

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
PROPOSED ZONING CHANGE APPLICATION**

Jurisdiction: (Check One)

Submitted: 10/8/2025

☒ Delaware County

Case No.: MPL 17-252

☐ City of Muncie

(1) Applicant: Estate of Donna M. Weiss

Address: 9001 S County Rd 700W Phone: 765 378 5515
Daleville, IN 47334

(2) Record of Applicant's Ownership:

A. ☒ By Deed:

Deed Book No. & Page No.: 2022R04108 ; 2022R04107 (See attachment)
Date of Deed: 03/11/2022

B. ☐ By Recorded Contract:

Misc. Book No. & Page No.: _____
Date of Contract: _____

C. ☐ By Unrecorded Contract:

Date of Contract: _____
Name of Contract Seller: _____
Book No. & Page No. Of Deed in Seller's Name: _____

(3) Legal Description of Property for which rezoning is requested: (From the Deed or Abstract).
See Attached - Exhibit A

(4) Common Address of Property Involved:
9001 S County Rd 700 W
Daleville, IN 47334

(5) Proposed zoning change: (Give exact zone classification.)
From the BV-Variety Busines Zone/F-Farming Zone Zone
To the BV-Variety Business Zone Zone

- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)
To bring the owned property under one zoning classification.
- (7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.
The owner does intend to sell the property for the specified purpose.
- (8) State how the proposed change will not adversely affect the surrounding area.
The other 3 quadrants of this intersection are also BV Zoning. This change allows this parcel to no longer be split zoned and to be under one zoning classification.
- (9) Will certain variances be requested if the proposed zoning change is granted?
(If yes, list the variances)
No, it is not anticipated at this time.
- (10) Has the applicant provided stamped, addressed envelopes to send notices of this rezoning to all the property owners within 300 feet? Yes
Has the applicant discussed this rezoning with those owners personally? No
(If answer is yes, give their attitudes toward the rezoning.)
- (11) Are there any restrictions, easements, and/or covenants governing the property prohibiting its use for the purpose specified in this application?
(If answer is yes, attach copy of it and/or explain.)
No

AFFIDAVIT

(I or We) Brenda L Jordan; Debbie E Myers being duly sworn, depose and say that *We* am/are the owner(s)/contract owner(s) and contract seller(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/our knowledge and belief.

SIGNATURES: Brenda L. Jordan Debbie E. Myers

Subscribed and sworn to before me this 2nd day of October, 20 25



Kelly R Lucas, Notary Public
Henry County, State of Indiana
Commission No: NP0719804
My Commission Expires 04/16/2027

Kelly R Lucas
Notary Public

04-16-2027
My Commission Expires

Resident of Henry County

State of Indiana

DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 10 day of November, 20 25

Signed Denille Munnell

Date 10/22/2025

EXHIBIT "A"

Parcel A
For: Donna M. Weiss
7.59 Acres

The following land description was prepared as part of an Original Survey by Haldon L. Ashton, LS 80040149, of Ashton Land Surveyors, Inc., per Job Number 2025022, certified January 27, 2025, being a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East in Salem Township, Delaware County, Indiana, and being more particularly described as follows:

Commencing at a point on the East line of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, said point being South 00 degrees 04 minutes 23 seconds East 71.44 feet (assumed bearing) from the Northeast corner of said Half-Quarter Section; thence South 89 degrees 13 minutes 20 seconds West 640.99 feet along the line marked by concrete highway right-of-way markers to a $\frac{5}{8}$ inch rebar at the point of beginning; thence South 00 degrees 06 minutes 37 seconds East 288.51 feet to a $\frac{5}{8}$ inch rebar; thence South 32 degrees 03 minutes 25 seconds West 520.35 feet to a $\frac{5}{8}$ inch rebar; thence North 34 degrees 40 minutes 02 seconds West 420.38 feet to a $\frac{5}{8}$ inch rebar; thence North 90 degrees 00 minutes 00 seconds West 156.42 feet to a $\frac{5}{8}$ inch rebar on the West line of said Half-Quarter Section; thence North 00 degrees 06 minutes 35 seconds West 374.64 feet along said West line to a $\frac{5}{8}$ inch rebar on the Southerly right-of-way line of Highway #67, said rebar being 78.21 feet South of the Northwest corner of said Half-Quarter Section; thence North 89 degrees 13 minutes 20 seconds East 166.32 feet along the limited access right-of-way line to a concrete right-of-way marker; thence North 89 degrees 13 minutes 20 seconds East 52.51 feet along the permitted access line to a concrete right-of-way marker; thence North 89 degrees 13 minutes 20 seconds East 453.11 feet along the limited access right-of-way line to the point of beginning, containing 7.59 acres, more or less, and subject to all easements of record.

