DELAWARE-MUNCIE METROPOLITAN BOARD OF ZONING APPEALS APPLICATION FOR APPEAL

Jurisdiction: (Check One)	Submitted: $9-3-25$ Case No.: $46-25$
Delaware County	Case No.: 46 - 25
City of Muncie	•
(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 prop	erty.
(b) The applicant is the contract owner of the property	erty.
(c) Other:	
(3) If Item (2)(c) is checked, please complete the following	y:
Owner of the property involved: N/A	
Owner's address: N/A	
(4) Record of Ownership:	
	÷
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).
- 1200, 1202, and 1204 S ELM ST, 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 variances from the terms of the City of Muncie Comprehensive Zoning Ordinance, Article XVII, Section 4, to allow a reduced front setback of 17.3' rather than 20' for a variance of 2.7' and to allow a reduced side setback of 16.6' rather than 20' for a variance of 3.4', all for a single-family dwelling 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 setback of 16.6' rather than 20'		
Front setback of 17.3' rather than 25'		
(9) Present Zoning of the property: (Give exact classification)		
R5 - RESIDENCE ZONE 5		
(10) Present use of the property:		
Single Family Attached		
(11) Describe the proposed use of the property:		
Single Family Attached		
(12) Is the property:		
Owner Occupied		
Renter Occupied		

(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 15-21 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 su	abmitted 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 $\frac{3^{-0}}{}$ da	y of September, 20 25/
Danielle Martin Notary Public, State of Ohio My Commission Expires: June 09, 2029	Pamelle Mants Notary Public Sune 09, 2029 Commission Expires
A. C.	Resident of Hamilton 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

First American

Duly Entered for Taxation Transfer Fees \$ 290.00

MAY 10 2023

DELAWARE CO. AUDITOR

Ste 27

2023R06026

JAN SMOOT

DELAWARE COUNTY RECORDER

RECORDED ON

05/10/2023 11:33 AM

REC FEE 25.00

PAGES: 13
RECORDED AS PRESENTED

GENERAL WARRANTY DEED

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.

Tx:4210251

1075965

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

GRANTOR:
The City of Muncie Redevelopment Commission

By: Jaffey Howe

Its: President

STATE OF Indiana

SS:
COUNTY OF Delange

SS:

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

Benjamin Jay Freeman Notary Public - Commission #NP0660353

SEAL
State of Indiana
My Commission Expires November 10, 2023.

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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;
          11-15-354-003.000-003/ State Parcel Id#18-11-15-354-003.000-003;
Site 27
          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;
          <del>11-15-35-385.007-000</del> / State Parcel Id# 18-11-15-358-007.000-003; HHH
                                                                                    11-15-358-007-000
          11-15-357.023-000 / State Parcel Id# 18-11-15-357-023.000-003;
                                                                                                       Site 26
          11-16-431.002-000 / State Parcel Id# 18-11-16-431-002.000-003;
          11-16-431.007-000/ State Parcel Id# 18-11-16-431-007.000-003;
Site 22
          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)
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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 191625 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 (NE½) 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 (NE%) 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 1/4) 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 MCCONNELLSVILE, 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 1'ARALLEL 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.

