

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

Jurisdiction: (Check One)

Submitted: 3-14-2025

Delaware County

Case No.: MPC 10-25Z

City of Muncie

(1) Applicant: Monte Froehlich

Address: 129 N 10th Street, Suite 313 Phone: 402-805-4136  
Lincoln, NE 68508

(2) Record of Applicant's Ownership:

A.  By Deed:  
Deed Book No. & Page No.: 2021R18969  
Date of Deed: 11/09/2021

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

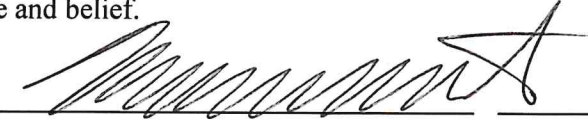
(4) Common Address of Property Involved:  
N/A

(5) Proposed zoning change: (Give exact zone classification.)  
From the R-1 Residence Zone and R-2 Residence Zone Zone  
To the R-1 Residence Zone Zone

- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)  
To make zoning contiguous across the two parcels
- (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.  
Intent is to sell for the purpose specified
- (8) State how the proposed change will not adversely affect the surrounding area.  
The proposed zoning change will be harmonious with the existing community of farmland and rural homesteads. The zoning change is simply taking two separate zoning designations over the property and changing it to one.
- (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

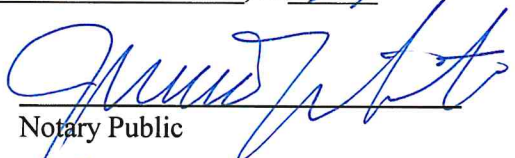
**AFFIDAVIT**

(I or We) Monte Froehlich 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: 

Subscribed and sworn to before me this 13 day of March, 20 25



  
Notary Public  
April 22, 2027

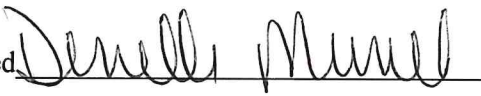
My Commission Expires

Resident of Cass County

State of Nebraska

**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 3<sup>rd</sup> day of April, 20 25.

Signed 

Date 3/21/25

Parcel ID 1231200001000

A part of the Northeast Quarter and the Southeast Quarter, also a part of the Northwest Quarter of Section 31, Township 20 North, Range 11 East in Perry Township, Delaware County, Indiana, described as follows: Commencing at a stone at the Northwest corner of the Fractional Northwest Quarter of Section 31, Township 20 North, Range 11 East; thence North 89 degrees 57 minutes 32 seconds East 2508.97 feet (assumed bearing) to the Northwest corner of the Northeast Quarter of said Section 31, said corner being 30.00 feet South of a 5/8-inch rebar, thence North 89 degrees 36 minutes 10 seconds East 659.77 feet along the North line of said Northeast Quarter to the center of White River which is the point of beginning; thence North 89 degrees 36 minutes 10 seconds East 283.03 feet to a 5/8 inch rebar that is 1728.44 feet West of the Northeast corner of said Northeast Quarter; thence South 00 degrees 30 minutes 18 seconds East 2682.17 feet parallel with the East line of said Northeast Quarter to a nail on the centerline of the Burlington Pike; thence North 62 degrees 22 minutes 53 seconds West 88.28 feet along said centerline; thence North 76 degrees 07 minutes 46 seconds West 114.86 feet along said center line to a nail on the South line of the Northeast Quarter of said Section 31; thence South 89 degrees 53 minutes 14 seconds West 640.19 feet along the South line to a nail that is 1422.75 feet East of the Southwest corner of the East Half of the Fractional Northwest Quarter of said Section 31; thence North 00 degrees 52 minutes 29 seconds West 300.00 feet parallel with the West line of said Half-Quarter Section to a 5/8 inch rebar; thence South 89 degrees 24 minutes 22 seconds West 550.00 feet to a 5/8 inch rebar; thence North 00 degrees 52 minutes 28 seconds West 162.00 feet to a 5/8 inch rebar; thence North 73 degrees 42 minutes 23 seconds West 282.58 feet to an angle iron post that is 545.00 feet North of the South line of said Northeast Quarter; thence North 00 degrees 52 minutes 29 seconds West 731.52 feet to the center of White River; thence North 33 degrees 59 minutes 46 seconds East 546.96 feet along said river; thence North 45 degrees 04 minutes 34 seconds East 782.58 feet along said river; thence North 40 degrees 47 minutes 14 seconds East 197.56 feet along said river; thence North 55 degrees 57 minutes 12 seconds East 201.28 feet along said river; thence North 69 degrees 35 minutes 10 seconds East 220.89 feet to the point of beginning, containing 75.44 acres, more or less, and subject to the Waters of the United State along White River, to the right-of-way for the Burlington Pike along the Southerly side, to a 25-foot-wide ingress/egress easement and to all easements of record.

