

No. 306, A.]

[Published June 15, 1957.]

#### CHAPTER 184

AN ACT to create 66.27 of the statutes, relating to relief from conditions of gifts and dedications on public lands.

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

66.27 of the statutes is created to read:

**66.27 RELIEF FROM CONDITIONS OF GIFTS AND DEDICATIONS.** (1) If the governing body of a county, city, town or village accepts a gift or dedication of land made on condition that the land be devoted to a special purpose, and the condition subsequently becomes impossible or impracticable, such governing body may by resolution or ordinance enacted by a two-thirds vote of its members elect either to grant the land back to the donor or dedicator or his heirs, or accept from the donor or dedicator or his heirs, a grant relieving the county, city, town or village of the condition, pursuant to article XI, section 3a, of the constitution.

(2) (a) If such donor or dedicator or his heirs are unknown or cannot be found, such resolution or ordinance may provide for the commencement of an action under this section for the purpose of relieving the county, city, town or village of the condition of the gift or dedication.

(b) Any such action shall be brought in a court of record in the manner provided in ch. 262. A lis pendens shall be filed as provided in s. 281.03 upon the commencement of the action. Service upon persons

whose whereabouts are unknown may be made by publication under ss. 262.12 and 262.13.

(c) The court may render judgment in such action relieving the county, city, town or village of the condition of the gift or dedication.

Approved June 11, 1957.

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