

No. 469, A.]

[Published August 6, 1951.

CHAPTER 643.

AN ACT to amend 236.18 and to create 60.29 (39) of the statutes, relating to vacation of alleys.

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

SECTION 1. 60.29 (39) of the statutes is created to read:

60.29 (39) VACATION OF ALLEYS. The town board of any town may by ordinance adopted by a majority of the members thereof and in conformity with the provisions of section 66.296 vacate alleys located in such town, provided that no alleys immediately in the rear of lands fronting on a state or county trunk highway shall be vacated without the prior approval of the county board of supervisors.

SECTION 2. 236.18 of the statutes is amended to read:

236.18 Upon producing satisfactory evidence that such notices have been given and served the court shall hear all parties in interest and determine such petition, and may vacate such plat or any part thereof, *provided that no alleys immediately in the rear of lands fronting on state or county trunk highways shall be vacated without the prior approval of the county board of supervisors*, and enter judgment accordingly; and when it shall appear that such plat has been recorded for more than 40 years preceding the filing of the application for vacation and that the streets within that part of the plat sought to be vacated have during all of said period remained in their natural conditions and have not been improved as streets and that such streets are not necessary as a means of reaching other platted property, and that all of the owners of all of the land within the part of the plat sought to be vacated have joined in the petition, the court shall vacate such plat or part thereof and enter judgment accordingly. The judgment so made, together with the plat, if only a part of the plat is vacated, showing the part vacated, shall be recorded in the office of the register of deeds.

Approved July 13, 1951.
