

FILED

OCT 21 2024

Calinda Munson
MUNCIE CITY CLERK

ORDINANCE NO. 30-24

ORDINANCE OF THE CITY OF MUNCIE, INDIANA, ANNEXING CERTAIN TERRITORY TO THE CITY OF MUNCIE, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF THE CITY OF MUNCIE, INDIANA

Annexation Area No. 2 – Portions of Heron Pointe Neighborhood

WHEREAS, the Common Council (the “Council”) of the City of Muncie, Indiana (the “City”), has investigated the annexation of property northwest of its existing border;

WHEREAS, in order to comply with certain contiguity requirements, the areas that the City has investigated have been divided into four separate annexations (Annexation Areas 1 through 4);

WHEREAS, pursuant to Indiana Code 36-4-3, the legislative body of a municipality may, by ordinance, annex territory that is contiguous to the municipality, subject to certain limitations;

WHEREAS, pursuant to Ind. Code §36-4-3-1.7, a municipality must conduct an outreach program consisting of at least six (6) public information meetings to provide citizens with information regarding the proposed annexation;

WHEREAS, City officials have conducted such outreach meetings and have provided citizens with information regarding the proposed annexation as required by Ind. Code §36-4-3-1.7;

WHEREAS, responsible planning and state law require adoption of a written fiscal plan and a definite policy for the provision of services to the annexed areas;

WHEREAS, this Council has previously adopted by resolution a written fiscal plan and definite policy for the provision of municipal services pursuant to Resolution No13-24 (the “Fiscal Plan”);

WHEREAS, the Fiscal Plan addresses each of the annexation areas;

WHEREAS, attached hereto as Exhibit A is a legal description of the territory to be annexed pursuant to this Ordinance, which territory consists of approximately 50.93 acres (the “Annexation Territory”);

WHEREAS, Exhibit A also includes a map of the Annexation Territory;

WHEREAS, the Annexation Territory is at least one-eighth (1/8) contiguous to the existing corporate boundaries of the City;

WHEREAS, it is the intent of this Council that there be no change in zoning classification for the Annexation Territory;

WHEREAS, this Ordinance has been adopted following a duly noticed public hearing; and

WHEREAS, this Council has determined to annex the Annexation Territory pursuant to the terms of this Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Muncie, Indiana, as follows:

Section 1. The above recitals, including Exhibit A, are incorporated herein by reference as though fully set forth herein below. Two copies of Exhibit A shall be kept on file with the Clerk for public inspection.

Section 2. In accordance with Ind. Code 36-4-3, the Annexation Territory is hereby annexed to the City and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.

Section 3. The terms and conditions applicable to this Annexation are as follows:

- a. Rural Lifestyle Exemptions. In order to preserve a rural lifestyle, owners of property presently zoned as Agricultural and included in the Annexation Territory are hereby exempt from requirements and restrictions included within the Muncie City Code as to activities on and use of property to the extent such activities and use are presently permitted on such property by Delaware County ordinances. Such exemption is subject to any restrictions imposed by statutes of the State of Indiana and is limited by any health and safety concerns identified by the City.
- b. Taxes. Those parcels in the Annexation Territory which are currently assessed as agricultural land under the real property assessment rules and regulations of the department of local government finance shall be exempt from all property tax liability for municipal purposes pursuant to Ind. Code §36-4-3-4.1 for so long as the property retains such agricultural land assessment.

Section 4. To the extent the Annexation Territory includes land contiguous to public highways, the Annexation Territory shall include the contiguous areas of the public highway and public highway rights-of-way as required by Ind. Code §36-4-3-2.5.

Section 5. The Annexation Territory is hereby assigned to Common Council District No. 4.

Section 6. The effective date of this annexation shall be as soon as lawfully permitted following its adoption and execution and publication as required by law.

Section 7. The paragraphs, sentences, and words of this Ordinance are severable, and if any portion hereof is declared unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.

Section 8. All prior Ordinances or parts thereof which may be inconsistent with any provision of this Ordinance are hereby repealed.

