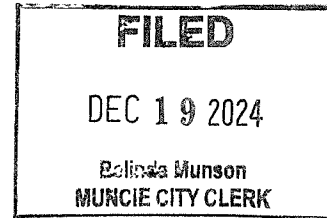


MUNCIE CITY COUNCIL  
ORDINANCE NO. 2-25



**AN ORDINANCE TO VACATE A CERTAIN PUBLIC ALLEY IN THE JOHN J. PERKINS ADDITION TO THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA**

**WHEREAS**, Avondale United Methodist Church (a/k/a Trustees of Avondale United Methodist Church, f/k/a Trustees of Avondale M E Church), Neil & Kelly Kring, and Shannon E. McCormick, have jointly filed a petition with the Common Council of the City of Muncie, Indiana, to vacate a certain public alley, more specifically described as follow:

**Parcel A:**

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 124 of John J. Perkins Addition to the City of Muncie; thence North 89 degrees 56 minutes 43 seconds East 150.00 to the Southwest corner of Lot 121 in said addition; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet along the West line of Lot 121 extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds West 15.48 feet to a point 5.0 feet North of the Northwest corner of a tract of ground described in Instrument #2019R08450, Records of Delaware County, Indiana; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet to a 5/8-inch rebar at the Northwest corner of said tract; thence South 89 degrees 56 minutes 43 seconds West 134.52 feet to the Northwest corner of Lot 100 in said addition; thence North 00 degrees 02 minutes 24 seconds East 10.00 feet to the point of beginning, containing 0.03 acres, more or less, and subject to all easements of record.

**Parcel B:**

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 121 of John J. Perkins Addition to the City of Muncie; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet along the East line of said Lot extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds 52.04 feet to a point 5.0 feet South of the Southwest corner of Lot 121; thence North 00 degrees 02 minutes 24 seconds East

---

5.00 feet to the Southwest corner of Lot 121; thence North 89 degrees 56 minutes 43 seconds East 52.00 feet to the point of beginning, containing 0.01 acres, more or less, and subject to all easements of record.

Parcel C:

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at a 5/8-inch rebar at the Northeast corner of Lot 97 in John J. Perkins Addition to the City of Muncie; thence South 89 degrees 56 minutes 43 seconds West 67.56 feet to a nail at the Northwest corner of a tract of land described in Instrument #2019R08450, Records of Delaware County, Indiana; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet along the West line of said tract extended to the centerline of a vacated 10-foot-wide alley; thence North 89 degrees 56 minutes 43 seconds East 67.52 feet along the centerline of said vacated alley to a point 5.00 feet North of the Northeast corner of said Lot 97; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet to the point of beginning containing 0.01 acres, more or less, and subject to all easements of record.

**WHEREAS**, Avondale United Methodist Church (a/k/a Trustees of Avondale United Methodist Church, f/k/a Trustees of Avondale M E Church), Neil & Kelly Kring, and Shannon E. McCormick, will be the owners of all land that comprises the alley sought to be vacated;

**WHEREAS**, notice of the filing of the petition and date of hearing on said petition has 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 use of any public way by the neighborhood in which it is located;

**WHEREAS**, the vacation will not make access to the lands of any person difficult or inconvenient; and

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

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF MUNCIE, INDIANA AS FOLLOWS:**

**Section 1.** The public alley more particularly described as follows:

**Parcel A:**

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 124 of John J. Perkins Addition to the City of Muncie; thence North 89 degrees 56 minutes 43 seconds East 150.00 to the Southwest corner of Lot 121 in said addition; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet along the West line of Lot 121 extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds West 15.48 feet to a point 5.0 feet North of the Northwest corner of a tract of ground described in Instrument #2019R08450, Records of Delaware County, Indiana; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet to a 5/8-inch rebar at the Northwest corner of said tract; thence South 89 degrees 56 minutes 43 seconds West 134.52 feet to the Northwest corner of Lot 100 in said addition; thence North 00 degrees 02 minutes 24 seconds East 10.00 feet to the point of beginning, containing 0.03 acres, more or less, and subject to all easements of record.

**Parcel B:**

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 121 of John J. Perkins Addition to the City of Muncie; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet along the East line of said Lot extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds 52.04 feet to a point 5.0 feet South of the Southwest corner of Lot 121; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet to the Southwest corner of Lot 121; thence North 89 degrees 56 minutes 43 seconds East 52.00 feet to the point of beginning, containing 0.01 acres, more or less, and subject to all easements of record.

