

No. 138, S.]

[Published July 18, 1961.

**CHAPTER 214**

AN ACT to repeal 236.12 (7) and 236.15 (1) (e); to amend 236.03 (1), 236.12 (2) (a) and (3), 236.15 (1) (a) and (h) and (2), 236.16 (1), 236.20 (1) (b), (2) (b), (c), (d), (e) and (k) and (3) (a) and 236.21 (1) (b); and to create 236.02 (10) to (13), 236.20 (4) (d) and 236.36 of the statutes, relating to revising the platting law.

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

SECTION 1. 236.02 (10) to (13) of the statutes are created to read:

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236.02 (10) "Alley" means a public or private right of way shown on a plat, which provides secondary access to a lot, block or parcel of land.

(11) "Copy" means a true and accurate copy of all sheets of the original subdivision plat. Such copy shall be on durable white matte finished paper with legible dark lines and lettering.

(12) "Director" means the director of the planning function of the department of resource development.

(13) "Replat" is the process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a replat.

SECTION 2. 236.03 (1) of the statutes is amended to read:

236.03 (1) Any division of land which results in a subdivision as defined in s. 236.02 \* \* \* (8) (a) shall be, and any other division may be, surveyed and a plat thereof approved and recorded as required by this chapter. No map or survey purporting to create divisions of land or intending to clarify metes and bounds descriptions may be recorded except as provided by this chapter.

SECTION 3. 236.12 (2) (a) and (3) of the statutes are amended to read:

236.12 (2) (a) Two copies for each of the state agencies required to review the plat to the director \* \* \* who shall examine the plat for compliance with ss. 236.15, 236.16, 236.20 and 236.21 (1) and (2). If the \* \* \* subdivision abuts or adjoins a state trunk highway or connecting street, the director shall transmit 2 copies to the state highway commission so that agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision is not served by a public sewer and provision for such service has not been made, the director \* \* \* shall transmit 2 copies to the state board of health so that agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure the agencies may designate local officials to act as their agents in examining the plats for compliance with the statutes or their rules by filing a written delegation of authority with the approving body.

(3) Within 20 days of the date of receiving the copies of the plat any agency having \* \* \* authority to object under sub. (2) shall notify the subdivider and all approving or objecting authorities of any \* \* \* objection based upon failure of the plat to comply with the statutes or rules which its examination under sub. (2) is authorized to cover, or, if there is no objection, it shall so certify on the face of a copy of the plat and return that copy to the approving authority from which it was received. The plat shall not be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act within the 20-day limit it shall be deemed to have no objection to the plat. *No approving authority may inscribe its approval on a plat prior to the affixing of the certificates under either sub. (4) or (6).*

SECTION 4. 236.12 (7) of the statutes is repealed.

SECTION 5. 236.15 (1) (a) of the statutes is amended to read:

236.15 (1) (a) The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than 30 inches in length, not less than 4 inches square or 5 inches in diameter, and marked on the top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least 30

inches long and 2 inches in diameter weighing not less than 3.65 pounds per lineal foot. Solid round or square iron bars of equal or greater length or weight per foot may be used in lieu of pipes wherever pipes are specified in this section. These monuments shall be placed not more than 1,400 feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius \* \* \* , at all angle points in any line \* \* \* and at all angle points along the meander line, *said points to be not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream*, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

SECTION 6. 236.15 (1) (e) of the statutes is repealed.

SECTION 7. 236.15 (1) (h) of the statutes is amended to read:

236.15 (1) (h) The governing body of the municipality, town or county which is required to approve the subdivision under s. 236.10 may waive the placing of monuments under pars. (b), (c) \* \* \* and (d) \* \* \* for a reasonable time on condition that the subdivider executes a surety bond to insure that he will place the monuments within the time required.

