

TOWN OF PLEASANT VALLEY
EAU CLAIRE COUNTY, WISCONSIN
RESOLUTION NO.26-16-12 Cemetery

RESOLUTION AUTHORIZING THE TOWN CLERK TO PROCEED WITH RECLAMATION
OF ABANDONED BURIAL SITES AT HADLEYVILLE CEMETERY WITHOUT MAILING
NOTICE TO UNIDENTIFIED OR PRESUMED-DECEASED LOT OWNERS

At a duly noticed meeting of the Town Board of the Town of Pleasant Valley, Eau Claire County, Wisconsin, held on the 14th day of September, 2026, the following resolution was introduced and adopted:

WHEREAS, the Town of Pleasant Valley owns, operates, and maintains Hadleyville Cemetery, located on County Road HH within the Town of Pleasant Valley; and

WHEREAS, the operation, maintenance, regulation, and administration of Hadleyville Cemetery are governed by Town of Pleasant Valley Ordinance No. 19-15-01 and applicable provisions of Wisconsin law; and

WHEREAS, said ordinance and applicable law establish the process by which the Town may reclaim abandoned cemetery lots and burial sites; and

WHEREAS, Hadleyville Cemetery consists of approximately 120 lots, each containing approximately five to seven burial sites; and

WHEREAS, prior to 1973, eighty-three (83) cemetery lots were identified in the Town's records only by a surname and first initial, without sufficient identifying information to establish the full identity or current address of the recorded lot owner or owners; and

WHEREAS, the Town has identified approximately four hundred ninety-seven (497) burial sites within such lots as potentially abandoned and subject to reclamation under applicable ordinance and law; and

WHEREAS, the Town acknowledges that a substantial portion of the historical cemetery records was destroyed in a fire at the Town Clerk's residence in the 1950s; and

WHEREAS, following the loss of such records, the Town has undertaken reasonable and diligent efforts to reconstruct and verify cemetery ownership and burial information using all records and resources reasonably available to it, including remaining Town records, physical site probing, historical maps, and ground scanning conducted by University of Wisconsin-Eau Claire students; and

WHEREAS, the Town Board finds that the Town's cemetery records have been substantially reliable and well maintained since 1973; and

WHEREAS, Town Ordinance No. 19-15-01 and applicable Wisconsin law require that, as part of the process for reclaiming an abandoned cemetery lot or burial site, notice of the Town's intent to reclaim or resell such lot or site be mailed to the lot owner unless there exists reasonable evidence that such owner is deceased; and

WHEREAS, despite reasonable efforts, the Town has been unable to ascertain the full identity, current address, heirs, or other lawful contacts for the persons listed as owners of the affected pre-1973 lots; and

WHEREAS, due to the age of the records, the absence of complete identifying information, and the substantial passage of time, the Town Board finds there is a reasonable basis to conclude that such recorded lot owners are deceased and that mailed notice to such persons is not reasonably practicable; and

WHEREAS, the Town Board further finds that requiring the Clerk to attempt mailing notice to unidentified or presumed-deceased persons, for whom no valid mailing address or reliable identifying information exists, would not further the purpose of the notice requirement and would impose an unreasonable and futile administrative burden on the Town.

Now, therefore, be it resolved:

1. **Findings Adopted.** The foregoing recitals and findings are hereby adopted by the Town Board as the findings of the Board and are incorporated into this Resolution as if fully set forth herein.
2. **Determination Regarding Owners.** With respect to the cemetery lots and burial sites identified in the Town's records as pre-1973 lots recorded only by surname and first initial, and for which the Town is unable, after reasonable diligence, to identify or locate the lot owner or the owner's heirs or assigns, the Town Board hereby finds that there exists reasonable evidence that such owner is deceased for purposes of Town of Pleasant Valley Ordinance No. 19-15-01 and applicable Wisconsin law.
3. **Authorization to Forgo Mailing Notice.** The Town Clerk is hereby authorized and directed to forgo mailing notice of intent to reclaim or resell such abandoned cemetery lots or burial sites to those unidentified or presumed-deceased owners as part of the reclamation process.
4. **Record of Determination.** The Town Clerk shall retain in the Town's records documentation supporting the Town's determination, including the categories of records reviewed and the basis for concluding that reasonable efforts to identify or locate the owners were unsuccessful.
5. **Compliance With Remaining Legal Requirements.** Nothing in this Resolution shall be construed to waive, limit, or alter compliance with any other applicable notice, publication, recordkeeping, hearing, board action, or procedural requirement imposed

by Town ordinance or Wisconsin law with respect to the reclamation or resale of abandoned cemetery lots or burial sites.

6. **Authorization of Further Administrative Action.** The Town Clerk and other Town officials are hereby authorized to take such further administrative actions as are necessary to implement this Resolution in accordance with applicable law and Town ordinance.
7. **Effective Date.** This Resolution shall take effect immediately upon adoption.

Adopted this 14th day of September, 2026.

TOWN BOARD OF THE TOWN OF PLEASANT VALLEY

Town Chair

Attest:

Town Clerk

Vote

Ayes: _____

Noes: _____

Absent/Not Voting: _____