

ORDINANCE NO. 13-25

ORDINANCE TO VACATE A PORTION OF A CERTAIN  
PUBLIC ALLEY AT 2619 WEST ETHEL AVENUE IN THE CITY OF MUNCIE,  
DELAWARE COUNTY, INDIANA

WHEREAS, Robert M. Huddleston has filed his Petition to Vacate a Portion of a Certain Public Alley in the Delaware County Land Improvement Company's Subdivision of the West Side Addition to the City of Muncie, Indiana, commonly known as 2619 West Ethel Avenue, Muncie, Indiana and more particularly described as follows to-wit:

Parcel A

A vacation of a 15 foot wide alley in the Delaware County Land Improvement Company's Subdivision of the Westside Addition, an addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northwest corner of Lot 1094 in the Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie; thence North 00 degrees 30 minutes 03 seconds West 15.00 feet (assumed bearing) to the Southwest corner of Lot 1060 in said addition; thence North 89 degrees 29 minutes 57 seconds East 84.00 feet to the Southeast corner of Lot 1061 in said addition; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet; thence North 89 degrees 29 minutes 57 seconds East 56.00 feet to the West line of an alley; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet to the Northeast corner of said Lot 1094; thence South 89 degrees 29 minutes 57 seconds West 140.00 feet to the point of beginning, containing 0.039 of an acre, more or less.

Parcel B

A vacation of a 15 foot wide alley in the Delaware County Land Improvement Company's Subdivision of the Westside Addition, an addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Southwest corner of Lot 1062 in the Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie; thence North 89 degrees 29 minutes 57 seconds East 56.00 feet along the South line of Lots 1062 and 1063 to a point on the South line of said Lot 1063; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet along the West line of a 15 foot wide alley; thence South 89 degrees 29 minutes 57 seconds West 56.00 feet along the centerline of a 15 foot wide alley; thence North 00 degrees 30 minutes 03 seconds West 7.50 feet to the point of beginning, containing 0.010 acre, more or less.

Reserving, however an easement for existing public utilities and subject to restrictions of record;

WHEREAS, Robert M. Huddleston will be the owner of the land that comprises the part of the public alley for which vacation is sought;

WHEREAS, notice of the filing of the Petition to Vacate Streets and the date of the hearing on said Petition have been given to all interested persons and published as required by law:

WHEREAS, the vacation will not hinder the growth or orderly development of the neighborhood or of the City of Muncie, Indiana;

WHEREAS, the vacation will not hinder the public's access to any church, school or other public building or place.

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

Section I. Parts of certain public alley, more particularly described as follows, to-wit:

Parcel A

A vacation of a 15 foot wide alley in the Delaware County Land Improvement Company's Subdivision of the Westside Addition, an addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows: Beginning at the Northwest corner of Lot 1094 in the Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie; thence North 00 degrees 30 minutes 03 seconds West 15.00 feet (assumed bearing) to the Southwest corner of Lot 1060 in said addition; thence North 89 degrees 29 minutes 57 seconds East 84.00 feet to the Southeast corner of Lot 1061 in said addition; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet; thence North 89 degrees 29 minutes 57 seconds East 56.00 feet to the West line of an alley; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet to the Northeast corner of said Lot 1094; thence South 89 degrees 29 minutes 57 seconds West 140.00 feet to the point of beginning, containing 0.039 of an acre, more or less.

Parcel B

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are hereby vacated, subject to all easements of existing public utilities and restrictions of record.

Section 2. Upon vacation of said alley, the above-described parcels shall be joined as follows to the abutting parcels:

- a. The above-described Parcel A shall be joined to Parcel No. 18-11-17-180-007.000-003, owned by Robert M Huddleston.
- b. The above-described Parcel B shall be joined to Parcel No. 18-11-17-180-003.000-003, owned by Robert Huddleston.

Section 3. 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.

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

Passed by the Common Council of the City of Muncie, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
President, Muncie Common Council

Presented by me to the Mayor for his approval this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Belinda Munson, City Clerk  
City of Muncie, Indiana

The above ordinance(s) is approved (vetoed) by me this \_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Dan Ridenour, Mayor  
City of Muncie, Indiana

ATTEST:

\_\_\_\_\_  
Belinda Munson, City Clerk  
City of Muncie, Indiana

This Ordinance is proposed by Ro Lebray, Council Member.

This Ordinance is approved in form by [Signature], Corporate Counsel.