SECTION 8. 236.15 (2) of the statutes is amended to read:

236.15 (2) The survey shall be performed by a registered land surveyor and if the error in the latitude and departure closure of the survey *or any part thereof* is greater than the ratio of one in 3,000, the plat may be rejected.

SECTION 9. 236.16 (1) of the statutes is amended to read:

236.16 (1) In counties having a population of 40,000 or more, each lot in a residential area shall have a minimum average width of 50 feet and a minimum area of 6,000 square feet; in counties of less than 40,000, each lot in a residential area shall have a minimum average width of 60 feet and a minimum area of 7,200 square feet. *In municipalities, towns and counties adopting subdivision control ordinances under s. 236.45, minimum lot width and area may be reduced to dimensions authorized under such ordinances if the lots are served by public sewers.*

SECTION 10. 236.20 (1) (b), (2) (b), (c), (d), (e) and (k) and (3) (a) of the statutes are amended to read:

236.20 (1) (b) With a binding margin \* \* \* 1½ inches \* \* \* wide on one side, *as designated by the register of deeds of the county in which the land is located*, and a one inch margin on all other sides.

(2) (b) All monuments erected, corners and other points established in the field in their proper places. The material of which the monuments, corners or other points are made shall be noted at the representation thereof or by legend, except lot corners need not be shown. *The legend for metal monuments shall indicate the kind of metal, the diameter, length and weight per lineal foot of the monuments.*

(c) The exact length and bearing of the exterior boundaries, the boundary lines of all blocks, public grounds, streets and alleys, and all lot lines, except that when the lines in any tier of lots are parallel it shall be sufficient to mark the bearings of the outer lines on one tier thereof. Easements shall be shown by center line and width when lines are parallel to a boundary, otherwise boundary bearings and distances shall be shown. *Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys there shall be the following note placed along such lines, "recorded as (show recorded bearing or length or both)."*

(d) \* \* \* Blocks, *if designated*, shall be consecutively numbered, or lettered in alphabetical order. The blocks in numbered additions to sub-

divisions bearing the same name shall be numbered or lettered consecutively through the several additions.

(e) All lots in each block consecutively numbered. *Outlots shall be lettered in alphabetical order. If blocks are numbered or lettered, outlots shall be lettered in alphabetical order within each block.*

(k) When a street is on a circular curve, the main chords of the right-of-way lines shall be drawn as dotted lines in their proper places; and either on them, or in an adjoining table, shall be noted their bearings and lengths, the radius of the circle of which the curve is a part \* \* \*, the central angle subtended *and the tangent bearing at either the point of curve or point of tangency.* The lot lines may be shown in the same manner or by bearings and distances. When a circular curve of 30-foot radius or less is used to round off the intersection between 2 straight lines, it shall be tangent to both straight lines; it shall be sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.

(3) (a) The location of the subdivision by government lot, *recorded private claim*, quarter section, section, township, range and county noted immediately under the name given the subdivision;

SECTION 11. 236.20 (4) (d) of the statutes is created to read:

236.20 (4) (d) Each lot within the plat must have access to a public or private street unless otherwise provided by local ordinance.

SECTION 12. 236.21 (1) (b) of the statutes is amended to read:

236.21 (1) (b) A clear and concise description of the land surveyed, divided and mapped by government lot, *recorded private claim*, quarter-quarter section, section, township, range and county; and by metes and bounds commencing with some corner marked and established by the U. S. public land survey; or if such land is located in a recorded subdivision or recorded addition thereto, then by the number or other description of the lot, block or subdivision thereof, which has previously been tied to a corner marked and established by the U. S. public land survey.

SECTION 13. 236.36 of the statutes is created to read:

236.36 REPLATS. A replat of all or any part of a recorded subdivision may not be made or recorded except after proper court action has been taken to vacate the original plat or the specific part thereof; provided that such replat may be made and recorded without taking court action to vacate the original plat or the specific part thereof when all the parties in interest in writing agree thereto.

Approved July 11, 1961.

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