PASSED AND 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 Dishman	_____	_____	_____	_____
Harold Mason, Jr.	_____	_____	_____	_____
Dale Basham	_____	_____	_____	_____
Ro Selvey	_____	_____	_____	_____
William McIntosh, Sr.	_____	_____	_____	_____

 President
 City Council, City of Muncie

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

Belinda Munson, City Clerk

The above Resolution is approved/vetoed by me this ____ day of _____, 2024.

Dan Ridenour, Mayor

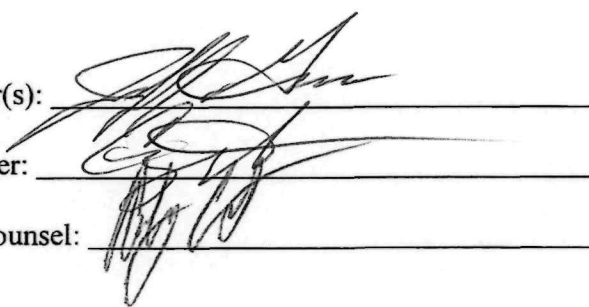
ATTEST:

Belinda Munson, City Clerk

This Resolution is proposed by Council Member(s): _____

This Resolution is approved in form by Controller: _____

This Resolution is approved in form by Legal Counsel: _____



This instrument was prepared by Nicholas Kile, Attorney at Law, Barnes & Thornburg LLP, 11 S Meridian Street, Indianapolis, Indiana 46204.

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. /s/ Nicholas Kile

Exhibit A

Map of Annexation Area No. 2 and Legal Description

Map of Annexation Area No. 2 – Portions of Heron Pointe Neighborhood



Legal Description of Annexation Area No. 2 – Portions of Heron Pointe Neighborhood

Parcel #0625401001000 Lot 100

RB Properties, LLC
5708 N Lakeshore Dr
Muncie, IN 47304

189 Fort Wayne Ave
Richmond, IN 47374

Lot Numbered 100 in Heron Pointe, Section D, a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2205R27711 of the Records of the Recorder of Delaware County, Indiana

Parcel #0625403001000 Lot 72

RB Properties, LLC
5400 Shadow Oak Run
Muncie, IN 47304

189 Fort Wayne Ave
Richmond, IN 47374

Lot Numbered 72 in Heron Pointe, Section D, a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2205R27711 of the Records of the Recorder of Delaware County, Indiana

Parcel #0625402001000 Lot 71

RB Properties, LLC
5401 Shadow Oak Run
Muncie, IN 47304

189 Fort Wayne Ave
Richmond, IN 47374

Lot Numbered 71 in Heron Pointe, Section D, a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2205R27711 of the Records of the Recorder of Delaware County, Indiana

Parcel #0625402002000

RB Properties, LLC
5405 Shadow Oak Run
Muncie, IN 47304

189 Fort Wayne Ave
Richmond, IN 47374

Lot Numbered 70 in Heron Pointe, Section D, a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2205R27711 of the Records of the Recorder of Delaware County, Indiana

Parcel #0625402003000

RB Properties, LLC
5409 Shadow Oak Run
Muncie, IN 47304

189 Fort Wayne Ave
Richmond, IN 47374

Lot Numbered 69 in Heron Pointe, Section D, a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2205R27711 of the Records of the Recorder of Delaware County, Indiana

Excepting therefrom: A part of Lot 69 in Heron Pointe Section D, a Subdivision in Harrison Township, a plat of which is recorded in Instrument 2005R27711, by the Records of Delaware County, Indiana.

Beginning at the Northerly corner of Lot 69 in Heron Pointe, Section D, thence South 48 degrees 16 minutes 08 seconds East 204.29 feet (assumed bearing) to a 5/8 inch rebar at the Northerly

corner of said lot being on the curve and being North 48 degrees 16 minutes 07 seconds West 175.00 feet from the radius point of said curve; thence Southwesterly 4.00 feet along said curve to a 5/8 inch rebar that is North 49 degrees 34 minutes 42 seconds West 175.00 feet from said radius point; thence North 47 degrees 08 minutes 50 seconds West 204.37 feet to the point of beginning.