Parcel Nos.: 18-11-17-180-003.000-003  
18-11-17-180-007.000-003

STATE OF INDIANA        )  
                                  ) SS:  
DELAWARE COUNTY        )

BEFORE THE COMMON COUNCIL  
OF THE CITY OF MUNCIE, INDIANA

IN RE: ROBERT M. HUDDLESTON

PETITION TO VACATE A PORTION OF A CERTAIN PUBLIC ALLEY  
IN THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA

Robert M. Huddleston, “Petitioner”, respectfully petitions to vacate part of a certain public alley and in support thereof says that:

1. Petitioner is the owner of the following described Real Estate commonly known as 2619 West Ethel Avenue and 700 Block South Manning Avenue, located in the City of Muncie, Delaware County, Indiana, to-wit:

Lots Numbered 1060, 1061 and 1094 in the Delaware County Land Improvement Subdivision of the West Side Addition to the City of Muncie, Indiana.

ALSO, The East Half of heretofore vacated Manning Avenue adjacent to said Lots 1060 and 1094, commonly known as 2619 W. Ethel Ave. and 700 Blk S. Manning Ave., Muncie, IN 47303.

(“Real Estate”)

2. Laid out and platted as to a public right-of-way, a certain alley, which is south of Ethel Avenue running east and west and is fifteen (15) feet between Petitioner’s real estate at 2619 West Ethel Avenue, and Petitioner’s real estate located at 700 block of South Manning Avenue, described above. See Exhibit “A”.

3. Petitioner desires to vacate certain parts of the alley, specifically the portion running directly through Petitioner’s Real Estate parcels, more particularly described as follows:

Parcel A

A vacation of a 15 foot wide alley in the Delaware County Land Improvement Company’s Subdivision of the Westside Addition, an addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northwest corner of Lot 1094 in the Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie; thence North 00 degrees 30 minutes 03 seconds West 15.00 feet (assumed bearing) to the Southwest corner of Lot 1060 in said addition; thence North 89 degrees 29 minutes 57 seconds East 84.00 feet to the Southeast corner of Lot 1061 in said addition; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet; thence North 89 degrees 29 minutes 57 seconds East 56.00 feet to the West line of an alley; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet to the Northeast corner of said Lot 1094; thence South 89 degrees 29 minutes 57 seconds West 140.00 feet to the point of beginning, containing 0.039 of an acre, more or less.

#### Parcel B

A vacation of a 15 foot wide alley in the Delaware County Land Improvement Company's Subdivision of the Westside Addition, an addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Southwest corner of Lot 1062 in the Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie; thence North 89 degrees 29 minutes 57 seconds East 56.00 feet along the South line of Lots 1062 and 1063 to a point on the South line of said Lot 1063; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet along the West line of a 15 foot wide alley; thence South 89 degrees 29 minutes 57 seconds West 56.00 feet along the centerline of a 15 foot wide alley; thence North 00 degrees 30 minutes 03 seconds West 7.50 feet to the point of beginning.


4. Petitioner owns all of the real estate on both the south and north side of the alley sought to be vacated, as well as the land that abuts the property proposed to be vacated to the east.

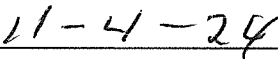
5. The vacation of the part of alley described above is subject to all easements of existing public utilities and all restrictions of record.

