

FILED

SEP 20 2024

**Balinda Munson
MUNCIE CITY CLERK**

ORDINANCE 25-24

AN ORDINANCE OF THE CITY OF MUNCIE ANNEXING CERTAIN UNIMPROVED REAL PROPERTY TO THE CITY OF MUNCIE PURSUANT TO THE PETITION OF THE OWNERS OF THE REAL PROPERTY

WHEREAS, the owners of approximately 4.05 acres of unimproved real property (“Annexed Territory”) located on the north side of the existing boundary of the City of Muncie have filed petitions with the Common Council of the City of Muncie seeking the voluntary annexation of that property into the City of Muncie limits pursuant to Ind. Code § 36-4-3-5.1; and

WHEREAS, the unimproved real property that is the subject of the petitions is more fully described and depicted on Exhibits A and B attached hereto; and

WHEREAS, the Common Council of the City of Muncie has adopted a written fiscal plan and held a public hearing as required by Ind. Code § 36-4-3-5.1; and

WHEREAS, the Common Council of the City of Muncie has determined that the petitions requesting voluntary annexation are signed by 100% of the owners of the real estate within the Annexed Territory; and

WHEREAS, the Common Council of the City of Muncie desires to annex the Annexed Territory, which is known as the Voluntary Etchison/Souders Annexation; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL as follows:

Section 1. The petitions requesting voluntary annexation of the Annexed Territory, which is more fully described in Exhibit A, attached hereto and incorporated herein, and depicted in Exhibit B, attached hereto and incorporated herein, are signed by 100% of the owners of land within the Annexed Territory and is contiguous to the City of Muncie boundaries as at least one-eighth of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City of Muncie.

Section 2. The Annexed Territory, which contains approximately 4.05 acres of real estate, is hereby annexed to and declared to be a part of the City of Muncie, Indiana.

Section 3. The Annexed Territory is hereby assigned to City Council District No. 4 and shall become a part thereof immediately upon the effective date of this Ordinance and recording as required by law.

Section 4. This Ordinance shall be in full force and effect from and after its passage by the Common Council and its approval by the Mayor of the City of Muncie, Indiana, and such publication and recording as required by law.

Adopted by the Common Council of the City of Muncie, Indiana, this ____ day of _____, 2024.

	Yeas	Nays	Abstained	Absent
Jeff Green	_____	_____	_____	_____
Nora Powell	_____	_____	_____	_____
Brandon Garrett	_____	_____	_____	_____
Sara Gullion	_____	_____	_____	_____
Jerry D. Dishman	_____	_____	_____	_____
Harold Mason	_____	_____	_____	_____
Dale Basham	_____	_____	_____	_____
William McIntosh	_____	_____	_____	_____
Ro Selvey	_____	_____	_____	_____

 President, Common Council

ATTEST:

 Belinda Munson, City Clerk

Presented by me to the Mayor for his approval this ___ day of _____, 2024.

 Belinda Munson, City Clerk

The above Ordinance is approved/vetoed by me this ___ day of _____, 2024.

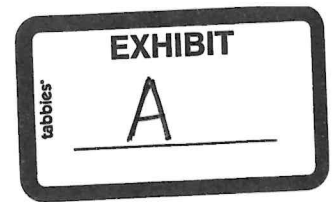
 Dan Ridenour, Mayor

This Ordinance is proposed by Council Member

_____ 

This Ordinance is approved in form by Legal Counsel

_____ 



Parcel No. 1

A part of the Southeast Quarter of Section 36, Township 21 North, Range 9 East in Harrison Township, Delaware County, Indiana, described as follows:

Commencing at a nail on the East line of the Southeast Quarter of Section 36, Township 21 North, Range 9 East, said nail being South 00 degrees 35 minutes 38 seconds East 652.85 feet (assumed bearing) from a 5/8-inch rebar marking the Northeast corner of said Southeast Quarter; thence South 89 degrees 51 minutes 33 seconds West 218.00 feet to the point of beginning; thence South 00 degrees 35 minutes 58 seconds East 514.30 feet to the centerline of Bethel Avenue; thence North 64 degrees 52 minutes 38 seconds West 218.88 feet along said centerline to a nail; thence North 00 degrees 35 minutes 58 seconds West 420.88 feet to a 5/8 inch rebar; thence North 89 degrees 51 minutes 33 seconds East 197.20 to the point of beginning, containing 2.12 acres, more or less.

