

State of Wisconsin



2005 Assembly Bill 107

Date of enactment: **August 17, 2005**

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2005 WISCONSIN ACT 41

AN ACT *to renumber* 236.295 (2); *to amend* 59.20 (3) (c), 70.27 (3) (a), 83.01 (7) (g), 157.07 (3), 236.25 (2) (a), 236.34 (1) (c), 703.11 (2) (d), 707.215 (3), 867.045 (1) (j) and 867.046 (2) (i); and *to create* 59.43 (2m) (d) 4., 236.295 (2) (b) and 706.01 (7r) of the statutes; **relating to:** the cutoff time for receipt of documents for filing and recording with a register of deeds, federal tax lien forms, and maintenance of county highway registers.

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

SECTION 1. 59.20 (3) (c) of the statutes is amended to read:

59.20 (3) (c) Any board may, by ordinance, provide that the cutoff reception time for the filing and recording of documents shall be advanced by ~~one-half~~ one hour in any official business day during which time the register of deeds office is open to the public, in order to complete the processing, recording, and indexing to conform to the day of reception. Any register of deeds may provide in his or her notice under s. 19.34 (1) that requests for inspection or copying of the records of his or her office may be made only during a specified period of not less than 35 hours per week. For all other purposes, the register of deeds office shall remain open to the public during usual business hours.

SECTION 2. 59.43 (2m) (d) 4. of the statutes is created to read:

59.43 (2m) (d) 4. Federal income tax lien form 688 (Y) (c).

SECTION 3. 70.27 (3) (a) of the statutes is amended to read:

70.27 (3) (a) Reference to any land, as it appears on a recorded assessor's plat is deemed sufficient for pur-

poses of assessment and taxation. Conveyance may be made by reference to such plat and shall be as effective to pass title to the land so described as it would be if the same premises had been described by metes and bounds. Such plat or record thereof shall be received in evidence in all courts and places as correctly describing the several parcels of land therein designated. After an assessor's plat has been made and recorded with the register of deeds as provided by this section, all conveyances of lands included in such assessor's plat shall be by reference to such plat. Any instrument dated and acknowledged after September 1, 1955, purporting to convey ~~or mortgage any such lands except by reference to such, or otherwise give notice on interest in land that is within or part of an~~ assessor's plat shall ~~not be recorded by the register of deeds~~ describe the affected land by the name of the assessor's plat, lot, block, or outlot.

SECTION 4. 83.01 (7) (g) of the statutes is amended to read:

83.01 (7) (g) The county commissioner shall compile and maintain a record of the laying out, alteration, or discontinuance of all highways in the county outside the limits of cities and villages. The record shall be known as the county highway register and be kept in the manner or form prescribed by the department. The county highway commissioner or agents shall have access to the

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

records of town clerks and may have temporary custody of such as are necessary for the purpose of making accurate and appropriate copies thereof. The department shall assist in the compilation of the records and shall furnish to the county highway commissioner such information as the department deems appropriate relative to the laying out of military, territorial, and such other roads as have been authorized by the legislature. The information contained in the county highway register shall be placed in the county register of deeds' office, which records shall be kept separate and apart from the records of real estate and shall in no event be indexed in indexes provided for ordinary real estate conveyance. Such register of deeds' office shall be used solely as a safe repository for such county highway register and shall never be considered a part of the official real estate records kept together in a location within the county that provides a safe repository for records as determined by the county board and shall be accessible to the public. Such county highway register may be supplemented from time to time by the county highway commissioner and such supplemental information is to be treated in the same fashion as the original county highway register all of which shall be admissible in evidence.

SECTION 4m. 157.07 (3) of the statutes is amended to read:

157.07 (3) The plat or map shall be made on ~~muslin-backed a durable white paper media~~ that is 22 inches wide by 30 inches long, ~~or reproduced with a photographic silver haloid image on double matt polyester film of not less than 0.004 inch thickness that is 22 inches wide by 30 inches long~~ with a permanent nonfading black image. Seals or signatures that are reproduced on images that comply with this subsection have the force and effect of original seals and signatures. When more than one sheet is used for any one plat or map, they shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat, and its relation to the other sheets. The sheets may be provided by the county through the register of deeds on terms determined by the county board. The surveyor shall leave a binding margin of ~~1-1/2~~ 1.5 inches on the left side of the 30-inch length and a one-inch margin on all other sides.