US Property Inc

30

Duly Entered for Taxation  
Transfer Fees \$ 50.00

NOV 09 2021

*Stan J. Cuyeff*  
Delaware County Auditor

ER

2021R18969  
MELANIE MARSHALL  
DELAWARE COUNTY RECORDER

RECORDED ON  
11/09/2021 02:14 PM

REC FEE 25.00

PAGES: 3

RECORDED AS PRESENTED

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That Fortis Ventures International, LLC a limited liability company organized and existing under and pursuant to the laws of the State of Arizona with its principal office in the City of Scottsdale, 9642 Palm Ridge, 85260, and GP North, LLC, a limited liability company organized and existing pursuant to the laws of the State of Nebraska with its principal office in the City of Lincoln, 129 N 10<sup>th</sup> Street, 68508, as Tenants in Common.

Conveys and Warrants to

Monte L. Froehlich, an individual

of Lancaster County, in the State of Nebraska, for and in consideration of the sum of One Dollar (\$1.00) 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:

A part of the Fractional Southwest Quarter and a part of the Southeast Quarter of Section 30, Township 20 North, Range 11 East in Liberty Township, also a part of the Fractional Northwest Quarter, the Northeast Quarter and a part of the Southeast Quarter of Section 31, Township 20 North, Range 11 East in Perry Township, all in Delaware County, Indiana, described as follows:

Beginning at a 5/8 inch rebar on the West line of the Fractional Northwest Quarter of Section 31, Township 20 North, Range 11 East, said rebar being South 00 degrees 37 minutes 03 seconds East 378.18 feet (assumed bearing) from a stone marking the Northwest corner of said Quarter Section; thence North 89 degrees 57 minutes 32 seconds East 1184.75 feet parallel with the North line of said Quarter Section to a 5/8 inch rebar on the East line of the Fractional West Half of said Northwest Quarter; thence North 00 degrees 52 minutes 29 seconds West 408.18 feet to a 5/8 inch rebar along said East line extended North into the Southwest Quarter of Section 30, Township 20 North, Range 11 East; thence North 89 degrees 57 minutes 32 seconds East 1325.96 feet to a 5/8 inch rebar on the West line of the Southeast Quarter of said Section 30; thence North 89 degrees 36 minutes 10 seconds East 296.30 feet parallel with the South line of said Southeast Quarter to a 5/8 inch rebar; thence North 20 degrees 08 minutes 32 seconds East 21.36 feet to a 5/8 inch rebar that is 1698.87 feet west of the East line of the West Half of the East Half of said Southeast Quarter; thence North 01 degree 42 minutes 24 seconds West 1387.45 feet parallel with said East line to a point on the Southerly line of Inlow Springs Road; thence South 80 degrees 56 minutes 47 seconds East 30.57 feet along said Southerly line to a point; thence South 01 degree 42 minutes 24 seconds East 1432.43 feet to a 5/8 inch rebar on the North line of the Northeast Quarter of Section 31, Township 20 North, Range 11 East; thence North 89 degrees 36 minutes 10 seconds East 608.20 feet along said North line to a 5/8 inch rebar that is 1728.44 feet west of the Northeast corner of said Northeast Quarter; thence South 00 degrees 30 minutes 18 seconds East 2682.17 feet parallel with the East line of said Northeast Quarter to a nail on the centerline of the Burlington Pike; thence North 62 degrees 22 minutes 53 seconds West 88.28 feet along said centerline; thence North 76 degrees 07 minutes 46 seconds West 114.86 feet along said centerline to a nail on the South line of the Northeast Quarter of said Section 31; thence South 89 degrees 53 minutes 14 seconds West 640.19 feet along the South line to a nail that is 1422.75 feet east of the Southwest corner of the East Half of the Fractional Northwest Quarter of said Section 31; thence North 00 degrees 52 minutes 29 seconds West 300.00 feet parallel with the West line of said Half-Quarter Section to a 5/8 inch rebar; thence South 89 degrees 24 minutes 22 seconds West 550.00 feet to a 5/8 inch rebar; thence North 00 degrees 52 minutes 28 seconds West 162.00 feet to a 5/8 inch rebar; thence North 73 degrees 42 minutes 23 seconds West 282.58 feet to an angle iron post that is 545.00 feet north of the South line of said Northwest Quarter; thence North 00 degrees 52 minutes 29 seconds West 731.52 feet to the center of White River; thence South 45 degrees 14 minutes 44 seconds West 262.57 feet along the center of the river; thence North 00 degrees 52 minutes 29 seconds West 225.41 feet to a 5/8 inch rebar that is on a line, said line being parallel with and 1299.77 feet south of the North line of said Northwest Quarter; thence South 89 degrees 57 minutes 32 seconds West 1602.32 feet along said line to a half inch rebar on the West line of said Quarter Section; thence North 00 degrees 37 minutes 03 seconds West 921.59 feet to the point of beginning, containing 2.14 acres in Section 30 and 135.99 acres in Section 31.

