

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☐ Delaware County

☒ City of Muncie

Submitted: 8/13/2025

Case No.: B2A 35-25

(1) Applicant: McGuff Supply, Inc

Address: PO Box 911, Muncie, IN 47308 Phone: (765) 289-2145

(2) Applicant's Status: (Check the appropriate response)

☒ (a) The applicant's name is on the deed to the property.

☐ (b) The applicant is the contract owner of the property.

☐ (c) Other: \_\_\_\_\_

(3) If Item (2)(c) is checked, please complete the following:

Owner of the property involved: \_\_\_\_\_

Owner's address: \_\_\_\_\_

(4) Record of Ownership:

Deed Book No.: \_\_\_\_\_

Page: 173021

Purchase Date: March 31st, 1995

Legal Description: (From the Deed or Abstract)

Please see attached page.

(5) Common Address of the Property Involved: (Give full street address. If no address, give geographic location such as s. side of CR 400S, 500' west of SR 3).

610 East Wysor Street, Muncie, Indiana 47305

(6) Type of Appeal: (Check the appropriate response)

☐ (a) Request for an Appeal from the Decision of the Administrative Zoning Officer according to Article XXXII, Section 5-B-1. (Attach a copy of said decision/ruling).

☒ (b) Request for a Special Use according to Article XXXII, Section 5-B-2.

☒ (c) Request for a Variance according to Article XXXII, Section 5-B-3.

(7) State explanation of requested Appeal: (State what you want to do and cite the Article and Section of the Ordinance which applies and/or creates the need for this Appeal.)

*FOR OFFICE USE ONLY*

(8) State reasons supporting the Appeal: (If filing for a variance, refer to the attached sheet entitled "Hardship Variance" for explanation/guidance.)

Requesting a Special Use permit to construct 98 multifamily apartments as part of the LIHTC program with the State of Indiana/Indiana Housing & Community Development Authority, as well as variances from design standards.

Please see attached for information regarding the requests and hardships.

(9) Present Zoning of the property: (Give exact classification)  
Intense Industrial

(10) Present use of the property:  
Industrial - roofing company

(11) Describe the proposed use of the property:  
Multifamily apartment community - 98 units

(12) Is the property:

☐ Owner Occupied

☒ Renter Occupied

☐ Other: \_\_\_\_\_

- (13) Has the Applicant provided stamped, addressed envelopes to send notices of this Appeal to all property owners within 300 feet? Yes  
Has the Applicant discussed this Appeal with these owners personally? No  
If answer is "YES", give their attitudes toward the proposal.

- (14) Are there any restrictions, laws, covenants, governing the property which would prohibit its use for the purpose specified in this application? If answer is "YES", attach a copy.

No

- (15) Has work for which this application is being filed already started? If answer is "YES", give details.

No

- (16) Has there been any previous appeal filed in connection with this property? If answer is "YES", give the date and the decision of the appeal.

No

- (17) If the Appeal is granted, when will work commence?

Summer 2026

When will it be completed?

Winter 2027

- (18) If the Appeal is granted, who will operate and/or use the proposed improvement for which this application has been filed?

TWG Development, LLC

# AFFIDAVIT

(I or We) Nicholas Kuzma  
TYPE NAME(S) OF SIGNATORIES

being duly sworn depose and say that (I or We) (am or are) the (owner[s]) (contract owner[s]) of property involved in this application and that the foregoing signatures, statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of (my or our) knowledge and belief.

SIGNATURES: 

Subscribed and sworn to before me this 5<sup>th</sup> day of August, 2025 /



Amy Albersen  
Notary Public

May 8, 2032  
Commission Expires

Resident of Delaware County  
State of Indiana.

## DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was filed with the office of the Delaware-Muncie Metropolitan Board of Zoning Appeals in accordance with all the formal requirements and procedures.

If properly advertised by the applicant, the application will be heard in public hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:

Date:





McGUFF  
610 E Wysox, Muncie, IN  
ZONING SET

STU  
DIO

McGUFF

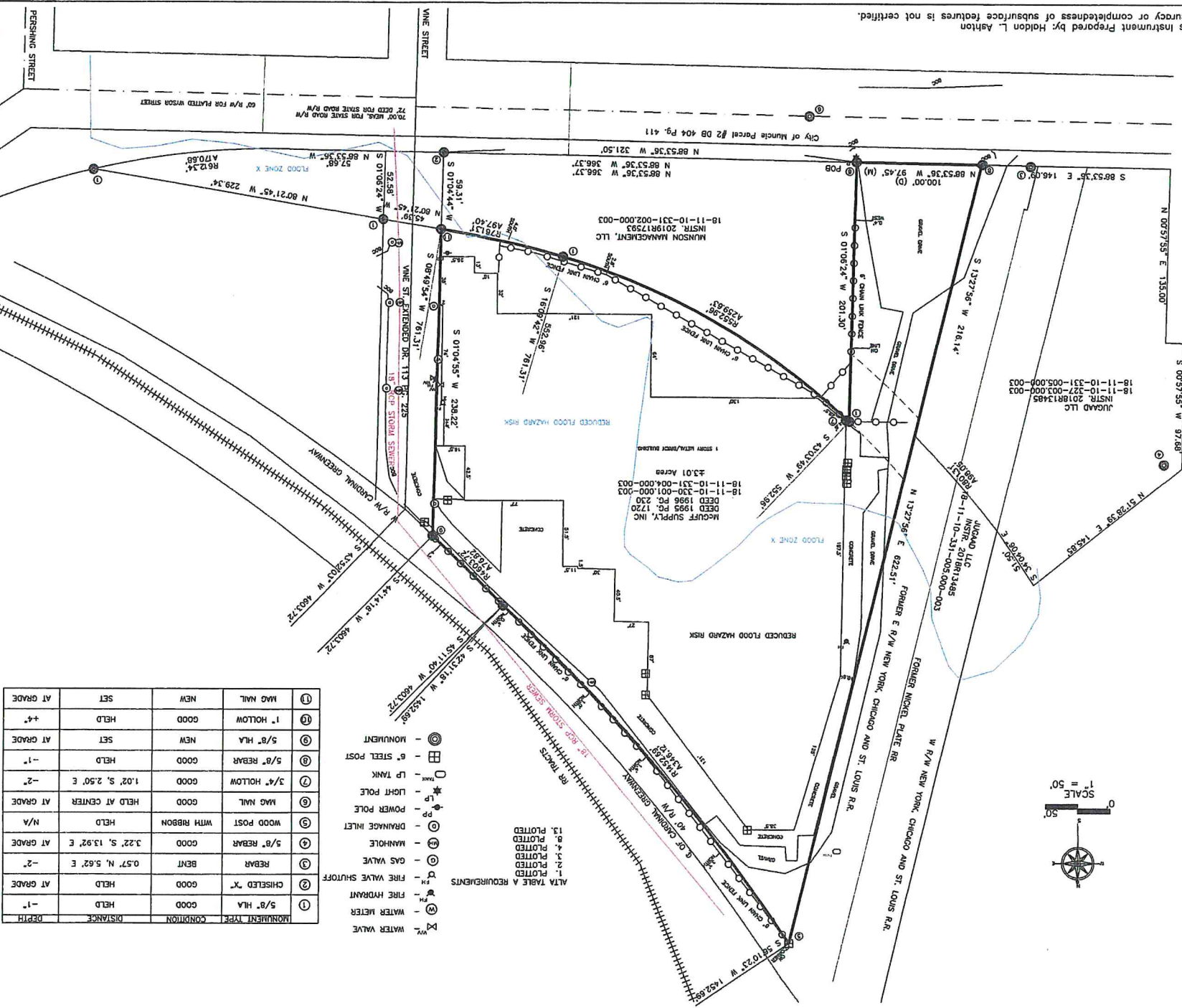
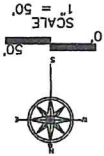
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AUG 13 2025

DELAWARE-MUNCIE  
METROPOLITAN PLANNING AREA

BZA 35-25



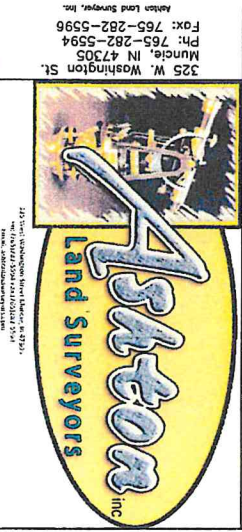


This instrument Prepared by: Haldon L. Ashton  
Accuracy or completeness of subsurface features is not certified.

ALTA TABLE A REQUIREMENTS  
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- WATER VALVE
- WATER METER
- FIRE HYDRANT
- FIRE VALVE SHUTOFF
- GAS VALVE
- MANHOLE
- DRAINAGE INLET
- POWER POLE
- LIGHT POLE
- LP TANK
- 6" STEEL POST
- MONUMENT

MONUMENT TYPE	CONDITION	DISTANCE	DEPTH
5/8" HILA	GOOD	HELD	-1"
CHISELED "X"	GOOD	HELD	-2"
REBAR	BENT	0.57' N, 5.62' E	-2"
5/8" REBAR	GOOD	3.22' S, 13.92' E	AT GRADE
WOOD POST	WITH RIBBON	HELD	N/A
MAG NAIL	GOOD	HELD AT CENTER	AT GRADE
3/4" HOLLOW	GOOD	1.02' S, 2.50' E	-2"
5/8" REBAR	GOOD	HELD	-1"
5/8" HILA	NEW	SET	AT GRADE
1" HOLLOW	GOOD	HELD	+4"
MAG NAIL	NEW	SET	AT GRADE



325 W. Washington St.  
Muncie, IN 47305  
Ph: 765-282-5594  
Fax: 765-282-5596  
Ashton Land Surveyors, Inc.

ALTA/NSPS  
LAND TITLE SURVEY  
610 E WYSOR STREET  
MUNCIE, IN

I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each social security number in this document, unless required by law. Haldon L. Ashton

SECTION CORNER COORDINATES ARE BASED ON ILLINOIS STATE PLATE EAST ZONE (NORTH AMERICAN DATUM OF 1983, CORN 98 EPOCH 2002.000)

Revisions

No. Reason:  
Date:  
Drawn: CLG  
Job: 2025524  
Client: McGuff Supply, Inc.  
Crew: EHA  
Electronic Field Book  
Field Date: 08/12/25  
IUPPS REF. #25081101720

