

No. 466, A.]

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CHAPTER 254.

AN ACT to create 84.09 (3m) and (5m) of the statutes, relating to acquisition for the highway commission of lands for highways by a city board, commission or department, and the transfer of lands by the highway commission to cities.

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

84.09 (3m) and (5m) of the statutes are created to read:

84.09 (3m) The commission may order that all or certain parts of the required land or interest therein shall be acquired for the commission by a board, commission or department of the city within whose limits said land is located. Said board, commission or department shall be selected by the common council of said city subject to the approval of the state highway commission. When so ordered, the board, commission or department so selected and the state highway commission shall appraise and agree on the maximum price, including damages, considered reasonable for the lands or interests to be so acquired. The board, commission or department shall endeavor to obtain easements or title in fee simple by conveyance of the lands or interests required, as directed in the state highway commission's order. The instrument of conveyance shall name the state as grantee and shall be recorded in the office of the register of deeds. If the needed lands or interests therein cannot be purchased expeditiously within the appraised price, the board, commission or department may acquire them by condemnation under chapter 32 or in the manner provided for town boards and county highway committees in section 83.07.

(5m) Subject to the approval of the governor in the manner and form provided by subsection (5), the commission is authorized and empowered to convey lands or interests therein acquired pursuant to this section and improvements installed thereon to municipalities within whose limits such lands or interests therein are located. The conveyance of said lands or interests therein and improvements shall restrict the use of the premises by the municipality to the uses for which they were acquired, except that said lands or interests therein declared by the commission to be excess may be so conveyed without restrictions as to use.

Approved June 9, 1947.