

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

Jurisdiction: (Check One)

Submitted: 4/9/24

☐ Delaware County

Case No.: MPC - 04-242

☒ City of Muncie

(1) Applicant: Freedom Acres MHC LLC

Address: 2800 W Memorial Dr Phone: 765-263-8670
Muncie IN 47302

(2) Record of Applicant's Ownership:

A. ☒ By Deed:
Deed Book No. & Page No.: _____
Date of Deed: 01/08/2024

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).
Legal Description attached

(4) Common Address of Property Involved:
2800 W Memorial Dr
Muncie IN 47302

(5) Proposed zoning change: (Give exact zone classification.)
From the F - Farming Zone, II Intense Industrial Zone Zone
To the MHR Mobile Home Residence Zone Zone

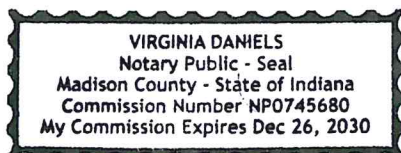
- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)
Mobile Home Community
- (7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.
Owner will retain property
- (8) State how the proposed change will not adversely affect the surrounding area.
Already a mobile home community
- (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? Yes
(If answer is yes, give their attitudes toward the rezoning.)
Owners are requesting 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) Freedom Acres MHC LLC (Debra Arnold) 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: Freedom Acres MHC LLC Debra Arnold

Subscribed and sworn to before me this 4th day of April, 2024



Virginia Daniels
Notary Public

12/26/30
My Commission Expires

Resident of Delaware County

State of Indiana

DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was 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 _____ day of _____, 20____.

Signed _____

Date _____



275 Madison Avenue Suite 2010
New York, NY 10016

04/04/2024

Re: Confirmation of Debra Arnold's Employment and Signing Authority

To Whom It May Concern,

This letter serves to confirm that Debra Arnold is an employee of Freedom Acres MHC and is authorized to sign on behalf of Freedom Acres MHC. For any inquiries or verification, please contact us directly at (917) 590-1780.

Thank you for your assistance.

Sincerely,

Eddie Baurer, Managing Partner

DocuSigned by:
Eddie Baurer
52A7B318216246D..

DULY ENTERED FOR TAXATION
TRANSFER FEES \$ 40.00
Jan 08 2024 - ERP


DELAWARE COUNTY AUDITOR

2024R00246
JAN SMOOT
DELAWARE COUNTY RECORDER
RECORDED ON
01/08/2024 10:29 AM
REC FEE 25.00
PAGES: 6
RECORDED AS PRESENTED

Space above this line reserved for recorder

Prepared by:

Bocarsly Emden Cowan Esmail Arndt LLP
633 West Fifth Street, Suite 5880
Los Angeles, CA 90071
Attn: Aaron Eshaghian, Esq.

After recording return to:

ArentFox Schiff LLP
1717 K Street, NW
Washington, DC 20006
Attn: Lewis Goss II, Esq.

Grantee Address:

Freedom Acres MHC LLC
228 Park Avenue South, #33906
New York, NY 10003
Attn: Rohun Khanna and Eddie
Baurer

Send Tax Bills to:

Freedom Acres MHC LLC
228 Park Avenue South, #33906
New York, NY 10003
Attn: Rohun Khanna and Eddie
Baurer

Map Parcel No.

18-11-17-379-002.000-003, 18-11-
17-351-005.000-003, 18-11-17-
351-013.000-003, and 18-11-17-
379-001.000-003

WARRANTY DEED

**(Parcel Nos. 18-11-17-379-002.000-003, 18-11-17-351-005.000-003,
18-11-17-351-013.000-003, and 18-11-17-379-001.000-003)**

THIS INDENTURE WITNESSETH, that for and in consideration of the sum of ten dollars (\$10) and other good and valuable consideration in hand paid to ROYCE FREEDOM ACRES LLC, a Delaware limited liability company ("Grantor"), Grantor hereby **CONVEYS AND WARRANTS** to FREEDOM ACRES MHC LLC, a Delaware limited liability company ("Grantee") the following described real estate located in Delaware County, State of Indiana ("Property"):

SEE EXHIBIT A attached hereto and made a part hereof.

The address of the Property is commonly known as 2800 West Memorial Drive, Muncie, Indiana 47302.

