

FILED

SEP 20 2024

Belinda 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 23rd day of Oct., 2024.

	Yeas	Nays	Abstained	Absent
Jeff Green	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Nora Powell	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Brandon Garrett	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Sara Gullion	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jerry D. Dishman	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Harold Mason	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Dale Basham	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
William McIntosh	<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 23 day of October, 2024.


 Belinda Munson, City Clerk

The above Ordinance is approved vetoed by me this 29th day of October, 2024.

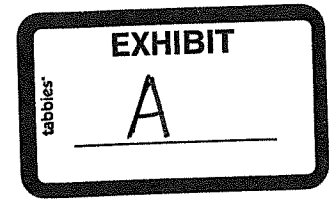

 Dan Ridenour, Mayor

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.


B

~~4~~ N 69°51'33" E 1689.99'

4 89°51'35" E 2652.49

N 89°51'33" E 962.50'

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



 POWER FOLE

 CRANKST INLE

 MANHOLE

 SIGN

 SCALE

 1" = 100'



Annexation Drawing
3701 N Morrison Rd
Muncie, IN

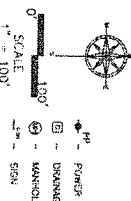
325 W. Washington
Muncie, IN 47305
Ph: 765-282-5594
Fax: 765-282-559
Ashley Lane Sawyer, Inc.






Revisions:

Client: Mike Etchison
Owner: Army Etchison Rev. Trust
Crew: EHA
Electronic Field Book
Field Date: 07/15/24

Sheets





Ashton
Land Surveyors

425 West Washington Street, Suite 200, York, PA 17403
Tel: (717) 332-7243 or (717) 332-5594
Email: info@ashtonsurveyors.com

325 W. Washington St.
Muncie, IN 47306
Ph: 755-282-5594
Fax: 765-262-5596
Ashdon Lane Services, Inc.

Annexation Drowning
N. Morrison Rd.
Muncie, IN

I affirm, under the penalties for perjury, that I have taken reasonable care to report each Social Security number in this document, unless required by law, within 1. Action



SECRET - SPIDER COMBINATIONS ARE BASED ON
ANALYSIS OF THE EAST AFRICAN NORTH AFRICAN
THEATRE OF WAR, (CROSS REF. 100,000)

REVISIONS

No.
Date:
Reason:

Drawn: C/S/S/SHK
Date: 07/21/74
Rev: 202421A
Client: Larry Sanders
Contract: Electronic Scanners/
Special E4
Field Date: 07/15/74

SE COR. SE QTR.
SEC. 36-21-9
1-1/4" PIN

[illegible]

PRO FORMA SURVEY
This drawing is not intended to be incorporated on a replacement or original boundary survey, or a surveyor location report.

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

Sheet

MUNCIE CITY COUNCIL

NOTICE OF PUBLIC HEARING

The Common Council of the City of Muncie will hold a public hearing on October 7, 2024, at 6:45 p.m., in the City Hall Auditorium located at 300 North High Street, Muncie, Indiana 47305. The public hearing will be an opportunity for the public to provide comment regarding Ordinance No. 25-24 seeking to annex approximately 4.05 acres of unimproved real estate located in the Southeast Quarter of Section 36, Township 21 North, Range 9 East, in Harrison Township, Delaware County, Indiana. The proposed annexation is a voluntary annexation as 100% of the owners of the real estate proposed to be annexed have signed petitions requesting that the real estate be annexed to the City of Muncie. The annexation petitions, written fiscal plan and Ordinance No. 25-24 are available for inspection and copying at the Muncie City Clerk's Office located at 300 North High Street, Muncie, Indiana 47305.

Star Press.

Public Notices

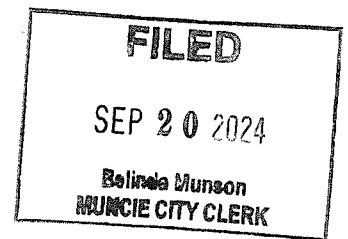
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MUNCIE CITY COUNCIL

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MNI - Sept. 24, 2024 -10597839 HSPAXLP



STATE OF INDIANA }
 } SS:
COUNTY OF DELAWARE }

BEFORE THE CITY COUNCIL,
MUNCIE, INDIANA

PETITION FOR VOLUNTARY ANNEXATION OF A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 9 EAST, IN HARRISON TOWNSHIP, DELAWARE COUNTY, INDIANA.

