53726 **Phone No:** (608) 233-4423

**7. Contact Person:** Michael S. Marty, P.L.S.

**Email:** mmar@vierbicher.com

**Address:** Vierbicher, 999 Fourier Drive, Suite 201, Madison, WI 53717 **Phone No:** (608) 821-3955

**8. Submission of legal description** in electronic format (MS Word or plain text) by email to: planning@fitchburgwi.gov

Pursuant to Section 24-2 (4) of the Fitchburg Land Division Ordinance, all Land Divisions shall be consistent with the currently adopted City of Fitchburg Comprehensive Plan.

**Respectfully Submitted By:** Michael S. Marty Michael S. Marty, P.L.S.

Owner's or Authorized Agent's Signature      Print Owner's or Authorized Agent's Name

PLEASE NOTE - Applicants shall be responsible for legal or outside consultant costs incurred by the City. Submissions shall be made at least four (4) weeks prior to desired plan commission meeting.

**For City Use Only:**      **Date Received:** 5/21/19

**Ordinance Section No.** \_\_\_\_\_ **Fee Paid:** \$750.00 Rec# 16.001820

**Permit Request No.** CS-229800x CS-2335-20 1/24/2020

\$750  
RB

## **DESCRIPTION**

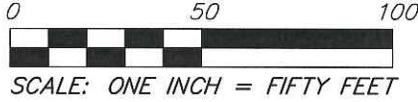
Outlot 8, First Addition to North Park Fitchburg, as recorded in Volume 60-067A of Plats, on Pages 357-359, as Document Number 5289066, Dane County Registry, located in the NE¼-NW¼ of Section 14, Township 06 North, Range 09 East, City of Fitchburg, Dane County, Wisconsin.

# CERTIFIED SURVEY MAP No.

OUTLOT 8, FIRST ADDITION TO NORTH PARK FITCHBURG, AS RECORDED IN VOLUME 60-067A OF PLATS, ON PAGES 357-359, AS DOCUMENT NUMBER 5289066, DANE COUNTY REGISTRY, LOCATED IN THE NE $\frac{1}{4}$ -NW $\frac{1}{4}$  OF SECTION 14, TOWNSHIP 06 NORTH, RANGE 09 EAST, CITY OF FITCHBURG, DANE COUNTY, WISCONSIN



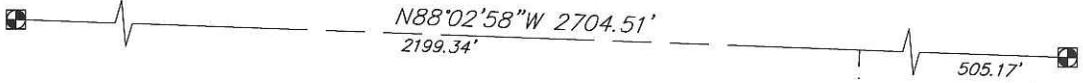
BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, WISCONSIN, THE NORTH LINE OF THE NW $\frac{1}{4}$  OF SEC. 14-06-09 MEASURED AS BEARING N88°02'58"W



## SURVEY LEGEND

- FOUND 3/4"  $\emptyset$  SOLID IRON RE-ROD
- ⊙ 3/4"  $\emptyset$  x 18" SOLID IRON RE-ROD, WT. 1.50 lbs/ft MIN
- ( ) RECORDED AS INFORMATION
- ← DRAINAGE ARROW (SEE NOTES)

NW Corner of Sec 14-06-09 "Survey Mark" Nail of Record Found



N  $\frac{1}{4}$  Corner of Sec 14-06-09 1-1/4"  $\emptyset$  Solid Iron Rod of Record Found in Water Box

NOTE: See sheet 2 for additional notes.

NORTH PARK  
FITCHBURG  
LOT 1

NORTH  
PARK  
LANE

NORTH PARK  
FITCHBURG  
LOT 4

AURORA AVENUE

LOT 1

0.489 Acres  
21280 Sq. Ft.

LOT 6

LOT 6

FIRST ADDITION TO  
NORTH PARK FITCHBURG

26 Apr 2019 - 2:43p M:\Little Creek Construction\130277\_Fitchburg\Surveying\130277\_CSM-OLB.dwg by: rmmar

<b>vierbicher</b> planners   engineers   advisors Phone: (800) 261-3898		FN: 130277 DATE: 04/26/2019	SURVEYED FOR: Goldleaf Fitchburg, LLC attn: Ron Fedler 2379 University Avenue Madison, WI 53726	C.S.M. No. _____	<b>SHEET 1 OF 3</b>
		REV: _____	Drafted By: MMAR	Doc. No. _____	
		Checked By: PKNU	Vol. _____ Page _____	_____	
		_____	_____	_____	

