

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

Jurisdiction: (Check One)

☒ Delaware County

☐ City of Muncie

Submitted: Feb. 14, 2024

Case No.: MPC 03-242

(1) Applicant: Lauck Property Investments LLC

Address: 50 Bailliere Dr. Phone: 765-341-1613  
Martinsville, IN 46151

(2) Record of Applicant's Ownership:

A. ☐ By Deed:  
Deed Book No. & Page No.: \_\_\_\_\_  
Date of Deed: \_\_\_\_\_

B. ☐ By Recorded Contract:  
Misc. Book No. & Page No.: \_\_\_\_\_  
Date of Contract: \_\_\_\_\_

C. ☒ By Unrecorded Contract:  
Date of Contract: 11/19/2022  
Name of Contract Seller: Gary and Lynn Lucas  
Book No. & Page No. Of Deed in Seller's Name: 1995 1570

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

(4) Common Address of Property Involved:  
1301 North Nebo Road  
Muncie, IN 47304

(5) Proposed zoning change: (Give exact zone classification.)  
From the R1 Zone  
To the ~~BC~~ BC Community Business Zone

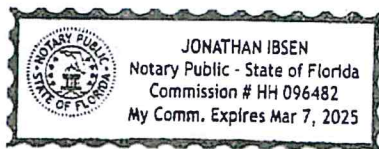
- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)  
Commercial Development including Fueling Station
- (7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.  
Owner is selling to Lauck Property Investments for the purpose of development
- (8) State how the proposed change will not adversely affect the surrounding area.  
The developer will commit to significant development constraints that will ensure minimal impact on surrounding properties. (Simplified access, substantial buffer yards where existing trees will remain untouched, decreased lighting etc..)
- (9) Will certain variances be requested if the proposed zoning change is granted?  
(If yes, list the variances)  
No
- (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) Gary L. and Lynn M. Lucas being duly sworn, depose and say that I/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: Gary L. Lucas Lynn M. Lucas

Subscribed and sworn to before me this 7 day of February, 20 24



[Signature]  
Notary Public

Mar. 7, 2025

My Commission Expires

Resident of Pasco County

State of Florida

**PRINT**

### 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 7 day of March, 20 24.

Signed [Signature]

Date Feb 20, 2024



mail to:  
5511 N. NEBO RD. - 400 W.  
MUNCIE, IN. 47304 03935  
WARRANTY DEED

DEED 1995 1570

THIS INDENTURE WITNESSETH, That Lula M. Lykins of Delaware County, in the State of Indiana Convey and Warrant to Gary L. Lucas and Lynn M. Lucas, husband and wife of Delaware County, in the State of Indiana, for and in consideration of the sum One Dollar 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:

(SEE EXHIBIT A)

Unit Tax Number 1001716000

Sidwell Number 1011227003000

FILED FOR RECORD  
1:45 o'clock P.M.  
Record 1995 Page 1570-71

9.00 A MAR 27 1995 A

*Phyllis Harlowe*

The Grantees herein assume and agree to pay the Spring installment of the 1995 taxes, due and payable in May 10, 1996, and thereafter.

Power-Of-Attorney recorded August 4, 1993 in Miscellaneous Record 1993 pages 2905-2908.

In Witness Whereof, The said Lula M. Lykins, By Carl F. Lucas, her Attorney-in-Fact has hereunto set her hand and seal, this \_\_\_\_\_ day of March, 1995.

(Seal)

*Lula M. Lykins*  
Lula M. Lykins

(Seal)

(Seal)

*Carl F. Lucas attorney in fact for*  
By Carl F. Lucas, Attorney-in-Fact for

(Seal)

(Seal)

Lula M. Lykins

*Lula M. Lykins*  
(Seal)

STATE OF INDIANA, Delaware COUNTY, ss:

Before me, the undersigned, a Notary Public in and for said County, this 27<sup>th</sup> day of March, 1995, came Lula M. Lykins, By Carl F. Lucas, her Attorney-in-Fact, and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal

*Janet Harris*  
Notary Public

County of Residence: Delaware

My Commission Expires:

2-22-98

This instrument prepared by James W. Trulock, Attorney at Law

Duly Entered for Taxation  
Transfer Fees \$ 3.00

MAR 27 1995

*Delaware County*  
Delaware County

Beginning at a point six hundred fifty-two (652) feet south of the northeast corner of Section Eleven (11), Township Twenty (20) North, Range Nine (9) East in the intersection of the Jackson Street Pike and the east line of said section Eleven (11); thence running in a northwesterly direction along the center line of said Jackson Street Pike four hundred forty-two and thirty nine hundredths (442.39) feet to a stone; thence south One Thousand twenty-three and sixty-three hundredths (1023.63) feet to a stone in the north line of the right of way of the Union Traction Company of Indiana, which point is ninety-six (96) feet measured at right angles from the center line of the right of way of the Lake Erie and Western Railroad; thence in a southeasterly direction along the north line of the right of way of the said Union Traction Company of Indiana to the east line of said Section Eleven (11); thence north to the place of beginning, estimated to contain ten (10) acres, more or less, subject to the right of way of the Indiana General Service Company over and across a strip of ground ten (10) feet in width off of the south end thereof.