Parcel #0625401002000

Gregory and Christa E. Hensley Trust

5608 N Lakeshore Dr.

Muncie, IN 47304

Lot 99 in Heron Pointe, Section D, an addition in Harrison Township, Delaware County, Indiana.

Parcel #0625401003000

Jeremi L and Brandi L. Dobbs

5604 N Lakeshore Dr.

Muncie, IN 47304

Lot Number Ninety-eight (98) in Heron Pointe, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded as Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625401004000

Susan Krause

5600 N Lakeshore Dr.

Muncie, IN 47304

Lot Number Ninety-seven (97) in Heron Pointe', Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625401005000

Carl G. and Karen D. Multon

5512 N Lakeshore Dr.

Muncie, IN 47304

Lot Number 96 in Heron Pointe, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625327001000

Larry M. Rausch

5508 N Lakeshore Dr.

Muncie, IN 47304

2405 Natalie Lane

Lafayette, IN 47905

Lot Number 95 in Heron Pointe, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625327002000

Robert A. King

5504 N Lakeshore Dr.

Muncie, IN 47304

Lot Number 94 in Heron Pointe, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625327003000

Patrick M and Karen M Jones

5500 N Lakeshore Dr.

Muncie, IN 47304

Lot Number 93 in Heron Pointe, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625402004000

Michael and Kelly Hodkin

5516 Red Cedar Drive

Muncie, IN 47304

Lot Numbered Sixty-eight (68) in Heron Pointe, Section D, a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625402005000

Carolyn E. York

5512 N Red Cedar

Muncie, IN 47304

Lot Numbered Sixty-seven (67) in Heron Pointe', Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625403003000

Bethany Williams

5509 Shadow Oak Run

Muncie, IN 47304

3701 N. Chadham LN

Muncie, In 47304

Lot Numbered 74 in Heron Pointe, Section D, a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625403002000

Louis Humberto Grass

5404 Shadow Oak Run

Muncie, IN 47304

Lot Numbered 73 in Heron Pointe, Section D, a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625331001000

Richard Spisak

5801 W. Heron Pointe Pkwy
Muncie, IN 47304

Lot numbered 134 in Heron Pointe, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana. Parcel No. 18-06-25-331-001.000-009. This property is commonly known as 5801 West Heron Pointe Parkway, Muncie, IN 47304

Parcel #0625376003000
Heron Point Homeowners Association, INC
5001 W Heron Pointe Pkwy
Muncie, IN 47304

Outlot Numbered Fourteen (14) in Section D of Heron Pointe, an Addition located in Delaware County, Indiana, a plat of which is recorded as Instrument No. 2000R227711 in the office of the Recorder of Delaware County.

Parcel #0625376002000
Mark A. Litz
5901 Bridlewood Trail
Muncie, IN 47304

Lot Numbered One Hundred Forty-five (145) in Heron Pointe, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625376001000
Heron Point Homeowners Association, INC
5001 W. Heron Pointe Pkwy
Muncie, In 47304

Outlot Numbered Thirteen (13) in Section D of Heron Pointe, an Addition located in Delaware County, Indiana, a plat of which is recorded as Instrument No. 2000R227711 in the office of the Recorder of Delaware County.

Parcel #0625473017000
W. Jack Keiser
5213 N Shadow Oak Run
Muncie, IN 47304

Lot numbers 32 and 33 in Heron Pointe Section C, an addition in Harrison Township, Delaware County, Indiana.

Parcel#0625473015000
Bruce and Deborah Geelhoed
5205 N Hadow Oak Run
Muncie, IN 47304

Lot Number 31 in Heron Pointe, Section "C", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004, pages 3-4 of the records of plat of Delaware County, Indiana.

Parcel #0625473014000

Swaran S. Turka

5201 N Shadow Oak Run

Muncie, IN 47304

Lot Numbered 30 in Heron Pointe, Section "B", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, pages 15-16 of the records of plats of Delaware County, Indiana.

