

DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS

APPLICATION FOR APPEAL

Jurisdiction: (Check One)

☐ Delaware County

☒ City of Muncie

Submitted: 9-3-25

Case No.: BZA 45-25

(1) Applicant: Muncie City View Homes II LLC

Address: 9100 Centre Pointe Dr. Suite 210, West Chester, OH 45069 Phone: (317)-503-4529

(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: N/A

Owner's address: N/A

(4) Record of Ownership:

Deed Book No.: 2023R06026

Page: 13

Purchase Date: 04/04/2023

Legal Description: (From the Deed or Abstract)

PLEASE SEE ATTACHED

(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).

1201 S HIGH STREET, MUNCIE, INDIANA 47302

(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.)

Request for a variance from the terms of the City of Muncie Comprehensive Zoning Ordinance, Article XVI, Section 4, to allow a reduced front setback of 7.1 rather than 25' for a variance of 17.9' and to allow a reduced side setback of 14.6 rather than 20' for a variance of 5.4' for a single-family dwelling on a corner lot in a residence zone.

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

CONTRACTOR FAILED TO STAKE FOUNDATION LOCATIONS PROPERLY,
CAUSING FOUNDATION TO BE OUT OF COMPLIANCE WITH THE EXISTING
SETBACKS

Street side setback of 14.6' rather than 20'

Front setback of 7.1' rather than 25'

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

R4 - RESIDENCE ZONE 4

(10) Present use of the property:

SINGLE FAMILY HOME

(11) Describe the proposed use of the property:

SINGLE FAMILY HOME

(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.

YES, WORK HAS STARTED AND BEEN COMPLETED

(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.

BZA 16-21 Approved with Conditions

On July 29th, 2021

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

WORK IS COMPLETE

When will it be completed?

WORK IS COMPLETE

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

PIVOTAL MANAGEMENT LLC WILL OPERATE. TENANTS WILL CONTINUE TO
RENT PER THE LEASE AGREEMENT

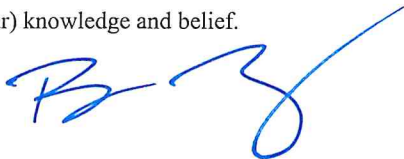
AFFIDAVIT

(I or We) Brian McGeady

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 3rd day of September, 20 25 /



Danielle Martin
Notary Public, State of Ohio
My Commission Expires:
June 09, 2029


Notary Public

June 09, 2029
Commission Expires

Resident of Ham. 1401 County

State of Ohio

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 25 day of September, 20 25.

Signed:



Date:

9-4-25

First American

13p

Duly Entered for Taxation
Transfer Fees \$ 290.00

jt

Site 22

MAY 10 2023

CEC
DELAWARE CO. AUDITOR

GENERAL WARRANTY DEED

2023R06026
JAN SMOOT
DELAWARE COUNTY RECORDER
RECORDED ON
05/10/2023 11:33 AM
REC FEE 25.00
PAGES: 13
RECORDED AS PRESENTED

THIS INDENTURE WITNESSETH, that The City of Muncie Redevelopment Commission ("Grantor"), CONVEYS AND WARRANTS to Muncie City View Homes II LLC, an Indiana limited liability company ("Grantee"), for the sum of Ten and 00/100ths Dollars (\$10.00), and other valuable consideration, the receipt of which is hereby acknowledged, that certain real estate located in Delaware County, in the State of Indiana, more particularly described in Exhibit A, attached hereto and by reference made a part hereof (the "Real Estate").

THIS CONVEYANCE IS MADE, and the Real Estate is SUBJECT TO:

- (1) real estate taxes and public assessments due and payable after the closing on the conveyance, and all such taxes and assessments payable thereafter; and
- (2) all covenants, agreements, easements, restrictions and rights of way of record.

Remainder of Page Intentionally Left Blank.
Signature Page Follows.



1075965

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 31 day of March, 2023.

