

Senate Bill 257

Published  
August 24, 1965.

**CHAPTER 216**

AN ACT to amend 278.17 of the statutes, relating to sheriffs and referees deeds.

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

278.17 of the statutes is amended to read:

278.17 Upon any such sale being made the sheriff or referee making the same, on compliance with its terms, shall make and execute to the purchaser, *his assigns or personal representatives*, a deed of the premises sold, setting forth each parcel of land sold to him and the sum paid therefor, which deed, upon ~~the~~ confirmation of such sale, shall vest

in the purchaser, *his assigns or personal representatives*, all the right, title and interest of the mortgagor, his heirs, personal representatives and assigns in and to the premises sold and shall be a bar to all claim, right of equity of redemption therein, of and against the parties to such action, their heirs and personal representatives, and also against all persons claiming under them subsequent to the filing of the notice of the pendency of the action in which such judgment was rendered; and the purchaser, his heirs or assigns shall be let into the possession of the premises so sold on production of such deed or a duly certified copy thereof, and the court may, if necessary, issue a writ of assistance to deliver such possession. Such deed or deeds so made and executed by the sheriff as above set forth shall be forthwith delivered by him to the clerk of the court to be held by the clerk until the confirmation of the sale, and upon the confirmation thereof the clerk of the court shall thereupon pay to the parties entitled thereto, or to their attorneys, the proceeds of the sale, and shall deliver to the purchaser ~~or purchasers~~, *his assigns or personal representatives*, at the sale such deed ~~or deeds~~ upon compliance by such purchaser ~~or purchasers~~ with the terms of such sale, and the payment of any balance of the sale price to be paid. In the event of the failure of such purchaser to pay any part of the purchase price remaining to be paid within 10 days after the confirmation of such sale, the amount so deposited shall be forfeited and paid to the parties who would be entitled to the proceeds of such sale as ordered by the court, and a resale shall be had of said premises, and in such event such deed so executed to the defaulting purchaser shall be destroyed by said clerk, and shall be of no effect. In the event that such sale is not confirmed by the court, the clerk shall forthwith refund to the purchaser at such sale the amount so paid or deposited by him, and shall likewise destroy such sheriff's deed so executed, and the same shall be of no effect, and a resale of the premises shall be had upon due notice thereof.

Approved August 18, 1965.

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