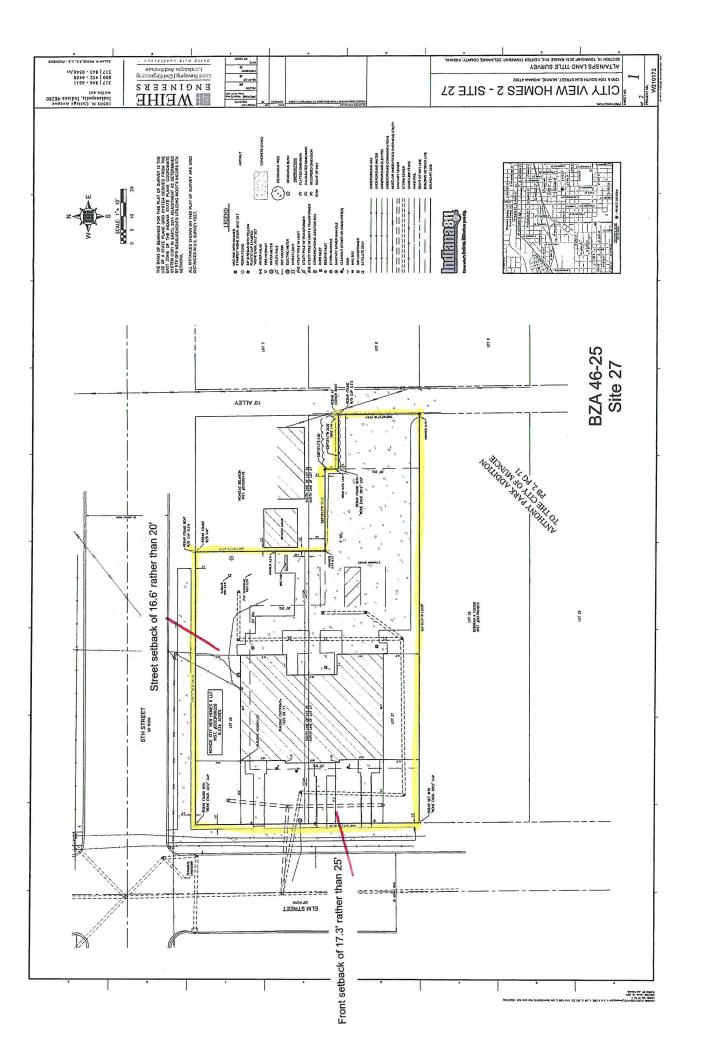
PARCEL 28:

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 BAST 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.



ALTA/NSPS LAND TITLE SURVEY SECTION 15, TOWNSHIP 20 N, RANGE 10 E, CENTE 10505 N. College Avenue Indianapolis, Indiana 46280 317 846 - 6611 317 845 - 6408 317 843 - 0546/ez Land Surveying | Civil Engineering Landscape Architecture 1200 & 1204 SOUTH ELM STREET, MUNCIE, INDIANA 47302 ENGINEEKS CITY VIEW HOMES 2 - SITE 27 (3),50 II AMPROVEMENTS SHOWN ON THE WITHEN SURVEY ARE A REPRESENTATION OF THE CONDITIONS ON THE LUST DATE OF FIELD WORK AND NOT NECESSARLY THE CONDITIONS OF THE CERTIFICATION AND ALL. L EDWADD, A PROFESSIONAL SURFETOR IN THE STAIT OF INDIANA, HEREBY STAIR THAT, TO SERVEY OF AN INDIANALDIK, KNOWLEDGE, AND BELIEF, THE PLAT REPRESENTS A SURVEY ALTED UNDER MY SUPERVISION AND IN ACCORDANCE WITH TITLE MS. ARTIGLE 1, CHAPTER 12, © HOUMAN ADMINISTRATIVE COOK. THE M. FERTINGS (EXCLING), CONTINUES ASSESSED ASSESSED.

WITHER SPONS OF THE ALLO TO THE MITHER PARK ADDRESS, ASSESSED OF ASSESSED ASSESSED.

FOR 12 MIGHT SHOW THE PLAT OF THE MITHER PARK ADDRESS, ASSESSED ASSESSED.

FOR 12 MIGHT SHOW THE PLAT OF THE MITHER PARK ADDRESS, ASSESSED ASSESSED.

FOR 12 MIGHT SHOW THE MITHER PARK ADDRESS, ASSESSED ASSESSED.

FOR 12 MITHER PARK AND ADDRESS, ASSESSED ASSESSED ASSESSED.