GRANTOR:
The City of Muncie
Redevelopment Commission

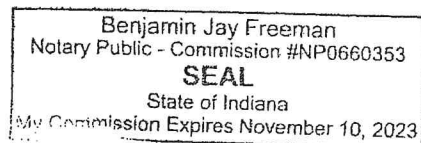
By: 
Printed: Jeff Howe

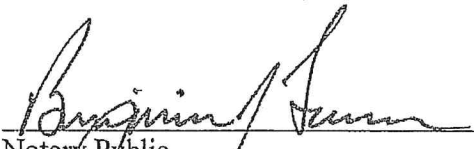
Its: President

STATE OF Indiana)
) SS:
COUNTY OF Delaware)

Before me, a Notary Public in and for said County and State, personally appeared Jeff Howe, who being first duly sworn by me upon his/her oath, acknowledged execution of the foregoing, stated that he/she is the President of The City of Muncie Redevelopment Commission, that he/she is duly authorized to execute the foregoing on its behalf, and who having been duly sworn stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 31 day of March, 2023.




Notary Public

Tax Parcel Number(s):

1120276004000 / State Id# 18-11-20-276-004.000-003;
1120276015000 / State Id# 18-11-20-276-015.000-003;
1120230008000 / State Id# 18-11-20-230-008.000-003;
1120231012000 / State Id#: 18-11-20-231-012.000-003;
1117481017000 / State Id#: 18-11-17-481-017.000-003;
1116353009000 / State Id#: 18-11-16-353-009.000-003;
1116305008000 / State Id#: 18-11-16-305-008.000-003;
11-21-233-012.000-003 / State Parcel Id# 18-11-21-233-012.000-003;
1122152001000 / State Id#: 18-11-22-152-001.000-003;
1122151008000 / State Id#: 18-11-22-151-008.000-003;
1122129006000 / State Id#: 18-11-22-129-006.000-003;
11-22-203-004.000-003 / State Id#: 18-11-22-203-004.000-003;
1122207012000 / State Id#: 18-11-22-207-012.000-003;
11-15-351.006-000 / State Parcel Id# 18-11-15-351-006.000-003;
11-15-354.001-000 / State Parcel Id# 18-11-15-354-001.000-003;

Site 27

11-15-354-003.000-003 / State Parcel Id# 18-11-15-354-003.000-003;
11-15-307.001-000 / State Parcel Id# 18-11-15-307-001.000-003;
11-15-357.022-000 / State Parcel Id# 18-11-15-357-022.000-003;
~~11-15-35-385-007-000~~ / State Parcel Id# 18-11-15-358-007.000-003; HHH
11-15-357.023-000 / State Parcel Id# 18-11-15-357-023.000-003;
11-16-431.002-000 / State Parcel Id# 18-11-16-431-002.000-003;

11-15-358-007-000

Site 26

Site 22

11-16-431.007-000 / State Parcel Id# 18-11-16-431-007.000-003;
11-15-358.034-000 / State Parcel Id# 18-11-15-358-034.000-003;
11-15-304-009.000-003 / State Parcel Id# 18-11-15-304-009.000-003;
11-15-304-010.000-003 / State Parcel Id# 18-11-15-304-010.000-003;
11-15-413-003.000 / State Parcel Id# 18-11-15-413-003.000-003; and
18-11-15-307-003.000-003;
~~18-11-22-403-009.000~~ 18-11-22-403-02-003-003 and 18-11-20-233-012.000-003

Address of Transferred Property: ~~023-~~ *

1933 West 16th Street (Parcel 1)
1916 West 17th Street (Parcel 2)
1901 West 15th Street (Parcel 3)
2111 South Port Avenue (Parcel 4)
1701 West Memorial Drive (Parcel 5)
1804 West 10th Street (Parcel 6)

