

382.115 Owner of land comprising subdivision -- Recording of plat prior to sale or transfer of any lot or parcel -- Requirements -- Penalties.

- (1) As used in this section, "plat" and "subdivision" have the same meaning as in KRS 100.111.
- (2) This section shall apply to sales and transfers of land in a county which has not adopted regulations under KRS Chapter 100 relating to the subdivision of land within its boundaries.
- (3)
 - (a) A person owning land comprising a subdivision, or his or her agent, shall not sell or transfer any lot or parcel of land located within the subdivision by reference to, by exhibition of, or by any other use of a plat of the subdivision, before the plat has been recorded at the expense of the subdivider in the office of the county clerk. Any such instrument of sale or transfer shall be void and shall not be recorded unless the subdivision plat is subsequently recorded, but all rights of a purchaser to damages are hereby preserved.
 - (b) The description of a lot or parcel of land subject to paragraph (a) of this subsection by metes and bounds in any instrument of sale or transfer or other document used in the process of selling or transferring the land shall not exempt the person attempting to sell or transfer from recording a plat of the subdivision, or from penalties under this section, or deprive the purchaser of any rights or remedies he or she may otherwise have. Provided, however, a person, or his or her agent, may agree to sell any lot or parcel of land located within a subdivision by reference to an unrecorded plat or by reference to a metes and bounds description of the lot or parcel, and any such executory contract of sale or option to purchase that does so may be recorded and shall be valid and enforceable so long as the subdivision plat is subsequently recorded.
 - (c) The plat shall be in the form of a rectangle, and the county clerk shall not be required to record a plat exceeding twenty-four (24) inches on one (1) side and thirty-six (36) inches on the other. Each county clerk shall provide a plat cabinet with an appropriate index for those plats which are too large to be placed in a plat book.
- (4) A person, owner, or agent who violates this section shall, upon conviction, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each lot or parcel which was the subject of sale or transfer, or a contract for sale or transfer.

Effective: July 15, 2024

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