Parcel B
For: Donna M. Weiss
28.61 Acres

The following land description was prepared as part of an Original Survey by Haldon L. Ashton, LS 80040149, of Ashton Land Surveyors, Inc., per Job Number 2025022, certified January 27, 2025, being a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, in Salem Township, Delaware County, Indiana, and being more particularly described as follows:

Beginning at a nail on the East line of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, said nail being South 00 degrees 04 minutes 23 seconds East 107.20 feet (assumed bearing) from the Northeast corner of said Half-Quarter Section; thence South 00 degrees 04 minutes 23 seconds East 936.80 feet to a nail; thence South 90 degrees 00 minutes 00 seconds West 182.05 feet to a 5/8-inch rebar; thence South 39 degrees 06 minutes 25 seconds West 398.30 feet to a 5/8-inch rebar; thence South 89 degrees 28 minutes 38 seconds West 878.37 feet to a 5/8-inch rebar on the West line of said Half-Quarter Section; thence North 00 degrees 06 minutes 35 seconds West 897.18 feet along said West line to a 5/8-inch rebar; thence South 90 degrees 00 minutes 00 seconds East 156.42 feet to a 5/8-inch rebar; thence South 34 degrees 40 minutes 02 seconds East 420.38 feet to a 5/8-inch rebar; thence North 32 degrees 03 minutes 25 seconds East 520.35 feet to a 5/8-inch rebar; thence North 00 degrees 06 minutes 37 seconds West 288.51 feet to a 5/8-inch rebar on the Southerly limited access right-of-way line of State Highway #67; thence North 89 degrees 13 minutes 20 seconds East 568.59 feet to a concrete highway right-of-way marker; thence South 56 degrees 48 minutes 58 seconds East 63.59 feet to a concrete highway right-of-way marker; thence North 89 degrees 55 minutes 37 seconds East 19.23 feet to the point of beginning, containing 28.61 acres, more or less, and subject to the right-of-way for County Road 700 West across the Easterly side, and to all easements of record.

DULY ENTERED FOR TAXATION
TRANSFER FEES \$ 10.00
Mar 11 2022 - ER
NC/ND
DELAWARE COUNTY AUDITOR

2022R04107
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
03/11/2022 10:35 AM
REC FEE 25.00
PAGES: 4
RECORDED AS PRESENTED

STATE OF INDIANA)
) SS:
COUNTY OF DELAWARE)

AFFIDAVIT OF SURVIVORSHIP

The undersigned, Brenda L. Jordan of 14601 Beacon Boulevard, Carmel, Indiana 46032 and Dale E. Weiss of PO Box 127, Daleville, Indiana 47334 being first duly sworn upon their oath state:

1. That Ed Weiss died on the 14th day of January, 2018 a resident of Delaware County, Indiana.
2. That immediately prior to the decedent's death, Ed Weiss and Donna M. Weiss held as Husband and Wife the following described real estate located in Delaware County, Indiana, hereinafter referred to as the REAL ESTATE:

SEE ATTACHED.

More commonly known as: 9001 S County Road 700 W, Daleville, IN 47334.

3. The REAL ESTATE currently stands in the names of Ed Weiss and Donna M. Weiss as Husband and Wife.
4. By virtue of the death of Ed Weiss the title to said REAL ESTATE vested in fee simple in the surviving owner, Donna M. Weiss as of the death of Ed Weiss.
5. This affidavit is made to be recorded in the Recorder's Office of Delaware County, Indiana, to show the title holder to said REAL ESTATE by virtue of the death of said decedent.

THIS DOCUMENT IS PROVIDED FOR SCHEU TITLE DMPA

IN WITNESS WHEREOF:

Dated: 3/3/2022

Brenda L. Jordan
Brenda L. Jordan, Co-Personal Representative for
the Estate of Donna M. Weiss

STATE OF Indiana

COUNTY OF Monroe

Before me, DeAnn Farthing, a Notary Public in and for said
County and State, personally appeared Brenda L. Jordan, who acknowledged the execution of the
foregoing Affidavit to be her voluntary act and Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 3 day
of March, 2022.