Parcel #0625473013000

Ernest F. Peters

5109 N. Shadow Oak Run

Muncie, IN 47304

Lot Numbered Twenty-nine (29) in Heron Pointe, Section "B", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003 pages 15-16 of the records of plats of Delaware County, Indiana.

Parcel #0625473012000

Brian and Melissa Marsh

5105 Shadow Oak Run

Muncie, IN 47304

Lot Numbered Twenty-eight (28) in Heron Pointe, Section B, a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, pages 15-15 of the records of plats of Delaware County, Indiana.

Parcel #0625473011000

Jason Paul

5101 Shadow Oak Run

Muncie, IN 47304

Lot Numbered 27 in Heron Pointe, Section "B", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003 pages 15-16 of the records of plats of Delaware County, Indiana.

Parcel #0625473010000

Richard and Shelli Lombardo-Rodgers

5509 W. Shoreline Ter

Muncie, IN 47304

Lot Numbered Twenty-six (26) in Heron Pointe, Section "B", a Subdivision of real estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, pages 15-16, of the Records of Plat of Delaware County, Indiana.

ALSO, Out Lot Numbered Twelve (12) in Heron Pointe, Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 223-226, of the records of the Recorder of Delaware County Indiana. This Out Lot is removed from the Common Areas as defined in the Miscellaneous Record 2002, pages 3296-3309, and in plate of Heron Pointe.

Parcel #0625473009000

Phillip and Beth Dunn
5505 Shoreline Terrace
Muncie, IN 47304

2610 W Woodbridge Dr
Muncie, In 47304

Lot Numbered Twenty-five (25) in Heron Pointe, Section "B", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, pages 15-16 of the records of plats of Delaware County, Indiana.

Parcel #0625473008000

Jason Walker
5501 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered Twenty-four (24) in Heron Pointe, Section "B", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, pages 15-16 of the records of plats of Delaware County, Indiana.

Parcel #0625473007000

Steve and Jama Gaddis
5405 W. Shoreline Terrace
Muncie, IN 47304

Lot 23 in Heron Pointe Section B an Addition in Harrison Township, Delaware County, Indiana.

Parcel #0625473002000

Heron Point Homeowners Association, INC
5001 W. Heron Pointe Pkwy
Muncie, IN 47304

Outlot 5 in Heron Pointe Subdivision, an addition in Delaware County, Indiana, Section A.

Parcel #0625473006000

Robert and Kathleen Wilson
5401 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered 22 in Heron Pointe, Section "B", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, pages 15-16 of the records of Delaware County, Indiana.

Parcel #0625473005000

Nabeel and Abeer Elamir
5305 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered Twenty-one (21) in Heron Pointe, Section "B", a subdivision of real estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, Pages 15-16 of the records of plats of Delaware County, Indiana.

Parcel #0625473003000

William and Isabelle Sowers
5301 W. Shoreline Terrace

Muncie, IN 47304

Lot Numbered Twenty (20) in Heron Pointe-Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625473004000

Heron Point Homeowners Association, INC

Muncie, IN 47304 \$0.00 n/a

5001 W. Heron Pointe Pkwy, Muncie, In 47304

Lot 8

Parcel #0625476028000

Jan Reed

0 Dr

600 N Cook Rd

Muncie, IN 47304

Muncie, IN 47303

Lot Number One (1) in Heron Pointe, Section "A", an Addition to Harrison Township, as shown by the Records of Delaware County, Indiana.

Parcel #0625476020000

John and Barbara Durbin

5209 W. Shoreline Terrace

Muncie, IN 47304

Lot Numbered Two (2) in Heron Pointe-Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476019000

Jeff and Jana Adamec

5205 W. Shoreline Terrace

Muncie, IN 47304

Lot Numbered 3 in Heron Pointe, Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476018000