1505 West 10th Street (Parcel 7)
1511 West 7th Street (Parcel 8)
2009 South Walnut Street (Parcel 9)
2300 South Mulberry Street (Parcel 10)
2328 South Walnut Street (Parcel 11)
825 East Memorial Drive (Parcel 12)
1115 East Memorial Drive (Parcel 13)
2104 South Ebright Street (Parcel 14)
125 East 8th Street (Parcel 15, ~~Parcels 15-28~~)
401 East 8th Street (Parcel 16)
409 East 8th Street (Parcel 17)
1200 South Elm Street (Parcel 18)
~~1623 South Elm Street (Parcel 19)~~
1624 South Elm Street (Parcel 20)
~~1625 & 1627 South Elm Street (Parcel 21)~~ 1629 S Elm St
1201 South High Street (Parcel 23)
1711 South Madison Street (Parcel 24)
~~1107 East 7th Street (Parcel 27)~~ 1109 E 7th St
~~1115 South Elm Street (Parcel 25)~~ 1119 S Elm St
~~1125 South Elm Street (Parcel 26)~~ 1123 S Elm St
~~1208 South Franklin Street (Parcel 22)~~ 1204 S Franklin St
~~1623 South Elm Street re-plat of Parcel 19~~ 1625 S Elm St
~~1206 South Elm Street (Parcel 28)~~ 1204
1104 East 22nd Street (Parcel 29)
Muncie, IN 47302

Grantee's Address for Mailing of Tax Statements and Recorded Deed:

9100 Centre Pointe Drive
Suite 210
West Chester, OH 45069

THIS INSTRUMENT PREPARED BY:
Patrick M. Rooney, Attorney at Law
1638 Shelby Street, Suite 101
Indianapolis, Indiana 46203
pmrooney1@gmail.com; 317.445.9956

I affirm under penalties for perjury that
I have taken reasonable care to redact
each social security number in this
document, unless required by law.
/s/ Patrick M. Rooney

Exhibit A

Legal Description of Real Estate

PARCEL 1:

A PART OF THE NORTHEAST QUARTER (NE¼) OF SECTION TWENTY (20), TOWNSHIP TWENTY (20) NORTH, RANGE TEN (10) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF LOT NUMBERED TEN (10) IN BLOCK FIVE (5) OF THE ORIGINAL PLAT OF MCCONNELLSVILLE, WHICH PLAT IS RECORDED IN PLAT BOOK 1, PAGE 57 OF THE RECORDS OF PLATS OF DELAWARE COUNTY, INDIANA; RUNNING THENCE NORTH ON THE EAST LINE OF SAID LOT (10) AND THE SAID EAST LINE OF SAID LOT EXTENDED NORTH A DISTANCE OF ONE HUNDRED FORTYNINE (149) FEET TO THE CENTER LINE OF HURST AVENUE AS SHOWN IN SAID PLAT; THENCE WEST ON THE CENTER LINE OF SAID HURST AVENUE FORTY (40) FEET; THENCE SOUTH PARALLEL WITH THE SAID EAST LINE OF SAID LOT AND THE EAST LINE OF SAID LOT EXTENDED SOUTH ONE HUNDRED SIXTY FIVE (165) FEET; THENCE EAST PARALLEL WITH THE CENTERLINE OF SAID HURST AVENUE FORTY (40) FEET; THENCE NORTH SIXTEEN (16) FEET TO THE POINT OF BEGINNING.

ALSO:

A PART OF THE NORTHEAST QUARTER (NE¼) OF SECTION TWENTY (20), TOWNSHIP TWENTY (20) NORTH, RANGE TEN (10) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF LOT ELEVEN (11) IN BLOCK FIVE (5) OF THE ORIGINAL PLAT OF MCCONNELLSVILLE, WHICH PLAT IS RECORDED IN PLAT BOOK 1, PAGE 57 OF THE RECORDS OF PLATS OF DELAWARE COUNTY, INDIANA; RUNNING THENCE NORTH ON THE EAST LINE OF SAID LOT ELEVEN (11) IN BLOCK FIVE (5) AND THE EAST LINE OF SAID LOT EXTENDED NORTH A DISTANCE OF ONE HUNDRED FORTY-NINE (149) FEET TO THE CENTERLINE OF HURST AVENUE AS SHOWN ON SAID PLAT; THENCE WEST ON THE CENTERLINE OF SAID HURST AVENUE FORTY (40) FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT AND THE SAID EAST LINE OF SAID LOT EXTENDED SOUTH A DISTANCE OF ONE HUNDRED SIXTY-FIVE (165) FEET; THENCE EAST PARALLEL WITH THE CENTER LINE OF SAID HURST AVENUE FORTY (40) FEET; THENCE NORTH SIXTEEN FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PART OF THE NORTHEAST QUARTER (NE ¼) OF SECTION TWENTY (20), TOWNSHIP TWENTY (20) NORTH, RANGE TEN (10) EAST, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT IN THE NORTH LINE OF MCCONNELL AVENUE ONE HUNDRED FIFTY (150) FEET WEST OF A POINT IN SAID NORTH LINE OF SAID STREET FIFTY (50) FEET NORTH OF THE NORTHEAST CORNER OF LOT NUMBER ONE (1) IN BLOCK SIX (6) OF THE ORIGINAL PLAT OF MCCONNELLSVILLE, WHICH PLAT IS RECORDED IN PLAT BOOK 1, PAGE 57 OF THE RECORDS OF DELAWARE COUNTY, INDIANA, RUNNING THENCE NORTH-PARALLEL WITH ROCHESTER AVENUE AS SHOWN ON SAID PLAT, ONE HUNDRED TWENTY (120) FEET, THENCE WEST PARALLEL WITH SAID NORTH LINE OF SAID MCCONNELLE AVENUE, A DISTANCE OF SIXTY-FIVE (65) FEET, THENCE RUNNING SOUTH PARALLEL WITH THE WEST LINE OF SAID ROCHESTER AVENUE, ONE HUNDRED TWENTY (120) FEET, THENCE EAST WITH THE NORTH LINE OF SAID MCCONNELL AVENUE, SIXTY-FIVE (65) FEET TO THE PLACE OF BEGINNING.

PARCEL 3:

LOT NUMBER ONE (1) IN BLOCK NUMBER FOUR (4) IN WOODLAWN PLACE, AN ADDITION TO THE CITY OF MUNCIE, INDIANA AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 30, IN THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 4:

LOT NUMBERED ONE (1) IN BLOCK NUMBERED NINE (9) IN MCCONNELL'S FIRST ADDITION TO MCCONNELLSVILLE IN PLAT RECORDED MAY 22, 1895 IN BOOK 3, PAGE 29, AN ADDITION TO THE CITY OF MUNCIE, INDIANA.

PARCEL 5:

A PART OF LOTS NUMBERED ONE (1) AND TWO (2) IN BLOCK NUMBER ELEVEN (11) IN MCCONNELL'S FIRST ADDITION TO MCCONNELLSVILLE, AS THE SAME IS PLATTED AND RECORDED IN PLAT BOOK 3 AT PAGE 29 IN THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, STATE OF INDIANA, TO-WIT:

BEGINNING AT A POINT AT THE NORTHEAST CORNER OF SAID LOT NUMBER ONE (1), AND RUNNING THENCE WESTWARD ON THE NORTH LINE OF SAID LOTS NUMBERED ONE (1) AND TWO (2) TO A POINT TWO (2) FEET WEST OF THE NORTHEAST CORNER OF SAID LOT NUMBER TWO (2); THENCE RUNNING SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT NUMBER TWO (2) TO A POINT ONE HUNDRED TWO (102) FEET SOUTH OF THE NORTH LINE OF SAID LOT NUMBER TWO (2); THENCE RUNNING EAST PARALLEL WITH THE NORTH LINE OF SAID LOTS, A DISTANCE OF FORTY-TWO (42) FEET TO THE EAST LINE OF SAID LOT NUMBER ONE (1); THENCE NORTH WITH THE EAST LINE OF SAID LOT NUMBER ONE (1) TO THE PLACE OF BEGINNING, A DISTANCE OF ONE HUNDRED TWO (102) FEET, MORE COMMONLY KNOWN AS 1701 W. MEMORIAL DRIVE, MUNCIE, INDIANA.