My Commission Expires:

6/30/23

DeAnn Farthing Notary Public
Resident: 1000 Ami Ha



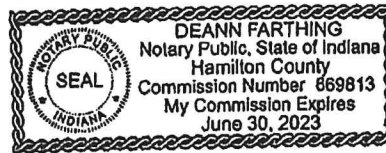
NOT FOR RESALE UNDER IC 36-2-7

THIS DOCUMENT IS PROVIDED FOR SINGLE USE ONLY

Dated: 3/3/2022

Dale E. Weiss
Dale E. Weiss, Co-Personal Representative for the
Estate of Donna M. Weiss

STATE OF Indiana
COUNTY OF Monroe



Before me, DeAnn Farthing, a Notary Public in and for said
County and State, personally appeared Dale E. Weiss, who acknowledged the execution of the
foregoing Affidavit to be his voluntary act and Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 3 day
of March, 2022.

My Commission Expires:

6/30/23

DeAnn Farthing
Notary Public
Resident: Hamilton

This instrument prepared by DeAnn L. Farthing, Robinson & Farthing, LLC, 8500 Keystone
Crossing, Suite 470, Indianapolis, Indiana 46240, 317-587-7820.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social
Security number in this document, unless required by law. [/s/ DeAnn L. Farthing].

Send Tax Statements to 9001 S. County Road 700
Daleville, IN 47334

THIS DOCUMENT IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND NOT ELIGIBLE FOR RESALE UNDER IC 36-2-7

EXHIBIT A

Parcel Numbers: 18-14-08-400-013.000-021

A part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East in Salem Township, Delaware County, Indiana together with all attendant monuments and markers both recovered and set as indicated herein and described as follows:

Beginning at a magnetic nail on the East line of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, said point being South 00 degrees 06 minutes 41 seconds East (assumed bearing) 304.00 feet from an existing iron rod in a metal casting marking the Northeast corner of the said Quarter Section; thence continuing South 00 degrees 06 minutes 41 seconds East along the East line of the said Quarter Section a distance of 711.45 feet to a point; thence South 89 degrees 53 minutes 19 seconds West a distance of 688.61 feet to a point; thence North 42 degrees 18 minutes 28 seconds East a distance of 516.80 feet to a point; thence North 00 degrees 06 minutes 41 seconds West a distance of 329.93 feet; thence North 89 degrees 53 minutes 19 seconds East a distance of 340.00 feet to the point of beginning.

Being a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, and containing 7 .080 acres, more or less.

DULY ENTERED FOR TAXATION
TRANSFER FEES \$ 10.00

Mar 11 2022 - ER

NC/ND

DELAWARE COUNTY AUDITOR

2022R04108
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
03/11/2022 10:40 AM
REC FEE 25.00
PAGES: 6
RECORDED AS PRESENTED

STATE OF INDIANA)
) SS:
COUNTY OF DELAWARE)

AFFIDAVIT OF SURVIVORSHIP

The undersigned, Brenda L. Jordan of 14601 Beacon Boulevard, Carmel, Indiana 46032 and Dale E. Weiss of PO Box 127, Daleville, Indiana 47334 being first duly sworn upon their oath state:

1. That Ed Weiss died on the 14th day of January, 2018 a resident of Delaware County, Indiana.
2. That immediately prior to the decedent's death, Ed Weiss and Donna M. Weiss held as Husband and Wife the following described real estate located in Delaware County, Indiana, hereinafter referred to as the REAL ESTATE:

SEE ATTACHED.

More commonly known as: S County Road 700 W, Daleville, IN 47334.

3. The REAL ESTATE currently stands in the names of Ed Weiss and Donna M. Weiss as Husband and Wife.
4. By virtue of the death of Ed Weiss the title to said REAL ESTATE vested in fee simple in the surviving owner, Donna M. Weiss as of the death of Ed Weiss.
5. This affidavit is made to be recorded in the Recorder's Office of Delaware County, Indiana, to show the title holder to said REAL ESTATE by virtue of the death of said decedent.

THIS DOCUMENT IS PROVIDED FOR SOLE USE

IN WITNESS WHEREOF:

Dated: 3/3/2022

Brenda L. Jordan
Brenda L. Jordan, Co-Personal Representative for
the Estate of Donna M. Weiss

STATE OF Indiana

COUNTY OF Marion

Before me, DeAnn Farthing, a Notary Public in and for said
County and State, personally appeared Brenda L. Jordan, who acknowledged the execution of the
foregoing Affidavit to be her voluntary act and Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 3 day
of March, 2022.

My Commission Expires:

6/30/23

DeAnn Farthing, Notary Public
Resident: Hamlet, NC



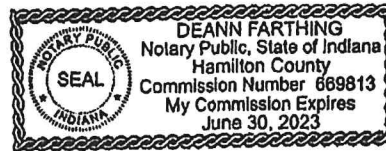
NOT FOR RESALE UNDER IC 36-2-7

THIS DOCUMENT IS PROVIDED FOR SOLE USE OF THE COMPANY

Dated: 3/3/2022

Dale E. Weiss
Dale E. Weiss, Co-Personal Representative for the
Estate of Donna M. Weiss

STATE OF Indiana
COUNTY OF Monroe



Before me, DeAnn Farthing, a Notary Public in and for said
County and State, personally appeared Dale E. Weiss, who acknowledged the execution of the
foregoing Affidavit to be his voluntary act and Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 3 day
of March, 2022.

