§ 15-1977. Articles of association; recording and filing.

1. The articles of association shall be signed by all owners as listed therein and shall be acknowledged in the form now or hereafter required for the recording of a deed of real property. If there be more than one owner of a separate parcel of drainable acreage, the articles of association shall be signed and acknowledged by each owner thereof. The articles of association shall set forth:

a. The name and address of each owner.

b. The name of the proposed association, such as the.....Drainage Section Association.

c. The designation of two of the owners to act as temporary president and temporary secretary until the first annual meeting of the association.

d. The location and amount of drainable acreage as determined and owned by each owner and a brief description of the parcel or parcels if there be more than one, of drainable acreage owned by each.

e. The facts showing the necessity for the proposed drainage.

f. A description of the proposed drainage works which as far as practicable may include bearings and distances locating the proposed alignment of drains, profiles, proposed new drains and a typical section.

g. The names and addresses, so far as can be ascertained, of persons who are not parties to the articles of association regarding whose lands it will be necessary to obtain a right, pursuant to section 15-1983, to construct, maintain and keep in repair drainage works in order to effectuate the drainage proposed by the articles of association.

h. A map, attached to the articles of association, which generally shall show the drainable acreage of each owner and the lands of others

on which it will be necessary to construct, maintain and keep in repair such drainage works referred to in paragraph g of this subdivision. The map shall show generally also the type and location of the proposed drainage works.

i. A mutual agreement by the owners to proceed with the project, to construct it, to maintain it and keep it clean and in repair; to pay all costs and expenses, including legal, engineering, filing and recording fees, all debts of the association and any damages which may be assessed for the acquisition of a right or easement to construct or maintain drainage works upon the lands of a person not a party to the articles of association. Such costs, expenses, fees, debts and damages shall be assessed against each owner in the proportion the drainable acreage owned by him bears to the aggregate drained acreage, or in some other proportion mutually agreed upon and specified in the articles of association. The agreement shall further provide that if any such apportionment is not paid within the time prescribed by the by-laws, the association may institute an action in its own name to recover the same.

j. The articles of association shall provide that they, and the agreement set forth therein, shall be binding upon the heirs, devisees, assignees and grantees of each owner and shall constitute covenants running with the land of each.

2. The articles of association shall be filed and recorded in the office of the county clerk of the county or counties in which the drainage section is located, with a notice appended thereto to the county clerk or clerks to enter the same in the index of grantors of real property under the names of all signers of the articles of association and the name of the association. The names of all such signers shall be alphabetically and legibly listed in such notice. A certified copy of the articles of association, as so filed and recorded, forthwith shall be filed in the office of the department.