

No. 62, S.]

[Published May 16, 1957.

**CHAPTER 88**

AN ACT to repeal 236.12 (2) (c) and 236.20 (2) (f) ; to renumber 236.20 (2) (g) to (j) ; to renumber and amend 236.20 (2) (k) and (L) ; to amend 236.10 (1) (b) 2 and (d), 236.11 (1) (a), 236.12 (2) (a), 236.15 (1) (a) and (2), 236.16 (2) and (3), 236.20 (2) (b) and (c), (3) (c), (e) and (f), 236.21 (intro. par.) and (1) (intro. par.), (b) and (2) (a), 236.31 (2), 236.34 (a), (d) and (2) ; and to create 236.20 (2) (L) of the statutes, relating to revisions of the platting law.

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

SECTION 1. 236.10 (1) (b) 2 and (d) of the statutes are amended to read:

236.10 (1) (b) 2. The governing body of the municipality \* \* \* and

(d) If outside a municipality *and* in a county having a population of 500,000 or more, *par.* (b) and (c) shall not apply and the plat shall have the approval of the county board, after reference to and recommendation by the county park commission, and of the town board.

SECTION 2. 236.11 (1) (a) of the statutes is amended to read:

236.11 (1) (a) Before submitting a final plat for approval, the subdivider may submit, or the approving authority may require that he submit, a preliminary plat. It shall be clearly marked "preliminary plat" and shall be in sufficient detail to determine whether the final plat will meet layout requirements. Within 40 days the approving authority, or its agent authorized to approve preliminary plats, shall take action to approve, approve conditionally, or reject such plat and shall state in writing any conditions of approval or reasons for rejection. *Failure of the approving authority or its agent to act within such 40 days shall constitute an approval of the preliminary plat.*

SECTION 3. 236.12 (2) (a) of the statutes is amended to read:

236.12 (2) (a) Two copies for each of the state agencies required to review the plat to the director of *state* regional planning who shall examine the plat for compliance with ss. 236.15, 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk highway or connecting street, the director shall transmit 2 copies to the state highway commission so that agency can determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision is not served by a public sewer and provision for such service has not been made, the director shall transmit 2 copies to the state board of health so that agency can determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure the subdivider or his agent may \* \* \* *submit* his original plat to each of these agencies for examination and, if they have no objection to the plat, they shall so certify in writing; or the agencies may designate local officials to act as their agents in examining the plats for compliance with the statutes or their rules by filing a written delegation of authority with the approving body.

SECTION 4. 236.12 (2) (c) of the statutes is repealed.

SECTION 5. 236.15 (1) (a) and (2) of the statutes are amended to read:

236.15 (1) (a) The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than 30 inches in length, nor less than 4 inches square or 5 inches in diameter, and marked on the top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least 30 inches long and 2 inches in diameter weighing not less than 3.65 pounds per lineal foot. *Solid round or square iron bars of equal or greater length or weight per foot may be used in lieu of pipes wherever pipes are specified in this section.* These monuments shall be placed not more than 1,400 feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius and at all angle points in any line when such corners or points are 100 feet or more apart except that when such corners or points fall within a street, or *proposed future street*, the monuments shall be placed in the side line of the street.

(2) The survey shall be performed by a \* \* \* *registered land* surveyor \* \* \* and if the error in the latitude and departure closure of the survey is greater than the ratio of one in 3,000 the plat may be rejected.

SECTION 6. 236.16 (2) and (3) of the statutes are amended to read:

236.16 (2) All streets shall be of the width specified on the master plan or official map or of a width at least as great as that of the existing streets if there is no master plan or official map, but no full street shall

be less than 60 feet wide unless otherwise permitted by local ordinance. *Streets or frontage roads auxiliary to and located on the side of a full street for service to the abutting property may be not less than 30 feet wide.*

(3) All subdivisions abutting a lake or stream shall provide \* \* \* *public access* at least 60 feet wide providing access to the low water mark so that there will be \* \* \* *public access* at not more than one-half mile intervals as measured along the lake or stream shore unless topography and ground conditions do not permit.

SECTION 7. 236.20 (2) (b) and (c) of the statutes are amended to read:

236.20 (2) (b) All monuments erected, corners and other points established in the field in their proper places. The material of which the monuments, corners or other points are made shall be noted at the representation thereof or by legend, *except lot corners need not be shown.*

(c) The exact length and bearing of the exterior boundaries, the boundary lines of all \* \* \* blocks, public grounds, streets and alleys, and all lot lines, except that when the lines in any tier of lots are parallel it shall be sufficient to mark the bearings of the outer lines on one tier thereof. *Easements shall be shown by center line and width when lines are parallel to a boundary, otherwise boundary bearings and distances shall be shown.*

SECTION 8. 236.20 (2) (f) of the statutes is repealed.

SECTION 9. 236.20 (2) (g) to (j) of the statutes are renumbered to be 236.20 (2) (f) to (i), respectively.

