

SECOND REGULAR SESSION

# SENATE BILL NO. 1034

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

4812S.02I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 242.030, 242.270, 242.280, 242.500, 245.020, 245.125, 245.130, 245.197, and 245.300, RSMo, and to enact in lieu thereof nine new sections relating to certain water management districts.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 242.030, 242.270, 242.280, 242.500,  
2 245.020, 245.125, 245.130, 245.197, and 245.300, RSMo, are  
3 repealed and nine new sections enacted in lieu thereof, to be  
4 known as sections 242.030, 242.270, 242.280, 242.500, 245.020,  
5 245.125, 245.130, 245.197, and 245.300, to read as follows:

242.030. 1. Immediately after such articles of  
2 association shall have been filed, the clerk in whose office  
3 the articles of association have been filed shall give  
4 notice by causing publication to be made once a week for  
5 four consecutive weeks in some newspaper published in each  
6 county in which are situate lands and other property of the  
7 district, the last insertion to be made at least fifteen  
8 days prior to the first day of the next regular term of the  
9 circuit court at which said articles of association and  
10 petition are to be heard; said notice shall be substantially  
11 in the following form and it shall be deemed sufficient for  
12 all purposes of sections 242.010 to 242.690:

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

NOTICE OF APPLICATION TO FORM DRAINAGE  
DISTRICT.

Notice is hereby given to all persons interested [in the following described real estate and other property] in \_\_\_\_\_ County of Missouri [(here describe the property as set out in the articles of association)] that articles of association asking that [the foregoing] lands and other property be formed into a drainage district under the provisions of chapter 242, and that the lands and other property [as above described] will be affected by the formation of said drainage district and be rendered liable to taxation for the purposes of paying the expenses of organizing and making and maintaining the improvements that may be found necessary to drain, protect and reclaim the lands and other property in said district, and you, and each of you, are hereby notified to appear at a session of this court to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ in \_\_\_\_\_ County, and show cause, if any there be, why said drainage district as set forth in the articles of association shall not be organized as a public corporation of the state of Missouri.

\_\_\_\_\_  
Clerk of the circuit court of \_\_\_\_\_ County.

**2. Within fourteen days of the filing of the articles, those petitioning for the creation of the district shall mail a copy of the notice contained in this section to the names as listed on the county assessor's records of the owners of land identified in the petition or other individual or corporate franchise property in the district**

48 **identified in the petition, including all public entities**  
49 **owning land within the district.**

50       3. The circuit court of the county in which said  
51 articles of association have been filed shall thereafter  
52 maintain and have original and exclusive jurisdiction  
53 coextensive with the boundaries and limits of said district  
54 without regard to county lines, for all purposes of sections  
55 242.010 to 242.690; provided, that where lands in different  
56 counties are sought to be incorporated in the same district,  
57 [it shall not be necessary to include all of the lands and  
58 other property in said proposed drainage district in the  
59 notice published in the different counties, but only such  
60 lands and other property in the district as are situate in  
61 the respective counties] **said notice shall be published in**  
62 **some newspaper in each county in which such lands so**  
63 **affected are situate.**

242.270. Upon the filing of the report of the  
2 commissioners, the clerk of said circuit court shall give  
3 notice thereof by causing publication to be made once a week  
4 for [three] **four** consecutive weeks in some newspaper,  
5 published in each county in the district. It shall not be  
6 necessary for said clerk to name the parties interested, but  
7 it shall be sufficient to say:

8           NOTICE OF FILING OF COMMISSIONERS' REPORT  
9           FOR \_\_\_\_\_ DRAINAGE DISTRICT.

10       [Notice is hereby given to all persons  
11 interested in the following described land  
12 and property in \_\_\_\_\_ County (or counties)  
13 Missouri (here describe land and property)  
14 included within "\_\_\_\_\_ drainage district"  
15 that the commissioners heretofore appointed  
16 to assess benefits and damages to the

property and lands situate in said drainage district and to appraise the cash value of the land necessary to be taken for rights-of-way, holding basins and other works of said district within or without the limits of said district, filed their report in this office on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and you and each of you are hereby notified that you may examine said report and file exceptions to all or any part thereof, as provided by law,] **You are hereby notified that the commissioners heretofore appointed to assess benefits to the property and lands situated in said drainage district filed their report in this office on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. You, and each of you, are hereby notified that the report may provide for assessments on your property, and that you may examine said report and file exceptions to all or any part thereof within thirty days from this mailing and appear at the hearing which will be scheduled no sooner than thirty days after the date of this notice, as provided by law. Please be aware no further appeal is allowed to dispute assessed benefits. If you are receiving this notice by mail, county records indicate you are the owner of property which is located within the \_\_\_\_\_ Drainage District.**

