

1983 Assembly Bill 168

Date of enactment: April 20, 1984  
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1983 Wisconsin Act 249

AN ACT to renumber and amend 32.05 (1); to amend 32.05 (3) (a) and (7) (a); and to create 32.05 (1) (b) of the statutes, relating to relocation orders in condemnation proceedings.

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

SECTION 1. 32.05 (1) of the statutes is renumbered 32.05 (1) (a) and amended to read:

32.05 (1) (a) The Except as provided under par. (b), the county board of supervisors (or the county highway committee when so authorized by the board), city council, village board, sewerage commission governing metropolitan sewerage district created by ss. 66.22 or 66.88 to 66.918, secretary of transportation, a commission created by contract under s. 66.30, housing authority under ss. 66.40 to 66.404, redevelopment authority under s. 66.431 or community development authority under s. 66.4325 shall make an order providing for the laying out, relocation and improvement of the public highway, street, alley, storm and sanitary sewers, watercourses, mass transit facilities, airport, or other transportation facilities, housing project or redevelopment project which shall be known as the relocation order. This order shall include a map or plat showing the old and new locations and the lands and interests required. A copy of the order shall, within 20 days after its issue, be filed with the county clerk of the county wherein the lands are located.

SECTION 2. 32.05 (1) (b) of the statutes is created to read:

32.05 (1) (b) No relocation order is necessary under par. (a) if the compensation, as estimated by the appraisal under sub. (2) (a), will be less than \$1,000 in the aggregate.

SECTION 3. 32.05 (3) (a) and (7) (a) of the statutes are amended to read:

32.05 (3) (a) Stating briefly the nature of the project, with reference to the relocation order if required, and that the condemnor in good faith intends to use the property sought to be condemned for such public purpose.

(7) (a) The award shall be in writing. It shall state that it is made pursuant to relocation order of (name of commission, authority, board or council having jurisdiction to make the improvement) No. .... dated .... filed in the office of the County Clerk, County of ...., except as provided under sub. (1) (b). If a relocation order is not required under sub. (1) (b), the award shall name the condemnor. It shall name all persons having an interest of record in the property taken and may name the other persons. It shall describe such property by legal description and state the interest therein sought to be condemned and the date when actual occupancy of the property condemned will be taken by condemnor. The award shall also state the compensation for the taking which shall be an amount at least equal to the amount of the jurisdictional offer. The award shall state that the condemnor has complied with all jurisdictional requirements. An amended award for the purpose of correcting errors wherein the award as recorded differs from the jurisdictional offer may be made, served and recorded as provided by this section.

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