Parcel No. 2

A part of the Southeast Quarter of Section 36, Township 21 North, Range 9 East in Harrison Township, Delaware County, Indiana, described as follows:

Commencing at a nail on the East line of the Southeast Quarter of Section 36, Township 21 North, Range 9 East, said nail being South 00 degrees 35 minutes 38 seconds East 226.25 feet (assumed bearing) from a 5/8-inch rebar marking the Northeast corner of said Southeast Quarter; thence South 89 degrees 51 minutes 33 seconds West 218.00 feet to the point of beginning; thence South 00 degrees 35 minutes 38 seconds East 426.60 feet; thence South 89 degrees 51 minutes 33 seconds West 197.20 feet; thence North 00 degrees 35 minutes 57 seconds West 426.60 feet to an angle-iron post; thence North 89 degrees 51 minutes 33 seconds East 197.20 feet to the point of beginning, containing 1.93 acres, more or less, and subject to all easements of record.

N 89°51'33" E 1889.99'
 NW COR. SE QTR.
 SEC. 36-21-9
 WOOD GATE POST
 0.60' S, 0.22' E

N 89°51'33" E 2652.49'
 N 89°51'33" E 962.50'

NE COR. SE QTR
 SEC. 36-21-9
 5/8" REBAR - 2"

RANDALL E. L. SMITH
 MCKENNA M. SMITH
 INSTR. 2020R15088

MONUMENT	CONDITION	DEPTH
(A) 5/8" REBAR	GOOD	-1"
(B) 1-1/4" PIN	GOOD	AT GRADE
(C) IRON PIN	GOOD	AT GRADE
(D) WOOD GATE POST	0.60' S, 0.22' E	AT GRADE
(E) 5/8" REBAR	GOOD	-1"
(F) 5/8" REBAR	CAPPED	AT GRADE
(G) 12" STEEL POST	GOOD	N/A
(H) ROAD CASTING	GOOD	AT GRADE

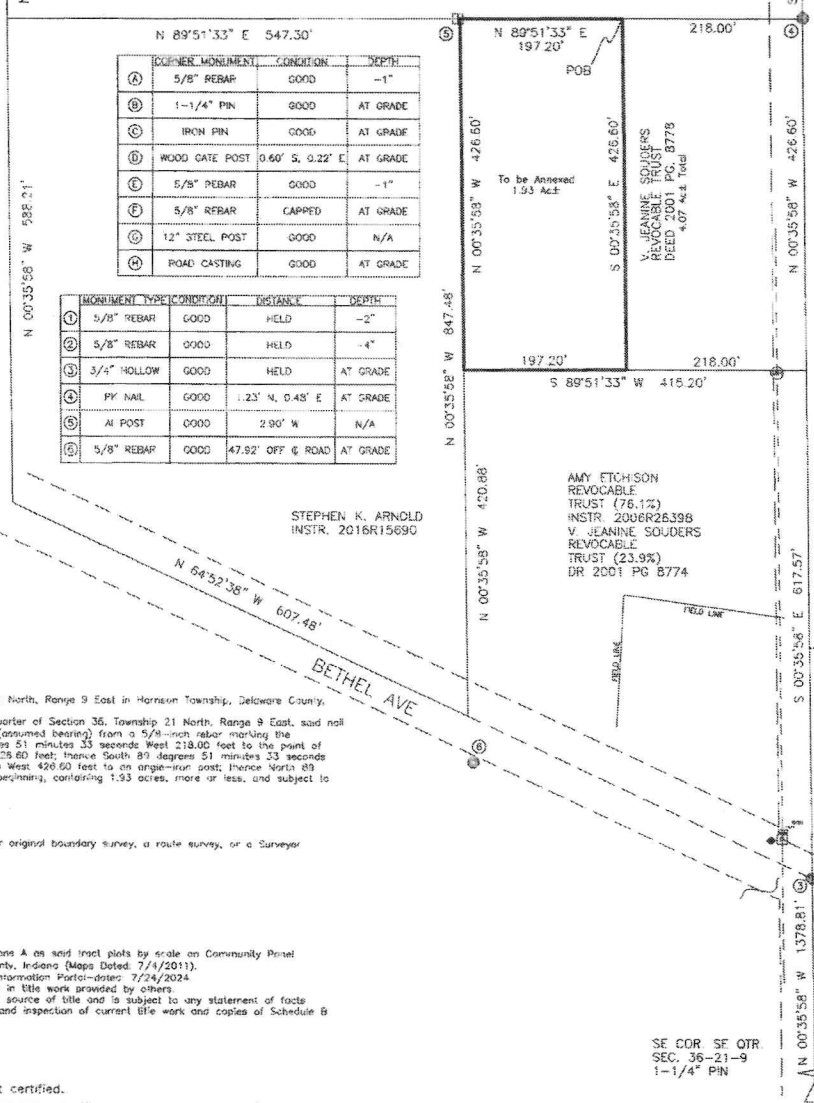
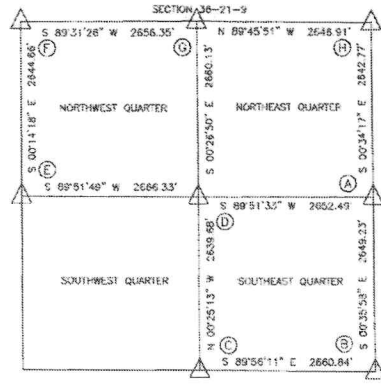
MONUMENT TYPE	CONDITION	INSTANCE	DEPTH
① 5/8" REBAR	GOOD	HELD	-2"
② 5/8" REBAR	GOOD	HELD	-4"
③ 3/4" HOLLOW	GOOD	HELD	AT GRADE
④ PP NAIL	GOOD	1.23' N, 0.48' E	AT GRADE
⑤ AL POST	GOOD	2.90' W	N/A
⑥ 5/8" REBAR	GOOD	47.92' OFF @ ROAD	AT GRADE