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

OUTLOT 8, FIRST ADDITION TO NORTH PARK FITCHBURG, AS RECORDED IN VOLUME 60-067A OF PLATS, ON PAGES 357-359, AS DOCUMENT NUMBER 5289066, DANE COUNTY REGISTRY, LOCATED IN THE NE<sup>1</sup>/<sub>4</sub>-NW<sup>1</sup>/<sub>4</sub> OF SECTION 14, TOWNSHIP 06 NORTH, RANGE 09 EAST, CITY OF FITCHBURG, DANE COUNTY, WISCONSIN

**NOTES:**

1. Except for light poles, no above ground pedestals, transformers or other switch equipment shall be allowed within street rights-of-way or along the front yards of the Lots. Said above ground structures shall be allowed at rear yards.
2. Drainage Arrows: Arrows indicate the direction of surface drainage at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Lots with two arrows typically change direction 30 feet from the front property line.

**SURVEYOR'S CERTIFICATE:**

I, Michael S. Marty, Professional Land Surveyor No. 2452, hereby certify to the best of my knowledge and belief, that I have surveyed, divided, and mapped the lands described herein under the direction of Goldleaf Fitchburg, LLC, Owner, and that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and the division of that land in accordance with the information provided. I further certify that this Certified Survey Map is in full compliance with Section 236.34 of the Wisconsin State Statutes, Chapter A-E7 of the Wisconsin Administrative Code, and the Subdivision Ordinance of the City of Fitchburg in surveying, dividing, and mapping the same.

Vierbicher Associates, Inc.  
By: Michael S. Marty, P.L.S. No. 2452

Dated this 26<sup>th</sup> day of April, 2019.

Signed: \_\_\_\_\_  
Vierbicher Associates, Inc.  
Michael S. Marty, P.L.S. No. 2452

**DESCRIPTION:**

Outlot 8, First Addition to North Park Fitchburg, as recorded in Volume 60-067A of Plats, on Pages 357-359, as Document Number 5289066, Dane County Registry, located in the NE<sup>1</sup>/<sub>4</sub>-NW<sup>1</sup>/<sub>4</sub> of Section 14, Township 06 North, Range 09 East, City of Fitchburg, Dane County, Wisconsin.

Containing 21,280 square feet or 0.489 acres, more or less.

**CITY OF FITCHBURG APPROVAL**

This Certified Survey Map, including any dedications shown hereon, has been duly filed with and approved by the Common Council of the City of Fitchburg, Dane County, Wisconsin.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Patti Anderson, City Clerk

26 Apr 2019 - 2:43p M:\Little Creek Construction\130277\_Fitchburg\Surveying\130277\_CSM-018.dwg by: mmr

 planners   engineers   advisors Phone: (800) 261-3898		FN: 130277	SURVEYED FOR:	C.S.M. No. _____	<b>SHEET 2 OF 3</b>
		DATE: 04/26/2019	Goldleaf Fitchburg, LLC	Doc. No. _____	
		REV:	attn: Ron Fedler	Vol. _____ Page _____	
		Drafted By: MMAR	2379 University Avenue Madison, WI 53726		
		Checked By: PKNU			

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**OWNER'S CERTIFICATE**

Goldleaf Fitchburg, LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that we caused land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented hereon; and do further certify that this Certified Survey Map is required by S.236.34 Wisconsin Statutes, to be submitted to the City of Fitchburg for approval.

