

1 AN ACT relating to transfers of land.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 382 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section, "plat" and "subdivision" have the same meaning as in*
6 *KRS 100.111.*

7 *(2) This section shall apply to sales and transfers of land in a county which has not*
8 *adopted regulations under KRS Chapter 100 relating to the subdivision of land*
9 *within its boundaries.*

10 *(3) (a) A person owning land comprising a subdivision, or his or her agent, shall*
11 *not sell or transfer any lot or parcel of land located within the subdivision*
12 *by reference to, by exhibition of, or by any other use of a plat of the*
13 *subdivision, before the plat has been recorded at the expense of the*
14 *subdivider in the office of the county clerk. Any such instrument of sale or*
15 *transfer shall be void and shall not be recorded unless the subdivision plat is*
16 *subsequently recorded, but all rights of a purchaser to damages are hereby*
17 *preserved.*

18 *(b) The description of a lot or parcel of land subject to paragraph (a) of this*
19 *subsection by metes and bounds in any instrument of sale or transfer or*
20 *other document used in the process of selling or transferring the land shall*
21 *not exempt the person attempting to sell or transfer from recording a plat of*
22 *the subdivision, or from penalties under this section, or deprive the*
23 *purchaser of any rights or remedies he or she may otherwise have.*
24 *Provided, however, a person, or his or her agent, may agree to sell any lot or*
25 *parcel of land located within a subdivision by reference to an unrecorded*
26 *plat or by reference to a metes and bounds description of the lot or parcel,*
27 *and any such executory contract of sale or option to purchase that does so*

1 may be recorded and shall be valid and enforceable so long as the
2 subdivision plat is subsequently recorded.
3 (c) The plat shall be in the form of a rectangle, and the county clerk shall not
4 be required to record a plat exceeding twenty-four (24) inches on one (1)
5 side and thirty-six (36) inches on the other. Each county clerk shall provide
6 a plat cabinet with an appropriate index for those plats which are too large
7 to be placed in a plat book.
8 (4) A person, owner, or agent who violates this section shall, upon conviction, be
9 fined not less than one hundred dollars (\$100) nor more than five hundred
10 dollars (\$500) for each lot or parcel which was the subject of sale or transfer, or a
11 contract for sale or transfer.