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March 17, 2009

RECEIVED AND FILED  
DATE March 18, 2009

Secretary of State  
Land Office  
Room T40  
Capitol Annex  
700 Capital Avenue  
Frankfort, Kentucky 40601

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Adams

Re: Municipal Boundaries of the Cities of Anchorage and Middletown

Dear Sir:

This letter is submitted pursuant to KRS 81A.470 on behalf of the City of Anchorage and the City of Middletown, both located within Jefferson County, Kentucky. With the consent of adjacent property owners, two sections of undeveloped rights of way, and for reasons of administrative efficiency and provision of municipal services, the cities determined to shift approximately 1000 feet of their common boundary to correspond to the property lines resulting from the closure of the rights of way. The cities have therefore transferred certain property from one to the other, and closed certain rights of way. Enclosed for your records please find:

1. A copy of certified ordinances of the City of Anchorage and the City of Middletown respecting adjustment of a portion of their mutual boundary, which ordinances were recorded with the Jefferson County Clerk on February 27, 2009:
  - a. Anchorage Ordinance No. 11, Series 2008, transferring incorporated property to the City of Middletown.
  - b. Middletown Ordinance No. 08-10, accepting a transfer of incorporated property from the City of Anchorage.
  - c. Middletown Ordinance No. 08-07, closing the right of way known as Johnson Avenue (now Glenbrook Road) lying within Middletown.
  - d. Middletown Ordinance No. 08-08, closing the right of way known as Parkway (now Glenbrook Road) lying within Middletown.

March 17, 2009

Page 2

- e. Anchorage Ordinance No. 9, Series 2008, closing a portion of the right of way known as Johnson Avenue (now Glenbrook Road) lying within Anchorage.
  - f. Middletown Ordinance No. 08-11, transferring incorporated property to the City of Anchorage.
  - g. Anchorage Ordinance No. 10, Series 2008, accepting a transfer of incorporated property from the City of Middletown.
2. A description of the property transferred (please note that the property descriptions are also attached to and have been recorded with the ordinances).
  3. A map prepared by a professional surveyor of the area involved in the foregoing transactions and transfers.
  4. A description of the resulting municipal boundary.
  5. A small version of the map on which I have highlighted the resulting municipal boundary.

Thank you for your assistance. Please let me know if you have any questions.

Sincerely,



Thomas C. Fenton

cc: Nan Schlindwein, City Clerk, City of Anchorage  
Betty Daigrepoint, City Clerk, City of Middletown

Description of the Anchorage-Middletown boundary  
from Johnson Avenue (now Glenbrook Road) to Surry Lane  
as established by:

1. Anchorage Ordinance No. 11, Series 2008, transferring incorporated property to the City of Middletown
2. Middletown Ordinance No. 08-10, accepting a transfer of incorporated property from the City of Anchorage
3. Middletown Ordinance No. 08-11, transferring incorporated property to the City of Anchorage
4. Anchorage Ordinance No. 10, Series 2008, accepting a transfer of incorporated property from the City of Middletown

Beginning at a point in the City of Anchorage municipal boundary as defined by Ordinance No. 4, Series 1948, Territory No. 2, which point is located as follows:

Beginning at an iron pipe (found) in the northern right of way of Old Henry Road at its intersection with the southern right of way of Glenbrook Road (unmade and formerly Johnson Road), said iron pipe being the easterly corner of the parcel of property known as 12205 Old Henry Road acquired by Holy Angels Academy, Inc. as recorded in Deed Book 5910, Page 871; thence with the northern property line of the Holy Angels Academy, Inc. property, North 60 degrees 09 minutes 02 seconds West, 244.13 feet to an iron pin (set); thence continuing with the northern line of the Holy Angels Academy, Inc. property, North 68 degrees 52 minutes 45 seconds West, 135.67 feet to an iron pin (set); thence continuing with the northern line of the Holy Angels Academy, Inc. property, North 83 degrees 08 minutes 17 seconds West, 181.18 feet to an iron pin (set) in the City of Anchorage municipal boundary as defined by Ordinance No. 4, Series 1948, Territory No. 2; thence continuing with the City of Anchorage municipal boundary as defined by Ordinance No. 4, Series 1948, Territory No. 2, North 59 degrees 39 minutes 26 seconds East, 84.78 feet to an iron pin (set), the TRUE POINT OF BEGINNING, said point being witnessed by two iron pins (found) bearing North 6 degrees 27 minutes 18 seconds West, 19.32 feet, and bearing North 19 degrees 46 minutes 20 seconds East, 45.59 feet;

Thence North 30 degrees 46 minutes 11 seconds East, 87.09 feet to an iron pin (set); thence North 31 degrees 57 minutes 08 seconds West, 198.41 feet to an iron pin (set); thence North 13 degrees 57 minutes 30 seconds West, 23.10 feet to an iron pin (set) in the center of Parkway Drive (unmade), said point being witnessed by an iron pin (found) bearing North 6 degrees 54 minutes 41 seconds West, 4.40 feet; thence with the center of Parkway Drive (unmade), North 76 degrees 47 minutes 25 seconds East, 721.88 feet to an iron pin (set) in the westerly right of way of Surrey Lane, said point being witnessed by an iron pin (found) bearing North 12 degrees 24 minutes 27 seconds West, 0.51 feet; thence with the western right of way of Surrey Lane North 21 degrees 16 minutes 43 seconds West, 24.70 feet to an iron pin (set) in the western right of way of Surrey Lane at its intersection with the northern right of way of Parkway Drive (unmade), said iron pin being approximately 280 feet northwest of the intersection of Surrey Lane and Old Henry Road and being the southeasterly corner of the parcel of property known as 800 Surrey Lane acquired by Heath P. O'Leary and Erika E. O'Leary as recorded in Deed Book 8967, Page 654 and being a point in the City of Anchorage municipal boundary as defined by Ordinance No. 4, Series 1948, Territory No. 2.



