# CORRECTION INSTRUMENTS

# PURPOSE

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 (wetands, watercourse, towers, etc.)

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

s. 236.295, Wis. Stats.

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

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

s. 236.293, Wis.

Stats.

# **CORRECTION INSTRUMENTS**

# 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.

# 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

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

# **CORRECTION INSTRUMENTS**

## REQUIREMENTS

#### Formats

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

# **CORRECTION INSTRUMENTS**

### REQUIREMENTS

### Recording

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.

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.

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.

s. 236.295 (1), Wis. Stats.

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

s. 236.295 (2), Wis. Stats.

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

		,
Document Number	Document Title	
		3" x 3" Area
		For Recording Data
		Name & Return Address Area 1'' X 3''
		Parcel Identification Number
<b>_</b>		· <b>_</b>

#### **CORRECTION INSTRUMENT STANDARD DOCUMENT FORMAT-OPTION #1**

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

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### SAMPLE CORRECTION INSTRUMENT LANGUAGE As recommended by register of deeds.

DOCUMENT NO.	AFFIDAVIT OF CORRI	ECTION	
THIS FORM IS IN	TENDED TO CORRECT SCRIVENER'S	ERRORS.	
PURPOSES WITH GRANTOR/GRAN • Altering bound	OULD NOT BE USED FOR THE FOLI   HOUT THE NOTARIZED SIGNATUR   NTEE*   ary lines • Altering title/owner   ty • Deleting property	ES OF THE	
recorded on the, in volume, and was recorded in County, State of W	swears or affirms that the attached docu day of,(y page, as document no in the Register of Deeds of /I, contained the following error ed, please attach an addendum):	RECORDING AREA	
		NAME AND RETURN ADDRESS	
		Pin:	
The correction is	as follows (if more space is needed, please a		_
A complete origina	al or copy of the original document shot	<mark>ild be</mark> attached.	
Dated this	day of,,		
Affiant's Signature	(type name below)	Grantee's Signature (type name below)	
*		*	
Grantor's Signature	(type name below)	Grantee's Signature (type name below)	
*		*	
Grantor's Signature	(type name below)		
		STATE OF WISCONSIN COUNTY OF)	) SS.
		Subscribed and sworn to (or affirmed) before me this,	
		(type name	below)
Drafted by:		Notary Public, State of Wisconsin My Commission (expires) (is):	

\*Grantor/Grantee as described in Wisconsin State Statutes 706.01(6) WRDA/WRPLA version VI- 10/06/2000

### SAMPLE CORRECTION INSTRUMENT LANGUAGE This instrument (affidavit) adds a mortgagee certificate to the recorded plat.

**CORRECTION INSTRUMENT** 

FIRST ADDITION TO YOKUM COVE	
Pursuant to s. 236.295 (1) (c), Wis. Stats., I, Jane Doe, Registered Land Surveyor, S-9999, hereby certify that the following mortgagee's certificate was inadvertently omitted from the plat of FIRST ADDITION TO YOKUM COVE, recorded in Volume 13 of Plats on Pages 12 and 13, Kickapoo County Registry, located in the Town of France, Kickapoo County, WI.	: 1 1 1
Dated this day of, 199	I
Jane Doe, S-9999 Kickapoo Savings and Loan, mortgagee of Lot 12, FIRST ADDITIOI TO YOKUM COVE, does hereby consent to the surveying, dividing, mapping, and dedication of the land described on this plat, and Kickapoo Savings and Loan does hereby consent to the Owner's Certificate on this plat. WITNESS the hand and seal of, president of Kickapoo Savings and Loan.	
Dated this day of, 199	
Dated this day of, 135	1
STATE OF WISCONSIN ) )ss.	ļ
)ss. COUNTY OF KICKAPOO)	(
Personally came before me thisday of, 199_, to me known to be the person who executed the foregoing instrument and acknowledged the same.	

My Commission Expires\_\_\_\_\_

KICKAPOO COUNTY **REGISTER OF DEEDS** DOC. NO. 23450

recording data

Parcel Id. No. <u>4132403300001</u>

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

plat.review@wi.gov, (608)-266-3200

Doc. No. 23450

### 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). J.D. Land Surveying The name of the street shall be changed to 123 Main Street "DAISY MAE COURT." Dogpatch, WI 55555 Dated this 14<sup>th</sup> day of 4 JANE 59999 + 11 1995 Parcel Id. No. 4132403300008 lane Jarle Doe, S-9999 STATE OF WISCONSIN ) )ss. COUNTY OF KICKAPOO) Personally came before me this \_ \_\_\_, 199\_, to me known to of 5, be the person who executed the foregoing MAF 16 23 instrument and acknowledged the same. COURI 17 My Commission Expires\_ 22 18 21 19 TOWN OF FRANCE 20 APPROVAL CERTIFICATE Approved for recording by the Town Board of the Town of France. Date

Joe Smith, Town Clerk Town of France

### SAMPLE CORRECTION INSTRUMENT LANGUAGE This instrument (affidavit) changes a line length in a recorded plat.

Doc. No. 23473 **AFFIDAVIT OF CORRECTION** THIRD ADDITION TO YOKUM COVE KICKAPOO COUNTY REGISTER OF DEEDS DOC. NO. 23473 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 THIRD ADDITION TO YOKUM COVE, recorded in Volume 13 of Plats on Pages 102 and 103, Kickapoo County Registry, located in the Village of Dogpatch, Kickapoo County, WI, contains an error in the length of the west line of the SW 1/4 of Section 3, T13N, R24E. J.D. Land Surveying The length was incorrectly shown as "2640.01'." This length 123 Main Street shall be corrected to "2642.01'." (See diagram) Dogpatch, WI 55555 Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1996 Parcel Id. No. 4132403300011 Jane Doe, S-9999 60 STATE OF WISCONSIN ) 59 1/4 Corner c. 3, T13N, R24E )ss. Sec. 2" d 2" diam. Iron Pipe with Bross Cap, Found COUNTY OF KICKAPOO) 58 Personally came before me this day \_, 199\_, to me known to of N89'54'00"E 525.32 be the person who executed the foregoing instrument and acknowledged the same. My Commission Expires 542.0 400°06'00" est line SW Corne

Sw Corner Sec. 3, T13N, R24E 6"x6" Conrete Monument with Brass Cap, Found