PARCEL 6:

LOT NUMBER SEVENTEEN (17) IN BLOCK NUMBER TWENTY-THREE (23) IN ROCHESTER AND UTICA LAND COMPANY'S ADDITION TO THE CITY OF MUNCIE, AS RECORDED IN PLAT BOOK 2, PAGE 123, IN DELAWARE COUNTY, INDIANA.

PARCEL 7:

Lot 88 in John J. Perkin's Addition to the City of Muncie, as recorded in Plat Book 2, Page 73, in Delaware County, Indiana.

PARCEL 8:

LOT NUMBER TWO HUNDRED THIRTY-THREE (233) IN BLOCK NUMBERED FIFTEEN (15) IN THE JOHN J. PERKINS ADDITION TO THE CITY OF MUNCIE, AS RECORDED IN PLAT BOOK 2, PAGE 73, IN DELAWARE COUNTY, INDIANA.

PARCEL 9:

LOT NUMBER THREE (3) IN BLOCK NUMBER SIXTY-FOUR (64) IN THE HEATH, LENON AND MITCHELL ADDITION TO THE CITY OF MUNCIE, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 2, PAGE 151 IN THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 10:

LOT NUMBERED 16 IN BLOCK NUMBERED 176 IN THE MUNCIE NATURAL GAS LAND IMPROVEMENT COMPANY'S SUBDIVISION OF THE GALLIHER AND OHMER TRACTS, AN ADDITION IN PLAT BOOK 2, PAGE 95 TO THE CITY OF MUNCIE, INDIANA.

PARCEL 11:

LOT NUMBER NINE (9) IN BLOCK NUMBER ONE HUNDRED SEVENTY-SEVEN (177) IN THE MUNCIE NATURAL GAS LAND IMPROVEMENT COMPANY'S SUBDIVISION OF THE GALLIHER AND OHMER TRACTS IN PLAT BOOK 2, PAGE 95 AND ADDITION TO THE CITY OF MUNCIE, INDIANA.

PARCEL 12:

LOTS NUMBERED ONE (1) AND TWO (2) IN BLOCK NUMBERED FORTY NINE (49) IN THE MUNCIE NATURAL GAS LAND IMPROVEMENT COMPANY'S SUBDIVISION OF THE GALLIHER AND OHMER TRACTS, AN ADDITION TO THE CITY OF MUNCIE, AS RECORDED IN PLAT BOOK 2, PAGE 95, DELAWARE COUNTY, INDIANA.

PARCEL 13:

LOT NUMBERED FOUR (4) IN BLOCK NUMBER FORTY-SIX (46) IN MUNCIE NATURAL GAS LAND IMPROVEMENT COMPANY'S SUBDIVISION OF THE GALLIHER AND OHMER TRACTS, AN ADDITION TO THE CITY OF MUNCIE, INDIANA AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 95, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 14:

LOT NUMBER FORTY-ONE (41) IN BLOCK "H" IN ARCADIA, AN ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 21, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 15:

LOT NUMBER ONE HUNDRED FIVE (105) IN THE ANTHONY PARK ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 16:

LOT NUMBERED NINETY-TWO (92) IN THE ANTHONY PARK ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 17:

LOT NUMBER NINETY (90) IN THE ANTHONY PARK ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 18:

A PART OF LOT 26 IN THE ANTHONY PARK ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF SAID LOT 26 ONE (1) FOOT AND FIVE (5) INCHES NORTH OF THE SOUTHWEST CORNER OF SAID LOT 26; THENCE RUNNING NORTHWESTWARDLY ON AND ALONG THE WEST LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT 26; THENCE RUNNING EASTWARDLY ON AND ALONG THE NORTH LINE OF SAID LOT 26, A DISTANCE OF ONE HUNDRED (100) FEET TO A POINT; THENCE RUNNING SOUTHWARDLY ON A STRAIGHT LINE PARALLEL WITH THE WEST LINE OF SAID LOT 26 TO A POINT ONE (1) FOOT AND FIVE (5) INCHES NORTH ON THE SOUTH LINE OF SAID LOT 26; THENCE RUNNING WESTWARDLY

ON A STRAIGHT LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 26 A DISTANCE OF ONE HUNDRED 100 (100) FEET TO THE PLACE OF BEGINNING.

PARCEL 19:

THE SOUTH FIFTY (50) FEET OF LOTS FORTY (40), FORTY-ONE (41), AND FORTY-TWO (42) IN GRAY'S ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 69, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT FORTY-TWO (42) AND RUNNING THENCE WEST ON THE SOUTH LINE OF SAID LOTS NUMBERED FORTY (40), FORTY-ONE (41), AND FORTY-TWO (42) TO THE SOUTHWEST CORNER OF SAID LOT NUMBERED FORTY (40), AND RUNNING THENCE NORTH ON THE WEST LINE OF SAID LOT NUMBERED FORTY (40) FIFTY (50) FEET, RUNNING THENCE EAST ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOTS NUMBERED FORTY (40), FORTY-ONE, AND FORTY-TWO (42) TO THE EAST LINE OF SAID LOT NUMBERED FORTY-TWO (42) AND RUNNING THENCE SOUTH ON THE EAST LINE OF SAID LOT NUMBERED FORTY-TWO (42), FIFTY (50) FEET TO THE PLACE OF BEGINNING.

PARCEL 20:

FIFTY (50) FEET OF EQUAL WIDTH OFF OF THE ENTIRE SOUTH ENDS OF LOTS NUMBERED 43, 44 AND 45 IN GRAYS ADDITION TO THE CITY OF MUNCIE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST QUARTER OF SAID LOT NUMBERED 43 AND RUNNING THENCE NORTH ON THE WEST LINE OF SAID LOT FIFTY (50) FEET; RUNNING THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOTS TO THE EAST LINE OF SAID LOT 45; RUNNING THENCE SOUTH FIFTY (50) FEET TO THE SOUTHEAST CORNER OF SAID LOT 45; RUNNING THENCE WEST ON THE SOUTH LINE OF SAID LOTS TO THE SOUTHWEST CORNER OF SAID LOT 43, THE PLACE OF BEGINNING, PLAT OF WHICH IS RECORDED IN PLAT BOOK 2, PAGE 69 IN THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 21:

BEGINNING AT THE NORTHEAST CORNER OF LOT 55 IN GRAY'S ADDITION TO THE CITY OF MUNCIE, INDIANA AS THE SAME IS PLATTED AND RECORDED IN PLAT BOOK 2 AT PAGE 69 IN THE RECORDER'S OFFICE OF DELAWARE COUNTY, INDIANA; THENCE WEST ALONG THE NORTH END OF LOTS 55, 56, AND 57 IN SAID ADDITION PLATTED AS ABOVE DESCRIBED, 127.63 FEET TO THE NORTHWEST CORNER OF SAID LOT 57: THENCE NORTH FIFTY (50) FEET TO THE SOUTHWEST CORNER OF LOT 40 IN SAID ADDITION, PLATTED AS ABOVE DESCRIBED, THENCE

EAST ALONG THE SOUTH END OF LOTS 40, 41 AND 42 IN SAID ADDITION, PLATTED AS ABOVE DESCRIBED,

127.63 FEET TO THE SOUTHEAST CORNER OF SAID LOT 42; THENCE SOUTH FIFTY (50) FEET TO THE PLACE OF BEGINNING.

PARCEL 22:

THE SOUTH HALF (S1/2) OF THE NORTH HALF (N1/2) OF LOT NUMBER THREE IN BLOCK NUMBER FOUR (4) IN SAMUEL P. ANTHONY'S ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 17, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 23:

A PART OF LOT NUMBERED ONE (1) IN BLOCK NUMBER FOUR (4) IN SAMUEL P. ANTHONY'S FIRST ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 17, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT NUMBERED ONE (1) IN BLOCK NUMBERED FOUR (4); RUNNING THENCE WEST WITH THE NORTH LINE THEREOF 90 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE THEREOF, 48 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE THEREOF 90 FEET; THENCE NORTH WITH SAID EAST LINE 48 FEET TO THE PLACE OF BEGINNING.

PARCEL 24:

FIFTY (50) FEET OFF OF THE SOUTH END OF LOTS NUMBERED FORTY-NINE (49), FIFTY (50), AND FIFTY-ONE (51) IN GRAY'S ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 69, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 25:

LOT NUMBERED SEVENTY-ONE (71) IN THE ANTHONY HOMESTEAD ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 38, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 26:

LOT NUMBERED SEVENTY-TWO (72) IN THE ANTHONY HOMESTEAD ADDITION TO THE CITY OF

MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 38, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

PARCEL 27:

LOT NUMBERED 395 IN GALLIHER SUBDIVISION, A ADDITION TO THE CITY OF MUNCIE, AS RECORDED IN PLAT BOOK 2, PAGE 56, RECORDS OF DELAWARE COUNTY, INDIANA.

PARCEL 28:

A PART OF LOTS NUMBERED 26 AND 27 IN THE ANTHONY PARK ADDITION TO THE CITY OF MUNCIE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, THE OFFICE OF THE RECORDER OF DELAWARE COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF SAID LOT NUMBERED 26 ONE (1) FOOT AND FIVE (5) INCHES NORTH OF THE SOUTHWEST CORNER OF SAID LOT 26; THENCE RUNNING EASTWARDLY ON A STRAIGHT LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT NUMBERED 26, A DISTANCE OF ONE HUNDRED (100) FEET TO A POINT; THENCE RUNNING SOUTHWARDLY ON A STRAIGHT LINE PARALLEL WITH THE WEST LINE OF SAID LOTS NUMBERED 26 AND 27 TO POINT SIX (6) FEET SOUTH FROM THE POINT OF INTERSECTION OF SAID LINE WITH THE NORTH LINE OF SAID LOT NUMBERED 27; THENCE RUNNING EASTWARDLY ON A STRAIGHT LINE PARALLEL WITH THE NORTH LINE OF SAID LOT NUMBERED 27 A DISTANCE OF THIRTY (30) FEET; THENCE RUNNING SOUTHWARDLY ON A STRAIGHT LINE PARALLEL WITH THE WEST LINE OF SAID LOT NUMBERED 27 A DISTANCE OF FIVE (5) FEET; THENCE RUNNING EASTWARDLY ON A STRAIGHT LINE PARALLEL WITH THE NORTH LINE OF SAID LOT NUMBERED 27 TO THE POINT OF INTERSECTION OF SAID LINE OF SAID LOT NUMBERED 27; THENCE RUNNING SOUTHWARDLY ON AND ALONG THE EAST LINE OF SAID LOT NUMBERED 27 TO THE SOUTHEAST CORNER OF SAID LOT NUMBERED 27; THENCE RUNNING WESTWARDLY ON THE SOUTH LINE OF SAID LOT NUMBERED 27 TO THE SOUTHWEST CORNER OF SAID LOT NUMBERED 27; THENCE RUNNING NORTHWARDLY ON THE WEST LINE OF SAID LOTS NUMBERED 26 AND 27 TO THE PLACE OF BEGINNING.

PARCEL 29:

LOT 2 OF A PLAT OF EDEN ACRES CITY VIEW, A SUBDIVISION IN THE CITY OF MUNCIE, INDIANA, RECORDED OCTOBER 13, 2022 AS INSTRUMENT NO. 2022R15808.

