

From: Ron Trachtenberg <rtrachtenberg@fuhrmandodge.com>
Sent: Friday, March 17, 2023 12:30 PM
To: Lane, Roger; Everson, Daniel
Cc: dkirking@umich.edu
Subject: Zoning Petition No. DCPREZ-2023-11928 and related draft CSM. DOUGLAS AND VICTORIA STATZ 7437 State Hwy 113 Town of Dane

I represent Pine Knoll Partners, LLC, which owns land immediately adjacent to Lot 1, CSM 984, Town of Dane. My client received notice of the proposed subdivision and rezoning of that parcel (Petition No. DCPREZ-2023-11928). Subject to our comment below, we have no objection to either the subdivision or rezoning.

The subject parcel is subject to an easement agreement for agricultural use and recreational use access easements. Please see the attached Easement Agreement, Register of Deeds document number 3266066. That easement agreement is referenced in the legal description of the subject parcel as noted in Access Dane.

The draft CSM prepared by Williamson Surveying notes at Note 1: This survey was prepared without benefit of a title report for the subject tract or adjoiners and is therefore subject to any easements, agreements, restrictions and statement of facts revealed by examination of such documents.

While we recognize that neither the subdivision nor rezoning affect the easement rights of Pine Knoll Partners, LLC, we request that as a condition of approval of the rezoning/CSM that the surveyor specifically note the above referenced easement, especially give that the purpose of proposed lot 2 is single family residential. We have found in the past that too many rural small lot residential lot purchasers are unaware of access easements and “flip-out” after discovering them. We believe that explicitly noting this easement will enhance the probability of actual notice and not just constructive notice.

Please advise the ZLR of our request.

Note: The subject parcel is also subject to a long term lease that was executed concurrent with the aforementioned easement. We will be recoding a notice of that lease with the Dane County Register of Deeds.

Ronald M. Trachtenberg
Attorney at Law



PLEASE NOTE NEW OFFICE ADDRESS

6405 Century Avenue Suite 101
Middleton, WI 53562-2200

Ph.: (608) 827-4519 (direct)
(608) 327-4200 (office)
(608) 444-5699 (cell)

Fax: (608) 841-1502

Email: rtrachtenberg@fuhrmandodge.com

Website: www.fuhrmandodge.com

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