Elsie Bumgardner Rev Trust

5201 W. Shoreline Terrace

Muncie, IN 47304

Lot Numbered Four (4) in Heron Pointe-Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana. EXCEPT: A part of Lot 4 in said Heron Pointe Section A an addition to Harrison Township, Delaware County, Indiana described as follows: Beginning at the northeast corner of Lot 4 in Heron Pointe Section an Addition to Harrison Township as shown by the records of Delaware County, Indiana; thence south 01 degrees 42 minutes 47 seconds west 117.00 feet (plat bearing) along the east line of said lot; thence north 20 degrees 07 minutes 40 seconds west 10.63 feet; thence north 00 degrees 00 minutes 00 seconds

west 38.96 feet; thence north 10 degrees 08 minutes 48 seconds west 69.17 feet to a 5/8 inch rebar on the curved northerly line of said Lot 4; thence south 89 degrees 46 minutes 24 seconds east 19.34 feet along the chord of the curved lot line to the point of beginning. ALSO: A part of Lot 5 in Heron Pointe-Section "A", an addition to Harrison Township, Delaware County, Indiana, described as follows: Beginning at the Southwest corner of said Lot 5 in Heron Pointe, Section "A", an Addition to Harrison Township as shown by the Records of Delaware County, Indiana; thence North 01 degrees 42 minutes 47 seconds East 114.37 feet (plat bearing); thence South 20 degrees 07 minutes 40 seconds West 35.61 feet to a 5/8 inch rebar; thence South 10 degrees 57 minutes 56 seconds West 82.39 feet to the point of beginning. More commonly known as 5201 W Shoreline Terrace, Muncie, Indiana.

Parcel #0625476017000

Milan Thompson

5105 W. Shoreline Terrace

Muncie, IN 47304

Lot 5 in Heron Pointe Section "A", an addition to Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Excepting there from the following described real estate, to-wit: Beginning at the Southwest corner of said Lot 5 in Heron Pointe, Section "A", an Addition to Harrison Township as shown by the Records of Delaware County, Indiana; thence North 01 degrees 42 minutes 47 seconds East 114.37 feet (plat bearing) thence South 20 degrees 07 minutes 40 seconds East 35.61 feet to a 5/8 inch rebar; thence South 10 degrees 57 minutes 58 seconds West 82.39 feet to the point of beginning. Also including a part of Lot 4 in said Heron Pointe Section A, an Addition to Harrison Township, Delaware County, Indiana described as follows: Beginning at the northeast corner of Lot 4 in said Heron Pointe Section A, an Addition to Harrison Township as shown by the records of Delaware County, Indiana; thence South 01 degrees 42 minutes 47 seconds West 117.00 feet (plat bearing) along the East line of said lot; thence North 20 degrees 07 minutes 40 seconds West 10.63 feet; thence North 00 degrees 00 minutes 00 seconds West 38.96 feet; thence North 10 degrees 08 minutes 48 seconds West 69.17 feet to a 5/8 inch rebar on the curved northerly line of said Lot 4; thence South 89 degrees 46 minutes 24 seconds East 19.34 feet along the chord of the curved lot line to the point of beginning.

Parcel #0625476016000

Michael and Carla Burt

5101 W. Shoreline Terrace

Muncie, IN 47304

Lot Numbered Six (6) in Heron Pointe, Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17 pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476015000

Douglas and Verna Bales

5009 W. Shoreline Terrace

Muncie, IN 47304

Lot Number Seven (7) in Heron Pointe-Section "A", a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of Delaware County, Indiana.

Parcel #0625476014000
Shaheen Borna
5005 W. Shoreline Terrace
Muncie, IN 47304

Lots Numbered 8 and 9 in Heron Pointé Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17 pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476012000
Heron Point Homeowners Association, INC
5001 W. Heron Pointe Pkwy
Muncie, IN 47304

Outlots Numbered Two (2) and Four-A (4A) in Section A of Heron Pointé, an Addition in Delaware County, Indiana, a plat of which is recorded in Plat Book 17, page 23 in the office of the Recorder of Delaware County, Indiana.

Parcel #0625476011000 and 0625476010000
Steven and Marina Gill
5000 W. Shoreline Terrace
Muncie, IN 47304

Lots 10 and 11 in Heron Pointe, Section A, an addition in Harrison Township, Delaware County, Indiana.

Parcel #0625476009000
Chris and Elizabeth Miller
5004 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered Twelve (12) in Heron Pointé, Section "A", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat 17 pages 23-26 of the records of plats of Delaware County, Indiana.

Parcel #0625476008000
Jerome and Linda Mckean
5100 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered Thirteen (13) in Heron Ponte, Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recoded in Plat Book 17 pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476007000
Teresa Jeter
5104 W. Shoreline Terrace

Muncie, IN 47304

Lot Numbered Fourteen (14) in Heron Pointe "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476006000

Thomas and Janice Marsh
5108 W. Shoreline Terrace
Muncie, IN 47304

4319 W. Clara Ln
Muncie, IN 47304

Lot Numbered Fifteen (15) in Heron Pointe, Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476005000

Golden Years LLC
5200 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered 16 in Heron Pointe, Section "A", a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476004000

David and Julie George
5204 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered Seventeen (17) in Heron Pointe, Section "A", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625476003000

Thomas and Melinda Kemper Trust
5208 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered Eighteen (18) in Heron Pointe, Section A, a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17, pages 23-26 of the Records of the Recorder of Delaware County, Indiana.

Parcel #0625476002000

Rashida and Daniel Willard
5212 W. Shoreline Terrace
Muncie, IN 47304

LOT NUMBERED NINETEEN (19) IN HERON POINTE SECTION "A", A SUBDIVISION IN HARRISON TOWNSHIP, DELAWARE COUNTY, INDIANA, A PLAT OF WHICH IS RECORDED IN PLAT BOOK 17, PAGES 23-26 OF THE RECORDS OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

Parcel #0625476001000
Heron Point Homeowners Association, INC
5001 W. Heron Pointe Pkwy
Muncie, In 47304
Outlot Numbered Nine (9) in Section A of Heron Pointé, an Addition located in Delaware County, Indiana, a plat of which is recorded in Plat Book 17, page 23 in the office of the Recorder of Delaware County, Indiana.

Parcel #0625471001000
Heron Point Homeowners Association, INC
5001 W. Heron Pointe Pkwy
Muncie, In 47304 Lot 10
Outlot Numbered Ten (10) in Section A of Heron Pointé, an Addition located in Delaware County, Indiana, a plat of which is recorded in Plat Book 17, page 23 in the office of the Recorder of Delaware County, Indiana.

Parcel #0625450006000
Patrick Samuels
5500 W. Sawgrass Way
Muncie, IN 47304
Lot Numbered 39 in Heron Pointe, Section "C", an addition in Harrison Township, Delaware County, Indiana, as per plat of which is recorded in Plat Book 2004, Pages 3-4, in the Recorder's Office of Delaware County, Indiana.

Parcel #0625450005000
Robert and Darlene Gildersleeve
5504 W. Sawgrass Way
Muncie, IN 47304
Lot Numbered 38 in Heron Pointe, Section "C", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004 pages 3-4 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625450004000
James and Barbara Crookston
5508 W. Sawgrass Way
Muncie, IN 47304
Lot Numbered Thirty-seven (37) in Heron Pointé-Section "C", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004, pages 3-4 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625450003000
Aldrin and Karem Roque
5512 W. Sawgrass Way
Muncie, IN 47304
Lot Numbered Thirty-six (36) in Heron Pointe, Section "C", a Subdivision of Real Estate in

Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004 pages 3-4 of the records of plats of Delaware County, Indiana.

Parcel #0625450002000

Rodney Joe Yuhico
5600 W. Sawgrass Way
Muncie, IN 47304

Lot Numbered Thirty-five (35) in Heron Pointé, Section "C", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004, pages 3-4 of the records of Delaware County, Indiana.

Parcel #0625450001000

James and Jacqueline Henniger
5212 Shadow Oak Run
Muncie, IN 47304

Lot 34 in Heron Pointe, Section C, an addition in Harrison Township, Delaware County, Indiana.

