

No. 13, S.

Published  
February 22, 1963.

## CHAPTER 1

AN ACT granting to the village of Spring Valley the right of emergency condemnation in connection with the Eau Galle federal flood control project in addition to reiterating certain existing powers which the village may exercise in connection with such project.

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

The village of Spring Valley may enter into an agreement with the United States, acting through the secretary of the army and his authorized representative, for the improvement of the Eau Galle river at and in the vicinity of said village, for flood control purposes, by constructing a dam and reservoir, levees and channel improvements, including improvements in tributary creeks. Said village is authorized to:

- (1) Provide without cost to the United States all land, easements and rights of way required for the construction of the project;
- (2) Make all necessary highways, bridge and utility alterations;
- (3) Maintain all channel improvement works after completion in accordance with regulations prescribed by the secretary of the army;
- (4) Establish and enforce flood channel limits approved by the secretary of the army for the protection against further encroachments of the flood channels of the Eau Galle river and Mines and Burghardt Creeks, within the extent of the proposed projects;
- (5) Prevent dumping of waste material or the creation of fills within said flood channel limits;
- (6) Regulate, under approval of the secretary of the army, the construction or reconstruction of bridges or other structure crossing the improved waterways.

In acquiring land for the Eau Galle federal flood control project, the village of Spring Valley upon the approval of the village board may, in a condemnation action, issue an award of damages and upon tender of the award to the owner of the land, or deposit in a court of record in the county where the lands are situated in cases where an owner is unavailable or tender is refused, take immediate possession of said property. Deposit in a court of record may be made by registered mail addressed to the clerk of the court. Appeal from such award of damages will lie as in other similar cases and all provisions of chapter 32 of the statutes shall govern, except as to the provision herein concerning the immediate issuance of the award tender and immediate possession. In connection with said project, the village may issue general obligation bonds to secure funds for the purchase of lands, easements and rights of way.

Approved February 18, 1963.