

**79-407. Same; appeal from action of county clerk; hearing by county commissioners.** Any person aggrieved by the action of the county clerk in ordering a survey and plat of any subdivision of land, as hereinbefore provided, may within ten days appeal therefrom to the board of county commissioners, by giving notice thereof in writing to the board and thereupon no further proceedings shall be taken by the county clerk. At its next regular session after the filing of the notice aforesaid the county commissioners shall hear and determine said matter, and direct whether the plat shall be executed and filed.

If the county commissioners shall upon hearing find that such plat should be executed and filed, the owner or owners thereof shall within thirty days execute and file for record a plat thereof; and upon failure of the owner or owners to make and record such plat, the county clerk shall proceed to have said subdivision surveyed and platted as hereinbefore directed. Such plat made by the county clerk or by the owners of any such subdivision shall describe said tract, and any other subdivisions or the smallest subdivision of which the same is part, numbering them by progressive numbers, setting forth the courses and distances, the number of acres, and such other memoranda as are necessary, and the description of such lots or subdivisions according to the number and designation thereon, and said plat shall be deemed sufficient for all purposes of assessment and taxation.

**History:** L. 1911, ch. 316, § 7; May 22; R.S. 1923, 79-407.