Sheet 1 of 2

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DELAWARE-MUNCIE  
METROPOLITAN PLAN COMMISSION



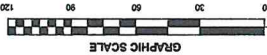
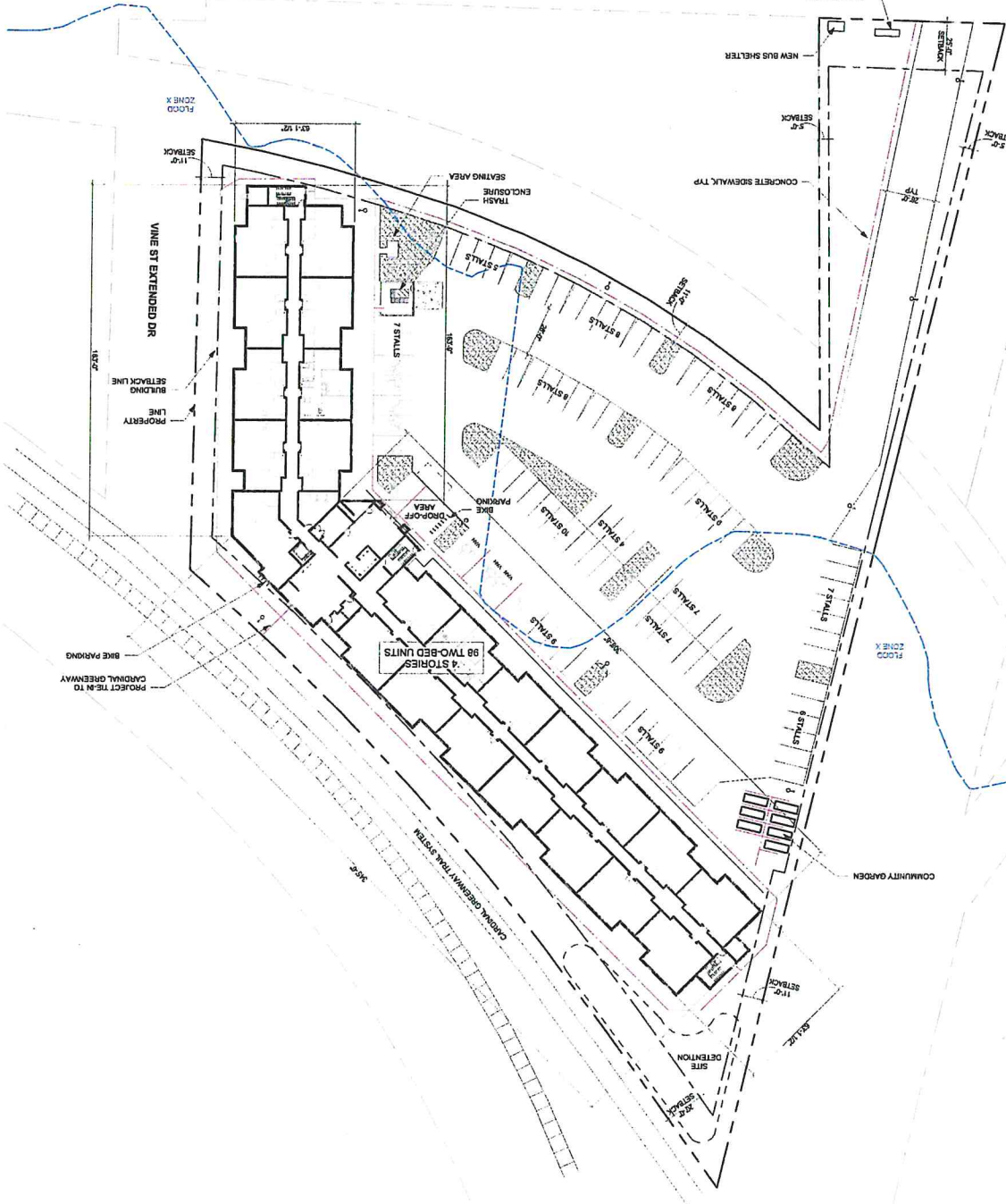
PROJECT SITE



1" = 30'-0"

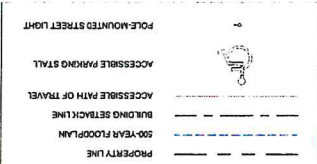
PROPOSED SITE PLAN

EAST WYSONOR STREET (60' ROW)



PARKING SCHEDULE		
DESCRIPTION	COUNT	PERCENTAGE
ACCESSIBLE PARKING STALL (STANDARD)	8	16%
ACCESSIBLE PARKING STALL (VAN)	3	7%
TOTAL		21

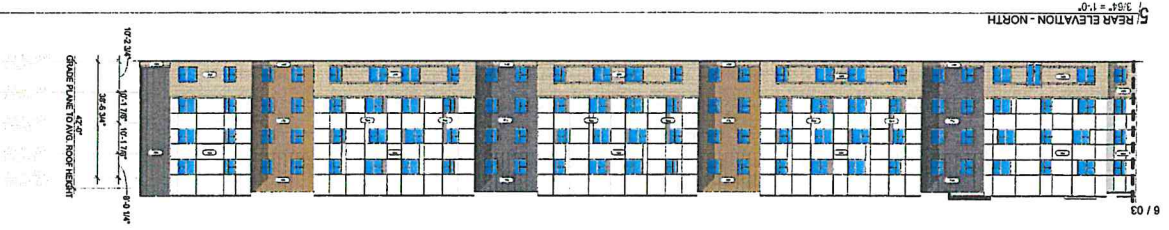
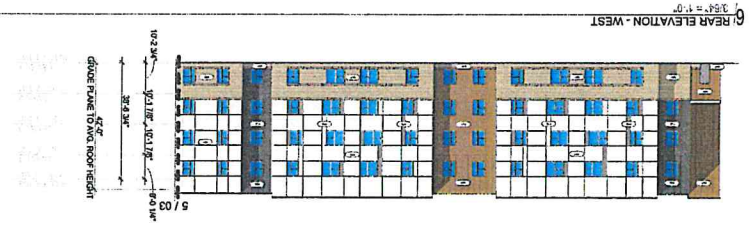
SITE PLAN SYMBOLS



