

1983 Assembly Bill 197

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**1983 Wisconsin Act 473**

AN ACT to amend 59.61, 70.27 (5), 157.07, 236.02 (7), 236.03 (2), 236.20 (2) (c) and (i), 236.21 (1) (b), 236.25 (2) (a) and (4) and 236.34 (1) (c) and (2); to repeal and recreate 236.20 (3) (b); and to create 236.02 (14) of the statutes, relating to plat surveying and mapping.

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

SECTION 1. 59.61 of the statutes is amended to read:

**59.61 How bearings expressed in surveys.** In all surveys the bearings shall be expressed with reference to a magnetic, true or other identifiable ~~meridian or~~ line of the public land survey, recorded subdivision or to the Wisconsin coordinate system. In all cases the reference selected shall be so noted as set forth in s. 59.60 (2) and if magnetic must be retracable and identifiable by reference to a monumented line.

SECTION 2. 70.27 (5) of the statutes is amended to read:

**70.27 (5) SURVEYS, RECONCILIATIONS.** The surveyor making the plat shall survey and lay out the boundaries of each parcel, street, alley, lane, roadway, or dedication to public or private use, according to the records of the register of deeds, and whatever evidence that may be available to show the intent of the buyer and seller, in the chronological order of their conveyance or dedication, and set temporary monuments to show the results of such survey which shall be made permanent upon recording of the plat as provided for in this section, ~~and make a~~. The map thereof shall be at a scale of not more than 100 feet per inch, unless waived in writing by the department of development under s. 236.20 (2) (L). The owners of record of lands in the plat shall be notified by registered letter mailed to their last-known address, in order that they shall have opportunity to examine the map, view the temporary monuments, and make known any disagreement with the boundaries as shown by the temporary monuments. It is the duty of the surveyor making the plat to reconcile any discrepancies that may be revealed, so that the plat as certified to the governing body is in conformity with the records of the register of deeds as nearly as is practicable. When boundary lines between adjacent parcels, as evidenced on the ground, are mutually agreed to in writing by the owners of record, such lines shall be the true boundaries for all purposes thereafter, even though they may vary from the metes and bounds descriptions previously of record. Such written agreements shall be recorded in the office of the register of deeds. On every assessor's plat, as certi-

fied to the governing body, shall appear the volume, page and document number of the metes and bounds description of each parcel, as recorded in the office of the register of deeds, which shall be identified with the number ~~or letter~~ by which such parcel is designated on the plat, except that lots which have been conveyed or otherwise acquired but upon which no deed is recorded in the office of register of deeds may be shown on an assessor's plat and when so shown shall contain a full metes and bounds description.

SECTION 3. 157.07 of the statutes is amended to read:

**157.07 Platting.** The board of trustees shall cause to be surveyed and platted by a land surveyor registered in this state such portions of the lands as may from time to time be required for burial, into lots, drives and walks, and record map thereof in the office of the register of deeds. No such plat or map shall be recorded unless laid out and platted to the satisfaction of the county board of such county, and the town board of the town in which such land is situated, or, if such land is situated within a city of the first class, then only by the common council of such city. The plat shall show the exact location of the tract being subdivided with reference to a corner or corners established in the United States public land survey by bearings and distances, and shall show a small scale drawing of the section or government subdivision of the section in which the cemetery plat is situated with the cemetery plat indicated thereon. The plat shall include the certificate of the surveyor containing the name of the board of trustees, the date of the survey, the surveyor's stamp or seal and signature and the surveyor's statement that the survey is true to the surveyor's best knowledge and belief. The plat shall be made on one or more sheets of durable white paper so pasted on muslin that they cannot be detached therefrom. To facilitate the binding of such sheets into volumes, as provided by s. 236.25, such sheets shall be of uniform width of 22 inches and length of 30 inches. When more than one sheet is used for any one plat, they shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat, and its relation to the other sheets. Such sheets may be provided by the county through the register of deeds on such terms as the county board shall determine. The surveyor shall leave a binding margin of 1 1/2 inches on the left side of the 30-inch length and a one-inch margin on all other sides. The board of trustees shall cause the same to be recorded within 30 days of the date of such approval, together with the evidence of the town and county board's or common council's approval, which shall be a copy of the resolution adopted by such county board and by such town board, or by such common council, certified by the county clerk and the town clerk, respectively, or city clerk, and affixed to such map or plat. For failure to do so, the plat shall be void and of no effect and each trustee of an association shall forfeit \$25 to the county or city.