Whereas, the V. Jeanine Souders Revocable Trust dated May 25, 2001, hereby petitions the Common Council of the City of Muncie, Indiana, and represents as follows:

1. That, the V. Jeanine Souders Revocable Trust dated May 25, 2001, is the owner of the following real estate located in Delaware County, Indiana:

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.

That the portion of the property owned by the petitioners to be annexed is described as follows:

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.

2. That this petition is a legal request that the Common Council of the City of Muncie, Indiana, hereby act upon this voluntary annexation.
3. That the real estate in question is not now a part of any incorporated municipality.
4. That the real estate is contiguous to the existing corporate limits of the City of Muncie, Delaware County, Indiana.
5. That the annexed territory shall be assigned to City Council District 4.
6. That it is requested the Common Council of the City of Muncie, Delaware County, Indiana conduct a public hearing and to thereafter adopt an ordinance extending the limits of the City of Muncie, Delaware County, Indiana, to include the herein described parcel of land.

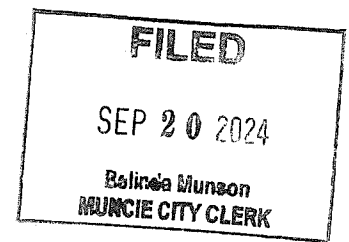
NOW, WHEREFORE, the petitioner asks that the portion of land as described herein to be annexed into the corporate limits of the City of Muncie, Delaware County, Indiana as set forth herein.

LARRY V. SOUDERS

V. Jeanine Souders Revocable Trust
Larry V. Souders- Trustee

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.

This instrument was prepared by:



STATE OF INDIANA }
 } SS:
COUNTY OF DELAWARE }

BEFORE THE CITY COUNCIL,
MUNCIE, INDIANA

PETITION FOR VOLUNTARY ANNEXATION OF A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 9 EAST, IN HARRISON TOWNSHIP, DELAWARE COUNTY, INDIANA.

Whereas, Amy Ruth Etchison Revocable Trust dated August 28, 2006 and V. Jeanine Souders Revocable Trust dated May 25, 2001 hereby petition the Common Council of the City of Muncie, Indiana, and represents as follows:

1. That, Amy Ruth Etchison Revocable Trust dated August 28, 2006 with an undivided 76.1% interest and V. Jeanine Souders Revocable Trust dated May 25, 2001 with an undivided 23.9% interest are the owners of the following real estate located in Delaware County, Indiana:

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

That the portion of the property owned by the petitioners to be annexed is described as follows:

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

2. That this petition is a legal request that the Common Council of the City of Muncie, Indiana, hereby act upon this voluntary annexation.
3. That the real estate in question is not now a part of any incorporated municipality.
4. That the real estate is contiguous to the existing corporate limits of the City of Muncie, Delaware County, Indiana.
5. That the annexed territory shall be assigned to City Council District 4.
6. That it is requested the Common Council of the City of Muncie, Delaware County, Indiana conduct a public hearing and to thereafter adopt an ordinance extending the limits of the City of Muncie, Delaware County, Indiana, to include the herein described parcel of land.

NOW, WHEREFORE, the petitioner asks that the portion of land as described herein to be annexed into the corporate limits of the City of Muncie, Delaware County, Indiana as set forth herein.

LARRY V. Souders


Amy Ruth Etchison Revocable Trust
Michael Etchison-Trustee

V. Jeanine Souders Revocable Trust
Larry V. Souders- Trustee

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.

This instrument was prepared by:

NOW, WHEREFORE, the petitioner asks that the portion of land as described herein to be annexed into the corporate limits of the City of Muncie, Delaware County, Indiana as set forth herein.


Amy Ruth Etchison Revocable Trust
Michael Etchison-Trustee

V. Jeanine Souders Revocable Trust
Larry V. Souders- Trustee

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.

This instrument was prepared by: