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State of Misconsin 2003 - 2004 LEGISLATURE

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ASSEMBLY AMENDMENT 5, TO 2003 ASSEMBLY BILL 678

January 14, 2004 - Offered by Representative AINSWORTH.

At the locations indicated, amend the bill as follows:

1. Page 8, line 7: after that line insert:

"Section 13d. 66.1003 (4) (b) of the statutes is amended to read:

66.1003 (4) (b) A hearing on the passage of a resolution under par. (a) shall be set by the common council or village or town board on a date which shall not be less than 40 days after the date on which the resolution is introduced. Notice of the hearing shall be given as provided in sub. (8) (b), except that in addition notice of the hearing shall be served on the owners of all of the frontage of the lots and lands abutting upon the public way or unpaved alley sought to be discontinued in a manner provided for the service of summons in circuit court at least 30 days before the hearing. When service cannot be made within the city, village or town, a copy of the notice shall be mailed to the owner's last–known address at least 30 days before the hearing.

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Section 13h. 66.1003 (7) of the statutes is amended to read:

66.1003 (7) The city council or village or town board may by resolution discontinue any alley or any portion of an alley which has been abandoned, at any time after the expiration of 5 years from the date of the recording of the plat by which it was dedicated. Failure or neglect to work or use any alley or any portion of an alley for a period of 5 years next preceding the date of notice provided for in sub. (8) (b) shall be considered an abandonment for the purpose of this section.

Section 13m. 66.1003 (8) of the statutes is renumbered 66.1003 (8) (b).

Section 13r. 66.1003 (8) (a) of the statutes is created to read:

66.1003 (8) (a) Upon receiving a petition under sub. (2) or (3) or upon the introduction of a resolution under sub. (4), the city, village, town, or county shall deliver a copy of the petition or resolution to the secretary of transportation, if the public way or unpaved alley that is the subject of the petition or resolution is located within one-quarter mile of a state trunk highway or connecting highway.".

- **2.** Page 66, line 11: after "(4) (title)" insert ", (a) 5.".
- **3.** Page 66, line 21: after that line insert:

"(a) 5. The secretary of transportation, if the highway that is the subject of the application or resolution is located within one–quarter mile of a state trunk highway or connecting highway.".

20 (END)