SECTION 4. 236.02 (7) of the statutes is amended to read:

236.02 (7) "Recording a plat" means the filing of ~~the original~~ of the final plat with the register of deeds.

SECTION 5. 236.02 (14) of the statutes is created to read:

236.02 (14) "Recorded private claim" means a claim of title to land based on a conveyance from a foreign government made before the land was acquired by the United States.

SECTION 6. 236.03 (2) of the statutes is amended to read:

236.03 (2) This chapter does not apply to cemetery plats made under s. 157.07 and assessors' plats made under s. 70.27, but such assessors' plats shall, except in counties having a population of 500,000 or more, comply with ss. 236.15 (1) (a) to (g) and 236.20 (1) and (2) (a) to (e), unless waived under s. 236.20 (2) (L).

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

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236.20 (2) (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. ~~Parallel easement lines shall be shown by centerline distance, bearing and width when easements are not parallel to a boundary or lot line. Easements not parallel to a boundary or lot line shall be shown by centerline distance, bearing and width or by easement boundary bearings and distances.~~ Where easement lines are parallel to boundary or lot lines, the boundary or lot line distances and bearings are controlling. Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys there shall be the following note placed along such lines, "recorded as (show recorded bearing or length or both)".

(i) A north point properly located thereon identified as referenced to a magnetic, true or other identifiable direction and related to ~~either the nearest exterior line, east west quarter line, or north south quarter line of a section in which the subdivision is situated a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located.~~

SECTION 8. 236.20 (3) (b) of the statutes is repealed and recreated to read:

236.20 (3) (b) The location of the subdivision shall be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. The monumentation at the ends of the boundary line shall be described and the bearing and distance between them shown.

SECTION 9. 236.21 (1) (b) of the statutes is amended to read:

236.21 (1) (b) A clear and concise description of the land surveyed, divided and mapped by government lot, recorded private claim, quarter-quarter section, section, township, range and county; and by metes and bounds commencing with ~~the corner established by the U.S. public land survey that defines one end of either the nearest exterior line, north south quarter line or east west quarter line of a section in which the subdivision is situated~~ a monument at a section or quarter section corner of the quarter section and not at the center of the section, or at the end of a boundary line of a recorded private claim or federal reservation in which the subdivision is located; or if the land is located in a recorded subdivision or recorded addition thereto, then by the number or other description of the lot, block or subdivision thereof, which has previously been tied to a corner marked and established by the U.S. public land survey.

SECTION 10. 236.25 (2) (a) and (4) of the statutes are amended to read:

236.25 (2) (a) It is ~~drawn~~ on muslin-backed white paper 22 inches wide by 30 inches long and bears a department certification of no objection or it is reproduced with photographic silver haloid image on double matt polyester film of not less than 4 mil thickness, 22 inches wide by 30 inches long. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals;

(4) ~~The original of every~~ Every final plat entitled to be recorded under this section shall be bound or filed by the register of deeds into properly indexed volumes. Any facsimile of the original whole record, made and prepared by the register of deeds or under his or her direction shall be deemed to be a true copy of the final plat.

SECTION 11. 236.34 (1) (c) and (2) of the statutes are amended to read:

236.34 (1) (c) The map shall be prepared in accordance with s. 236.20 (2) (a), (b), (c), (e), (f), (g), (i), (j), (k) and (L) on a scale of not more than 500 feet to the inch. The map shall be prepared with a binding margin 1.5 inches wide and a 0.5 inch margin on all other sides on durable white paper 8 1/2 inches wide by 14 inches long with nonfading black image or reproduced with photographic silver haloid image on double matt polyester film ~~or~~ of not less than 4 mil thickness which is 8 1/2 inches wide by 14 inches long. When more than one sheet is used for any map, each sheet shall be numbered consecu-

tively and shall contain a notation giving the total number of sheets in the map and showing the relationship of that sheet to the other sheets. “CERTIFIED SURVEY MAP” shall be printed on the map in prominent letters with the location of the land by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals.

(2) RECORDING. 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 copy thereof may be recorded.~~

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