SITE DATA	
SITE AREA: 4.31 AC	
ZONING: I-2 (INDUSTRIAL INTENSE)	
PROPOSED BUILDING HEIGHT: 42'-0"	
PROPOSED NUMBER OF STORES: 4	
PROPOSED NUMBER OF DWELLING UNITS: 88	
PROPOSED DENSITY: 20.20 DW/ACRE	
BUILDING LOT COVERAGE: 29,820 SF (72% OF TOTAL LOT AREA)	
PROPOSED NUMBER OF PARKING SPACES: 104	

UNIT SUMMARY	
UNIT TYPE	LEVEL
2.1	2.2
2.3	2.4
2.5	2.6
2.7	2.8
2.9	3.0
3.1	3.2
3.3	3.4
3.5	3.6
3.7	3.8
3.9	4.0
4.1	4.2
4.3	4.4
4.5	4.6
4.7	4.8
4.9	5.0
5.1	5.2
5.3	5.4
5.5	5.6
5.7	5.8
5.9	6.0
6.1	6.2
6.3	6.4
6.5	6.6
6.7	6.8
6.9	7.0
7.1	7.2
7.3	7.4
7.5	7.6
7.7	7.8
7.9	8.0
8.1	8.2
8.3	8.4
8.5	8.6
8.7	8.8
8.9	9.0
9.1	9.2
9.3	9.4
9.5	9.6
9.7	9.8
9.9	10.0
10.1	10.2
10.3	10.4
10.5	10.6
10.7	10.8
10.9	11.0
11.1	11.2
11.3	11.4
11.5	11.6
11.7	11.8
11.9	12.0
12.1	12.2
12.3	12.4
12.5	12.6
12.7	12.8
12.9	13.0
13.1	13.2
13.3	13.4
13.5	13.6
13.7	13.8
13.9	14.0
14.1	14.2
14.3	14.4
14.5	14.6
14.7	14.8
14.9	15.0
15.1	15.2
15.3	15.4
15.5	15.6
15.7	15.8
15.9	16.0
16.1	16.2
16.3	16.4
16.5	16.6
16.7	16.8
16.9	17.0
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17.5	17.6
17.7	17.8
17.9	18.0
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18.9	19.0
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20.7	20.8
20.9	21.0
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21.7	21.8
21.9	22.0
22.1	22.2
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22.7	22.8
22.9	23.0
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23.7	23.8
23.9	24.0
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24.7	24.8
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25.7	25.8
25.9	26.0
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27.7	27.8
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30.7	30.8
30.9	31.0
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61.7	61.8
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74.9	75.0
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99.9	100.0





MATERIAL	MARK
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PP100	PP100

RECEIVED  
AUG 13 2025  
DELAWARE NOTICE  
METROPOLITAN PLAN COMMISSION





In response to question #8 of the Application for Appeal, please see below for our requested standards variances and hardships.

**Standards Variance Request:**

1. Article XVII, Section 4 - Setbacks: reduce front yard setback from 20 feet to 11 feet
2. Article XVII, Section 5.B - Setbacks: reduce east side yard setback from 25 feet to 11 feet
3. Article XVII, Section 5.B - Setbacks: reduce west side yard setback from 25 feet to 11 feet
4. Article XXX, Section 2.E.32 - Parking: reduce parking ratio from 2:1 to 1.06:1

**Hardships:**

Our proposed development is part of IHCD's Low Income Housing Tax Credit (LIHTC) program, which has requirements for new affordable housing developments to ensure feasibility and meet community housing needs. In order to redevelop the land into quality, affordable housing, we respectfully request these variances of standards due to the unique constraints and hardships presented by the site.

1. We respectfully request a reduction in the front yard setback from 20 feet to 11 feet. While the building design meets the intent of the 20-foot setback from the right-of-way, it does not meet the setback from the property line due to the inclusion of a required stairwell at the end of the building. This stairwell is a mandated life-safety feature and cannot be removed or relocated without compromising fire safety and egress standards.  
The remainder of the building respects the setback requirement, and the encroachment is minimal and driven solely by code compliance, not discretionary design. Granting this variance will allow us to maintain a safe, code-compliant structure while preserving the integrity of the site design and ensuring the development remains compatible with the surrounding neighborhood.
2. We respectfully request a reduction in the east side yard setback from 25 feet to 11 feet. The irregular shape of the parcels has created significant site planning challenges, requiring a constrained layout. We've maximized efficiency within the site's boundaries, but strict adherence to the current setback would force us to shift the building footprint, potentially eliminating essential parking, greenspace, and amenity space for residents.  
We are unable to reduce the building footprint due to state-mandated minimum unit sizes, and we cannot add additional stories due to height restrictions. This variance is necessary to maintain a functional, code-compliant, and livable design that supports the long-term success of the development.
3. We respectfully request a reduction in the west side yard setback from 25 feet to 11 feet for the same reason as the east yard setback. The irregular shape of the parcels has created significant site planning challenges, requiring a constrained layout. We've maximized efficiency within the



site's boundaries, but strict adherence to the current setback would force us to shift the building footprint, potentially eliminating essential parking, greenspace, and amenity space for residents. We are unable to reduce the building footprint due to state-mandated minimum unit sizes, and we cannot add additional stories due to height restrictions. This variance is necessary to maintain a functional, code-compliant, and livable design that supports the long-term success of the development.

4. We respectfully request a reduction in the required number of parking spaces due to site constraints and the specific needs of our target population, older adults. This demographic typically has lower rates of car ownership and driving frequency, which reduces the demand for parking.