Subject to (i) government laws, rules and regulations affecting the Property, (ii) real estate taxes and general and special assessments not yet due and payable, which taxes and assessments Grantee assumes and agrees to make, (iii) such state of facts as would be disclosed by an accurate survey of the Property, (iv) rights of tenants, as tenants only, pursuant to the unrecorded written leases affecting the Property as of the date hereof, and (v) all other covenants, conditions, restrictions, reservations, rights, rights-of-way, dedications, offers of dedication and easements, in each case, of record as of the date hereof for the Property.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he/she is an Authorized Signatory of Grantor, pursuant to that certain consent (the "Consent"), and has been fully empowered, pursuant to that Consent, to execute and deliver this deed.

Grantor and Grantor's successors shall warrant and defend Grantee against the lawful claims and demands of all persons claiming by, through, or under the Grantor, but against none other.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGE NEXT PAGE]

IN WITNESS WHEREOF, Grantor has executed and delivered this deed to be effective as of the 27th day of December, 2023.

GRANTOR:

ROYCE FREEDOM ACRES LLC,
a Delaware limited liability company

By:

Tracy Gamble
Name: Tracy Gamble
Title: Authorized Signatory

STATE OF New York)
COUNTY OF New York)

SS

Before me, a Notary Public in and for said County and State, personally appeared the within named Tracy Gamble, Authorized Signatory of ROYCE FREEDOM ACRES LLC, a Delaware limited liability company, who acknowledged the execution of the above and foregoing to be the free voluntary act and deed of Tracy Gamble.

WITNESS my hand and seal this 27 day of December, 2023.

MY COMMISSION EXPIRES:

Gina Kim
Notary Public, State of New York
Reg. No. 01K16398677
Qualified in New York County
Commission Expires 10/07/2023 2023

[Signature]
Notary Public

COUNTY OF NOTARY PUBLIC: New York OF _____ RESIDENCE _____

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. Aaron Eshaghian

S-1

EXHIBIT A
LEGAL DESCRIPTION

A part of the Southwest Quarter (Southwest 1/4) Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East, more particularly described as follows:

Beginning at a point seven hundred forty-nine and seventy-six hundredths (749.76) feet West and three hundred twenty-four and five tenths (324.5) feet North of the Southeast corner of the Southwest Quarter Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East, which point is the point of intersection of the West line of the Rochester and Utica Land Company's First Addition to the City of Muncie, Indiana and the center line of Eleventh Street as said Eleventh Street is laid out and platted in said Addition;

Running Thence North on the said West line of said Addition and parallel with the East line of the said Southwest Quarter six hundred twenty-four and six tenths (624.6) feet to the point of intersection of the West line of said Addition and the center line of Ninth Street, as said Ninth Street is laid out and platted in said Addition;

Thence West on the center line of said Ninth Street extended West five hundred fifty-seven and four tenths (557.4) feet;

Thence South parallel with and one thousand three hundred forty-five and twenty-five hundredths (1345.25) feet East of West line of the said Southwest Quarter six hundred twenty-three and four tenths (623.4) feet to the center line of said Eleventh Street extended West;

Thence East on the extended center line of Eleventh Street five hundred fifty-six and six tenths (556.6) feet to the place of beginning. Estimated to contain 7.994 acres, more or less.

Also:

A part of the Southwest Quarter of Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East, more particularly described as follows, to-wit:

Beginning at a point two hundred fifteen (215.0) feet East of the Southwest corner of the Southwest Quarter of Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East;

Thence Northwesterly sixty-five and nineteen hundredths (65.19) feet to a point one hundred sixty (160.0) feet East and thirty-five (35.0) feet North of the Southwest corner of the said Southwest-Quarter;

Thence North parallel with the West line of the Southwest Quarter two hundred ninety-five (295.0) feet;

Thence Northeasterly with a deflection angle to the right of fifteen degrees, seventeen minutes, thirty-four seconds (15 degrees 17 minutes 34 seconds) three hundred ninety-eight and one tenth (398.1) feet;

Thence North parallel with the West line of the said Southwest Quarter two hundred (200.0) feet;

Thence Northwesterly with a deflection angle to the left of twenty-one degrees, twenty-seven minutes, five seconds (21 degrees 27 minutes 05 seconds) two hundred twenty-five and forty-seven hundredths (225.47) feet to the South Right-of-way line of Eighth Street;