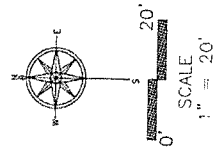
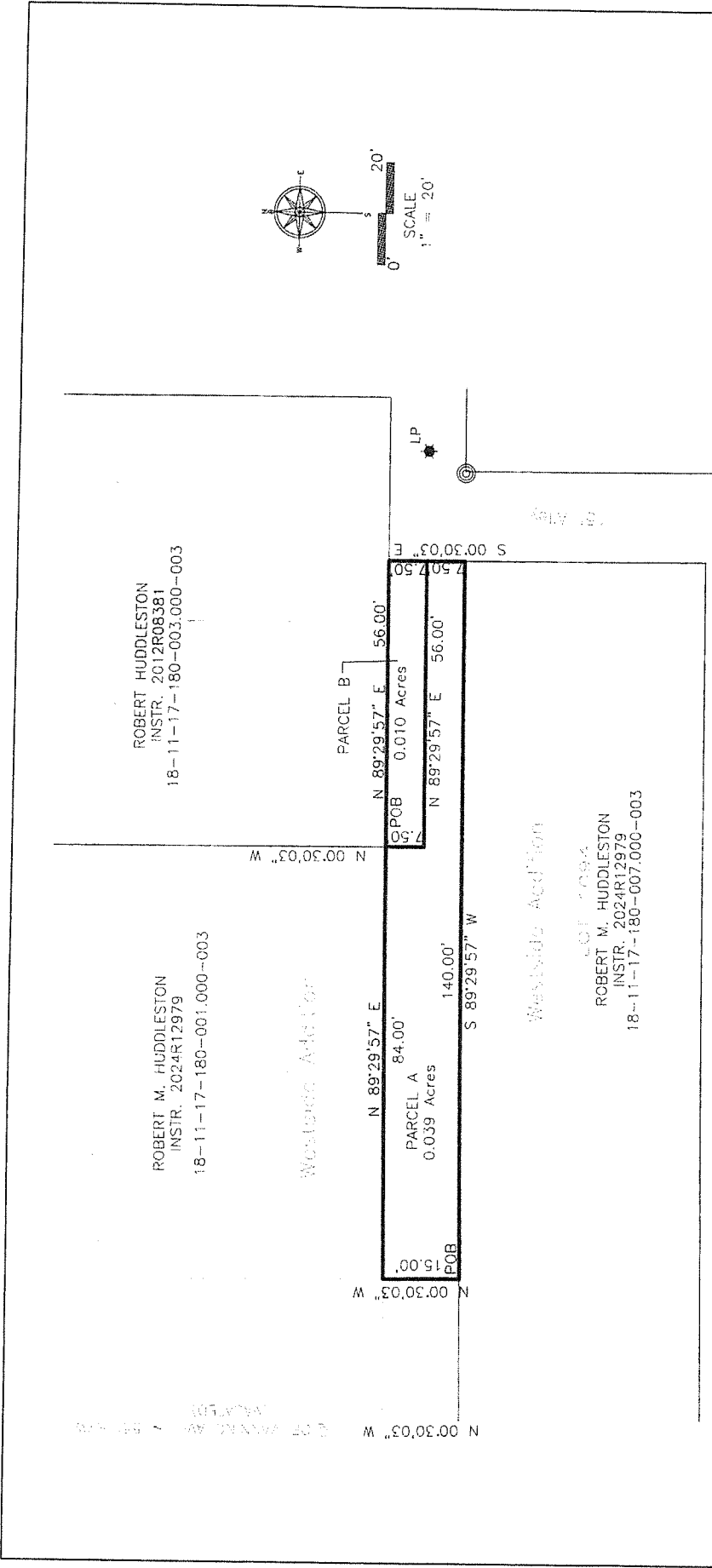
6. No person will suffer any damage by reason of the vacation of the part of the alley described above. The vacation will not make access to the lands of any person difficult or inconvenient. The vacation will not hinder the use of any street by the neighborhood in which it is located. The vacation will not hinder the public's access to any church, school or other public building or place, nor will the vacation hinder the growth or orderly development of the neighborhood or the City of Muncie, Indiana.

7. The undersigned affirms under the penalties of perjury that he is the owner of the Real Estate described in this petition and that the foregoing representations are true.

WHEREFORE, Petitioner prays that the part of the public alley described above be vacated by Ordinance of the Common Council of the City of Muncie, Indiana.

  
\_\_\_\_\_  
Robert M. Huddleston

  
\_\_\_\_\_  
Date



ROBERT HUDDLESTON  
INSTR. 2012R08381  
18-11-17-180-003.000-003

ROBERT M. HUDDLESTON  
INSTR. 2024R12979  
18-11-17-180-001.000-003

Parcel A

0.039 Acres

Parcel B

0.010 Acres

Wastside Addition

LOF 1094  
ROBERT M. HUDDLESTON  
INSTR. 2024R12979  
18-11-17-180-007.000-003

Accuracy or completeness of subsurface features is not certified.  
This instrument prepared by: Haldon L. Ashton  
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 (HALDON L. ASHTON).

SECTION CORNER COORDINATES ARE BASED ON  
NORTH AMERICAN DATUM OF 1983, CONG 96 EPOC 3002.000

Revisions	
Date	Reason
Date	Reason
Drawn: KLM Date: 7/24/24 Client: ROB HUDDLESTON Owner: ROB HUDDLESTON	

DESCRIPTION VACATION  
WESTSIDE ADDITION  
LOTS 1100-3

255 E. 1000 N., Suite 100, Provo, UT 84601  
(801) 734-4444

**EXHIBIT**  
A



Robert M. Huddleston

A vacation of a 15 foot wide alley in the Delaware County Land Improvement Company's Subdivision of the Westside Addition, an addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows: Beginning at the Northwest corner of Lot 1094 in the Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie; thence North 00 degrees 30 minutes 03 seconds West 15.00 feet (assumed bearing) to the Southwest corner of Lot 1060 in said addition; thence North 89 degrees 29 minutes 57 seconds East 84.00 feet to the Southeast corner of Lot 1061 in said addition; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet; thence North 89 degrees 29 minutes 57 seconds East 56.00 feet to the West line of an alley; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet to the Northeast corner of said Lot 1094; thence South 89 degrees 29 minutes 57 seconds West 140.00 feet to the point of beginning, containing 0.039 of an acre, more or less.

