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83 WisACT 178

1983 Assembly Bill 689

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1983 Wisconsin Act 178

AN ACT *to renumber and amend 893.29; and to create 893.29 (2) of the statutes, relating to exempting public highway property and abandoned railroad property acquired by the state from adverse possession claims.*

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

SECTION 1. 893.29 of the statutes is renumbered 893.29 (1) and amended to read:

893.29 (1) Title to or interest in real property belonging to the state or a city, village, town, county, school district, sewerage commission, sewerage district or any other unit of government within this state may be obtained by adverse possession, prescription or user under s. 893.25, 893.26, 893.27 or 893.28 only if the adverse possession, prescription or user continues uninterruptedly for more than 20 years. ~~No title to real property held in trust by the state under s. 24.01 (2) to (6) shall be obtained by adverse possession, prescription or user.~~

SECTION 2. 893.29 (2) of the statutes is created to read:

893.29 (2) Notwithstanding sub. (1), no title to or interest in any of the following property shall be obtained by adverse possession, prescription or user:

- (a) Real property held in trust by the state under s. 24.01 (2) to (6).
 - (b) Real property of an abandoned railroad acquired by the state under s. 85.09.
 - (c) Real property of a highway as defined in s. 340.01 (22) and including property held by the state or a political subdivision for highway purposes, including but not limited to widening, alteration, relocation, improvement, reconstruction and construction.
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