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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.
2. 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

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