Thence Northeasterly with a deflection angle to the right of ninety-nine degrees, twenty minutes, five seconds (99 degrees 20 minutes 05 seconds) and on and along the South Right-of-way line of Eighth Street three hundred seventy-nine and forty-one hundredths (379.41) feet;

Thence South and parallel with the West line of the said Southwest Quarter three hundred thirty-four and eight tenths (334.8) feet;

Thence East and at right angles to the last described line four hundred twenty-seven and three tenths (427.3) feet;

Thence South parallel with the West line of the said Southwest Quarter eight hundred seventy-nine and eighty-nine hundredths (879.89) feet, more or less, to the South line of the said Southwest Quarter;

Thence West on and along the South line of the said Southwest Quarter seven hundred sixty-five and three tenths (765.3) feet to the point of beginning. Estimated to contain 17.604 acres, more or less.

Also:

A part of the Southwest Quarter (Southwest 1/4) of Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East, described as follows, to-wit:

Beginning at a point Nine hundred eighty-two and twenty-four hundredths (982.24) feet East of the West line and Three hundred twenty-four and five tenths (324.5) feet North of the South line of said Southwest quarter and running thence North parallel with the west line of said Southwest quarter four hundred seventy-six and seventy-six hundredths (476.76) feet;

Thence East parallel with the South line of said Southwest quarter three hundred sixty-three (363.0) feet;

Thence South parallel with said West line four hundred seventy-four and seventy-six hundredths (474.76) feet;

Thence West three hundred sixty-three (363.0) feet to the place of beginning, containing three and nine hundred fifty-six thousandths (3.956) acres, more or less.

Also:

A part of the Southwest Quarter (Southwest $\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East, described as follows, to-wit:

Beginning at a point in the South line of said Southwest Quarter nine hundred eighty-two and twenty-four hundredths (982.24) feet East of the Southwest corner of said Southwest Quarter and running thence East on said South line nine hundred eighteen (918) feet, more or less, to a point seven hundred forty-nine and seventy-six hundredths (749.76) feet West of the Southeast corner of said Southwest quarter (*this point being the Southwest corner of the Rochester and Utica Land Company's First addition to the City of Muncie, Indiana, as recorded in the Recorder's Office, Delaware County, Indiana, in Plat Book 2, page 123);

Thence North parallel with the East line of said Southwest quarter (and on the West line of said Rochester and Utica Land Company's First Addition) three hundred twenty-four and five tenths (324.5) feet;

Thence West parallel with the South line of said Southwest quarter nine hundred eighteen and five tenths (918.5) feet; more or less to a point nine hundred eighty-two and twenty-four hundredths (982.24) feet East of the West line of said Southwest quarter;

Thence South parallel with the West line of said Southwest quarter three hundred twenty-four and five tenths (324.5) feet to the place of beginning, containing six and eight hundred thirty-five thousandths (6.835) acres, more or less, in Delaware County, Indiana.

Excepting therefrom the following described real estate:

A part of the Southwest Quarter (SW $\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East, Delaware County, Indiana, described as follows:

Commencing at the Southeast corner of said quarter section;

Thence West Seven hundred fifty-two and forty-five hundredths (752.45) feet along the South line of said section to an East line of the grantor's land and the point of beginning of this description; said point being the corner of the grantor's land;

Thence continuing West Five hundred fifty (550) feet along said South line;

Thence Northeasterly Five hundred one and forty hundredths (501.40) feet to a point Thirty-seven and five tenths (37.5) feet North and fifty (50) feet West of the point of beginning;

Thence East Fifty (50) feet to an East line of the grantor's land;

Thence South Thirty-seven and five tenths (37.5) feet along said East line to the point of beginning and containing 0.258 acres, more or less.