STEPHEN K. ARNOLD
 INSTR. 2016R15690

AMY EITCHSON
 REVOCABLE
 TRUST (76.1%)
 INSTR. 2008R26398
 V. JEANINE SOUDERS
 REVOCABLE
 TRUST (23.9%)
 DR 2001 PG B774



- FP POWER POLE
- DI DRAINAGE INLET
- MH MANHOLE
- SP SIGN



A part of the Southeast Quarter of Section 36, Township 21 North, Range 9 East in Morrison Township, Delaware County, Indiana, described as follows:
 Commencing at a nail on the East line of the Southeast Quarter of Section 36, Township 21 North, Range 9 East, said nail being South 00 degrees 35 minutes 58 seconds East 226.25 feet (assumed bearing) from a 5/8-inch rebar marking the Northwest corner of said Southeast Quarter; thence South 89 degrees 51 minutes 33 seconds West 218.00 feet to the point of beginning; thence South 00 degrees 35 minutes 58 seconds East 426.60 feet; thence South 89 degrees 51 minutes 33 seconds West 197.20 feet; thence North 00 degrees 35 minutes 58 seconds West 426.60 feet to an angle-iron post; thence North 89 degrees 51 minutes 33 seconds East 197.20 feet to the point of beginning, containing 1.93 acres, more or less, and subject to all assessments or record.

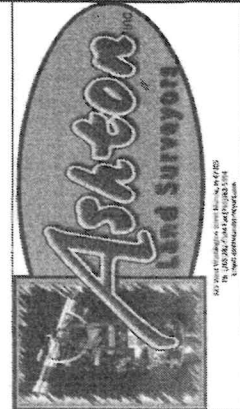
Dated: July 24, 2024

PRO FORMA SURVEY
 This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.

Haldon L. Ashton
 Registered Land Surveyor LS00040146
 Haldon L. Ashton

2. Flood Zone.
 - a. The within tract does not lie within that Special Flood Hazard Zone A on said tract plots by scale on Community Panel #18035C02270 of the Flood Insurance Rate Maps for Delaware County, Indiana (Maps Dated: 7/1/2011).
 - b. The minimum flood risk was verified by the INDR Flood Plain Information Portal-dated: 7/24/2024
3. Ownership shown hereon is per County Records or as indicated in title work provided by others.
4. The within survey was performed without benefit of evidence of source of title and is subject to any statement of facts revealed by same. This qualification will be removed upon receipt and inspection of current title work and copies of Schedule B items listed herein.

This Instrument Prepared by: Haldon L. Ashton
 Accuracy or completeness of subsurface features is not certified.



325 W. Washington St.
 Muncie, IN 47305
 Ph: 765-287-5594
 Fax: 765-282-5596
 Ashton Land Surveyors, Inc.

Annexation Drawing
 N Morrison Rd.
 Muncie, IN

I affirm, under the penalties for perjury, that I have taken reasonable care to render this Social Security number in this document, unless required by law. Haldon L. Ashton



SECTION CORNER COORDINATES ARE BASED ON INDIANA STATE PLANE EAST ZONE (NORTH AMERICAN DATUM OF 1983, CURS 95 EPCD 2002.000)

Revisions
No. _____
Date: _____
Drawn: _____

Drawn: CLG/SMK
 Date: 07/24/24
 Job: 2024421A
 Client: Larry Souders
 Owner: Jeanine Souders
 Crew: EHA
 Electronic Field Book
 Field Date: 07/15/24

Sheet