Parcel #0625470006000

Robert Krizek and Paaige Turner
5204 Shadow Oak Run
Muncie, IN 47304

Lot Numbered Forty-six (46) in Heron Pointé-Section "C", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004, pages 3-4 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625470007000

John Branson & Christy Mudd
5513 Sawgrass Way
Muncie, IN 47304

Lot Numbered 47 in Heron Pointe, Section C. a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004 pages 3-4 of the Records of the Recorder of Delaware County, Indiana.

Parcel #0625470008000

Jeffrey Bird
5509 W. Sawgrass Way
Muncie, IN 47304

Lot Numbered 48 in Heron Pointe, Section "C", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004 Pages 3-4 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625470009000

Christopher Todd Lail
5505 W. Sawgrass Way
Muncie, IN 47304

Lot Numbered 49 in Heron Pointe, Section "C", a Subdivision in Harrison Township, Delaware

County, Indiana, a plat of which is recorded in Plat Book 2004, pages 3-4 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625470010000
Kenneith and Karen Haller
5501 W. Sawgrass Way
Muncie, IN 47304

Lot Numbered 40 in Heron Pointe, Section C, a subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2004 pages 3-4 of the Records of the Recorder of Delaware County, Indiana.

Parcel #0625470001000
Adam and Cassandra Bolander
5404 W. Shoreline Terrace
Muncie, IN 47304

Lot Numbered 41 in Heron Pointe, Section B, a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003 pages 15-16 of the Records of Delaware County, Indiana.

Parcel #0625470002000
Robin and Karen Robbins
5504 W. Shoreline Terrace
Muncie, IN 47304

LOT NUMBERED 42 IN HERON POINTE, SECTION "B", A SUBDIVISION IN HARRISON TOWNSHIP, DELAWARE COUNTY, INDIANA, A PLAT OF WHICH IS RECORDED IN PLAT BOOK 2003, PAGES 15-16, OF THE RECORDS OF THE RECORDER OF DELAWARE COUNTY, INDIANA.

Parcel #0625470003000
Johnston Family Revocable Trust
5600 W. Shoreline Terrace
Muncie, IN 47304

345 Sanander Ct
Punta Gorda, FL 33950

Lot Numbered Forty-three (43) in Heron Pointe, Section "B", an Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003 pages 15-16 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625470004000
Thomas and Pamela Miller
5106 N. Shadow Oak Run
Muncie, IN 47304

Lots Numbered Forty-four (44) in Heron Pointe Section "B", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 2003, pages 15-16 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625470005000
Laura Crampton

5110 N. Shadow Oak Run
Muncie, IN 47304

Lot 45 in Heron Pointe, Section B, a subdivision of real estate in Harrison Township, Delaware County, Indiana, a Plat of which is recorded in Plat Book 2003, pages 15 and 16 of the Records of Plats of Delaware County, Indiana.

Parcel #0625400002000
Kevin and Jennifer Smith
5400 W. Heron Pointe Pkwy
Muncie, IN 47304

