

No. 715, A.]

[Published August 10, 1955.

**CHAPTER 541**

AN ACT to amend 114.12 of the statutes, relating to condemnation of lands for airports.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

114.12 of the statutes is amended to read:

114.12 Any lands acquired, owned, controlled or occupied by such counties, cities, villages and towns for the purposes enumerated in s. 114.11 \* \* \* shall and are hereby declared to be acquired, owned, controlled and occupied for a public purpose, and as a matter of public necessity, and such cities, villages, towns or counties shall have the right to acquire property for such purpose or purposes under the power of eminent domain as and for a public necessity including property owned by other municipal corporations and political subdivisions and including any street, highway, park, parkway or alley, provided that no state trunk highway shall be so acquired without the prior consent of the state highway commission. Whenever \* \* \* the county, city, village or town as the case may be shall own *all land or access rights* on both sides of such street, highway, park, parkway or alley, it may, *within the limits where it has ownership or access rights on both sides*, notwithstanding any other provisions of law, \* \* \* *vacate and close such public way* by resolution of

the governing body of the county, city, village or town acquiring it and no damages shall be assessed against such county, city, village or town by reason of such closing, \* \* \* *except as may be allowed in a particular condemnation action where the lands or rights in lands necessary for such airport are so acquired.* If such closing shall leave any part of such street, highway, parkway or alley without access to another public street or highway, the county, town, city or village effecting such closing shall immediately provide such access at its expense.

Approved August 3, 1955.

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