

## **TOP TEN REASONS WHY KRS 81A.470 SUBMISSIONS ARE RETURNED BY THE OFFICE OF SECRETARY OF STATE**

1. The city clerk failed to certify the ordinance and/or the resolution.
2. The surveyor failed to certify either the description or the plat (or both). Certification = Stamp, Date, & Signature. Note: The certifications verify the description and the plat (*two separate documents*) were prepared by a professional land surveyor as KRS 81A.470 requires.
3. Existing corporate boundaries are not identified on the plat. (Identify the point or points where the annexation adjoins the existing city boundary **OR** the city boundary closest to the annexation. For example, the city may annex a parcel across the road from the existing city boundary but the city did not annex the road.) Neither the Office of Secretary of State nor the state mapping office have access to PVA maps; although not required by statute at this time, the inclusion of state plane coordinates ensures correct placement on the city's interactive map on the "Kentucky Cities" website.
4. The surveyor failed to include a summary of resources used to construct the plat and description.
5. The description calls for an area (or areas) to be excluded from the annexation but the surveyor failed to identify the location (and calls) for the exclusion on the plat. Note: The calls for the exclusion should be included in the description for mapping purposes. When an original ordinance stated an area was excluded, the surveyor cannot depict that area as being annexed when a resolution is generated. The resolution simply restates the area being annexed by an older ordinance in a format that meets today's filing requirements so it will be "mappable." If the excluded area was annexed by a later ordinance, it still has to be excluded for a resolution pertaining to the original ordinance.
6. The ordinance announces the city's intention to annex; intent ordinances must be finalized after the requisite waiting period before documents are submitted to the Office of Secretary of State. (Note: The city cannot announce its intention to annex then finalize the annexation by separate ordinance at the same meeting.)
7. Reverse lines on the plat are in conflict with calls in the description; omitted calls on the plat or line table.
8. The city submits an older ordinance with a plat and/or description that do not meet the filing requirements of KRS 81A.470 as amended in 2004. (A resolution is suggested for those ordinances.)
9. Documents are not included with the mailing. For example, if the city adopts a resolution for an older ordinance, a certified copy of the older ordinance must be included in the packet with the certified resolution. The ordinance is the primary filing.
10. Illegible plat. Usually due to reducing plats to letter or legal size paper. There are no restrictions on paper size for KRS 81A.470 submissions sent to the office of Secretary of State. May be a result of font size or font color overlaid on a topo map. Some calls on annotated lines just disappear into the trees.....

**HINT: ASK THE CITY ATTORNEY AND THE SURVEYOR TO CHECK & RECHECK ALL DOCUMENTS BEFORE THEY  
ARE SUBMITTED!**