FOR 12 MITHER PARK AND ADDRESS, ASSESSED ASSES THE SURVEY WAS PREPARED BY JOEL EDWARDS, WEIME ENGNEERS, INC., 16505 N. COLLEG AVENUE, INDAVAPOLIS, INDAVA 4628). PROMOTED THE TOTAL THE TOT AS USED IN THIS SURVEY, CERTIFY MEANS TO STATE OR DECLARE A PROFESSIONAL OPMON DECONTRONS RECENSIONS THOSE CHACTS OF PROMO WHICH ARE THE SUBJECT OF T CERTIFICATION AND DOES NOT CONSTITUTE A WARRANT OR QUANAMITES, ETHER EXPRESS MAY LED, INTERPRETATIONS ARE NOT A PART OF ANY CERTIFICATION. The American Comment of the Comment AFFRA, UNDER THE PENALTIES OF PERJIRY, THAT I HAVE TAVEN REASONUBLE CARE TO RED. EACH SOCIAL SECURITY NAMBER IN THE DOCUMENT, UNLESS REQUIRED BY LAW, JOEL EDWARDS 107 II HONE(P) 144.78(C) 107 12 NOE(P) 144.84(C) (3),1691 (d))NON NOW[P) 144 43 [C) 101 13 6 101 107 10 URINERS GITY VIEW HOMES IL LIC. I SENG FIND 344, LLC. A DELAWINE LIMITED LUBBLITY COMPANY STH STREET 6TH STREET BLOCK DETAIL AERCHANTS BANK B.OSKY & COMPANY IRST AMERICAN TITLE INSURANCE COMPANY: LOT 26 COAC(P) 149.96°(C) LOT 28 101 27 Joel Edwards SURVEYOR'S CERTIFICATE BZA 46-25 Site 27 CONTINUES DE CORRESPONDAD.

CONTINUES DE CONTINUES DE PROPRIENTE FUEL DE LA COLOR DEL COLOR DE LA COLOR DE LA COLOR DEL COLOR DE LA COLOR INTERNS OUL LESS MEST ENTENDE PROSENTION OF THE COLOR THE ANG WOMEN OF THE COLOR THE ANGEST OF THE ANGEST OF THE COLOR THE ANGEST OF THE ANGES OF THE ANGEST OF THE ANGES OF THE AN SCLABITY ANDORA AMBIGUITY OF THE RECORD DESCRIPTIONS OD DO CAP'S OR OVERLAPS WERE FOLKID WITH THE SURVEYED PROPERTY AND THE LIMES OF THE AUJORIERS. ALL AUGGROUPS CHUTES BORNEY AS BORNE AD UTLIY REGULATION WAS PROJECT TO THE SURVEYOR BY THE CLIDIT FOR THIS SURVEY. SAME UTLITES SHOWN ON THE SURVEY SPECIALS PROJECT THAMBE WHITE BASIC ON MOOVE GROUND FREEDRY. RECENT MARGNEMENTS ON THE SUBJECT PARCEL INCLUDING A BUILDING, CONCRETE WALKS, A CONCRETE PARAMA AREA, WERE DSSENYED IN THE PROCESS OF CONDUCTING THE SURVEY. SEE THE EAST LINE WAS RETRACED 100 FEET EAST AND PARALIEL WITH THE WEST LINE OF THE SHELECT WAYCEL. THE EASTED PROFILED USING THE REPLACED USING RECORD MUSICALEL WITH THE MORTH AND WEST FURSACHIVELY. THE ADDRESS OF THE SURVEYED PROPERTY WAS FOUND TO BE 1200-1204 SOUTH ELM STREET MANCIE, IN PER DELAWARE COUNTY GIS. Accident of the County Land out of the County of the Count COMMENT. ACCORDING TO A ZONNO LETTER TO PROTIAL FROM THE DELAWINELALINCE METHODITAL PLAN COMMISSION DATED FEBRUARY 2.2021. THE SUBJECT PARCEL LES IN THE RA RESOLVED ZONE AND THAT THE FOLLOWING RESTRICTIONS: WHO INTERCRILLOTE # FEET (8 FEET RETWEEN TOWN-CLOSES)

LE UNIT FREEZONDLA, CORROGAL (LOTS SOET VAND: 70 FEET ALLOORING THE STREET; # FEET SOEM THE ALLOCATION FORCEST.