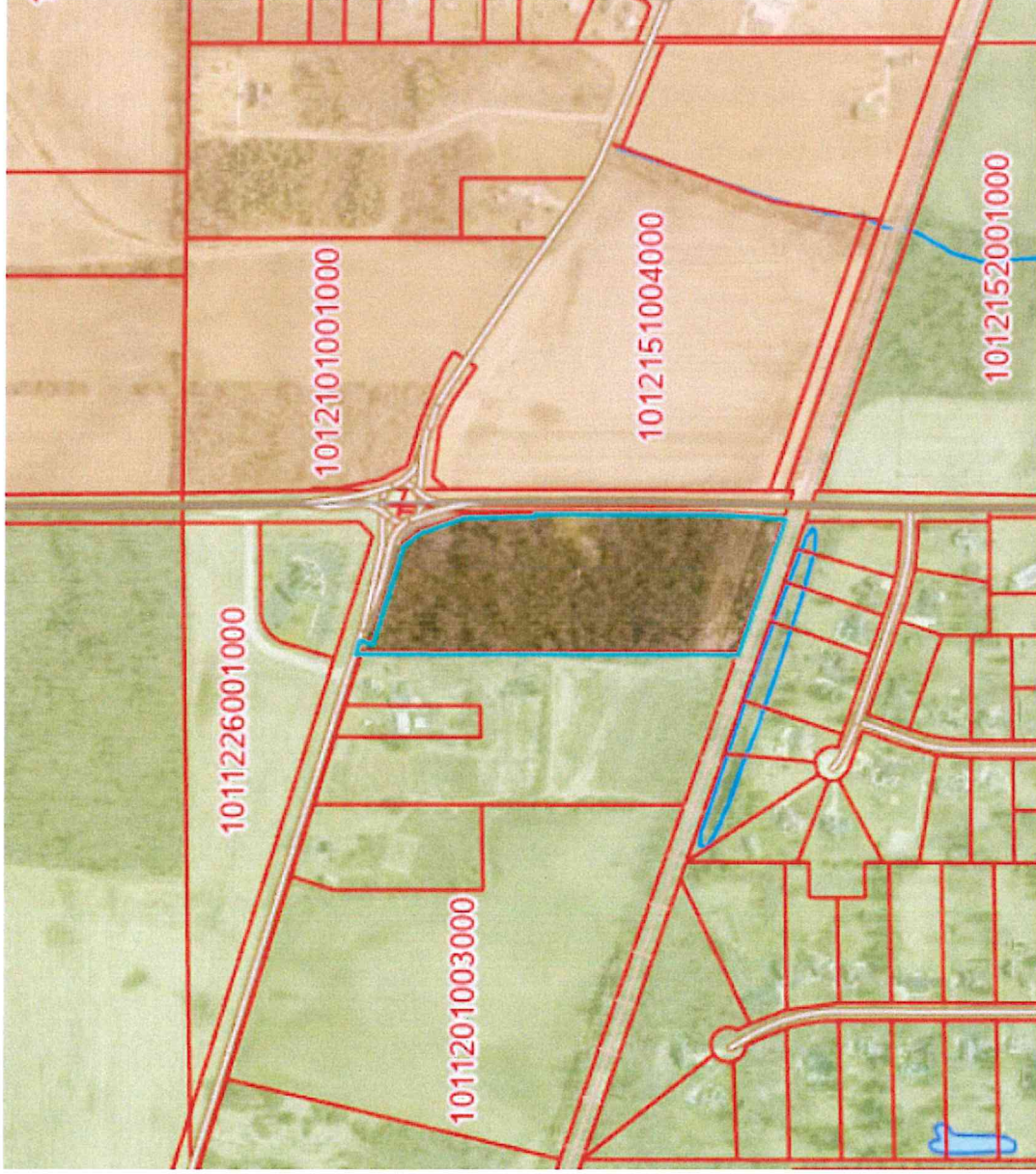
## EXCEPT:

A part of the Northeast Quarter (NE 1/4) of Section Eleven (11), Township Twenty (20) North, Range Nine (9) East, more particularly described as follows, to-wit:- Beginning at the point of intersection with East line of said Northeast Quarter (NE 1/4) with the center line of Jackson Street Pike and running thence South Zero degrees, Three minutes, Thirty seconds West (S 00°-03'-30" W) Nine hundred and seven hundredths (900.07) feet; thence North Eighty-nine degrees, Fifty-six minutes, Thirty seconds West (N 89°-56'-30" W) Sixteen and five tenths (16.5) feet; thence North Zero degrees, Three minutes, Thirty seconds East (N 00°-03'-30" E) and parallel with the East line of said Northeast Quarter (NE 1/4) Nine hundred five and eighteen hundredths (905.18) feet to the center line of said Jackson Street Pike; thence South Seventy-two degrees, Forty-three minutes, Thirty seconds East (S 72°-43'-30" E) on said center line Seventeen and twenty-seven hundredths (17.27) feet to the point of beginning, containing 0.3419 acres, more or less.

## EXCEPT:

A part of the Northeast Quarter (NE 1/4) of Section Eleven (11), Township Twenty (20) North, Range Nine (9) East, more particularly described as follows, to-wit:- Beginning at the point of intersection of the East line of said Northeast Quarter (NE 1/4) with the Northerly Right-of-Way line of the Norfolk and Western Railroad said point being Thirty (30.0) feet Northerly of the center line of said Norfolk and Western Railroad (measured at right angles) and running thence North Zero degrees, Three minutes, Three seconds East (N 00°-03'-30" E) on said East line Two hundred nine and eighty-eight hundredths (209.88) feet; thence North Eighty-nine degrees, Fifty-six minutes, Thirty seconds West (N 89°-56'-30" W) Sixteen and five tenths (16.5) feet; thence South Three degrees, Fifty-six minutes, Zero seconds West (S 03°-56'-00" W) Two hundred (200.0) feet to the Northerly Right-of-Way line of said Norfolk and Western Railroad; thence South Seventy degrees, Fifty-five minutes, Thirty seconds East (N 70°-55'-30" E) on said Right-of-Way line Thirty-one and seventy-three hundredths (31.73) feet to the point of beginning, containing 0.1101 acres, more or less.





RECEIVED

FEB 14 2024