



PLATS - CONDOMINIUM CHECKLIST

(This form is NOT the statute. It is a guide to the statute.)

RECORDING FEES:

_____ \$50 regardless of the number of pages.

s. 703.065 RECORDING REQUIREMENTS

Every instrument offered for record related to a condominium other than a plat or addendum shall satisfy all of the following criteria:

- a) _____ The instrument shall include the name of the condominium as it appears in the declaration.
- b) _____ The instrument shall be prepared in the standard format for recorded documents under s. 59.43 (2m) and (5)(a).
- c) _____ The instrument shall comply with 706.05(2)(a) and (b).
- d) _____ If the instrument is a condominium instrument or an instrument that modifies a condominium instrument and the county in which the instrument is to be recorded has adopted an ordinance under s. 703.115, instrument should include signature and title of authorized approver.

s. 703.07(1) ESTABLISHMENT OF CONDOMINIUM

_____ The condominium declaration and **condo** plat must be presented together for recording (Exception would be for Addendums and Amendments).

s. 703.09(1) CONDOMINIUM DECLARATION REQUIREMENTS

- a) _____ Name and address of the condominium. The name shall include the word “condominium” or be followed by the words “a condominium.” Be sure the name exactly matches the name on the plat.
- b) _____ **Description of the land** along with the statement of the owner’s intent to subject property to the condominium declaration established under this chapter.
- c) _____ General description of each unit, including perimeters **and location** (unless there are no structures or plans for them).
- d) _____ General description of the common elements together with a designation of limited common elements.
- e) _____ Percentage interests appurtenant to each unit (not required for small condominiums).
- f) _____ Voting provisions (not required for small condominiums).
- g) _____ Statement of the purposes for which building and units are intended **and use restrictions** (not required for small condominiums).
- h) _____ Name and address of resident agent.



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s. 703.09(2) AMENDING DECLARATIONS

An amendment becomes effective when it is recorded.

a) _____ The amending document submitted for recording shall state that the required consents and approvals for the amendment were received (owner's and first mortgagee or servicing company of unit(s)).

b) _____ Notarized or authenticated signature of all owners (declarants) and first mortgagees per s. 703.09(1c).

Bylaws may be attached and recorded with the declaration.

s. 703.095 MODIFICATION OF CONDO INSTRUMENTS, AMENDMENTS & ADDENDA REQUIREMENTS

The register of deeds may record an amendment, addendum, or correction instrument only if it complies with s. 703.065 and satisfies all of the following criteria:

a) _____ It refers to the document number (and volume and page if assigned) of the condominium instrument, amendment, or addendum being modified or corrected.

b) _____ It is numbered consecutively OR states that it is an amendment and restatement of the condominium instrument being modified or corrected.

c) _____ Identifies all units in the condominium.

d) _____ Clearly states the changes being made to the instrument it is modifying or correcting.

e) _____ A correction instrument may be used only to correct a scrivener error on a condominium plat, including erroneous distances, angles, directions, bearings, chords, building or unit numbers, and street names.

s. 703.11 CONDOMINIUM PLAT REQUIREMENTS

a) _____ The name of the condominium and county where the property is located must appear on each sheet of the **condo** plat. The name of the condominium must be unique.

b) _____ Each sheet shall be consecutively numbered and show the relationship of that number to the total number of sheets (i.e. sheet 1 of 2, sheet 2 of 3).

c) _____ A blank space at least 3 inches by 3 inches ~~must be on the first sheet for recording information.~~ **in the upper right corner on first sheet for recording use by the Register of Deeds.**

d) _____ A survey of the property is described in the declaration **that satisfies all of the following: (1) complying with minimum standards for property surveys and (2) showing the location of any building**



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and/or unit located or to be located on the property. (3) It includes a clear and concise description of the surveyed property, as described in s. 236.34(1m)(d)2.

e) _____ Diagrammatic floor plans with dimensions, floor area and location of units and common elements shown graphically. (Exception: land only condos) **Small Condominiums** only require the location and designation of each unit in the building and limited common elements.

f) _____ **Condo** plats submitted for recording shall be prepared on durable white media 14" x 22" with 1 ½" binding margin on left side and 1" margin on all other sides, or on any media that is acceptable to the register of deeds, with a permanent non-fading black image. Maps and plans shall be drawn to a convenient scale. s. 707.215(3)

