

**WisDOT Real Estate
STATUTE "QUICK REFERENCE" LIST**

ADVERSE POSSESSION:

893.24 thru 893.30

893.29(1) Adverse Possession of Government Land Not Allowed. (Note: Because we never have a mutually agreed upon fence line.)

APPRAISAL WAIVER FOR NOMINAL VALUE:

49 CFR, 24.102

AUTHORITY TO ACQUIRE:

City - 62.22(1) and (1m)

County - 83.07, 83.08

State - 84.09(1)

Town - 60.50(1)

Village - 61.34(3) and (3m)

COUNTY HIGHWAYS:

Chapter 83

DRAINAGE:

88.87 Obstruction of Drainage

EMINENT DOMAIN:

32.05(1)(b) \$1,000 Project Rule

32.05(5) Contesting Right to Take

32.05(6) 20 day JO timelines

32.05(8) Writ of Assistance (also see 843.17)

32.05(8)(b) 90 day assurance, and 30 day rent-free statute

32.05 Condemnation of Transportation Facilities

32.06(2) Appraisal Rights

32.09(4) Median a Police Power and No Right to Traffic, see Annot Schneider vs. State below

32.09(6)(b) Deprivation or Restriction of Access, except when authorized by police power

32.09 Just Compensation

32.10 Inverse Condemnation

32.12 Defective Title, but in possession does not stop highway

32.18 Damage by Change of Grade w/No Taking

32.19 Relocation (other payable items)

32.28 Litigation Costs and Appeal from Condemnation Commission (Note: Important that, if appealed by owner, owner needs to beat Commissions award by 15%)

FARMLAND PRESERVATION:

91.19(6m)

FORECLOSURES:

846

FUNCTIONAL REPLACEMENT OF REAL PROPERTY IN PUBLIC OWNERSHIP:

23 CFR, 710.509

INTESTATE HEIRS:

852.01

LIS PENDENS:

840.10

MAIN FEDERAL REGULATIONS FOR HIGHWAY REAL ESTATE:

23 CFR and 49 CFR

MARITAL PROPERTY:

766

MISCELLANEOUS HIGHWAY PROVISIONS:

86.03 Trees on Highway
86.04 Hwy Encroachments
86.05 Entrance to highway restored, and no damage due to access removal during construction
86.07(2) Driveway Permits
86.191 Advertising in R/W Prohibited
86.255 ¼ Mile Rule
86.32 Connecting Highways

MUNICIPAL HIGHWAYS:

82.13 Presumed 66'
82.16 Hwy Order Presumed
82.18 Laying Out Highways

MUNICIPAL LAWS:

62.22(4)(e) City vacated R/W offset for acquired R/W
66.0301 Intergovernmental and Tribal Cooperation for Acquisitions
66.0425 Privileges in Streets
66.0705(1)(a) Special Assessment of R/W and Abandoned RXR Not Allowed
66.1005 Reversion of Title in Streets (Municipality)
66.1035 Rights of Abutting Owners (see notes)
66.1037 Municipal Law on Cutting Grass and Plants on R/W

PLATS/CSM/DEDICATIONS:

236
236(29) Dedications for Public Use (streets, etc.)

PROPERTY:

703 Condominiums
704.19 Notice to Terminate Tenants
706 Conveyance of Real Property
706.055 and 706.057 Mineral Rights

PROPERTY TAX ASSESSMENT EXEMPTION:

70.10 and 70.11(1)

SATISFACTION OF MORTGAGE:

428.104(1)

STATE TRUNK HIGHWAYS:

84.01(10) Right of Entry for Survey and Inspections
84.013 Major Highway Projects
84.09 Acquisition of Land and Interest
84.095 TPP Plats
84.20 Repair of Detour and Haul Rds (Subj. to 86.255; 1/4 mile rule)
84.25 Controlled Access Highway
84.295 Freeway and Expressway
84.30 Outdoor Advertising
84.305 Vegetation Obstruction of OA Signs
84.31 Junkyards

WisDOT:

85.04 Acquisition of Replacement Lands (Mitton case law reference.)
85.09 Acquisition of RXR

These are direct links to our most referenced real estate specific topics:

- [Wisconsin Statutes & Annotations/Table of Contents](#)
- [Chapter 32 - Eminent Domain](#) - most referenced
- [Chapter 60 - Towns](#)
- [Chapter 61 - Villages](#)
- [Chapter 62 - Cities](#)
- [Chapter 66 - General Municipality Law](#)
- [Chapter 82 - Town Highways](#)
- [Chapter 83 - County Highways](#)
- [Chapter 84 - State Trunk Highways; Federal Aid](#) - most referenced
- [Chapter 86 - Miscellaneous Highway Provisions](#)
- [Chapter 91 - Farmland Preservation](#)
- [Chapter 244 - Uniform Power of Attorney for Finances and Property](#)
- [Chapter 703 - Condominiums](#)
- [Chapter 706 - Conveyances of Real Property; Recording; Titles](#)
- [Chapter 846 - Real Estate Foreclosure](#)
- [Chapter 893 - Limitations for Claims Against Governmental Units](#)

Administrative Code:

- [Adm 92](#) - Relocation Assistance (formerly, Comm. 202)
- [Trans 201](#) - Control of Outdoor Advertising Along and Visible from Highways on the Interstate and Federal-Aid Primary Systems

Federal laws/regulations:

- [23 CFR - Highways](#)
- [49 CFR Part 24](#)
- [Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended](#) (Uniform Act)