The district last performed an assessment in \_\_\_\_\_ and the assessed benefits may significantly change based on changed use and improvement of the property and new or improved drainage projects.

\_\_\_\_\_

53 Clerk of the circuit court of \_\_\_\_\_ County,  
54 Missouri.

55 Provided, that where lands in different counties are  
56 contained in said report, the said notice shall be published  
57 in some newspaper in each county in which such lands so  
58 affected are situate[, and it shall not be necessary to  
59 publish a list of all of said lands in each county, but only  
60 that part of same situate in the respective counties].

242.280. 1. The drainage district or any owner of  
2 land or other property in said district, may file exceptions  
3 to said report or to any assessment for either benefits or  
4 damages, within [ten] **thirty** days after the last day of  
5 publication of the notice provided for in the preceding  
6 section. All exceptions shall be heard by the court and  
7 determined in a summary manner so as to carry out liberally  
8 the purposes and needs of the district, and if it appears to  
9 the satisfaction of the court, after having heard and  
10 determined all of said exceptions, that the estimated cost  
11 of constructing the improvement contemplated in the plan for  
12 reclamation is less than the benefits assessed against the  
13 land and other property in said district, then the court  
14 shall approve and confirm said commissioners' report as so  
15 modified and amended.

16 2. The court may at any time before final confirmation  
17 or approval refer the report back to the commissioners with  
18 or without instructions, and when the report is again filed,  
19 notice shall be given in the form and for the time provided  
20 in section 242.270. Exceptions to the second report shall be  
21 filed within [ten] **thirty** days after the date of the last

22 day of publication, and heard and determined in a summary  
23 manner.

24 3. The court shall adjudge and apportion the costs  
25 incurred by the exceptions filed and shall condemn any land  
26 or other property, within or without the boundary lines of  
27 the district, that is shown by the report of the  
28 commissioners to be needed for rights-of-way, holding basins  
29 and other works, or that may be needed for material to be  
30 used in constructing said works, following, as nearly as  
31 possible, the procedure that is now provided for by law for  
32 the appropriation of land and other property taken for  
33 telegraph, telephone and railroad rights-of-way.

34 4. The clerk of said circuit court shall transmit a  
35 certified copy of the court decree and copy of the  
36 commissioners' report, as confirmed or amended by the court,  
37 to the secretary of the board of supervisors of the  
38 district, who shall make and transmit a certified copy of  
39 the said decree and that part of the said report affecting  
40 land in each county to the recorder of each county having  
41 lands in the district, or affected by the said report, where  
42 the same shall become a permanent record and each such  
43 recorder shall receive a fee of one dollar for receiving,  
44 filing and preserving the same.

45 5. Any person may appeal from the judgment of the  
46 court, and upon such appeal there may be determined either  
47 or both of the following questions: First, whether just  
48 compensation has been allowed for property appropriated and,  
49 second, whether proper damages have been allowed for  
50 property prejudicially affected by the improvements.

242.500. 1. Whenever the board of supervisors of any  
2 district in existence as of August 28, 2008, or organized  
3 under this chapter after August 28, 2008, on behalf of the

4 district, or the owners of twenty-five percent or more of  
5 the acreage of the lands in the district shall file a  
6 petition with the circuit clerk in whose office the articles  
7 of association were filed, stating that there has been a  
8 material change in the values of all or some of the property  
9 in the district since the last previous assessment of  
10 benefits or readjustment of the assessment of benefits and  
11 praying for a readjustment of the assessment of benefits of  
12 the property identified in the petition for the purpose of  
13 making a more equitable basis for the levy of the  
14 maintenance tax or for the purpose of levying a new tax to  
15 pay the costs of the completion of the proposed works and  
16 improvements as shown in the supplemental plan for  
17 reclamation adopted by the board of supervisors pursuant to  
18 section 242.230, or for both of the aforesaid purposes, the  
19 circuit clerk shall give notice of the filing and hearing of  
20 the petition in the manner and for the time provided for in  
21 section 242.030. The notice may be in the following form:

22 [Notice is hereby given to all persons  
23 interested in the lands and property included  
24 within the \_\_\_\_\_ district that a petition  
25 has been filed in the office of the clerk of  
26 the circuit court of \_\_\_\_\_ County, \_\_\_\_\_,  
27 praying for a readjustment of the assessment  
28 of benefits of all or some of the property in  
29 the district as identified in the petition  
30 for the purpose(s) of \_\_\_\_\_, and that the  
31 petition will be heard by the circuit court  
32 on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_] You  
33 are hereby notified that a petition has been  
34 filed in the office of the clerk of the  
35 circuit court of \_\_\_\_\_ County, Missouri,  
36 praying for a readjustment of the assessment  
37 of benefits for the purpose(s) of \_\_\_\_\_ and  
38 that the petition will be heard by the

circuit court on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_. At this hearing, the court will  
consider the appointment of commissioners to  
perform the readjustment of the assessment of  
benefits. Once this report is submitted to  
the court, landowners may file objections  
which shall be heard and determined by the  
court. If you are receiving this notice by  
mail, county records indicate you are the  
owner of property within the \_\_\_\_\_ Drainage  
District.

The district last performed an assessment in  
\_\_\_\_\_ and the assessed benefits may  
significantly change based on a number of  
factors including changed use or improvement  
of the property since that time. Please be  
aware this is a special assessment.  
Therefore, the assessed benefits are the base  
formula used in allocating the financial  
burden for maintenance and improvement of  
district improvements.

\_\_\_\_\_,  
Clerk of the circuit court \_\_\_\_\_ County

Upon hearing of the petition if the court finds that there  
has been a material change in the values of some or all of  
the property in the district as identified in the petition  
since the last previous assessment of benefits, the court  
shall order that there be made a readjustment of the  
assessment of benefits for the lands identified in the  
petition for the purpose of providing a basis upon which to  
levy the maintenance tax of the district or for the purpose  
of levying a new tax to pay the costs of the completion of



71 the proposed works and improvements as shown in the  
72 supplemental plan for reclamation adopted by the board of  
73 supervisors pursuant to section 242.230, or for both of the  
74 aforesaid purposes.

75 2. Thereupon the court shall appoint three  
76 commissioners, possessing the qualifications of  
77 commissioners appointed under section 242.240 to make such  
78 readjustment of assessments in the manner provided in  
79 section 242.260 with respect to the lands identified in the  
80 petition and the commissioners shall make their report, and  
81 the same proceedings shall be had thereon, as nearly as may  
82 be, as are herein provided for the assessment of benefits  
83 accruing for original construction; provided, that in making  
84 the readjustment of the assessment of benefits, the  
85 commissioners shall not be limited to the aggregate amount  
86 of the original or any readjustment of the assessment of  
87 benefits, and may assess the amount of benefits that will  
88 accrue from carrying out and putting into effect such  
89 supplemental plan for reclamation adopted by the board of  
90 supervisors pursuant to section 242.230. After the making  
91 of such readjustment, the limitation of twenty percent of  
92 the annual maintenance tax which may be levied shall apply  
93 to the amount of benefits as readjusted, and the limitation  
94 of the tax which may be levied for payment of the costs of  
95 the completion of the proposed works and improvements as  
96 shown in the aforesaid supplemental plan for reclamation  
97 shall apply to the amount of the benefits as readjusted.  
98 There shall be no such readjustment of benefits oftener than  
99 once in a year. The list of lands, and other property, with  
100 the readjusted assessed benefits and the decree and judgment  
101 of the court, shall be filed in the office of the county  
102 recorder as provided in section 242.280.