IN WITNESS WHEREOF, Goldleaf Fitchburg, LLC, has caused these presents to be signed by Ronald G. Fedler, its Manager, at Madison, Wisconsin, on this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

Goldleaf Fitchburg, LLC

By: \_\_\_\_\_  
 Ronald G. Fedler, Manager  
 Goldleaf Fitchburg, LLC

State of Wisconsin )  
 ) ss  
 County of Dane )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, the above-named Ronald G. Fedler, its Manager, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
 Notary Public, State of Wisconsin

My Commission Expires: \_\_\_\_\_

**REGISTER OF DEEDS CERTIFICATE**

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2018, at o'clock \_\_\_\_m. and recorded in Volume \_\_\_\_\_ of Certified Survey Maps on pages \_\_\_\_\_, as Doc. No. \_\_\_\_\_.

\_\_\_\_\_  
 Dane County Register of Deeds

26 Apr 2019 - 2:44p M:\Little Creek Construction\130277\_Fitchburg\Surveying\130277\_CSM-OL8.dwg by: mmr

 planners   engineers   advisors Phone: (800) 261-3898		FN: 130277	SURVEYED FOR:	C.S.M. No. _____	<b>SHEET</b> <b>3 OF 3</b>
		DATE: 04/26/2019	Goldleaf Fitchburg, LLC	Doc. No. _____	
		REV:	attn: Ron Fedler	Vol. _____ Page _____	
		Drafted By: MMAR	2379 University Avenue		
		Checked By: PKNU	Madison, WI 53726		

Mayor Richardson  
Introduced by

Planning  
Prepared by

Park Commission, Plan Commission  
Referred to

June 11, 2019  
Date

## RESOLUTION R-120-19

### A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PETITION THE DANE COUNTY CIRCUIT COURT TO VACATE OUTLOT 8, FIRST ADDITION TO NORTH PARK FITCHBURG, CITY OF FITCHBURG, DANE COUNTY WISCONSIN

**WHEREAS**, the City of Fitchburg previously approved the final plat of First Addition to North Park Fitchburg, City of Fitchburg, Dane County, Wisconsin (hereinafter "the Plat"), which was subsequently recorded in Volume 60-067A of Plats, on Pages 357-359, as Document Number 5289066, Dane County Registry; and

**WHEREAS**, the Plat included lands designated as Outlot 8, which were identified as being dedicated to the public for "Civic Space Purposes" ("Outlot 8"); and

**WHEREAS**, the approval of the Plat, and the subsequent recording thereof, effected the conveyance of fee simple title to Outlot 8 to the City for the stated public purposes, pursuant to §236.29(1), Wis. Stats.; and

**WHEREAS**, none of said Outlot 8 has ever been developed or used by the City of Fitchburg, or by the public, as a public park or for any public purpose; and

**WHEREAS**, a map which graphically describes said Outlot 8 is attached hereto and made a part hereof, and said Outlot 8 consists of 21,280 square feet in area (0.489 acres), and abuts Aurora Avenue in the City of Fitchburg; and

**WHEREAS**, the City of Fitchburg Common Council has determined that the vacation of Outlot 8 as park land will promote the public interest, in that, among other things, Goldleaf, the developer of the undeveloped portion of the Plat of First Addition to North Park Fitchburg and the owner of adjacent lands to Outlot 8, will be providing a substantial public benefit by developing a private pool to serve the adjoining apartment residents in the City of Fitchburg on Outlot 8, which is a substantial benefit to the public; and

**WHEREAS**, §236.43(3), Wis. Stats., authorizes the Circuit Court to vacate platted lands dedicated for park purposes that have never been developed; and

**WHEREAS**, the City of Fitchburg Common Council finds that it is in the public interest that the City petition the Circuit Court for Dane County to vacate the dedication of Outlot 8 for public park purposes;

**NOW BE IT HEREBY RESOLVED**, by the City of Fitchburg Common Council that the City Attorney is hereby authorized to file a petition in Dane County Circuit Court for vacation of Outlot 8, and

**BE IT FURTHER RESOLVED**, by the City of Fitchburg Common Council that City Staff are hereby authorized to take any other action reasonably necessary to accomplish such vacation.

Adopted this 13<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Tracy Oldenburg, City Clerk

  
\_\_\_\_\_  
Aaron Richardson, Mayor