NOTE: Plats should not be folded (per discussion with Wisconsin Dept of Plat Review).

s. 703.11(3) DESIGNATION OF UNITS

a) _____ Unit numbers may not contain more than 8 numerals (no letters) and must be unique throughout the entire condominium.

s. 703.11(4) PROFESSIONAL LAND SURVEYORS CERTIFICATE (must be a professional land surveyor)

b) _____ Statement that the **condo** plat is a correct representation of the condominium described and the identification and location of each unit and the common elements can be determined from the **condo** plat. Signature of surveyor required.

s. 703.11(5) ADDENDUM REQUIREMENTS

Except as provided in s. 703.095 and 703.265, a condominium plat may be modified only by an addendum that is accomplished in the same manner as an amendment to the declaration under s. 703.09 (2). An addendum is effective when it is recorded in the manner described under s. 703.07(2).

s. 703.115 LOCAL REVIEW OF CONDOMINIUM INSTRUMENTS

a) _____ If the county has adopted an ordinance to require review of condominium instruments before recording, certificate of person performing review.

s. 703.163 STATUTORY RESERVE ACCOUNT STATEMENT must be recorded as a separate document. Required for most residential condominiums (optional for **small condominiums**).

s. 703.26 EXPANDING CONDOMINIUMS REQUIREMENTS

This section does not apply to small condominiums per s. 703.365 (7).

A reservation of the right to expand a condominium is subject to all of the following conditions:



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a) _____ The declaration establishing the condominium describes each parcel of property, that may be added to the condominium.

The declaration establishing the condominium shows all of the following:

b) _____ The maximum number of units that may be added to the condominium.

c) _____ The percentage interests in the common elements, the liabilities for common expenses, and the rights to common surpluses, appurtenant to each unit following the addition of property to the condominium.

d) _____ The number of votes appurtenant to each unit following the addition of property to the condominium, if added.

e) _____ The plat for the original condominium includes the outlines of the land, and, in general terms, the location of the buildings and common elements of new property that may be added to the condominium.

f) _____ The right to expand the condominium is reserved in the declaration for a period not exceeding 10 years from the date of recording of the declaration.

Upon recording an amendment and addenda, property may be added to a condominium if the declarant records all of the following:

g) _____ An amendment that shows the new percentage interests of the unit owners, and the votes that each unit owner may cast in the condominium as expanded.

h) _____ An addendum that includes the detail and information concerning the new property that is required for a plat under s. 703.11(2)(3) and (4).

Property included in a reservation of the right to expand is not subject to the condominium declaration and is not part of the condominium until an amendment and addendum under sub. (3) adding the property to the condominium is recorded.

s. 703.275 MERGER OR CONSOLIDATION OF CONDOMINIUMS REQUIREMENTS

A resultant condominium may be created only by recording all of the following, as provided under s. 703.07:

a) _____ A restatement of the declaration of the resultant condominium that includes the merger or consolidation agreement.

b) _____ A resultant condominium plat.



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The documents under subd. 1. shall be presented together to the register of deeds for recording.

c) _____ The register of deeds may not record a resultant condominium plat without the restatement of the declaration of the resultant condominium and the merger or consolidation agreement.

d) _____ On the plat of the preexisting condominium that is merged or consolidated to create a resultant condominium, the register of deeds shall reference the document number assigned to the resultant condominium plat (and volume and page number if assigned) shall note that the preexisting condominium was merged or consolidated. In a county that maintains a tract index pursuant to 59.43(12m), the register of deeds shall make references to document numbers in the tract index.

e) _____ The merger or consolidation agreement shall provide for the reallocation of the allocated interests among the units of the resultant condominium.

The agreement shall state one of the following:

f) _____ The reallocations or the formulas upon which they are based.

g) _____ The percentage of the total of allocated interests of the new condominium which are allocated to all of the units comprising each of the preexisting condominiums.

h) _____ The merger or consolidation agreement is effective if the agreement is approved by the unit owners of units to which at least 75 percent of the votes in each preexisting association are allocated.

s. 703.28 REMOVAL FROM PROVISIONS OF 703 REQUIREMENTS

All of the unit owners may remove all or any part of the property from the provisions of this chapter by recording a removal instrument:

a) _____ Consent of the holders of all liens affecting any of the units that their liens be transferred to the percentage of the undivided interest of the unit owner in the property.

s. 703.365 SMALL CONDOMINIUMS (12 units or less)