245.020. 1. After such articles of association shall  
have been filed, the clerk in whose office the articles of  
association have been filed shall give notice by causing  
publication to be made once **a week for four consecutive**  
**weeks** in some newspaper published in each county in which  
the land and other property of the district are situate.  
Such notice shall be published within fourteen days of  
filing of the articles, and the notice shall be  
substantially in the following form and it shall be deemed  
sufficient for all purposes of sections 245.010 to 245.280:

NOTICE OF APPLICATION TO FORM LEVEE DISTRICT.

Notice is hereby given to all persons  
interested [in the following described real  
estate and other property] in \_\_\_\_\_ County of  
Missouri [(here describe the property as set  
out in the articles of association)] that  
articles of association asking that [the  
foregoing] lands and other property be formed  
into a levee district under the provisions of  
sections 245.010 to 245.280, RSMo, have been  
filed in this office, and the foregoing real  
estate and other property will be affected by  
the formation of said levee district and be  
rendered liable to taxation for the purposes  
of paying the expenses of organizing and  
making and maintaining the improvements that  
may be found necessary to effect the leveeing  
and reclamation of the land and other property  
in said district, and you and each of you may  
file objections or exceptions to said articles  
of association and petition on or before the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, in this  
office, but not thereafter, if any there be,  
why said levee district as set forth in the  
articles of association shall not be organized

36 as a public corporation of the state of  
37 Missouri.

38 \_\_\_\_\_ ,  
39 Clerk of circuit court of \_\_\_\_\_ County.

40 The circuit court of the county in which said articles of  
41 association have been filed shall thereafter maintain and  
42 have original and exclusive jurisdiction coextensive with  
43 the boundaries and limits of said district without regard to  
44 county lines, for all purposes of this law; provided, that  
45 where lands in different counties are sought to be  
46 incorporated in the same district, [it shall not be  
47 necessary to include all of the lands in said proposed levee  
48 district in the notice published in the different counties,  
49 but only such lands and other property in the district as  
50 are situate in the respective counties] **said notice shall be  
51 published in some newspaper in each county in which such  
52 lands so affected are situate.**

53 2. Within fourteen days of the filing of the articles,  
54 those petitioning for the creation of the district shall  
55 mail[, by certified mail,] a copy of the notice contained in  
56 this section to the names as listed on the county assessor's  
57 records of the owners of land identified in the petition or  
58 other individual or corporate franchise property in the  
59 district identified in the petition, including all public  
60 entities owning land within the district.

245.125. Upon the filing of the report of the  
2 commissioners, the clerk of said circuit court shall give  
3 notice thereof by causing publication to be made once in  
4 some newspaper published in each county in the district. It

5 shall not be necessary for said clerk to name the parties  
6 interested, but it shall be sufficient to say:

7 NOTICE FOR FILING OF COMMISSIONERS' REPORT

8 For \_\_\_\_\_ Levee District.

9 [Notice is hereby given to all persons  
10 interested in the following described land  
11 and property in \_\_\_\_\_ County (or counties),  
12 Missouri (here describe land and property),  
13 included within "\_\_\_\_\_ levee district" that  
14 the commissioners heretofore appointed to  
15 assess benefits and damages to the property  
16 and lands situated in said levee district and  
17 to appraise the cash value of the land  
18 necessary to be taken for rights-of-way, and  
19 other works of said district within or  
20 without the limits of said district, filed  
21 their report in this office on the \_\_\_\_\_ day  
22 of \_\_\_\_\_, 20\_\_\_\_\_, and you, and each of  
23 you, are hereby notified that you may examine  
24 said report and file exceptions to all or any  
25 part thereof, as provided by law] **You are**  
26 **hereby notified that the commissioners**  
27 **heretofore appointed to assess benefits to**  
28 **the property and lands situated in said levee**  
29 **district filed their report in this office on**  
30 **the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. You, and**  
31 **each of you, are hereby notified that the**  
32 **report may provide for assessments on your**  
33 **property, and that you may examine said**  
34 **report and file exceptions to all or any part**  
35 **thereof within thirty days from this mailing**  
36 **and appear at the hearing which will be**  
37 **scheduled no sooner than thirty days after**  
38 **the date of this notice, as provided by law.**  
39 **Please be aware no further appeal is allowed**  
40 **to dispute assessed benefits. If you are**  
41 **receiving this notice by mail, county records**

indicate you are the owner of property which  
is located within the \_\_\_\_\_ Levee  
District.