**Parcel C:**

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at a 5/8-inch rebar at the Northeast corner of Lot 97 in John J. Perkins Addition to the City of Muncie; thence South 89 degrees 56 minutes 43 seconds West 67.56 feet to a nail at the Northwest corner of a tract of land described in Instrument #2019R08450, Records of Delaware County, Indiana; thence North 00 degrees 02

Jerry Dishman

✓

Harold Mason Jr.

✓

Dale Basham

✓

Ro Selvey

✓

William McIntosh Sr.

✓

Harold Mason

President Muncie Common Council

Presented by me to the Mayor for his approval, this 3 day of February, 2025.

Belinda Munson

Belinda Munson, Muncie City Clerk

The above Ordinance is approved vetoed by me this 3 day of February, 2025.

Dan Ridenour

Dan Ridenour, Mayor of the City of Muncie

ATTEST:

Belinda Munson

Belinda Munson, Muncie City Clerk of the Common Council

This Ordinance is proposed by Council Member

Dale Basham

This Ordinance is approved in form by Legal Counsel

Dan Ridenour

minutes 24 seconds East 5.00 feet along the West line of said tract extended to the centerline of a vacated 10-foot-wide alley; thence North 89 degrees 56 minutes 43 seconds East 67.52 feet along the centerline of said vacated alley to a point 5.00 feet North of the Northeast corner of said Lot 97; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet to the point of beginning containing 0.01 acres, more or less, and subject to all easements of record.

is hereby vacated, subject, however, to the right and privilege of all public utilities having facilities located therein to maintain such existing facilities as if this vacation had not occurred.

**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. 18-11-16-359-005.000-003, owned by Avondale United Methodist Church (a/k/a Trustees of Avondale United Methodist Church, f/k/a Trustees of Avondale M E Church).
- b. The above-described Parcel B and Parcel C shall be joined to Parcel No. 18-11-16-359-012.000-003, owned by Neil & Kelly Kring.

**Section 3.** This Ordinance shall be in full force and effect upon its passage by the Common Council, its approval by the Mayor of the City of Muncie and its publication in accordance with the law.

Passed by the Common Council of the City of Muncie, Indiana this 3rd day of February, 2025.

|                 | 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> |

**STATE OF INDIANA**

**SS:**

**DELAWARE COUNTY**

**BEFORE THE COMMON COUNCIL  
OF THE CITY OF MUNCIE, INDIANA**

**IN RE:        AVONDALE UNITED  
              METHODIST CHURCH**

**PETITION TO VACATE PUBLIC ALLEY**

Comes now the Petitioners, Avondale United Methodist Church (a/k/a Trustees of Avondale United Methodist Church, f/k/a Trustees of Avondale M E Church), Neil & Kelly Kring, and Shannon E. McCormick, and respectfully petition to vacate a public alley and in support thereof says that:

1. Petitioners are the owners of the following described parcels of real estate situated in Delaware County, Indiana, to wit:

Lot 124 in Block Seven (7) in John J. Perkins Addition to the City of Muncie.

Common property address: 1319 W 9th Street, Muncie, IN 47302.

Parcel No.: 18-11-16-359-001.000-003

ALSO:

Lots 99, 100, 122, 123, and a portion of Lot 98 in Block Seven (7) in John J. Perkins Addition to the City of Muncie.

Common property address: 1314 W 10th Street, Muncie, IN 47302.

Parcel No.: 18-11-16-359-005.000-003

ALSO:

Lot 97 and a portion of Lot 98 in Block Seven (7) in John J. Perkins Addition to the City of Muncie.

Common property address: 1300 W 10th Street, Muncie, IN 47302.

Parcel No.: 18-11-16-359-012.000-003

ALSO:

Lot 121 in Block Seven (7) in John J. Perkins Addition to the City of Muncie.

Common property address: 1303 W 9th Street, Muncie, IN 47302.

