



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 446
[2005 Senate Bill 499]

**Recording and Filing
Transportation Project Plats**

Current law specifies that when the Department of Transportation (DOT) or a municipality acquires land, or interests or rights in land, for a public project, it must file a plat describing the acquired land in the office of the register of deeds where the land is located. The plat depicts the order authorizing the acquisition of the land and may be referred to in legal documents to describe the land or interests in the land.

2005 Wisconsin Act 446 makes changes to the way plats are filed and recorded. The Act:

1. Defines, for purposes of s. 84.095, Stats., as revised by the Act:
 - a. “Parcel” to mean one or more pieces of land, or interests or rights in land, under the same ownership or control to be acquired *or disposed of* for a project and depicted on the plat (i.e., adds “or disposed of” to the current definition).
 - b. “Plat” to mean a map that is prepared for a project, or a part of a project. The plat must consist of a single sheet *or a detail and title sheet* (i.e., adds “or detail and title sheet” to the current definition that requires the plat to consist of a single sheet).
 - c. “Title sheet” to mean a sheet that includes, but is not limited to, limits on the project, location map, and identification of plat symbols and abbreviations. This is a new definition created in the Act.
2. Provides that the plat submitted by DOT or a municipality for filing or recording may include a separate title sheet.
3. Clarifies that an affidavit of correction may be filed to correct scrivener errors but may not be used to reconfigure land parcels or rights or interests that are required for a project. Affidavits of correction may be used to correct distances, angles, directions, bearings, chords, lot and block numbers, street names, or other scrivener errors.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

4. Allows a plat to be used to delineate a right-of-way.
5. Allows for more flexibility in the materials used for a plat and the size of an acceptable plat.
6. Specifies that DOT may not divide a surplus parcel (as defined by DOT) under s. 84.095, Stats., as revised by the Act.

Effective Date: Act 446 takes effect on June 6, 2006.

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