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TOONERVILLE TROLLEY NEIGHBORHOOD ASSOCIATION, INC.

ВУ	Philip DiBlasi President
COMMONWEALTH OF KENTUCKY))ss
COUNTY OF JEFFERSON)
Before me, a notary public, in and for the state and county aforesaid, on this the $\frac{26}{100}$	
day of October 2009, appeared PHILIP DIBLASI, President of TOONERVILLE	
TROLLEY NEIGHBORHOOD ASSOC	IATION, INC., who being duly sworn acknowledged
that the Consideration Certificate was true and correct.	
My commission expires: 12-18-2010	
	PUBLIC, STATE AT LARGE
PREPARED BY:	

deedclo.quitclaim.Ft.George 101909

607 West Ormsby Avenue Louisville KY 40203 (502) 636-0361/634-0576

Kenneth C. Plotnik Attorney at Law

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County Clerk: BOBBIE HOLSCLAW-JEFF CO KY
Deputy Clerk: AMSSHO

NR 09477PG0494

The Party of the First Part covenants that it is fully seized of the estate hereby conveyed and has full right and power to convey same. Party of the Second Part for itself, assigns and successors agrees to assume and pay all <u>ad valorem</u> property taxes for the years 2008, 2009 and thereafter and further agrees that the grave or graves and memorial marker on the real estate will be maintained by it in reasonably good condition and acknowledges that this conveyance is restricted, such that the aforesaid real estate can only be used for religious, charitable or public purposes, and that this restriction is a covenant running with the land.

CONSIDERATION CERTIFICATE

Being first duly sworn the undersigned state that this real estate is being conveyed for other than cash consideration and that the estimated fair market value of the above described real estate is \$10,000.

IN TESTIMONY WHEREOF, witness the signature of the Party of the First Part.

PSYCHOANALYTIC COLLECTIVE, INC.

By: Allen Oliver, President

COMMONWEALTH OF KENTUCKY):
COUNTY OF JEFFERSON)

Before me, a notary public, in and for the state and county aforesaid, on this the 24 day of October 2009, appeared ALLEN OLIVER, President of PSYCHOANALYTIC COLLECTIVE, INC. who being duly sworn acknowledged the foregoing conveyance as the free act and deed of the Party of the First Part, and acknowledged that the Consideration Certificate was true and correct. My commission expires:

NOTARY PUBLIC, STATE AT LARGE

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08 09477P60493

Send Property Tax Bills to: C/o Tooneyville Trolley Neighborhood Association, Inc. P O Box 126 Louisville KY 40201-0126

QUITCLAIM DEED

THIS QUITCLAIM DEED made this 215 day of October 2009, by and between:

PSYCHOLANALYTIC COLLECTIVE, INC., a Kentucky Corporation with a mailing address of 604 Floral Terrace, Louisville, Kentucky 40208 (hereinafter Party of the First Part), and TOONERVILLE TROLLEY NEIGHBORHOOD ASSOCIATION, INC., P. O. Box 126, Louisville, Kentucky 40201-0126 (hereinafter Party of the Second Part).

In and for the sum of One (\$1.00) Dollar and other good and valuable consideration. Party of the First Part for itself, its heirs, assigns and successors forever sells, conveys and quitclaims unto Party of the Second Part, in fee simple, the following described real estate, known as 1260 South Floyd Street, commonly referred to as Fort George Park or Cemetery, situate in Jefferson County, Kentucky, and more particularly described as follows, to-wit:

Beginning at a point in the West line of Floyd Street 129 feet 6 inches north of the north line of Ormsby Avenue, running thence northwardly with the west line of Floyd Street 122 feet 4-1/2 inches to a point in the west line of Floyd Street 725 feet 10 inches south of the south line of Oak Street, thence westwardly at right angle to Floyd Street 180 feet to an alley 15 feet wide, thence south with the west line of said alley 16 feet, thence eastwardly 10 feet, more or less, to a point 170 feet west of the west line of Floyd Street, thence southwardly, parallel to the west line of Floyd Street 106 feet ½ inches, more or less (the southerly 105 feet of which distance running with the east line of the first alley west of Floyd Street), thence in a line parallel with the north line of Ormsby Avenue eastwardly 170 feet to the point of beginning.