SECTION 10. 236.20 (2) (k) and (L) of the statutes are renumbered 236.20 (2) (j) and (k), respectively, and amended to read:

236.20 (2) (j) The number of degrees and minutes in all exterior boundary and block angles. *When such angles are between a curve and its tangent, the angle shown shall be that between the tangent and the main chord of the curve. When between curves of different radii, the angle between the main chords.*

(k) When a street is on a circular curve, the main chord of the center line shall be drawn as a dotted line \* \* \* in its proper place; and either on it, or in an adjoining table, shall be noted its bearing and length, the radius of the circle of which the curve is a part \* \* \* and the central angle subtended \* \* \*. The lot lines on the street sides may be shown in the same manner or by bearings and distances. \* \* \* *When a circular curve of 30-foot radius or less is used to round off the intersection between 2 straight lines, it shall be tangent to both straight lines; it shall be sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.*

SECTION 11. 236.20 (2) (L) of the statutes is created to read:

236.20 (2) (L) When strict compliance with a provision of this section will entail undue or unnecessary difficulty or tend to render the plat more difficult to read, and when the information on the plat is sufficient for the exact retracement of the measurements and bearings or other necessary dimensions, the director of state regional planning may waive such strict compliance.

SECTION 12. 236.20 (3) (c), (e) and (f) of the statutes are amended to read:

236.20 (3) (c) A small \* \* \* drawing of the section or governmental subdivision of the section in which the subdivision lies with the location

of the subdivision indicated thereon. This drawing \* \* \* shall be oriented on the sheet in the same direction as the main drawing.

(e) The names of adjoining streets, state highways and subdivisions shown in their proper location \* \* \* underscored by a dotted line.

(f) Abutting street and state highway lines of adjoining plats shown in their proper location by dotted lines \* \* \*. The width of these streets and highways shall be given also.

SECTION 13. 236.21 (intro. par.) and (1) (intro. par.), (b) and (2) (a) of the statutes are amended to read:

236.21 (intro. par.) (New title) CERTIFICATES TO ACCOMPANY PLAT. To entitle a final plat to be recorded, the following \* \* \* certificates lettered or printed legibly with black durable ink or typed legibly with black ribbon shall appear on it:

(1) (intro. par.) SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE. \* \* \* *The certificate of the surveyor who surveyed, divided and mapped the land giving the following information, which shall have the same force and effect as an affidavit:*

(b) A clear and concise description of the land surveyed, divided and mapped by government lot, quarter-quarter section, section, township, range and county; or if such land is located in a municipality or subdivision or addition thereto, then by the number or other description of the lot, block or other division thereof, otherwise by metes and bounds commencing with some corner marked and established in the U. S. public land survey \* \* \*. *Where the exterior boundaries are shown tied to a U. S. public land survey, the metes and bounds need not be shown.*

(2) (a) A certificate by the owner of the land in substantially the following form: "As owner I hereby certify that I caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on the plat. I also certify that this plat is required by s. 236.10 or 236.12 to be \* \* \* submitted to the following for approval or objection: (list of governing bodies required to approve or allowed to object to the plat)." This certificate shall be \* \* \* signed by the owner, his wife, and all persons holding an interest in the fee of record or by being in possession and, if the land is mortgaged, by the mortgagee of record. These signatures shall be acknowledged in accordance with s. 235.19.

SECTION 14. 236.31 (2) of the statutes is amended to read:

236.31 (2) Any municipality, town \* \* \*, county or state agency with subdivision review authority may \* \* \* institute injunction or other appropriate action or proceeding to enjoin a violation of any provision of this chapter \* \* \*, ordinance or rule adopted pursuant to \* \* \* this chapter. Any such municipality, town or county may impose a forfeiture for violation of any such ordinance \* \* \*, and \* \* \* order an assessor's plat to be made under s. 70.27 at the expense of the subdivider or his agent when a subdivision is created under s. 236.02 (7) (b) by successive divisions.

SECTION 15. 236.34 (1) (a), (d) and (2) of the statutes are amended to read:

236.34 (1) (a) The survey shall be performed and the map prepared by a \* \* \* registered land surveyor \* \* \*.

(d) The map shall include the \* \* \* certificate of the surveyor who surveyed and mapped the parcel, typed, lettered or reproduced legibly with nonfading black ink, giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the U. S. public land survey or some corner providing reference to a corner marked and established in the U. S. public

land survey. Such \* \* \* *certificate* shall include the certificate of the surveyor to the effect that he has fully complied with the requirements of this section.

(2) Certified survey maps prepared in accordance with sub. (1) shall be numbered consecutively by the register of deeds and shall be recorded in a bound volume to be kept in the register of deeds' office, known as the "Certified Survey Maps of ----- County". *In lieu of the above procedure, the map may be prepared on tracing cloth or paper, and a true scale photostat copy thereof may be recorded.*

Approved May 13, 1957.

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