A part of the Southwest Quarter of Section 17, Township 20 North, Range 10 East, more particularly described as follows: to-wit:

Beginning at a point two hundred fifteen (215.0) feet East of the Southwest Corner of the Southwest Quarter of Section 17, Township 20 North, Range 10 East, thence Northwesterly sixty five and nineteen hundredths (65.19) feet to a point one hundred sixty (160.0) feet East and thirty five (35.0) feet North of the Southwest Corner of the said Southwest Quarter, thence North parallel with the West line of the Southwest Quarter two hundred ninety five (295.0) feet, thence Northeasterly with a deflection angle to the right of $15^{\circ}-17'-34''$ three hundred ninety eight and one tenth (398.1) feet, thence North parallel with the West line of the said Southwest Quarter two hundred (200.0) feet, thence Northwesterly with a deflection angle to the left of $21^{\circ}-27'-05''$ two hundred twenty five and forty seven hundredths (225.47) feet to the South Right-Of-Way line of Eighth Street, thence Northeasterly with a deflection angle to the right of $99^{\circ}-20'-05''$ and on and along the South Right-Of-Way line of Eighth Street three hundred seventy nine and forty one hundredths (379.41) feet, thence South and parallel with the West line of the said Southwest Quarter three hundred thirty four and eight tenths (334.8) feet, thence East and at right angles to the last described line four hundred twenty seven and three tenths (427.3) feet, thence South parallel with the West line of the said Southwest Quarter eight hundred seventy nine and eighty nine hundredths (879.89) feet, more or less, to the South line of the said Southwest Quarter, thence West on and along the South line of the said Southwest Quarter seven hundred sixty five and three tenths (765.3) feet to the point of beginning. Estimated to contain 17.604 acres, more or less.

Unit Tax Number: 15-31224

TRACT II

A part of the Southwest quarter of Section Seventeen (17), Township Twenty (20) North, Range ten (10) East, described as follows, to-wit: Beginning at a point nine hundred eighty-two and twenty-four hundredths (982.24) feet East of the West line and three hundred twenty-four and five tenths (324.5) feet North of the South line of said Southwest quarter and running thence North parallel with the West line of said Southwest quarter four hundred seventy-six and seventy-six hundredths (476.76) feet, thence East parallel with the South line of said Southwest quarter three hundred sixty-three (363.0) feet, thence South parallel with said West line four hundred seventy-four and seventy-six (474.76) hundredths feet, thence West three hundred and sixty-three (363.0) feet to the place of beginning, containing three and nine hundred fifty-six thousandths (3.956) acres, more or less. Also a part of the Southwest Quarter of Section (17), Township Twenty (20) North, Range Ten (10) East, described as follows, to-wit: Beginning at a point in the South line of said Southwest Quarter nine hundred eighty-two and twenty-four hundredths (982.24) feet East of the Southwest corner of said Southwest Quarter and running thence East on said South line nine hundred eighteen (918) feet, more or less, to a point seven hundred forty-nine and seventy-six hundredths (749.76) feet West of the Southeast corner of said Southwest quarter (this point being the Southwest corner of the Rochester and Utica Land Company's First Addition to the City of Muncie, Indiana as recorded in the Recorder's Office, Delaware County, Indiana, in Plat Book 2, page 123); thence North parallel with the East line of said Southwest quarter (and on the West line of said Rochester & Utica Land Company's First Addition) three hundred twenty-four and five tenths (324.5) feet, thence West parallel with the South line of said Southwest quarter nine hundred eighteen and five tenths (918.5) feet, more or less, to a point nine hundred eighty-two and twenty-four hundredths (982.24) feet East of the West line of said Southwest quarter; thence South parallel with the West line of said Southwest quarter three hundred twenty-four and five tenths (324.5) feet to the place of beginning, containing six and eight hundred thirty-five thousandths (6.835) acres, more or less, in Delaware County, Indiana. Excepting therefrom the following described real estate: A part of the Southwest Quarter (SW 1/4) of Section Seventeen (17), Township Twenty (20) North, Range Ten (10) East, Delaware County, Indiana, described as follows: Commencing at the Southeast corner of said quarter section; thence West Seven hundred fifty-two and forty-five hundredths (752.45) feet along the South line of said section to an East line of the grantor's land and the point of beginning of this description; said point being the corner of the grantor's land; thence continuing West Five hundred fifty (550) feet along said South line; thence Northeasterly Five hundred one and forty hundredths (501.40) feet to a point Thirty-seven and five tenths (37.5) feet North and Fifty (50) feet East of the point of beginning; thence East Fifty (50) feet to an East line of the grantor's land; thence South Thirty-seven and five tenths (37.5) feet along said East line to the point of beginning and containing 0.258 acres, more or less.

Unit Tax Numbers: 15-26392 and 15-26393

This conveyance is subject to all visual and recorded easements.