My Commission Expires:

6/30/23

DeAnn Farthing
Notary Public
Resident: Hamilton

This instrument prepared by DeAnn L. Farthing, Robinson & Farthing, LLC, 8500 Keystone
Crossing, Suite 470, Indianapolis, Indiana 46240, 317-587-7820.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social
Security number in this document, unless required by law. [/s/ DeAnn L. Farthing].

Send Tax Statements to 9001 S. County Road 700
Daleville, IN 47334

THIS DOCUMENT PREPARED BY THE DELAWARE COUNTY RECORDER'S OFFICE

EXHIBIT A

18-14-08-400-006.000-021

PARENT TRACT: Quitclaim Deed Record 2000 Pages 2590-2592

A part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East in Salem Township, Delaware County, Indiana, described as follows:

Beginning at a point on the East line of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East said point being South 00 degrees 26 minutes 27 seconds West 74.59 feet (assumed bearing) from a spike at the Northeast corner of said Half Quarter Section; thence South 00 degrees 25 minutes 27 seconds West 2105.75 feet to a nail at the Northeast Corner of a 14.25 acre tract of ground said nail being 473.32 feet North of a 3/4 inch pipe at the Southeast corner of said Half-Quarter Section; thence South 89 degrees 57 minutes 38 seconds West 1311.80 feet parallel with the South line of said Half Quarter Section to the West line thereof; thence North 00 degrees 25 minutes 27 seconds East 2112.17 feet along the West line of said Half Quarter Section to a point 89.48 feet South of the Northwest corner of said Half Quarter Section; thence North 88 degrees 26 minutes 14 seconds East 374.67 feet along the Southerly right-of-way line of State Highway #67 (mostly limited access); thence South 57 degrees 53 minutes 35 seconds East 87.89 feet along said right-of-way line (limited access); thence North 87 degrees 31 minutes 20 seconds East 788.13 feet along said limited access right-of-way line; thence South 55 degrees 41 minutes 15 seconds East 33.27 feet along said right-of-way line; thence South 89 degrees 34 minutes 32 seconds East 16.50 feet to the point of beginning, containing 63.28 acres, more or less.

Except

Parcel 40:

A part of the East half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, Delaware County, Indiana, described as follows: Commencing at the northeast corner of said quarter section; thence South 0 degrees 06 minutes 50 seconds East 74.59 feet (22.736 meters) along the east line of said quarter section; thence South 89 degrees 63 minutes 10 seconds West 18.50 feet (5.029 meters) to the point of beginning of this description, which point of beginning is where the west boundary of County Road 700 West meets the southwestern boundary of the intersection of said County Road 700 West and S.R. 67, which point is 75.00 feet right of Station 1282 + 20.08 on line "C" as shown on the Route Survey of INDOT Project HDPPE-9408(001) recorded in Miscellaneous Record 1994, Page 1948 and 1949, in the Office of the Recorder of Delaware County, Indiana; thence South 0 degrees 06 minutes 50 seconds East 33.27 feet (10.140 meter) along the boundary of said County Road 700 West; thence North 56 degrees 13 minutes 33 seconds West 64.67 feet (18.710 meters); thence South 66 degrees 59 minutes 03 seconds West 788.13 feet (240.222 meters); thence North 88 degrees 25 minutes 57 seconds West 87.09 feet (26.790 meters); thence South 87 degrees 53 minutes 57 seconds West 373.85 feet (113.848 meters) to the west line of said half-quarter section; thence North 0 degrees 08 minutes 09 seconds West 36.79 feet (11.212 meters) along said west line to the south boundary of said S.R. 67; thence North 89 degrees 51 minutes 00 seconds East 1251.02 feet (381.310

DOCUMENT IS FOR OFFICIAL USE ONLY
meters) along the boundary of said S.R. 67 to the southwestern boundary of the intersection of said S.R. 67 and said County Road 700 West; thence South 66 degrees 13 minutes 29 seconds East 49.32 feet (15.032 meters) along the boundary of the intersection of said S.R. 67 and said County Road 700 West to the point of beginning and containing 1.036 acres (0.419 hectares), more or less.

