

381.827 Requirements for subdividing units.

- (1) The owner of a unit designed for office, industrial or business use may divide his unit into two (2) or more smaller units. No interest in the unit shall be conveyed until the master deed and floor plans have been modified as provided in this section.
- (2) Prior to subdividing his unit, the owner shall prepare a set of floor plans which shall show the changes being made in the unit involved. The plans shall bear the verified statement of a registered architect or professional engineer that they accurately portray the unit involved and the changes being made, and the unit owner shall attach to the plans a verified statement which shall contain:
 - (a) The name by which the property is known;
 - (b) A reference to the book and page of the recorded master deed and floor plans of the property and any amendments thereto in the office of the county clerk of the county in which the land described in the master deed is situated;
 - (c) The original unit number of each unit involved in the division, a description or designation of the building in which the unit is located, and the new unit number of each unit being formed;
 - (d) A statement of the location, approximate area, number of rooms and the structural changes in the perimeter and interior walls, floors, ceilings, windows and doors of the unit being formed and the immediate common element or limited common element to which the unit has access, and any other data necessary for the proper identification of the units being formed by changes to the original unit;
 - (e) A description of the percentage of interest of the original unit in the common elements, and a description of the new percentage or percentages of interest in the common elements of the units being formed. The percentage of interest in the common elements of the units being formed shall be in proportion to the floor area of the original unit and shall, when taken cumulatively, total the same percentage of interest in the common elements as that of the original unit;
 - (f) Any further provisions that would serve to clarify the changes being made.
- (3) The floor plans and verified statement shall be approved in writing by a majority, unless otherwise provided by the master deed, of the council of co-owners, and by any person holding a lien on such units, and shall be filed for record with the county clerk in the county in which the land described in the master deed is situated as provided in KRS 381.835. The floor plans and verified statement shall be considered as an amendment to the original master deed and floor plans for the sole purpose of dividing a unit and the corresponding percentage of interest in the common elements.

History: Created 1974 Ky. Acts ch. 381, sec. 16.