

**267.320 Bonds authorized when average assessment exceeds twenty-five cents (\$0.25) per acre -- Failure to pay assessment is consent to bonds.**

- (1) If the total assessment exceeds the average of twenty-five cents (\$0.25) per acre on all the land assessed, the board may give notice by publication pursuant to KRS Chapter 424, and by posting a notice at the door of the courthouse in each county in which land assessed is located, and at five (5) conspicuous places in the district, that it proposes to issue bonds for the construction of the improvement, giving the amount of bonds to be issued, the rate of interest they are to bear and the time when payable. Any landowner having land assessed in the district and not wanting to pay interest on the bonds may, within thirty (30) days after the publication of the notice, pay the county treasurer the full amount of his assessment and have his land released. If the landowner produces a treasurer's receipt showing such payment, the county clerk or the secretary of the board shall indorse the release upon the assessment roll, and report to the board all releases made by him. This report shall be recorded on the record or minutes of the board. When the board is satisfied that any assessment has been paid it may order a release made.
- (2) Each person owning land assessed in the district who fails to pay the full amount of his assessment within thirty (30) days after publication of the notice shall be deemed to consent to the issuing of bonds, and in consideration of the right to pay his assessment in installments he thereby waives his right to any defense against the collection of the assessment because of any irregularity, illegality or defect in the proceeding prior to that time, except in the case of an appeal, which is not affected by this waiver.

**Effective:** June 16, 1966

**History:** Amended 1966 Ky. Acts ch. 239, sec. 186, effective June 16, 1966. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2380-32, 2380-33.