

CORRECTION INSTRUMENTS

PURPOSE

s. 236.295, Wis. Stats.

s. 236.02 (2m), Wis. Stats.

s. 236.295 (a),(b), (c), Wis. Stats.

A **Correction Instrument** is a recorded affidavit prepared by a Wisconsin Professional Land Surveyor that attests to changes made to a recorded subdivision plat or Certified Survey Map as provided for by s. 236.295, Wis. Stats.

A Correction Instrument should be used to change technical mapping information when that information does not conform to the plat or map as it exists on the ground.

Examples:

- Monument descriptions
- Mistakes in bearings and distances on the drawing or in the curve table (i.e. transposed numbers)
- Mistakes and omissions in the Notes (wrong lot or outlot numbers shown in the notes)
- Street names
- Water elevations
- Names or corrections in any certificate
- Location Sketch details
- Parcel areas
- Adding certificates
- Section corner ties
- Adjoining property data
- Adding salient features (wetlands, watercourse, towers, etc.)

s. 236.293, Wis. Stats.

A Correction Instrument should be used to show lawfully modified, released, or terminated easements or other restrictions that affect the recorded plat or CSM, as provided for by s. 236.293, Wis. Stats.

Examples:

- Outlot restriction release
- Mound system restriction release
- Relocation, termination, or modification of any type of easement
- Highway setback variance as granted
- Access restriction release or modification

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PURPOSE

A Correction Instrument **may not** be used to:

- Alter or rearrange any exterior, lot, outlot or street boundary on the recorded subdivision plat or Certified Survey Map.
- Change the name of a recorded subdivision plat.
- Change the lot and outlot numbering in a recorded subdivision plat or Certified Survey Map.
- Change easements or restrictions that have not been lawfully released or terminated.
- Amend or alter any part of an Assessor's Plat.

s. 236.295 (a),
Wis. Stats.

When contemplating if the use of a Correction Instrument is appropriate, always consider the Attorney General opinion 61 O.A.G. 25, which states in part:

"...s. 236.295 does not authorize any change or amendment other than specific corrections of the nature described in s. 236.295. The correction instruments referred to.... are intended to be substituted in the place of inaccurate information or to rectify noncompliance with a statutory standard."

"....true amendments to an original subdivision plat, by way of any modification, deletion or addition to said plat...can only be accomplished under the statutory provisions for vacating and altering subdivision plats, set forth in secs. 236.36 through 236.445...".

REQUIREMENTS

Approvals

Correction Instruments that affect public dedications or restrictions for public benefit, must be approved by the municipality or town board in which the affected subdivision or Certified Survey Map is located.

s. 236.295 (2),
Wis. Stats.

CORRECTION INSTRUMENTS

REQUIREMENTS

Formats

To be accepted for recording, a Correction Instrument must:

- Use one of the standard formats, including that recommended by the
- Register of Deeds Association for the first sheet of the instrument
- (see examples this section).
- Be on 8 1/2" x 11" or 8 1/2" x 14" - min. 20 lb. white paper.
- Use black or red ink except for signatures.

Layout

Information to be included on a Correction Instrument:

- Document title (e.g. "Affidavit of Correction").
- Name, location and recording information of the subdivision or CSM.
- Certification that the instrument is being used pursuant to s. 236.295.
- Surveyor's signature and seal, dated.
- A clear and concise description of the item to be corrected (e.g. "The south line of lot 1, Yokum Cove").
- The erroneous data and;
- The corrected data.
- Recording data for any associated documents (e.g. easement releases or restriction waivers).
- Supporting documentation (e.g. outlot restriction release letter).
- Approval certificate from the appropriate governing body (when changing areas dedicated to the public or restrictions for public benefit).
- Notary certificate per s. 706.07 (recommended; required for ratifications of a recorded plat or CSM.).

Future users may have difficulty relating the written description of the Correction Instrument to the recorded plat or map. If possible, include a DETAIL of the plat or map area affected by the Correction Instrument.

s. 59.43 (2) (m), Wis. Stats.

CORRECTION INSTRUMENTS

REQUIREMENTS

Recording

s. 236.295 (1),
Wis. Stats.

The Correction Instrument shall be recorded in the register of deeds office in the county in which the affected subdivision plat or Certified Survey Map is recorded.

s. 236.295 (2) (a),
(b), Wis. Stats.

Upon recording the Correction Instrument, the register of deeds notes upon the affected plat or CSM., the volume and page in which the Correction Instrument is recorded, or by reference in the tract index to the affected plat or CSM.

s. 236.295 (2),
Wis. Stats.

The record of the Correction Instrument, or a certified copy thereof, is sufficient to establish as fact the information within, if the Correction Instrument is used pursuant to s. 236.295, Wis. Stats.

SAMPLE CORRECTION INSTRUMENT FORMAT
As recommended by register of deeds. (sheet size: 8" x 14" legal)

CORRECTION INSTRUMENT STANDARD DOCUMENT FORMAT-OPTION #1

Document Number 1" X 2"	Document Title	3" x 3" Area For Recording Data
		Name & Return Address Area 1" X 3"
		Parcel Identification Number

SAMPLE CORRECTION INSTRUMENT FORMAT
As recommended by register of deeds. (sheet size: 8" x 14" legal)

CORRECTION INSTRUMENT STANDARD DOCUMENT FORMAT-OPTION #2

Document Number 1" X 2"	Document Title	3" x 3" Area For Recording Data
Name & Return Address Area 1" X 3"		
Parcel Identification Number		

SAMPLE CORRECTION INSTRUMENT LANGUAGE
This instrument (affidavit) changes a street name in a recorded plat.

Doc. No. 23462

**AFFIDAVIT OF CORRECTION
SECOND ADDITION TO YOKUM COVE**

KICKAPOO COUNTY
REGISTER OF DEEDS
DOC. NO. 23462

recording data

Pursuant to s. 236.295(1) (a), Wis. Stats., I, Jane Doe, Registered Land Surveyor, S-9999, hereby certify that the plat of SECOND ADDITION TO YOKUM COVE, recorded in Volume 13 of Plats on Pages 58 and 59, Kickapoo County Registry, located in the Town of France, Kickapoo County, WI, shows a street name of "DAISY COURT" east of lots 20-23, (seediagram).

The name of the street shall be changed to "DAISY MAE COURT."

J.D. Land Surveying
123 Main Street
Dogpatch, WI 55555

Dated this 14TH day of June, 1995

Jane Doe
Jane Doe, S-9999



Parcel Id. No. 4132403300008

STATE OF WISCONSIN)
)ss.
COUNTY OF KICKAPOO)

Personally came before me this ____ day of _____, 199__, to me known to be the person who executed the foregoing instrument and acknowledged the same.

My Commission Expires _____

TOWN OF FRANCE
APPROVAL CERTIFICATE

Approved for recording by the Town Board of the Town of France.

Date _____

Joe Smith, Town Clerk
Town of France