The district last performed an assessment in  
\_\_\_\_\_ and the assessed benefits may  
significantly change based on changed use and  
improvement of the property and new or  
improved levee projects.

\_\_\_\_\_,  
Clerk of the circuit court of \_\_\_\_\_ County,  
Missouri.

Provided, that where lands in different counties are  
contained in said report, the said notice shall be published  
in some newspaper in each county in which such lands so  
affected are situate[, and it shall not be necessary to  
publish a list of all of said lands in each county, but only  
that part of same situate in the respective counties]. The  
commissioners shall mail[, by certified mail,] a copy of the  
notice contained in this section to the parties contained in  
subsection 2 of section 245.020 within one week of filing  
the report.

245.130. 1. The levee district or any owner of land  
or other property in said district, may file exceptions to  
said report or to any assessment for either benefits or  
damages, within **[ten]** **thirty** days after the last day of  
publication of the notice provided for in section 245.125.

2. All exceptions shall be heard by the court and  
determined in a summary manner so as to carry out liberally  
the purposes and needs of the district, and if it appears to

9 the satisfaction of the court, after having heard and  
10 determined all of said exceptions, that the estimated cost  
11 of constructing the improvement contemplated in the plan for  
12 reclamation is less than the benefits assessed against the  
13 land and other property in said district, then the court  
14 shall approve and confirm said commissioners' report as so  
15 modified and amended. The court shall adjudge and apportion  
16 the costs incurred by the exceptions filed and shall condemn  
17 any land or other property, within or without the boundary  
18 lines of the district, that is shown by the report of the  
19 commissioners to be needed for rights-of-way, holding basins  
20 and other works, or that may be needed for material to be  
21 used in constructing said works, following, as nearly as  
22 possible the procedure that is now provided for by law for  
23 the appropriation of land and other property taken for  
24 telegraph, telephone and railroad rights-of-way.

25 3. The clerk of said circuit court shall transmit a  
26 certified copy of the court decree and copy of the  
27 commissioners' report, as confirmed or amended by the court,  
28 to the secretary of the board of supervisors of the  
29 district, who shall make and transmit a certified copy of  
30 the said decree and that part of the said report affecting  
31 land in each county to the recorder of each county having  
32 lands in the district, or affected by the said report, where  
33 the same shall become a permanent record and each such  
34 recorder shall receive a fee of one dollar for receiving,  
35 filing and preserving the same.

36 4. Any person may appeal from the judgment of the  
37 court, and upon such appeal there may be determined either  
38 or both of the following questions:

39 (1) Whether just compensation has been allowed for  
40 property appropriated; and

41           (2) Whether proper damages have been allowed for  
42 property prejudicially affected by the improvements.

245.197. 1. Whenever the board of supervisors of any  
2 district now existing or hereafter organized pursuant to  
3 sections 245.010 to 245.280, for and in behalf of the  
4 district, or the owners of twenty-five percent or more of  
5 the acreage of the lands in the district, shall file a  
6 petition with the circuit clerk in whose office the articles  
7 of association were filed stating that there has been a  
8 material change in the values of all or some of the property  
9 in the district since the last previous assessment of  
10 benefits or readjustment of the assessment of benefits, and  
11 praying for a readjustment of the assessment of benefits of  
12 the property identified in the petition for the purpose of  
13 making a more equitable basis for the levy of the  
14 maintenance tax or for the purpose of levying a new tax to  
15 pay the costs of the completion of the proposed works and  
16 improvements as shown in the supplemental plan for  
17 reclamation adopted by the board of supervisors pursuant to  
18 section 245.105, or for both of the aforesaid purposes, the  
19 court wherein the petition is filed, if in session, or the  
20 clerk thereof in vacation, shall fix a date for the hearing  
21 of the petition which date shall not be less than forty-five  
22 nor more than sixty days from the date of the filing of the  
23 petition.

