

No. 425, A.]

[Published July 16, 1943.]

CHAPTER 539.

AN ACT to amend 75.14 (4) of the statutes, relating to the survival of covenants in deeds to contribute to the maintenance of private roads after issuance of tax deeds.

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

75.14 (4) of the statutes is amended to read:

75.14 (4) Whenever a deed in the chain of title shall contain valid and enforceable restrictions and covenants running with the land, as hereinafter defined and limited, said restrictions and covenants shall survive and be enforceable after the issuance of a tax deed or a deed upon foreclosure of tax certificate to the same extent that they would be enforceable against a voluntary grantee of the owner of the title immediately prior to the delivery of the tax deed. This subsection shall apply to the usual restrictions and covenants limiting the use of property, the type, character and location of building, the character, race or nationality of owners, covenants against nuisances and what the former parties deemed to be undesirable conditions, in, upon and about the property, *covenants to contribute to the cost of maintaining private roads*, and other similar restrictions and covenants; but this subsection shall not protect covenants creating any debt or lien against or upon the property, or that will require the grantee to expend money for any purpose, except such as may require said grantee to keep the premises in sanitary or slightly condition, *contribute to the cost of maintaining private roads*, or to abate nuisances or undesirable conditions. *Provided that while any county is the owner of lands so acquired it shall not be required to expend any money to keep the premises in sanitary or slightly condition or to contribute to the cost of maintaining private roads or to abate nuisances or undesirable conditions, but its successors in title shall be subject thereto and to covenants and restrictions as provided in this section.* Any rights the former owner had to enforce the restrictions and covenants to which this subsection is applicable against the grantor and other parties owning property subject to such restrictions and covenants, except forfeitures, right of reentry, or reverter, shall likewise survive to the grantee in said tax deed or deed upon foreclosure of tax certificate, and to his or its heirs, successors and assigns.

Vetoed. Passed over veto July 14, 1943.