SECTION 5. 236.25 (2) (a) of the statutes is amended to read:

236.25 (2) (a) It is on ~~muslin-backed white paper 22 inches wide by 30 inches long and bears a department certification of no objection or it is reproduced with photographic silver haloid image on double matt polyester film of not less than 4 mil thickness, a permanent nonfading black image on durable white media that is 22 inches wide by 30 inches long, complies with the requirements of s. 59.43 (2m) (b) 4., and bears a department certification of no objection.~~ Seals or signatures reproduced on

images complying with this paragraph shall be given the force and effect of original signatures and seals;

SECTION 6. 236.295 (2) of the statutes is renumbered 236.295 (2) (a).

SECTION 7. 236.295 (2) (b) of the statutes is created to read:

236.295 (2) (b) Notwithstanding par. (a), in a county that maintains a tract index pursuant to s. 59.43 (12m), a correction may be made by reference in the tract index to the plat or certified survey map.

SECTION 8. 236.34 (1) (c) of the statutes is amended to read:

236.34 (1) (c) The map shall be prepared in accordance with s. 236.20 (2) (a), (b), (c), (e), (f), (g), (h), (i), (j), (k), and (L) and (3) (b), (d), and (e) at a graphic scale of not more than 500 feet to an inch, which shall be shown on each sheet showing layout features. The map shall be prepared with a binding margin 1.5 inches wide and a 0.5 inch margin on all other sides on durable white paper ~~8 1/2 inches wide by 14 inches long with nonfading black image or reproduced with photographic silver haloid image on double matt polyester film of not less than 4 mil thickness which media that is 8 1/2 inches wide by 14 inches long~~ with a permanent nonfading black image. When more than one sheet is used for any map, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the map and showing the relationship of that sheet to the other sheets. "CERTIFIED SURVEY MAP" shall be printed on the map in prominent letters with the location of the land by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals.

SECTION 9. 703.11 (2) (d) of the statutes is amended to read:

703.11 (2) (d) All survey maps and floor plans submitted for filing shall be legibly prepared with a binding margin of 1.5 inches on the left side and a one-inch margin on all other sides on durable white paper ~~14 inches in length and 22 inches in width with nonfading black image or reproduced with photographic silver haloid image on double matt polyester film of not less than 4 millimeter thickness and media that is 14 inches long by 22 inches wide~~ with a permanent nonfading black image. The maps and plans shall be drawn to a convenient scale.

SECTION 10. 706.01 (7r) of the statutes is created to read:

706.01 (7r) "Legal description" means a description of a specific parcel of real estate that is described in one of the following ways, whichever is appropriate:

(a) By one of the ways under s. 66.0217 (1) (c).

(b) By condominium name, unit number, and appurtenance number in a platted condominium development.

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SECTION 10m. 707.215 (3) of the statutes is amended to read:

707.215 (3) FORM OF MAPS AND PLANS. All survey maps and floor plans submitted for recording shall be legibly prepared with a binding margin of 1.5 inches on the left side and a one-inch margin on all other sides on durable white paper media that is 14 inches in length and 22 inches in width with a permanent nonfading black image or reproduced with photographic silver haloid image on double matt polyester film of not less than 4 millimeter thickness and 14 inches long by 22 inches wide. The maps and plans shall be drawn to a convenient scale.

SECTION 11. 867.045 (1) (j) of the statutes is amended to read:

867.045 (1) (j) In the case of real property, a copy of the property tax bill for the year preceding the year of the

decedent's death and a legal description of the property, which description shall be imprinted on or attached to the application. The register of deeds shall record the bill. The required recording of the property tax bill may be waived by an agreement between the register of deeds and the county real property lister.

SECTION 12. 867.046 (2) (i) of the statutes is amended to read:

867.046 (2) (i) In the case of real property, a copy of the property tax bill for the year preceding the year of the decedent's death and a legal description of the property, which description shall be imprinted on or attached to the application. The register of deeds shall record the bill. The required recording of the property tax bill may be waived by an agreement between the register of deeds and the county real property lister.