Together with the permanent extinguishment of all right and easements of ingress and egress to, from, and across the limited access facility to be known as S.R. 67 and a Project HDP - 9223(002), to and from the owners' abutting land, along the lines described as follows: along the 64.67 foot (19.710 meter), the 768.13 foot (240.222 meter), and the 87.89 foot (26.780 meter) courses described above. Also, the East 153.44 feet (46.769 meters) and the West 168.18 feet (51.262 meters) of the 373.88 foot (113.946 meter) course described above. The above-described access control line restriction shall be a covenant running with the land and shall be binding on all successor in title to the said abutting lands.

ALSO EXCEPT

A survey and certification of a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, in Salem Township, Delaware County, described as follows:

Beginning at a magnetic nail on the East line of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, said point being South 00 degree 06 minutes 41 seconds East (assumed bearing) 304.00 feet from an existing iron rod in a metal casting marking the Northeast corner of the said Quarter Section; thence continuing South 00 degree 06 minutes 41 seconds East along the East line of the said Quarter Section a distance of 506.00 feet to a magnetic nail; thence South 89 degrees 53 minutes 19 seconds West a distance of 223.00 feet to a 5/8 inch diameter rebar with a "REW FIRM 0076" cap; thence South 00 degree 06 minutes 41 seconds East on a line parallel with the East line of the said Quarter Section a distance of 105.00 feet to a 5/8 inch diameter rebar with a "REW FIRM 0076" cap; thence South 89 degrees 53 minutes 19 seconds West a distance of 249.00 feet to a 5/8 inch diameter rebar with a "REW FIRM 076" cap; thence North 00 degree 06 minutes 41 seconds West on a line parallel with the East line of the said Quarter Section a distance of 99.55 feet to a magnetic spike in a gravel drive; thence North 42 degrees 18 minutes 28 seconds East a distance of 195.69 feet to a magnetic spike; thence North 00 degree 06 minutes 41 seconds West on a line parallel with the East line of the said Quarter Section a distance of 366.99 feet to a 5/8 inch diameter rebar with a "REW FIRM 0076" cap; thence North 89 degrees 53 minutes 19 seconds East a distance of 340.00 feet to the point of beginning.

Being a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, and containing 4.752 Acres, more or less. Subject to legal rights-of-way.

ALSO EXCEPT

A survey of a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, in Salem Township, Delaware County, Indiana together with all attendant monuments and markers both recovered and set as indicated herein and described as follows:

Beginning at a magnetic nail on the East line of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, said point being South 00 degree 06 minutes 41 seconds East (assumed bearing) 810.00 feet from an existing iron rod in a metal casting marking the Northeast corner of the said Quarter Section; thence continuing South 00 degree 06 minutes 41 seconds East along the East line of the said Quarter Section a distance of 205.45 feet to a point; thence South 89 degrees 53 minutes 19 seconds West a distance of 472.00 feet to a point; thence North 00 degree 06 minutes 41 seconds West on a line parallel with the East line of the said Quarter Section a distance of 100.45 feet to a point; thence North 89 degrees 53 minutes 19 seconds East a distance of 249.00 feet to a point; thence North 00 degree 06 minutes 41 seconds West on a line parallel with the East line of the said Quarter Section a distance of 105.00 feet to a point; thence North 89 degrees 53 minutes 19 seconds East a distance of 223.00 feet to the point of beginning.

Being a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, and containing 1.626 Acres, more or less. Subject to legal rights-of-way.

ALSO EXCEPT

A survey of a part of the East Half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, in Salem Township, Delaware County, Indiana together with all attendant monuments and markers both recovered and set as indicated herein and described as follows:

Commencing at an existing iron rod in a metal casting marking the Northeast corner of the Southeast Quarter of Section 8, Township 19 North, Range 9 East and running thence South 00 degree 06 minutes 41 seconds East (assumed bearing) along the East line of the said Quarter Section a distance of 1015.45 feet to a point; thence South 89 degrees 53 minutes 19 seconds West a distance of 472.00 feet to the POINT OF BEGINNING of this description; thence continuing South 89 degrees 53 minutes 19 seconds West a distance of 216.61 feet to a point; thence North 42 degrees 18 minutes 28 seconds East a distance of 516.80 feet to a point; thence South 00 degree 06 minutes 41 seconds East on a line parallel with the East line of the said Quarter Section a distance of 37.06 feet to a point; thence South 42 degrees 18 minutes 28 seconds West a distance of 195.69 feet to a point; thence South 00 degree 06 minutes 41 seconds East on a line parallel with the East line of the said Quarter Section a distance of 200.00 feet to the point of beginning.

Being a part of the East half of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, and containing 0.702 Acres, more or less. Subject to legal rights-of-way.

Estimated to contain 55.164 acres more or less.