BEING the same real estate conveyed to Party of the First Part by deed dated March 31, 2005 of record in Deed Book 8596 Page 131 in the Office of the Clerk of Jefferson County, Kentucky.

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than where they are presently. I have not researched whether that is the case but it could be. That limitation may make building on the parcel difficult as the graves, per my recollection, seem to be rather in the center of the lot. If a permanent structure was desired and if the current placement of the graves would make that difficult, then whether they could be moved would need some further research.

4. There are no mortgages on the real estate. The 2006, 2007 and 2008 property taxes have not been paid. The current face amount of the yearly property tax is \$12.40; however, the total delinquent property taxes, including penalties, through August 31, 2009 is \$220.46 and will rise a few dollars a month at least through December 2009.

Psychoanalytic Collective, Inc. is a nonprofit corporation, but apparently it does not likely have a 501 (C)(3) or other nontaxable designation so as not to be subject to taxes.

- 5. There is also a building and housing lien on the real estate of record in MLE Book 888 Page 432. The amount at the time of filing (June 22, 2006) was \$133 inclusive of a \$100 civil penalty. In what manner the subject real estate was found to be in violation of city ordinances was not set forth in the lien.
- 6. Except as set forth hereinabove, the subject real estate is free and clear of liens and encumbrances except for facts that might be disclosed by an accurate survey, obvious encroachments or overlays (for example, if a driveway or structure overlapped onto the subject real estate), and building and housing limitations, zoning limitations and any other statutory impediments as to use of the property.

Yours truly,

Kenneth C. Plotnik

Cc: Ms. Joan Stewart

(via email)

KCP/cn

Woodcock.letter.nancy.081909

LAW OFFICES OF KENNETH C. PLOTNIK Attorney at Law

KENNETH C. PLOTNIK

607 West Ormsby Avenue Louisville KY 40203-3019

PHONE: 502-636-0361 FAX: 502-634-0576 EMAIL: KINTOLP@YAHOO.COM

August 19, 2009

Mrs. Nancy Woodcock 1366 South First Street Louisville KY 40208

RE:

1260 South Floyd Street

Fort George Park or Cemetery

Dear Nancy:

I have completed the title search of the above and note as follows:

- 1. The subject real estate is owned by Psychoanalytic Collective, Inc., a Kentucky corporation with a principal office of 604 Floral Terrace, Louisville KY 40208. Their current president and registered agent of process is Allen Oliver per an annual report of August 15, 2008. This property is basically a rectangle with approximately 122 feet of footage on Floyd Street and then running back at right angles to a 15 foot alley. The north side of this rectangle is 180 feet and the south side is 170 feet long. Apparently the alley that is the western boundary to this lot "dog legs" at a point sixteen feet south of where the north boundary line meets that alley, it then continues with the alley south another 160 feet.
- The current titleholder obtained the property pursuant to a deed from the Trustees and Council of the Protestant Episcopal Diocese of Kentucky dated March 31, 2005 and of record in Deed Book 8596, Page 131 in the Office of the Clerk of Jefferson County, Kentucky. The consideration for the conveyance was \$1.00.

The Episcopal Diocese conveyed the real estate to Psychoanalytic in fee simple (total ownership) and gave a general warranty deed which means that they stand behind the bona fides of the title. The parties to this deed estimated that the real estate's fair market value is \$10,000.

3. The deed contained a covenant or condition, that runs with the land perpetually (including in the event of new ownership). That condition is that the owner "agrees that the grave or graves and memorial marker on the real estate will be maintained..." and that the "property may be used only for religious and charitable purposes..." Charitable purposes is fairly broad and would include use as a park, concert facility, or playground. The requirement that the grave or graves and their marker be maintained, may limit the ability to move the grave or graves to a different location