

Assembly Bill 1004

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CHAPTER 457

AN ACT to amend 70.27 (1) and (6) and (8), as amended by chapter 252, laws of 1965, of the statutes, relating to assessor's plats.

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

SECTION 1. 70.27 (1) and (6) of the statutes are amended to read:

70.27 (1) Whenever any area of *platted or unplatted* land is owned by 2 or more persons in severalty, and when in the judgment of the governing body having jurisdiction, the description of one or more of the different parcels thereof cannot be made sufficiently certain and accurate for the purposes of assessment ~~and~~, *taxation or tax title procedures* without noting the *correct* metes and bounds of the same, *or when such gross errors exist in lot measurements or locations that difficulty is encountered in locating new structures, public utilities or streets*, such governing body may cause a plat to be made for such purposes. Such plat shall be called "assessor's plat," and shall plainly define the boundary of each parcel, and each street, alley, lane or roadway, or dedication to public or special use, as such ~~shall be~~ *is* evidenced by the records of the register of deeds *or a court of record*. Such plats in cities may be ordered by the city council, in villages by the village board, in towns by the town board or the county board. *A plat or part of a plat included in an assessor's plat shall be deemed vacated to the extent it is included in or altered by an assessor's plat.* The actual and necessary costs and expenses of making assessors' plats shall be paid out of the treasury of the city, village, town or county whose governing body ordered the plat, and all or any part of such cost may be charged to the land so platted in the proportion that the last assessed valuation of each parcel bears to the last assessed total valuation of all lands included in the assessor's plat, and collected as a special assessment on such land, ~~in the manner~~ *as* provided by s. 66.60.

(6) The provisions of s. 236.15 as to monuments, and the provisions of s. 236.20 as to form and procedure, insofar as they are applicable to the purposes of assessors' plats, shall apply. *Any stake or monument found and accepted as correct by a surveyor laying out an assessor's plat shall be indicated as "stake found" or "monument found" when mapping the plat and such stake or monument shall not be removed or replaced even though it is inconsistent with the standards of s. 236.15.*

SECTION 2. 70.27 (8) of the statutes, as amended by chapter 252, laws of 1965, is amended to read:

70.27 (8) ~~On the filing of~~ *Within 2 days after* the assessor's plat is filed with the governing body, *it shall be transmitted to the director of the planning function of the department of resource development by the clerk of the governing body which ordered the plat. The director of the planning function shall review the plat within 30 days of its receipt. No such plat shall be given final approval by the local governing body until the director of planning function has certified on the face of the original plat that it complies with the applicable provisions of ss. 236.15 and 236.20. After the plat has been so certified by said director* the clerk shall promptly publish a class 3 notice thereof, under ch. 985. The plat shall remain on file in the clerk's office for 30 days after the first publication. At any time within such 30-day period any person or public body having an interest in any lands affected by the plat may bring a suit to have such plat corrected. If

no such suit ~~be~~ *is* brought within such time, the plat may be approved by the governing body, and filed for record. If such suit ~~be~~ *is* brought, approval shall be withheld until the suit is decided, ~~when~~. The plat shall *then* be revised in accordance with such decision if ~~such~~ *be* necessary, *and, without re-referral to the director of the planning function of the department of resource development unless such re-referral is ordered by the court. The plat may* then be approved by the governing body and filed for record. When so filed the plat shall carry on its face the certificate of the clerk that all provisions of this section have been complied with. When recorded after approval by the governing body, the plat shall have the same effect for all purposes as if it were a land division plat made by the owners in full compliance with ch. 236. Before May 1 of each year, the register of deeds shall notify the town clerks of the recording of any assessors' plats made or amended during the preceding year, affecting lands in their towns.

SECTION 3. This act shall take effect January 1, 1966.

Approved December 9, 1965.