Due to the layout of the site, we are limited in possible configurations. Despite these constraints, we believe our proposed parking ratio is appropriate and sufficient for the intended residents. The site's proximity to alternative transportation options and the lower parking demand associated with older adult communities support this request. Granting this variance will allow us to better serve our residents while maintaining a thoughtful and functional site design.



# TWG

DEVELOPMENT | MANAGEMENT | CONSTRUCTION

1301 E WASHINGTON STREET, SUITE 100, INDIANAPOLIS, IN 46202 | 317.264.1833 | TWGDEV.COM

13 August 2025

**TO:** Delaware-Muncie Metropolitan Plan Commission  
100 W Main Street #206  
Muncie, IN 47305

**RE: Multi-Unit Development Special Use with Variances**  
610 East Wysor Street  
Muncie, IN 47305

To Fred Daniel and others of the Plan Commission –

Thank you for your consideration of our application for the McGuff Roofing site located at 610 East Wysor Street. The proposed development is an affordable rental housing community that was submitted to Indiana Housing and Community Development Authority's (IHCD) Low Income Housing Tax Credit Program (LIHTC) program this summer.

1. Location & Size of Area Involved: 3.01 acres at 610 E Wysor St, Muncie, IN 47305
2. Density of Land Use: 32.59 DU/AC
3. Location, Function, Ownership, and Manner of Maintenance of Common Open Space:
  - a. Location: Green space surrounding the apartment building, parking lot, indoor amenity space which will include a leasing office, community room, and activities area, indoor common areas which include hallways, elevators, and stairwells, and outdoor amenity space which include raised garden beds, access to the Cardinal Greenway, and bicycle racks.
  - b. Function: To create a welcoming environment for all residents renting an apartment in the development and enhance the area for surrounding neighbors and community members.
  - c. Ownership: TWG Development will maintain ownership of the property for a minimum of 15 years, but likely for 30 years. During that time, we will rent apartment units to older adults as part of IHCD's LIHTC program.
  - d. Manner of Maintenance of Common Open Space: This development will employ on-site property management and maintenance staff to oversee the site daily. We will use our property



management entity to oversee all day-to-day operations of the site and rental units. Our property management and maintenance team will coordinate green space, parking lot, and building upkeep, along with maintaining high standards of cleanliness inside the apartment building.

4. Use, Approximant Height, Bulk, and Location of Buildings and Other Structures:
  - a. Use: affordable rental housing for older adults
  - b. Height: 42 feet
  - c. Bulk: gross floor area = 116,910 square feet
  - d. Location of Building: the slightly L-shaped building will line the north and east sides of the property. The building will be setback 20 feet from the Cardinal Greenway (rear yard), 11 feet on the east and west side yards, and 11 feet from the southern property line (front yard).
5. Feasibility of Proposals for the Disposition of Sanitary and Storm: the Muncie Sanitary District will serve the development. A letter from the Muncie Sanitary District is provided with this application.
6. Covenants, Grants, and Easements to be Placed on the Use of the Land and Buildings: there will be a restrictive use agreement placed on the land/building as part of IHCDA's tax credit program. This would restrict the site to only serve as an affordable housing community for 40 years. Other than that, there are no covenants, grants, or easement to be placed on the use of the land and buildings.
7. Provisions for Parking of Vehicles and the Location and Width of Proposed Streets: this development will feature all off-street parking. There will be a 1.06:1 parking ratio provided. Given our research, parking studies, experience with more than 100 apartment developments, residents' access to alternative modes of transportation, and renting to the older adult population, we are confident that this parking ratio will be sufficient. Parking will be monitored by the property management team. Each resident will be required to register their car and receive a parking pass, which must be displayed at all times. The parking lot will have an ingress/egress point on Wysor Street. This drive to the site has been reviewed by the City Engineer, who did not have any concerns with the point of access.
8. Relationship of Proposed Streets to Streets in Proximity of the Project: we are not proposing any streets in this project. As Wysor Street is a prominent corridor, we believe the streets surrounding this development are sufficient.
9. Schedule of Construction with a Written Statement of How the Project Would be Consistent with Residential Growth:
  - a. Construction Schedule: if approved, our application with IHCDA with continue. Awards will be announced in November of this year – following the development's award from IHCDA, construction would start Summer of 2026 and last 16 months. Construction would be complete in Winter of 2027.
  - b. Project Consistent with Residential Growth: this development will create a significant amount of affordable housing units for older adults in Muncie and Delaware County. The two-bedroom units provide residents with space to live comfortably, while IHCDA's regulations will ensure the quality housing is available to residents at an affordable rate. We believe this development will be a valuable asset to add to the City of Muncie's and Delaware County's housing stock.



With this proposed development, we respectfully request a special use permit and four variances. Please see our attached Application for Appeals and supporting documentation.

Please do not hesitate to reach out with any comments or questions. We appreciate your time and assistance during this process and look forward to providing housing opportunities to the Muncie and Delaware County community.