Robert Huddleston

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Dated: October 4, 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 LS80040149  
Haldon L. Ashton



- Flood Zone:
- The within tract does not lie within that Special Flood Hazard Zone A as said tract plots by scale on Community Panel #18035C0233E of the Flood Insurance Rate Maps for Delaware County, Indiana (Maps Dated: 08/02/2017).
- The minimum flood risk was verified by the INDNR Flood Plain Information Portal—dated: October 4, 2024.
- Ownership shown herein is per County Records or as indicated in title work provided by others.

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

Revisions		
Date: Reason:	DESCRIPTION VACATION WESTSIDE ADDITION LOTS 1060-3	
Date: Reason:		
Drawn: KLM Date: 10/9/2024 Job: 2024683 Client: BOB HUDDLESTON Owner: BOB HUDDLESTON		
SECTION CORNER COORDINATES ARE BASED ON INDIANA STATE PLANE EAST ZONE (NORTH AMERICAN DATUM OF 1983, GRS 96 EPC 2002.000)		<p>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 (HALDON L. ASHTON).</p> <p>Sheet 2 OF 2</p>

STATE OF INDIANA        )  
                                  ) SS:  
DELAWARE COUNTY        )

BEFORE THE COMMON COUNCIL  
OF THE CITY OF MUNCIE, INDIANA

IN RE: ROBERT M. HUDDLESTON

NOTICE OF PETITION TO VACATE  
ALLEY AND HEARING THEREON

TO:    The City of Muncie, Indiana, and the Citizens Thereof:

You are hereby notified that Robert M. Huddleston has filed his petition with the Common Council of the City of Muncie, Indiana, to vacate a portion of any alley, being 15 feet in width in Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie in the Records of Delaware County, Indiana, said portion of the alley is described as follows:

Robert Huddleston

Beginning at the Northwest corner of Lot 1094 in the Delaware County Land Improvement Company's Subdivision of the Westside Addition to the City of Muncie; thence North 00 degrees 30 minutes 03 seconds West 15.00 feet (assumed bearing) to the Southwest corner of Lot 1060 in said addition; thence North 89 degrees 29 minutes 57 seconds East 84.00 feet to the Southeast corner of Lot 1061 in said addition; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet; thence North 89 degrees 29 minutes 57 seconds East 56.00 feet to the West line of an alley; thence South 00 degrees 30 minutes 03 seconds East 7.50 feet to the Northeast corner of said Lot 1094; thence South 89 degrees 29 minutes 57 seconds West 140.00 feet to the point of beginning, containing 0.039 of an acre, more or less.

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You are further notified that said petition and the things at issue will be heard and determined by the Common Council of the City of Muncie, Indiana, on the 7<sup>th</sup> day of April, 2025, at 7:00 o'clock P.M. at the City Hall, 300 North High Street, Muncie, Indiana.

IN WITNESS WHEREOF, the Clerk of the City of Muncie, Indiana, has affixed her signature and official seal this 28th day of February, 2025.

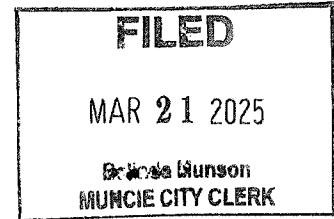
*Belinda Munson*

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CLERK, City of Muncie, Indiana

## Govt Public Notices

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NOTICE OF PETITION TO VACATE  
ALLEY AND HEARING THEREON  
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You are further notified that said petition and the things at issue will be heard and determined by the Common Council of the City of Muncie, Indiana, on the 7th day of April, 2025, at 6:45 P.M. at the City Hall, 300 North High Street, Muncie, Indiana.

IN WITNESS WHEREOF, the Clerk of the City of Muncie, Indiana, has affixed her signature and official seal this 28th day of February, 2025.

/S/ Belinda Munson, CLERK, City of Muncie, Indiana

HSPAXLP

March 21 2025

LSBN0253972