Parcel No.: 18-11-16-359-004.000-003

2. Laid out and platted in the City of Muncie, Delaware County, Indiana, are certain parts of a public alley more specifically described as follows:

Parcel A:

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 124 of John J. Perkins Addition to the City of Muncie; thence North 89 degrees 56 minutes 43 seconds East 150.00 to the Southwest corner of Lot 121 in said addition; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet along the West line of Lot 121 extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds West 15.48 feet to a point 5.0 feet North of the Northwest corner of a tract of ground described in Instrument #2019R08450, Records of Delaware County, Indiana; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet to a 5/8-inch rebar at the Northwest corner of said tract; thence South 89 degrees 56 minutes 43 seconds West 134.52 feet to the Northwest corner of Lot 100 in said addition; thence North 00 degrees 02 minutes 24 seconds East 10.00 feet to the point of beginning, containing 0.03 acres, more or less, and subject to all easements of record.

Parcel B:

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 121 of John J. Perkins Addition to the City of Muncie; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet along the East line of said Lot extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds 52.04 feet to a point 5.0 feet South of the

Southwest corner of Lot 121; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet to the Southwest corner of Lot 121; thence North 89 degrees 56 minutes 43 seconds East 52.00 feet to the point of beginning, containing 0.01 acres, more or less, and subject to all easements of record.

Parcel C:

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at a 5/8-inch rebar at the Northeast corner of Lot 97 in John J. Perkins Addition to the City of Muncie; thence South 89 degrees 56 minutes 43 seconds West 67.56 feet to a nail at the Northwest corner of a tract of land described in Instrument #2019R08450, Records of Delaware County, Indiana; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet along the West line of said tract extended to the centerline of a vacated 10-foot-wide alley; thence North 89 degrees 56 minutes 43 seconds East 67.52 feet along the centerline of said vacated alley to a point 5.00 feet North of the Northeast corner of said Lot 97; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet to the point of beginning containing 0.01 acres, more or less, and subject to all easements of record.

3. The abutting parcels to which they shall be joined are legally described as follows:
  - a. The above-described Parcel A shall be joined to Parcel No. 18-11-16-359-005.000-003, owned by Avondale United Methodist Church (a/k/a Trustees of Avondale United Methodist Church, f/k/a Trustees of Avondale M E Church).
  - b. The above-described Parcel B and Parcel C shall be joined to Parcel No. 18-11-16-359-012.000-003, owned by Neil & Kelly Kring.
4. The petitioners own all of the real estate abutting the parts of the alley herein sought to be vacated.
5. No person will suffer any damage by reason of the vacation of said street; the vacation will not make access to the lands of any person difficult or inconvenient; the vacation will not hinder the use of any way 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; and the vacation will not hinder the growth or orderly development of the neighborhood or the City of Muncie, Indiana.

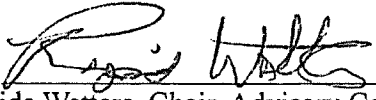
6. Each of the public utility companies who may have some facilities located in said street have been notified that Petitioners intended to file this petition and the vacation shall be subject to the right of such utilities to maintain their existing facilities therein.


WHEREFORE, Petitioners pray that the above-described alley be vacated by ordinance of the City Council of the City of Muncie, Indiana.

[SIGNATURE PAGE TO FOLLOW]

We, the undersigned on behalf of Avondale United Methodist Church (a/k/a Trustees of Avondale United Methodist Church, f/k/a Trustees of Avondale M E Church), Neil & Kelly Kring, and Shannon E. McCormick, affirm under the penalties of perjury that the foregoing representations are true to the best of our knowledge and belief.

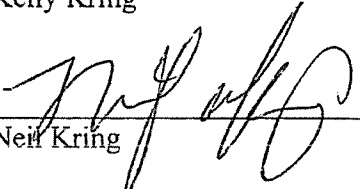
Avondale United Methodist Church  
(a/k/a Trustees of Avondale United  
Methodist Church, f/k/a Trustees of  
Avondale M E Church)

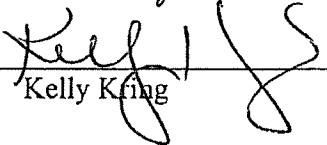
By:   
Rapids Watters, Chair, Advisory Council