Best,

*Marisa Conatser*

Marisa Conatser  
Sr. Development Director  
TWG Development, LLC



00616

DEF. 1996 0230

Mail tax statements to:

P.O. Box 911  
Muncie, Ind. 47308  
QUITCLAIM DEED

a

THIS INDENTURE WITNESSETH that Jack R. Munson and Sherry K. Munson, husband and wife, of Delaware County, Indiana RELEASE AND QUITCLAIM to McGuff Supply, Inc. of Delaware County, Indiana, for One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the following Real Estate in Delaware County, Indiana, to-wit: 15-32824

A part of the Hackley Reserve, Township 20, Range 10 East In the City of Muncie, Delaware County, Indiana, described as follows: Commencing at a 5/8 inch rebar on the original north line of Wyvor Street in Muncie, Delaware County, Indiana said point being south 89 degrees 15 minutes 00 seconds west 321.37 feet (assumed bearing) from a chiseled "X" at the point of intersection of said north line with the west line of Vine Street produced north; thence north 00 degrees 45 minutes 00 seconds east 165.75 feet to a 5/8 inch rebar at the point of beginning said rebar being on the curved southerly line of the former Philadelphia, Baltimore and Washington Railroad said rebar being south 37 degrees 50 minutes 10 seconds west 592.96 feet from the radius point of said curve; thence northwesterly 68.75 feet along said curve to a 5/8 inch rebar that is south 44 degrees 28 minutes 03 seconds west 592.96 feet from the radius point of said curve and being on the easterly line of the former New York, Chicago and St. Louis Railroad; thence north 11 degrees 35 minutes 00 seconds east 48.32 feet along said easterly line to a point on the northerly curved right-of-way line of the former Philadelphia Railroad and being south 47 degrees 11 minutes 00 seconds west 552.96 feet from the radius point of said curve; thence southeasterly 57.70 feet along said curve to a point that is south 41 degrees 12 minutes 25 seconds west 552.96 feet from said radius point; thence south 00 degrees 45 minutes 00 seconds east 52.37 feet to the point of beginning, containing 0.06 of an acre, more or less, and subject to all easements of record.

RECEIVED FOR RECORDS THIS 16 DAY OF Jan 19 96  
AT 11:30 A M RECORDED IN 1000  
RECORD 1996 PAGE 0230-31  
OFFICIAL RECORDER OF DELAWARE COUNTY

900  
001  
3  
x DATED this 5th day of January, 1996.

Jack R. Munson  
Jack R. Munson

Duty Entered for Taxation  
Transfer Fees \$ 3.00

JAN 16 1996

Delaware County  
Delaware County

Sherry K. Munson  
Sherry K. Munson

Sherry K. Munson  
Sherry K. Munson  
10th day  
notary public



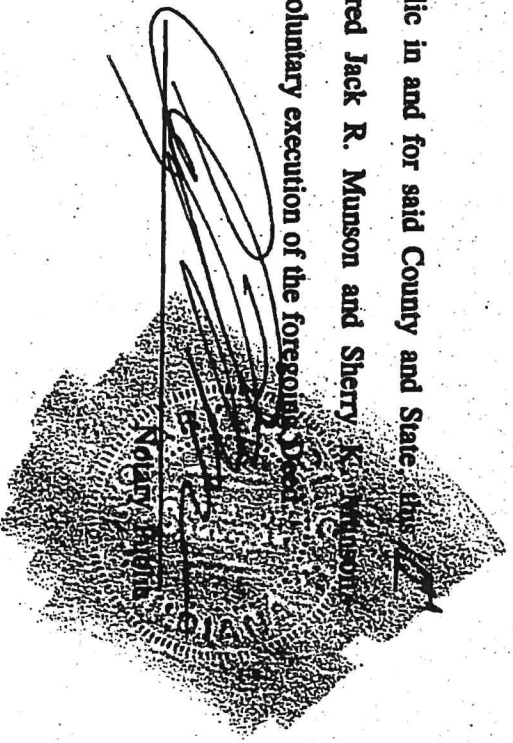
DEC 1996 0231

STATE OF INDIANA        )  
                                  ) SS:  
DELAWARE COUNTY        )

Before me, the undersigned Notary Public in and for said County and State, this 12<sup>th</sup> day of January, 1996 personally appeared Jack R. Munson and Sherry K. Munson, husband and wife and acknowledged the voluntary execution of the foregoing Deed.

My commission expires:

Jan 12, 99



Mell Tax Statements To: 610 E. Wysor St., Muncie, IN 47305

04338  
WARRANTY DEED DEED 1995 1720

## THIS INDENTURE WITNESSETH, That

Ivan S. Case and Eva K. Case, husband and wife,  
of Delaware County, in the State of Indiana, CONVEY and WARRANT to

McGuiff Supply, Inc.

of Delaware County, in the State of Indiana, for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Delaware County, in the State of Indiana, to-wit:

A part of Hackley's Reserve and being in Township Twenty (20) North, Range Ten (10) East, in the City of Muncie, bounded and described as follows, to-wit: Beginning at a point in the East line of the right of way of the New York, Chicago and St. Louis Railroad Company, also known as the Nickel Plate Rail Road Company, and formerly the Lake Erie and Western Railroad, also formerly known as the Fort Wayne, Cincinnati and Louisville Railroad, Two hundred sixty-three (263) feet North of the North line of Wysor Street where the East line of said New York, Chicago and St. Louis Railroad Company's right of way intersects with the North line of the right of way of the Pittsburg, Chicago, Cincinnati and St. Louis Railroad, formerly known as the Chicago, Indiana and Eastern Railroad, and running thence in a Northerly direction along the East line of the right of way of said New York, Chicago and St. Louis Railroad, Three hundred thirty-five (335) feet, more or less, to a point Twenty (20) feet South measured at right angles of the center line of the Chicago, Cincinnati and Louisville Railroad, formerly known as the Cincinnati, Richmond and Muncie Railroad; thence Southeasterly by a Four (4) degree curve to the left to a point in a line with the West line of Vine Street in Muncie, continued Northward; thence South Two hundred thirty (230) feet, more or less, to a point Seventy-four (74) feet, Three (3) inches North of the North line of Wysor Street, where the North line of the right of way of said Pittsburg, Chicago and St. Louis Railroad intersects with the West line of Vine Street in the City of Muncie; produced Northward; thence running in a Northwesternly direction Four hundred twenty (420) feet, more or less, on a curve line along the North line of the right of way of said Pittsburg, Chicago, Cincinnati, and St. Louis Railroad to the place of beginning, estimated to contain Two and three-fourths (2 $\frac{3}{4}$ ) acres, more or less.