24           2. The circuit clerk shall give notice to all persons  
25 interested in the lands and property identified in the  
26 petition of the filing and hearing of the petition in the  
27 manner and for the time provided for in section 245.020.  
28 Such notice may be in the following form:

[To All Persons Interested in the Following  
Described

(insert description of lands and property)

Lands and Property Included Within \_\_\_\_\_

District:

You are hereby notified that a petition has  
been filed in the office of the clerk of  
the circuit court of \_\_\_\_\_ County,  
Missouri, praying for a readjustment of the  
assessment of benefits for the purpose(s) of  
\_\_\_\_\_ and that  
the petition will be heard by the circuit  
court on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.]

**NOTICE FOR REASSESSMENT OF BENEFITS**

**For \_\_\_\_\_ Levee District.**

You are hereby notified that a petition has  
been filed in the office of the clerk of the  
circuit court of \_\_\_\_\_ County, Missouri,  
praying for a readjustment of the assessment  
of benefits for the purpose(s) of \_\_\_\_\_ and  
that the petition will be heard by the  
circuit court on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_. At this hearing, the court will  
consider the appointment of commissioners to  
perform the readjustment of the assessment  
of benefits. Once this report is submitted  
to the court, landowners may file objections  
which shall be heard and determined by the  
court. If you are receiving this notice by  
mail, county records indicate you are the  
owner of property within the \_\_\_\_\_ Levee  
district.



The district last performed an assessment in \_\_\_\_\_ and the assessed benefits may significantly change based on a number of factors including changed use or improvement of the property since that time. Please be aware this is a special assessment. Therefore, the assessed benefits are the base formula used in allocating the financial burden for maintenance and improvement of district improvements.

Clerk of the  
Circuit Court of  
\_\_\_\_\_ County,  
Missouri.

3. Upon the hearing of the petition, if the court finds that there has been a material change in the values of the property in the district identified in the petition since the last previous assessment of benefits, the court shall order that there be made a readjustment of the assessment of benefits for the lands identified in the petition for the purpose of providing a basis upon which to levy the maintenance tax of the district or for the purpose of levying a new tax to pay the costs of the completion of the proposed works and improvements as shown in the supplemental plan for reclamation adopted by the board of supervisors pursuant to section 245.105, or for both of the aforesaid purposes.

4. Thereupon the court shall appoint three commissioners possessing the qualifications of commissioners appointed under section 245.110 to make such readjustment of

93 assessments in the manner provided in section 245.120 with  
94 respect to those lands identified in the petition. The  
95 commissioners shall make their report, and the same  
96 proceedings shall be had thereon, as nearly as may be, as  
97 are provided in sections 245.010 to 245.280, for the  
98 assessment of benefits accruing from the original  
99 construction. In making the readjustment of the assessment  
100 of benefits, the commissioners shall not be limited to the  
101 aggregate amount of the original or any readjustment of the  
102 assessment of benefits, and may assess the amount of  
103 benefits that will accrue from carrying out and putting into  
104 effect the supplemental plan for reclamation adopted by the  
105 board of supervisors pursuant to section 245.105. After the  
106 making of the readjustment, the limitation of ten percent of  
107 the benefits assessed for the annual maintenance tax which  
108 may be levied shall apply to the amount of benefits as  
109 readjusted, and the limitation of the tax which may be  
110 levied for payment of the costs of the completion of the  
111 proposed works and improvements as shown in the aforesaid  
112 supplemental plan for reclamation shall apply to the amount  
113 of the benefits readjusted.

114 5. There shall be no such readjustment of benefits  
115 more often than once in a year. The lists of land and other  
116 property, with the readjusted assessed benefits and the  
117 decree and judgment of the court, shall be filed in the  
118 office of the county recorder as provided in section 245.130.

245.300. No such levee district shall be formed unless  
2 notice of an intention to apply therefor be first given by  
3 publication in some newspaper published in each county  
4 composing said proposed levee district, published once at  
5 least fifteen days before the commencement of the meeting of  
6 the county commission to which said application shall be

7 made, and provided that the commission shall mail[, by  
8 certified mail,] a copy of the notice of the intention to  
9 form a district to the names listed on the county assessor's  
10 records of the owners of land or other individual or  
11 corporate franchise property in the district, including all  
12 public entities owning land within the district.

✓