CITY OF MIDDLETOWN

ORDINANCE NO. 08-07

AN ORDINANCE CLOSING PUBLIC WAY - JOHNSON AVENUE

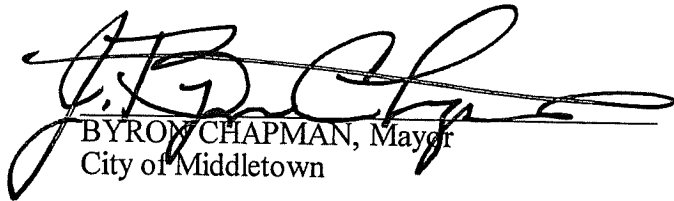
WHEREAS, the City of Middletown has determined that the public way consisting of such of the right of way of Johnson Avenue (now Glenbrook Road) as shown on the plat of Bellevue Park Subdivision dated December 5, 1919, and recorded in Plat and Subdivision Book 2, Page 280, in the Office of the Clerk of Jefferson County, Kentucky, as lies within the municipal boundary of the City as adjusted by the transfer of property set forth in Ordinance No. 11, Series 2008, of the City of Anchorage, and Ordinance No. 10, Series 2008, of the City of Middletown, should be closed.

WHEREAS, the City finds as the following facts in support of such closing:

1. The above described right of way lies entirely within the City;
2. All of the property owners in or abutting the right of way are: James T. Miller and Cynthia A. Miller, and Holy Angels Academy, Inc., a Kentucky corporation;
3. Written notice of the proposed closing of the public way was given to all of the property owners; and
4. All of the property owners have given their written consent to the closing, duly notarized, which consents are attached hereto.

NOW, THEREFORE, be it ordained by the City of Middletown that the public way consisting of such of the right of way of Johnson Avenue as lies within the municipal boundary of the City as adjusted by the transfer of property set forth in Ordinance No. 11, Series 2008, of the City of Anchorage, and Ordinance No. 10, Series 2008, of the City of Middletown, shall be and it hereby is closed as a public way.

This ordinance shall be effective upon its passage and publication as required by law.

  
 BYRON CHAPMAN, Mayor  
 City of Middletown

Introduced By: Attorney Haunz  
 Date of First Reading: April 14, 2008  
 Date of Second Reading: Sept. 11, 2008

RECEIVED AND FILED  
 DATE March 18, 2009

TREY GRAYSON  
 SECRETARY OF STATE  
 COMMONWEALTH OF KENTUCKY  
Dr. Handie Adkins

I hereby certify that the within ordinance was enacted by a vote of the City Commission of Middletown, Kentucky on this ~~10~~ day of ~~July~~, 2008, as indicated below.

	<u>YES</u>	<u>NO</u>
Gene Holloway	<u>Not Present</u>	
James Hafendorfer	<u>✓</u>	
Sam Tucker	<u>✓</u>	
Marcella Willhite	<u>✓</u>	
Byron Chapman	<u>✓</u>	

Betty Daigrepoint  
Betty Daigrepoint, City Clerk  
City of Middletown

Approved:

Sept. 11, 2008

[Signature]  
Byron Chapman, Mayor

Publication Date: October 1, 2008

PLAT ANNEXED TO THIS DEED  
RECORDED IN MISCELLANEOUS  
PLAT & RIGHT-OF-WAY BOOK

nn, PAGE 6



CONSENT OF OWNER TO CLOSING OF GLENBROOK ROAD

Being first duly sworn, the undersigned hereby state:

1. This Consent is executed by Holy Angels Academy, Inc. ("Owner").
2. Owner owns real property (the "Property") located 12201 Old Henry Road in the City of Middletown, Kentucky.
3. The Property is adjacent to a right of way known as Glenbrook Road (the "Road").
4. Owner has been advised that the City of Middletown intends to close all of the Road that lies within the boundaries of the City of Middletown.
5. Owner hereby consents to the closing of the Road.
6. The consent set forth above shall be irrevocable.

Holy Angels Academy, Inc.

By:

*Joseph M. Norton*  
Joseph M. Norton, Vice President

Commonwealth of Kentucky )  
County of Jefferson )

Sworn and subscribed before me this 18<sup>th</sup> day of July, 2008, by Joseph M. Norton, as Vice President of Holy Angels Academy, Inc.

My Commission expires: 2/9/2009

*Ronald J. Goff*  
Notary Public

Document No.: DN2009026164  
Lodged By: MORGAN AND POTTINGER  
Recorded On: 02/27/2009 02:49:41  
Total Fees: 16.00  
Transfer Tax: .00  
County Clerk: ROBBIE HOLSCLOW-JEFFE CO KY  
Deputy Clerk: CARHAR

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