UNIT TAX NO. 15-14940  
SIDWELL NO. 11-10-330-001

## ALSO:

A part of Hackley Reserve in Delaware County, Indiana, more particularly described as follows, to-wit: Beginning at a point in the original North line of Wysor Street in Muncie, Delaware County, Indiana, three hundred twenty-one and thirty-seven hundredths feet (321.37') West of the West line of Vine Street produced North; thence South eighty-nine degrees fifteen minutes (89°-15') West on the original North line of Wysor Street one hundred feet (100') to the Easterly right-of-way line of the New York, Chicago and St. Louis Railroad Company, said point being forty and ninety-five hundredths feet (40.95') East (measured along the original North line of Wysor St.) from the center line of the right-of-way of the said New York, Chicago and St. Louis Railroad Company, thence North eleven degrees thirty-five minutes (11°-35') East along said Easterly right-of-way line of the said New York, Chicago and St. Louis Railroad Company two hundred eighteen and seventy-eight hundredths feet

REC'D 1995 1721

(218.78') to a point, said point being South eleven degrees thirty-five minutes (11'-35') West twenty feet (20') from the center line of the main track of the railroad of the Philadelphia, Baltimore and Washington Railroad Company, known as the Muncie Branch; thence Southeasterly on a curve to the left having a radius of five hundred ninety-two and ninety-six hundredths feet (592.96'), the chord of which bears South forty-eight degrees forty-four minutes twenty-two seconds (48°-44'-22") East for a chord length of seventy-one and seven tenths feet (71.7'); thence South zero degrees forty-five minutes (0°-45') East one hundred sixty-five and seventy-five hundredths feet (165.75') to the point of beginning. Estimated to contain 0.346 acres more or less.)

UNIT TAX NO. 15-07079  
SIDWELL NO. 11-10-331-001

Grantee assumes and agrees to pay all taxes and assessments now a lien against said real estate and all taxes and assessments levied against said real estate thereafter.

Subject to all covenants, restrictions, reservations, easements, conditions, rights of way and other rights appearing of record.

31<sup>st</sup> IN WITNESS WHEREOF, This deed has been executed by the undersigned Grantors on this 31<sup>st</sup> day of MARCH, 1995.

Ivan S. Case  
Ivan S. Case

Eva K. Case  
Eva K. Case

STATE OF INDIANA  
SS:  
DELAWARE COUNTY

Before the undersigned Notary Public in and for said State, on this 31<sup>st</sup> day of MARCH, 1995, personally appeared the above named grantors and acknowledged the voluntary execution of the foregoing deed.

Jack E. Buckles  
Notary Public  
A Resident of Delaware County, Indiana

My Commission Expires:  
JACK E. BUCKLES, Notary Public  
A Resident of Delaware County, Indiana  
My Commission Expires January 20, 1999

This instrument prepared by Jack E. Buckles, Attorney, P.O. Box 1648, Muncie, IN 47308

FILED FOR RECORD  
9:20 o'clock APR 4 1995  
Record 1995 Page 172031

Only Entered for Taxation!  
Transfer Fees \$ 3.00 only

9:00  
APR 04 1995

APR - 3 1995

Recorder, Delaware County

Delaware County

Rm B16 (JEE)



## Legal Description

### Parcel A

A part of HACKLEY'S RESERVE and being in Township Twenty (20) North, Range Ten (10) East, in the City of Muncie, bounded and described as follows, to-wit: Beginning at a point in the East line of the right-of-way of the New York, Chicago and St. Louis Railroad Company, also known as the Nickel Plate Rail Road Company, and formerly the Lake Erie and Western Railroad, also formerly known as the Fort Wayne, Cincinnati and Louisville Railroad, two hundred sixty-three (263) feet North of the North line of Wysor Street where the East line of said New York, Chicago and St. Louis Railroad Company's right-of-way intersects with the North line of the right-of-way of the Pittsburgh, Chicago, Cincinnati and St. Louis Railroad, formerly known as the Chicago, Indiana and Eastern Railroad, and running thence in a Northerly direction along the East line of the right-of-way of said New York, Chicago and St. Louis Railroad, three hundred thirty-five (335) feet, more or less, to a point twenty (20) feet South measured at right angles of the centerline of the Chicago, Cincinnati and Louisville Railroad, formerly known as the Cincinnati, Richmond and Muncie Railroad; thence Southeasterly by a four (4) degree curve to the left to a point in a line with the West line of Vine Street in Muncie, continued Northward; thence South two hundred thirty (230) feet, more or less, to a point seventy-four (74) feet. Three (3) inches North of the North line of Wysor Street, where the North line of the right-of-way of said Pittsburgh, Chicago and St. Louis Railroad intersects with the West line of Vine Street in the City of Muncie, produced Northward; thence running in a Northwesterly direction Four hundred twenty (420) feet, more or less, on a curve line along the North line of the right-of-way of said Pittsburgh, Chicago, Cincinnati, and St. Louis Railroad to the place of beginning, estimated to contain two and three-fourths ( $2\frac{3}{4}$ ) acres, more or less.