A part of the West Half of the Southeast Quarter of Section 25, Township 21 North, Range 9 East in Harrison Township, Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar on the East line of the West Half of the Southeast Quarter of Section 25, Township 21 North, Range 9 East, said rebar being South 00 degrees 23 minutes 53 seconds East 645.00 feet (assumed bearing) from a spike marking the Northeast corner of said Half-Quarter Section; thence South 00 degrees 23 minutes 53 seconds East 677.66 feet to a wood post marking the Northeast corner of the Southwest Quarter of said Southeast Quarter; thence South 46 degrees 18 minutes 50 seconds West 397.21 feet along the Northwesterly line of Heron Pointe Section A, to the Northerly right-of-way line of Heron Pointe Parkway as shown by the plat of Heron Pointe Section D both recorded by the records of Delaware County, Indiana; thence North 40 degrees 09 minutes 51 seconds West 24.71 feet along said addition to the point of beginning of a curve, said point being North 49 degrees 50 minutes 09 seconds East 1050.00 feet from the radius point of said curve; thence Northwesterly 101.46 feet along said curve to the point of reverse curve, said point being North 44 degrees 17 minutes 58 seconds East 1050.00 feet and South 44 degrees 17 minutes 58 seconds West 20.00 feet from the respective radius points; thence Northerly 30.57 feet along said curve to a 5/8 inch rebar that is North 48 degrees 06 minutes 40 seconds West 20.00 feet from said radius pint thence north 48 degrees 06 minutes 40 seconds West 50.00 feet to a 5/8 inch rebar on a curve, said rebar being South 48 degrees 06 minutes 40 seconds East 20.00 feet from said radius point; thence Southerly 30.57 feet to a rebar at the point of reverse curve, said rebar being South 39 degrees 28 minutes 43 seconds West 20.00 feet and North 39 degrees 28 minutes 43 seconds East 1050.00 feet from the respective radius points; thence Northwesterly 344.65 feet along said curve to a 5/8 inch rebar that is North 20 degrees 40 minutes 20 seconds East 1050.00 feet from said radius point; thence North 69 degrees 19 minutes 40 seconds West 139.83 feet along said Northerly line to a 5/8 inch rebar at the point of beginning of a curve; said point being North 20 degrees 40 minutes 20 seconds East 1550.00 feet from the radius pint of said curve; thence Westerly 40.73 feet along said curve to a 5/8 inch rear at the Southeast corner of Lot 72 in Heron Pointe Section d, said corner being North 19 degrees 09 minutes 59 seconds East 1550.00 feet from said radius point; thence North 10 degrees 52 minutes 33 seconds East 338.97 feet along the East line of Heron Pointe Section D to a 5/8 inch rebar; thence North 00 degrees 13 minutes 14 seconds West 38.08 feet to a 5/8 inch rebar; thence North 31 degrees 30 minutes 48 seconds West 58.49 feet to a 5/8 inch rebar at the corner of Lot 67; thence North 00 degrees 15 minutes 24 seconds West 140.00 feet to a 5/8 inch rebar at the Northeast corner of Lot 67; thence North 89 degrees 44 minutes 36 seconds East 866.72 feet parallel with the North line of said Half-Quarter Section to the point of beginning, containing 14.92 acres, more or less.

Parcel #0625326001000

Jerry Heck
5603 N. Lakeshore Dr. Lot 101
Muncie, IN 47304
Lot Numbered 101 in Heron Pointé, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625326002000
Frick Family Trust
5517 N. Lakeshore Dr.
Muncie, IN 47304
Lot Numbered 102 in Heron Pointé, Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625326003000
RB Properties, LLC
5513 N. Lakeshore Dr. 189 Fort Wayne Ave
Muncie, IN 47304 Richmond, IN 47374
Lot Numbered 103 in Heron Pointe, Section D, a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Instrument No. 2005R27711 of the Records of the Recorder of Delaware County, Indiana.

Parcel #0625326004000
Robert Carlton and Kay Elaine Hodson Carlton
ADJ 5505 N. Lakeshore Dr. 5505 N. Lakeshore Dr
Muncie, IN 47304 Muncie, IN 47304
Lot 104 in Heron Pointe, Section D, an addition in Harrison Township, Delaware County, Indiana.

Parcel #0625326005000
Robert and Kay Carlton
5505 N Lakeshore Drive
Muncie, IN 47304
Lot 105 in Heron Pointe, Section D, an addition in Harrison Township, Delaware County, Indiana.

Parcel #0625326006000
Jeffrey Salmon
5501 N. Lakeshore Dr.
Muncie, IN 47304
Lot Numbered 106 in Heron Pointé. Section "D", a Subdivision in Harrison Township, Delaware County, Indiana, a plat of which is record in Instrument No. 2005R27711 of the records of the Recorder of Delaware County, Indiana.

Parcel #0625473018000
Heron Point Homeowners Association, INC
5001 W. Heron Pointe Pkwy

Muncie, In 47304

OutLot Number Six (6) in Heron Pointé, Section "A", a Subdivision of Real Estate in Harrison Township, Delaware County, Indiana, a plat of which is recorded in Plat Book 17 pages 23-26 of the records of plats of Delaware County, Indiana.