UNIT AND ALLOTEL UNIT FROM FREEZONTAL LOTS SOET VAND: 70 FEET ALLOORING THE STREET; # ALLOCATION FROM THE TOWN THAT TOWN THAT ALLO SOET VAND THAT ALLOCATION TOWN THAT TOWN THAT ALLO SOET VAND THAT ALLOCATION TOWN THAT ALLOCATION THAT ALL ALLOCATION THAT ALLOCATI UTLITY LOCATE RECUESTS WERE CALLED IN VIA THE INDIANASIS CALL CENTER FOR THE SITE AND THE FOLLOWING COMMENTS ARE IN RELATION TO THOSE REQUESTS: NO PROPOSED CHANGE IN STREET ROOM OF WAY LINES OR NO ENDENCE OF RECENT STREET CONTINUENCE RECENT STREET CONTINUENCE RELEASONOR THE PROSESS OF CONDUCTION THE FEBROWOR WITH SURVEYS STREET, STORMALS WAS RESERVED. NO FELD DELINEATION OF WETLANDS JUANIERS WERE OSSERVED IN THE PROCESS OF CONNECTION THE FELDWOOK FOR THIS SLINNEY, AS OF LUBCH 1, 2029 PER US, FISH AND WILDLIFE STRINKE INTOWAL WETLANDS INVENTIONE JUAN THOSE WAS NO INVENTIONED WETLAND ON THE no plotiable appurtenant offsite easements were provided during the course of survey. KWALABLITY AND CONDITION OF RETERENCE HOMAMENTS 6.5 FEET OCCURATION OR POSSESSION LINES (IP TIO 8.5 FEET CLARITY ON AMBIGUITY OF RECORD DESCRIPTIONS ANCION ALLONINING DESCRIPTIONS; INCLUBBLE THE SUBJECT PARCEL IS LOCATED AT THE INTERSECTION OF 5TH STREET AND ELM STREET. OF STREET
THE SIDE YARD SETBACK IS NOT SHOWN AS IT REQUISES INTERPRETATION.
THE SIDE YARD SETBACK IS NOT SHOWN AS IT REQUISES INTERPRETATION. POSSIBLE ENCROACHMENTS ARE AS SHOWN ON THE FACE OF THE SURVEY. THE UNCERTAINTIES OF THE SURVEY ARE SUMMARIZED AS FOLLOWS. EVIDENCE OF SOURCE OF TITLE FOR THE SURVEY PROPERTY IS INSURANCE COMPANY COMMITMENT FOR TITLE INSUR-INCS-1216385-RIDY AND AN EFFECTIVE DATE OF APRIL 14, 2024. THE FOLLOWING NOTES ARE KEYED TO THE SPECIAL EXCEPT. TWO OF THE COMMITMENT FOR TITLE INSURANCE: TEMS 1-31, 34-35, 37-43, AND 45-51 ARE NOT SURVEY MATTERS., PERTAIN TO THE SUBJECT PARCEL, AND NO COMMENT IS MADE TEM 32 - DISTRIBUTION EASEMENT RECORDED DECEMBER : AVOR OF NOWALA MICHIGAN ELECTRIC COMPANY AND TH CONTRAINED TICKET NUMBERS: 2104060330, 2104060334, 2407086060 TOTAL SURVEYED AREA: 0.23 ACRES +4. PROBLEMENT AT A TOTAL THE VETT LARGE A TOTAL MARRIDES TO HER OFF TO PROBLEMENT AND THE VETT LARGE THROUGH THR VOTATA POLIZARIO PARTIGESS
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A PART CLOTS MARBERED 28 AND 27 BN THE ANTHONY PARK ADONDAN TO THE CITY OF MUNCE,
A PART A FOR PLAY THEREOF RECORDED IN PART BOOK 2, PACE 71, THE OFFICE OF THE
RECORDER OF DELAWARE COUNTY, MOJAWA AND DESCHRIED AS FOLLOWS: URPOSE OF THIS SURVEY WAS TO PERFORU AM ALTANSPS LIND TITLE SURVEY OF THE LE OWNED BY LIMMORE CITY VIEW HOLES EL LE AND RECORDED AS INSTRUMENT MANGEN WAS ANNEL IS AND SHE THE OFFICE OF THE RECORDER OF DELAWINE COLORY. VANAMARIATY ON CORDITIONA DE TRESHER LE MODERNE. TRESHE TRESHE DEPOCODIT UNCH THE ECCUPTION DATA ASSON AND THE MEASUREST TRESHE STATE TO THE CONTROL COLUMN THE COLORITO DATA ASSON AND THE AUGMENTS TO WARNING WERE TOOK TO BE WITHER ASSON THE COLORITO DE REMERS AT RECT ON THE PROSIDE AND THE AUGMENT ASSON WHITE FOUND THE WITHER VANAMARIA SERVICE TO THE WARNING THE THE UNDERSTORM WHE TO WARNING THE THE WARNING THE WARNING THE THE WARNING THE THE WARNING T THREE WENE REJUNS WERE FOUND AROUND THE PERMETER OF THE SUBJECT PARCEL AS REFERENCED ON THE HISELAMM SURVEY WITH AN ESTIMATED UNCERTAINTY OF 6.3 FEET. <u>AMCEL II</u> THE THE GEORGES HAND SOME AND SOME AND SOME CONTROLLED OF THE RECORDER OF DELAWARE VATA TREADER AND THE SOURCE AND SOME AND SOME AND SOME OFFICE OF THE RECORDER OF DELAWARE. incleases of Anchor in the VITE day do Little of Chick on the Richards of the Chick MFORWATION AND DATA USED TO PEDFORM THEI SURFEY INCLUDES, BUT EI NOT LIMITED TO, THE MEDITALISM THE DATA PROPERTY LES, COLOMBRE TO PROPERTY LES, COLOMBRE TO THE LUGGESCHEED, AND OF THEIS BY THE UNCESTICIED. AND OF THEIS BY THE UNCESTICIED, AND OFTERS BY THEY THEY THE PLATE THE PROPERTY FOR THE PLATE THE MEURITE INELATIVE POSITIONAL PRECISION THE POSITIONAL PRECISION (DEEL TO RANDOM ERRORS IN MEASUREURIT) OF THE STRI OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY IS WITHIR THE SPECIFICATION FOR DAY SURVEY (44 GD FEET + 50 PARTS PER MELLON) AS DEFNED IN IAC MES. SEFERENCE DOCUMENTS RECOVERED, AMALYZED AND USED IN THIS SURVEY INCLUDED THE POLICYMIC. UNRECORDED SURVEY PERFORMED BY WEBIE ENGINEERS, CERTIPIED BY NORMAN HISTLAWN, BLANGACH, 2022, AND HAVING A PROJECT MAMBER OF WZ10172, PRERATER REFERRED TO AS ELMM SURVEY). <u>OTRES MONUMENTS AND CORNERS.</u>