### Parcel B

A part of Hackley Reserve in Delaware County, Indiana, more particularly described as follows, to-wit: Beginning at a point in the original North line of Wysor Street in Muncie, Delaware County, Indiana, three hundred twenty-one and thirty-seven hundredths feet (321.37) West of the West line of Vine Street produced North; thence South eighty-nine degrees fifteen minutes (89°-15') West on the original North line of Wysor Street one hundred feet (100') to the Easterly right-of-way line of the New York, Chicago and St. Louis Railroad Company, said point being forty and ninety-five hundredths feet (40.95) East (measured along the original North line of Wysor St.) from the center line of the right-of-way of the said New York, Chicago and St. Louis Railroad Company, thence North eleven degrees thirty-five minutes (11°-35') East along said Easterly right-of-way line of the said New York, Chicago and St. Louis Railroad Company two hundred eighteen and seventy-eight hundredths feet (218.78) to a point, said point being South eleven degrees thirty-five minutes (11°-35') West twenty feet (20') from the center line of the main track of the railroad of the Philadelphia, Baltimore and Washington Railroad Company, known as the Muncie Branch; thence Southeasterly on a curve to the left having a radius of five hundred ninety-two and ninety-six hundredths feet (592.96), the chord of which bears South forty-eight degrees forty-four minutes twenty-two seconds (48°-44'-22") East for a chord length of seventy-one and seven tenths feet (71.7'); thence South zero degrees forty-five minutes (0°-45') East one hundred sixty-five and seventy-five hundredths feet (165.75) to the point of beginning. Estimated to contain 0.0346 acres more or less.

### Parcel C

A part of the Hackley Reserve, Township 20, Range 10 East in the City of Muncie, Delaware County, Indiana, described as follows: Commencing at a  $\frac{3}{8}$  inch rebar on the original North line of Wysor Street in Muncie, Delaware County, Indiana said point being South 89 degrees 15 minutes 00 seconds West 321.37 feet (assumed bearing) from a chiseled "X" at the point of intersection of said North line with the West line of Vine Street produced North; thence North 00 degrees 45 minutes 00 seconds East 165.75 feet to a  $\frac{3}{8}$  inch rebar at the point of beginning, said rebar being on the curved Southerly line of the former Philadelphia, Baltimore and Washington Railroad said rebar being South 37 degrees 50 minutes 10 seconds West 592.96 feet from the radius point of said curve; thence Northwesterly 68.75 feet along said curve to a  $\frac{3}{8}$  inch rebar that is South 44 degrees 28 minutes 03 seconds West 592.96 feet from the radius point of said curve and being on the Easterly line of the former New York, Chicago and St. Louis Railroad; thence North 11 degrees 35 minutes 00 seconds East 48.32 feet along said Easterly line to a point on the Northerly curved right-of-way line of the former Philadelphia Railroad and being South 47 degrees 11 minutes 00 seconds West 552.96 feet from the radius point of said curve; thence Southeasterly 57.70 feet along said curve to a point that is South 41 degrees 12 minutes 25 seconds West 552.96 feet from said radius point; thence South 00 degrees 45 minutes 00 seconds East 52.7 feet to the point of beginning, containing 0.06 of an acre, more or less, and subject to all easements of record.

BUSINESS INFORMATION  
DIEGO MORALES  
INDIANA SECRETARY OF STATE  
08/04/2025 04:46 PM

Business Details

Business Name: MCGUFF ROOFING, INC. Business ID: 198612-442  
Entity Type: Domestic For-Profit Corporation Business Status: Active  
Creation Date: 12/10/1986 Inactive Date:  
Principal Office Address: 610 E. WYSOR STREET, PO BOX 911, Expiration Date: Perpetual  
MUNCIE, IN, 47308, USA  
Jurisdiction of Formation: Indiana Business Entity Report Due Date: 12/31/2026  
Years Due:

Governing Person Information

Title	Name	Address
Secretary	Peter Kuzma JR.	610 E Wysor Street, PO Box 911, MUNCIE, IN, 47304, USA
President	Peter Kuzma	PO Box 831, North Webster, IN, 46555, USA
Vice President	Nicholas Kuzma	1700 S Ridgeview Dr, Yorktown, IN, 47396, USA

Registered Agent Information

Type: Individual  
Name: PETER KUZMA  
Address: 3799 N Barbee Rd, Warsaw, IN, 47304 - 0000, USA



Name History

Business Details

Business Name: **MCGUFF ROOFING, INC.**  
Entity Type: **Domestic For-Profit Corporation**  
Creation Date: **12/10/1986**  
Principal Office **610 E. WYSOR STREET, PO BOX 911,**  
Address: **MUNCIE, IN, 47308, USA**  
Jurisdiction of Formation: **Indiana**

Business ID: **198612-442**  
Business Status: **Active**  
Inactive Date:  
Expiration Date: **Perpetual**  
Business Entity Report Due Date: **12/31/2026**  
Years Due:

Name History Details

Filing Date	Effective Date	Filing Number	Name
11/07/2005	11/07/2005	0001978394	MCGUFF SUPPLY INC

Page 1 of 1, records 1 to 1 of 1

Back      Return to Search





August 12, 2025

Marisa Conaster  
TWG Development  
1301 E. Washington St  
Suite 100  
Indianapolis, IN 46202

RE: 610 Wysor Street – Muncie, IN

Ms. Conaster:

Please find this letter regarding sanitary and storm sewer service to the proposed project location. The Muncie Sanitary District (MSD) does have record of existing storm sewer service available to the project site. MSD has not found record location information for existing sanitary sewer service to the site. However if there is none currently, sanitary sewer service can be extended to the site.

Let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "John D. Anderson".

John D. Anderson, P.E.  
District Engineer