Grantors states that there is no Indiana Gross Income Tax due or payable at this time as a result of this sale.

The undersigned persons executing this Deed represent and certify on behalf of the Grantors that the undersigned are duly appointed officers of the Grantors and have been fully empowered by proper resolution to execute and deliver this Deed; that the Grantors are corporations in good standing in the State of its origin; that the Grantors have full capacity to convey the real estate described; and that all necessary action for the making of this conveyance has been duly taken.

Property Address: 5757 E Inlow Springs Rd., Muncie, Indiana 47302

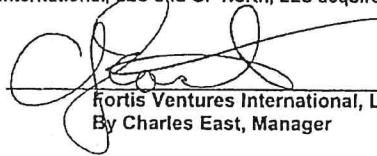
Tax Duplicate No. P1: 18-12-30-451-002.000-010, P2: 18-12-31-200-001.000-020, P3: 18-12-31-126-001.000-020, P4: 18-12-31-101-002.000-020, P5: 18-12-31-600-000.000-020

GRANTEES MAILING ADDRESS: 129 N 10<sup>th</sup> Street, Lincoln, NE 68508



Subject to easements, restrictions, and rights of way of record.

In Witness Whereof the said Fortis Ventures International, LLC and GP North, LLC hve caused this deed to be executed by Charles East, Manager of Fortis Ventures International, LLC and Monte L. Froehlich, Manager of U.S. Property Management, LLC, Manager and have executed the foregoing deed on This 23rd day of November, 2020, effective on November 24<sup>th</sup>, 2020, the day after Fortis Ventures International, LLC and GP North, LLC acquire title as Tenants in Common to the property.

  
\_\_\_\_\_  
Fortis Ventures International, LLC  
By Charles East, Manager

\_\_\_\_\_  
\_\_\_\_\_  
GP North, LLC by Monte L. Froehlich,  
Manager of U.S. Property Management,  
LLC, Manager

State of Florida

County of Sarasota SS:

Before me, the undersigned, a Notary Public in and for said County, and State, personally appeared **Charles East** to me known to be such **Manager** of said Corporation and acknowledged the execution of the foregoing Deed for and on behalf of the Corporation and by its authority.

Witness my hand and seal this 23<sup>rd</sup> day of November, 2020.



~~Witness my~~ hand and official seal.  
State of Florida  
My Commission Expires 11/30/2021  
Commission No. GG 164572

  
\_\_\_\_\_

Notary Public

State of Nebraska

County of Lancaster SS:

Before me, the undersigned, a Notary Public in and for said County, and State, personally appeared **Monte Froehlich** to me known to be such **Manager** of said Corporation and acknowledged the execution of the foregoing Deed for and on behalf of the Corporation and by its authority.

Witness my hand and seal this 23<sup>rd</sup> day of November, 2020.

Witness my hand and official seal.

\_\_\_\_\_  
(Seal)  
Notary Public

My commission expires:  
Resident of:

This instrument prepared by: Colln A. Mues, Attorney at Law  
Nebraska #24050  
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

Subject to easements, restrictions, and rights of way of record.

In Witness Whereof the said Fortis Ventures International, LLC and GP North, LLC hve caused this deed to be executed by Charles East, Manager of Fortis Ventures International, LLC and Monte L. Froehlich, Manager of U.S. Property Management, LLC, Manager and have executed the foregoing deed on This 23rd day of November, 2020, effective on November 24<sup>th</sup>, 2020, the day after Fortis Ventures International, LLC and GP North, LLC acquire title as Tenants in Common to the property.

\_\_\_\_\_  
Charles East, Manager

  
\_\_\_\_\_  
Monte L. Froehlich, Manager of U.S. Property Management, LLC, Manager

State of \_\_\_\_\_

County of \_\_\_\_\_ SS:

Before me, the undersigned, a Notary Public in and for said County, and State, personally appeared Charles East to me known to be such Manager of said Corporation and acknowledged the execution of the foregoing Deed for and on behalf of the Corporation and by its authority.

Witness my hand and seal this 23<sup>rd</sup> day of November, 2020.

Witness my hand and official seal.

\_\_\_\_\_

Notary Public

State of Nebraska

County of Lancaster SS:

Before me, the undersigned, a Notary Public in and for said County, and State, personally appeared Monte Froehlich to me known to be such Manager of said Corporation and acknowledged the execution of the foregoing Deed for and on behalf of the Corporation and by its authority.

Witness my hand and seal this 23<sup>rd</sup> day of November, 2020.

Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

State of Nebraska - General Notary  
HEATHER SMITH  
My Commission Expires  
May 23, 2023  
(Seal)

My commission expires: May 23, 2023  
Resident of: Lincoln, Nebraska

This instrument prepared by: Colin A. Mues, Attorney at Law  
Nebraska #24050

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

\_\_\_\_\_

