

2003 DRAFTING REQUEST

Bill

Received: 04/28/2003

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Daniel Vrakas (608) 266-3007

By/Representing: jason

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Real Estate - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Vrakas@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Vacation of certain platted land

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mlief 05/05/2003	jdye 05/05/2003	rschluet 05/05/2003		sbasford 05/05/2003	lemery 06/06/2003	

FE Sent For:

None Needed

<END>

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/?	mlief	1/5 jld					

5-5-3

FE Sent For:

<END>

Lief, Madelon

From: Shovers, Marc
Sent: Monday, April 28, 2003 3:38 PM
To: Lief, Madelon
Subject: FW: Drafting request

Hello Lonnie:

Would this one be yours?

Mr. Mr.

-----Original Message-----

From: Vick, Jason
Sent: Monday, April 28, 2003 1:41 PM
To: Shovers, Marc
Subject: Drafting request

Dear Marc:

Please draft the following at the request of Rep. Vrakas, also on behalf of Rep. Nischke. The request would make minor changes to 236.43. More detailed information can be found in the attachment. Please contact me with any questions.



~max0019.PDF

236.43(3) The court may vacate land, in a city, village, (add County) or town, platted as a public park or playground upon the application of the local legislative body of such city, village, (add County) or town where the land has never been developed (delete or used) by said city, village, (add County) or town as a public park or playground.

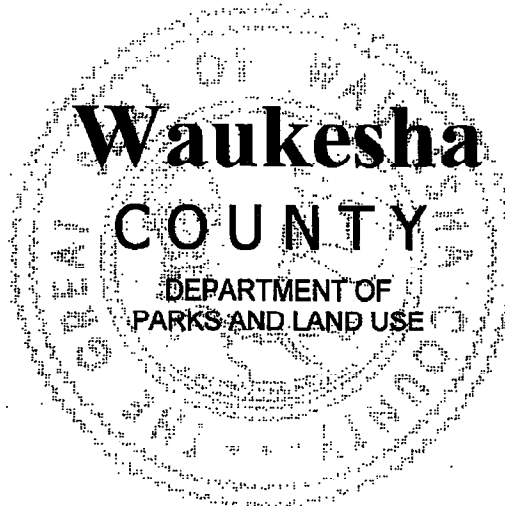
Thank you,

Jason Vick

Office of Rep. Dan Vrakas
608-266-7274

Daniel M. Finley
County Executive

Dale R. Shaver
Director



April 15, 2003

Representative Ann Nischke
97th Assembly District
Room 8 North
State Capitol
P.O. Box 8953
Madison, WI 53708

Representative Daniel Vrakas
33rd Assembly District
Room 119 West
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representatives Nischke and Vrakas:

The Waukesha County Department of Parks and Land Use has been contacted by Ron Williams, who operates farmland in both of your Assembly Districts. Mr. Williams is interested in trading land with the County. Specifically, he owns a wooded hillside and rents from the County agricultural land that was previously dedicated to the County as part of a subdivision plat. Since the wooded hillside is directly adjacent to the Retzer Nature Center and the County has no park development plans for the agricultural lands, a property trade is desirable. Unfortunately, provisions in s.236.43 prohibit a transfer.

The intent of this correspondence is to seek your support for amending the statutory provisions to allow for the property trade. **To resolve the matter, we offer the following minor modifications.** They are:

236.40 Who may apply for vacation of plat. Any of the following may apply to the circuit court for the county in which a subdivision is located for the vacation or alteration of all or part of the recorded plat of that subdivision:

236.40(1)

(1) The owner of the subdivision or of any lot in the subdivision.

236.40(2)

(2) The county board if the county has acquired an interest in the subdivision or in any lot in the subdivision by tax deed

Administration
1320 Pewaukee Road • Room 260
Waukesha, Wisconsin 53188-3868
Phone: (262) 896-8300 Non-Metro: 1-800-567-2366 • Fax: (262) 896-8298

236.43 Vacation or alteration of areas dedicated to the public. Parts of a plat dedicated to and accepted by the public for public use may be vacated or altered as follows:

236.43(3)

(3) The court may vacate land, in a city, village, (add County) or town, platted as a public park or playground upon the application of the local legislative body of such city, village, (add County) or town where the land has never been developed (delete or used) by said city, village, (add County) or town as a public park or playground.

Thank you in advance for your attention to this matter. Successful amendment of the statute will allow Waukesha County to attach a significant parcel to our Retzer Nature Center and provide valuable farmland to Mr. Williams. Should you have any questions concerning this correspondence, please contact me at (262) 896-8310.

Sincerely,

Dale R. Shaver
Director

CC. Ron Williams
Daniel M. Finley, County Executive
Dave Krahn, Legislative Assistant



JLD

2003 BILL

Gen

1 AN ACT ...; relating to: allowing counties to request that certain [✓]platted land be
2 vacated.

Analysis by the Legislative Reference Bureau

* Current law permits a court to vacate land in a city, ^{village} ~~town~~, or ^{town} ~~village~~ [✓]platted as a public park or playground if the city, ~~town~~, or ~~village~~ in which the land is located so requests and if the land has never been used or developed as a public park or playground. This bill allows a county to request a court to vacate such platted land located in the county and eliminates the requirement that the land has never been used as a public park or playground. [✓]

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

3 SECTION 1. 236.43 (3) of the statutes is amended to read:
4 236.43 (3) The court may vacate land, in a city, county, [✓]village or town, platted
5 as a public park or playground upon the application of the local legislative body of

BILL

SECTION 1

1 such city, county, [✓]village or town where the land has never been developed [✓]or ~~used~~
2 by said city, county, [✓]village or town as a public park or playground.

History: 1993 a. 246; 1997 a. 172.

3

(END)

Barman, Mike

From: Vick, Jason
Sent: Friday, June 06, 2003 3:12 PM
To: LRB.Legal
Subject: Draft review: LRB 03-2624/1 Topic: Vacation of certain platted land

It has been requested by <Vick, Jason> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-2624/1 Topic: Vacation of certain platted land