

FILED

MAR 21 2022

Belinda Munson
MUNCIE CITY CLERK

RESOLUTION 7-22

**A RESOLUTION ACCEPTING A COMMITMENT FROM PROPERTY OWNER IN
RELATION TO APPLICATION FOR REZONING**

WHEREAS, RMAC, LLC filed an application for rezoning of the real estate commonly known as 3405 N. Bellaire Ave., Muncie, Indiana ("Property") with the Delaware-Muncie Metropolitan Plan Commission; and

WHEREAS, the application was approved by the Delaware-Muncie Metropolitan Plan Commission and is now subject to approval by the Common Council of the City of Muncie by ordinance; and

WHEREAS, Ind. Code § 36-7-4-1015 provides that a property owner may be required or allowed to make a commitment concerning the use or development of property as a condition to the adoption of a rezoning approval; and

WHEREAS, RMAC, LLC has committed to installing a fence along the back of the Property and adjacent properties to create separation between a residential neighborhood and the Reynolds Farm Equipment operations; and

WHEREAS, the Common Council desires to accept this commitment in conjunction with the request for approval of the rezoning application;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF MUNCIE AS FOLLOWS:**

Section 1: The Common Council hereby accepts the correspondence attached hereto as Exhibit A as a commitment pursuant to Ind. Code § 36-7-4-1015 in conjunction with the rezoning of the Property.

Section 2: Upon approval of the rezoning of the Property, the commitment shall be binding and enforceable pursuant to Ind. Code § 36-7-4-1015, and may not be waived, terminated, or modified without the approval of the Common Council.

Section 3: Upon approval of the rezoning of the Property and the adoption of this resolution, this Resolution and attached commitment shall be recorded in the Office of the Recorder of Delaware County, Indiana.

Passed by the Common Council of the City of Muncie, Indiana, this 4 day of April, 2022.

	Yeas	Nays	Abstained	Absent
Jeff Green	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jeff Robinson	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Brandon Garrett	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Bradley Polk	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jerry D. Dishman	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Roger Overbey	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Aaron Clark	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Troy A. Ingram	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Ro Selvey	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>


President, Common Council

ATTEST:



Belinda Munson, City Clerk

Presented by me to the Mayor for his approval this 4 day of April, 2022.


Belinda Munson, City Clerk

The above Resolution is approved/vetoed by me this 4 day of April, 2022.

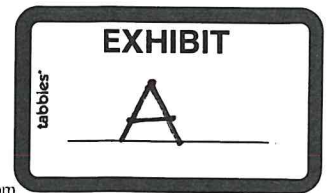

Dan Ridenour, Mayor

This Resolution is proposed by Council Member 

This Resolution is approved in form by Legal Counsel 

Reynolds

ReynoldsFarmEquipment.com



March 15, 2022

To: Muncie City Council
From: Reynolds Farm Equipment/RMAC, LLC
Subject: Fence Installation upon Re-Zoning of Lot

To Whom it May Concern:

I am writing to state that Reynolds Farm Equipment will install an 8' Solid Fence at the back of the property upon the expansion of the lot using the newly re-zoned property. We will extend this fence along the entire back of the property bordering the neighborhood behind the Reynolds Farm Equipment, Muncie, IN location. We will install a fence that will meet and follow any of the local building codes set forth by the City of Muncie and Delaware County.

Sincerely,

A handwritten signature in cursive script that reads "Michael Bode".

Michael Bode
Reynolds Farm Equipment
CEO
Mobile: 317.757.9766
Email: mobde@ReynoldsFarmEquipment.com