

79-406. Same; notice to several owners upon failure to execute and record plat; duty of county clerk; assessment of cost. Whenever any subdivision of land, as specified in the preceding section, shall have been divided and is owned in severalty by two or more persons, and the owners thereof have failed and neglected to execute and file for record a plat thereof, the county clerk shall by mail notify all of such owners residing within this state and demand the execution and recording of a plat. If such owners, when so notified, fail and neglect for thirty days after the issuance of such notice to execute and file a plat for record, the county clerk shall cause one to be made, making any survey necessary therefor. Said plat shall be signed and acknowledged by the county clerk, who shall certify that he or she executed it by reason of the failure of the owners named to do so, and file it for record, and when so filed it shall have the same effect as if executed, acknowledged and recorded by the owners.

A correct statement of the cost and expense of such plat, survey and record, verified by oath, shall be by the county clerk laid before the board of county commissioners, who shall allow the same and order the same paid out of the current expense fund of the county, and the county clerk shall at the same time assess the amount pro rata upon the several subdivisions of said tracts, lots or parcels so subdivided, which amounts shall become a lien upon the several tracts and shall be collected in the same manner as general taxes, and when paid shall go to the current expense fund of the county.

History: L. 1911, ch. 316, § 6; May 22; R.S. 1923, 79-406.