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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 Kandice Alderson

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.

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- 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. 08-10

AN ORDINANCE ACCEPTING A TRANSFER OF INCORPORATED PROPERTY FROM THE CITY OF ANCHORAGE

WHEREAS, the City of Middletown has proposed closing the public ways consisting of (i) such of the Glenbrook Road right of way as lies south of the Anchorage city limits and north of Old Henry Road, and (ii) such of the Parkway right of way as lies east of Glenbrook Road and west of Surrey Lane;

WHEREAS, for the better provision of municipal services in the area, for the efficient administration of the City, and to avoid the inconvenience of private property lying in two municipalities, the City desires to accept a transfer from the City of Anchorage ("Anchorage") of certain property presently within the city limits of Anchorage;

WHEREAS, the property owners adjacent to the above-described public ways have consented in writing to the closing of the public ways and to the transfer of property between the City and Anchorage;

WHEREAS, the Council deems it to be in the best interest of the City to implement the transfer of property described herein;

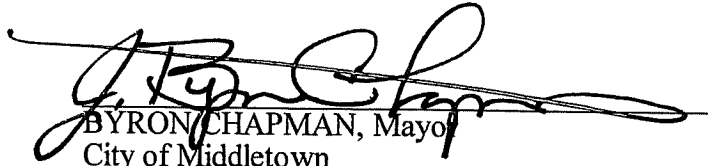
NOW, THEREFORE, be it ordained by the City of Middletown that:

1. The City hereby accepts from Anchorage so much of the property lying within the right of way of Glenbrook Road (formerly Johnson Avenue) and adjacent to the northwest corner of Block 8, Lot 1, 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 Parcel 3 on the Shallcross Park Partial Survey dated January 11, 2008, prepared by Stantec Consulting Inc., which Parcel is more particularly described in Exhibit A attached hereto.
2. There are no financial agreements or considerations between the City and Anchorage respecting the properties transferred.
3. There are no taxes or revenues respecting the properties transferred. After the transfers have been implemented, the property described in Exhibit A shall be subject to taxation by the City in accordance with its ordinances.
4. After the transfer has been implemented, the property described in Exhibit A shall be subject to zoning and land use regulation by Louisville Metro Government in accordance with its ordinances. The adjacent property is now classified R-4.

RECEIVED AND FILED  
DATE March 18, 2009

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adkins

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


  
BYRON CHAPMAN, Mayor  
City of Middletown

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

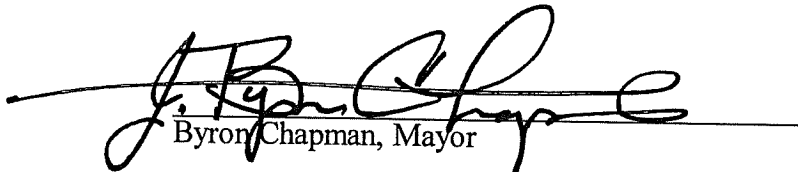
I hereby certify that the within ordinance was enacted by a vote of the City Commission of Middletown, Kentucky on this 11 day of September, 2008, as indicated below.

	<u>YES</u>	<u>NO</u>
Gene Holloway	<u>not present</u>	
James Hafendorfer	<u>✓</u>	_____
Sam Tucker	<u>✓</u>	_____
Marcella Willhite	<u>✓</u>	_____

ATTEST:

  
Betty Daigrepont, City Clerk  
City of Middletown

Approved:  
Sept. 11, 2008

  
Byron Chapman, Mayor

Publication Date: October 1, 2008

**EXHIBIT A to ORDINANCE No. 10, Series 2008**

The Parcel transferred is more particularly described as follows:

**Parcel A**

A parcel of land located in Jefferson County, Kentucky, north of Old Henry Road, and at the south end of Glenbrook Road and more specifically located as follows: Beginning at an iron pin (set) in the eastern right of way of Glenbrook Road (formerly Johnson Road) extended, said pin being approximately 874.5 feet south of the intersection of the eastern right of way of Log Cabin Road, with the eastern right of way of Glenbrook Road (formerly Johnson Road), and also being South 13 degrees 57 minutes 30 seconds East, 242.51 feet from an iron pin (found) at the northwest corner of Lot 4, Block 7, Bellevue Park, a parcel known as 801 Glenbrook Road owned by Lawrence Scott Clark and Angela Siegel Clark as recorded in Deed Book 8309, Page 439; thence from this point of beginning North 76 degrees 47 minutes 25 seconds East, 4.79 feet to an unmarked point; thence South 37 degrees 34 minutes 23 seconds East, passing an iron pin (set) at 110.44 feet, and in all a total of 263.24 feet to an unmarked point; thence South 59 degrees 39 minutes 26 seconds West, 114.91 feet to an iron pin (set); 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, 23.1 feet to the point of beginning and containing 0.18 acres more or less as surveyed by Stantec Consulting, Inc., 1901 Nelson Miller Parkway, Louisville, Kentucky 40223-2177 on January 8, 2008.

Being a portion of Parcel 3, which is more particularly described as follows:

**Parcel 3**

A parcel of land located in Jefferson County, Kentucky, north of Old Henry Road, and west of Surrey Lane and more specifically located as follows: Beginning at an iron pin (found) in the western right of way of Surrey Lane at its intersection with the southern right of way of Parkway Drive (unmade), said iron pin being approximately 235 feet northwest of the intersection of Surrey Lane and Old Henry Road, and being the northeasterly corner of the parcel of property known as 12215 Old Henry Road owned by James T. Miller and Cynthia A. Miller as recorded in Deed Book 6744, Page 599; thence leaving the west right of way of Surrey Lane and running with the southern right of way of Parkway Drive (unmade) and the northern line of the Miller property, South 76 degrees 17 minutes 40 seconds West, 629.74 feet to an iron pin (set); thence along a curve to the left having a radius of 50 feet, an arc distance of 99.68 feet, a chord bearing of South 19 degrees 25 minutes 45 seconds West, a chord distance of 83.97 feet to an iron pin (set) in the eastern right of way of Glenbrook Road (formerly Johnson Road); thence continuing with the Miller property and the easterly right of way of Glenbrook Road (formerly Johnson Road) South 37 degrees 34 minutes 23 seconds East, 246.65 feet to an iron pin (set); thence continuing with the Miller property and the northerly right of way of Glenbrook Road (formerly Johnson Road) South 61 degrees 14 minutes 15 seconds East 369.96 feet to an iron pin (set) in the western right of way of Old Henry Road, said point being the southern corner of the Miller

property; thence leaving the Miller property and running with the western right of way of Old Henry Road, South 41 degrees 22 minutes 37 seconds West, 27.06 feet to an iron pin (set) in the center of Glenbrook Road (unmade and formerly Johnson Road), said point being witnessed by an iron rebar (found) bearing North 44 degrees 39 minutes 54 seconds West, 5.84 feet; thence leaving the right of way of Old Henry Road and running with the center of the Glenbrook Road (unmade and formerly Johnson Road) right of way North 60 degrees 41 minutes 38 seconds West, 360.99 feet to an iron pin (set), said point being witnessed by an iron pin (found) bearing North 75 degrees 07 minutes 52 seconds West, 26.09 feet; thence North 75 degrees 37 minutes 04 seconds West, 152.83 feet to an iron pin (set), 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), said point being witnessed by an iron pin (found) bearing North 3 degrees 29 minutes 51 seconds East, 2.63 feet; 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; thence with said right of way South 21 degrees 16 minutes 43 seconds East, 24.70 feet to the point of beginning and containing 1.04 acres more or less as surveyed by Stantec Consulting Inc., 1901 Nelson Miller Parkway, Louisville, Kentucky 40223-2177 on January 8, 2008.

PLAT ANNEXED TO THIS DEED  
 RECORDED IN MISCELLANEOUS  
 PLAT & RIGHT-OF-WAY BOOK  
77, PAGE 6

Document No.: DN2009026163  
 Lodged By: MORGAN AND POTTINGER  
 Recorded On: 02/27/2009 02:49:24  
 Total Fees: 16.00  
 Transfer Tax: .00  
 County Clerk: BOBBIE HOLSCLOW-JEFF CO KY  
 Deputy Clerk: CARHAR

END OF DOCUMENT