E. OF UNANDOWN COROUN MAJ AROUND AT THE SOUTHEAST CORNER OF THE SUBJECT PARCE.

AS A PART OF THE ISBLUMS SUMPER, THIS MONUMENT WAS GRUTTENED AS PART OF THE RECENT
STREAMS THE HEAD WAS THE THE SET WITH THE UNCERTARITY OF US FEET WITHE POSTITION
OF THIS MONUMENT. ADDITIONAL MONAMENTS SHOWN ON THE PLAT OF SURVEY WERE FOUND WITHOUT ANY RELICE TO THER NOODAL MON WERE MOT HEND THIS SURVEY, ALL MONAMENTS FOUND WERE OF LURBY WITH THE GROUND SURFACE UNESS OTHERWISE HOTED. he paysor, locations of 5th street, musson street, eth street, and elm street were sed to retrace the permeter of the block in agreement with the hiselann survey. THE PLAT FOR ANTHONY PARK ADDITION TO THE CITY OF MUNCIE RECORDED AS PLAT BOOK 2, PAGI 71 IN THE OFFICE OF THE RECORDER OF DELAWARE COUNTY. A REBAR OF UNKNOWN ORIGIN WAS FOUND NEAR THE NORTHMEST CORNER OF THE BELANCH PARCEL, THERE IS AN ESTIMATED UNCERTANTY OF 0.5 FEET IN THE POSITION OF THIS MONUMENT. NA ADOITIONAL REBAR WAS FOUND NEAR THE SOUTHEAST CORNER OF THE BELANCIN PARCEI. THERE IS AN ESTIMATED UNCERTANTY OF 0.5 FEET IN THE POSITION OF THIS MONUMENT. WAN FOR FEMERAL OF RECORDS OF A NATURE DIMERSION WERE RECORDS AND ADMINISTRATION OF A STATE OF A ST OCHORACE IN THE REALISES, CANTER, OF THE COUN CARRATHING CITY. THE CALLOND CONTRIVENCE, CANTER, OF THE COUNCE CONTRIVENCE, CANTER, CAN

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