

268.360 Copies of assessment record filed with clerk -- Clerk's notice -- Determination of objection -- Final order.

(1) As soon as the drainage assessment record is completed, the board shall deliver the copies to and file them with the county clerk in which county the district is organized. The clerk shall receive them, and, beginning within five (5) days, publish notice of such filing pursuant to KRS Chapter 424. The notice shall be in substantially the following form:

"State of Kentucky.

"County of

"In the matter of the (drainage), (levee), (reclamation) District. Notice is hereby given to all persons interested that the board of drainage commissioners of County did on the day of, 19.., file in my office copies of the drainage assessment record for the above district in which they show the aggregate costs of the improvements to be made according to the plan for reclamation, also the aggregate of all benefits to property and the minimum district assessment and the apportionment thereof to each piece of property, together with the total of such assessments which are to be paid for each separate piece of property.

"All persons interested are hereby notified that they may inspect this record at any time, and are given until to file written objections to these final assessments.

"Unless you file objections thereto by that date, it will be taken for granted that the assessments are correct, and correctly apportioned to each separate piece of property, and they will be confirmed, and become the fixed assessments upon each piece of property.

"Given under my hand as county clerk on this the day of, 19...

..... Clerk."

(2) If objections are filed, they shall be determined by the county judge/executive in a summary way. If errors are found, they shall be by proper orders corrected. The order of the county judge/executive shall direct the clerk to show such corrections on all the copies of the assessment record in red ink. When all errors in the assessment are ordered corrected by the county judge/executive, he shall approve the assessment record.

(3) The final order of approval and confirmation by the county judge/executive shall be final and conclusive upon all property within the district. The assessment record, when corrected by the clerk under orders of the county judge/executive, shall be endorsed by the county judge/executive as the assessment record of the district, and thereafter no question may be raised concerning the correctness of any assessment shown in the record.

(4) One (1) of the several copies of the assessment record, properly corrected and endorsed by the county judge/executive, shall remain in the office of the county clerk. The remaining copies shall be certified and delivered by the clerk to the secretary of the board of the county in which the district was organized.

Effective: June 17, 1978

History: Amended 1978 Ky. Acts ch. 384, secs. 110 and 415, effective June 17, 1978. -
- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 244, effective January 2,

1978. -- Amended 1966 Ky. Acts ch. 239, sec. 193. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2380b-23.

Legislative Research Commission Note. This section was amended by two sections of Acts 1978, ch. 384, which do not appear to be in conflict and which have been compiled together.