By:   
Jeff Watters, Chair, Board of Trustees

Avondale United Methodist Church  
1314 W 10th Street  
Muncie, Indiana 47302

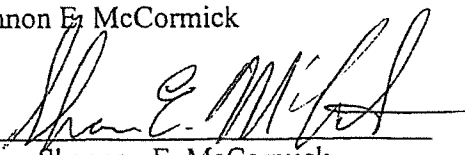
Neil & Kelly Kring

By:   
Neil Kring

By:   
Kelly Kring

Neil & Kelly Kring  
1300 W 10th Street  
Muncie, Indiana 47302

Shannon E. McCormick

By:   
Shannon E. McCormick

Shannon E. McCormick  
1623 S Pierce Street  
Muncie, Indiana 47302

Parcel A

A part of a vacated 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 124 of John J. Perkins Addition to the City of Muncie; thence North 89 degrees 56 minutes 43 seconds East 150.00 feet to the Southwest corner of Lot 121 in said addition; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet along the West line of Lot 121 extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds West 15.48 feet to a point 5.0 feet North of the Northwest corner of a tract of ground described in Instrument #2019R08450, Records of Delaware County, Indiana; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet to a 5/8-inch rebar at the Northwest corner of said tract; thence South 89 degrees 56 minutes 43 seconds West 134.52 feet to the Northwest corner of Lot 100 in said addition; thence North 00 degrees 02 minutes 24 seconds East 10.00 feet to the point of beginning, containing 0.03 acres, more or less, and subject to all easements of record.

Parcel B

A part of a vacated 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southeast corner of Lot 121 of John J. Perkins Addition to the City of Muncie; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet along the East line of said Lot extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds West 52.04 feet to a point 5.0 feet South of the Southwest corner of Lot 121; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet to the Southwest corner of Lot 121; thence North 89 degrees 56 minutes 43 seconds East 52.00 feet to the point of beginning, containing 0.01 acres, more or less, and subject to all easements of record.

Parcel C

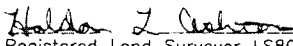
A part of a vacated 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

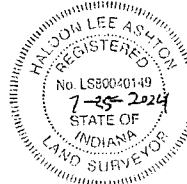
Beginning at a 5/8-inch rebar at the Northeast corner of Lot 97 in John J. Perkins Addition to the City of Muncie; thence South 89 degrees 56 minutes 43 seconds West 67.56 feet to a nail at the Northwest corner of a tract of ground described in Instrument #2019R08450, records of Delaware County, Indiana; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet along the West line of said tract extended to the centerline of a vacated 10-foot-wide alley; thence North 89 degrees 56 minutes 43 seconds East 67.52 feet along the centerline of said vacated alley to a point 5.00 feet North of the Northeast corner of said Lot 97; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet to the point of beginning, containing 0.01 acres, more or less, and subject to all easements of record.

Dated: July 18, 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

  
Registered Land Surveyor LS80040149  
Haldon L. Ashton



2. Flood Zone:
3. The within tract does not lie within that Special Flood Hazard Zone A as said tract plots by scale on Community Panel #18035C0242D of the Flood Insurance Rate Maps for Delaware County, Indiana (Maps Dated: 7/4/2011).
4. The minimum flood risk was verified by the INDNR Flood Plain Information Portal—dated: 7/18/2024.
5. 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:<br>Reason:   | <p>PROFORMA SURVEY<br/>1314 W 10TH ST.<br/>MUNCIE, IN<br/>VACATION OF ALLEY</p> <p>SECTION CORNER COORDINATES ARE BASED ON<br/>INDIANA STATE PLANE EAST ZONE (NORTH AMERICAN<br/>DATUM OF 1983, CORRS 96 EPOCH 2002.000)</p> <p>I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN<br/>REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS<br/>DOCUMENT, UNLESS REQUIRED BY LAW (HALDON L. ASHTON).</p> <div><p>Ashton<br/>Land Surveyors</p></div> |
| Date:<br>Reason:   |   |
| Drawn: CLG/END<br>Date: 07/24/24<br>Job: 2024399<br>Owner: UMC |   |
|  |   |

Sheet 2 OF 2

**STATE OF INDIANA**

**SS:**

**DELAWARE COUNTY**

**BEFORE THE COMMON COUNCIL  
OF THE CITY OF MUNCIE, INDIANA**

**IN RE:        AVONDALE UNITED  
              METHODIST CHURCH**

**NOTICE OF PETITION TO VACATE  
PUBLIC ALLEYS AND HEARING THEREON**

**TO:**    The City of Muncie, Indiana, and the Citizens thereof.

You are hereby notified that Avondale United Methodist Church (a/k/a Trustees of Avondale United Methodist Church, f/k/a Trustees of Avondale M E Church), Neil & Kelly Kring, and Shannon E. McCormick have filed their petition with the Common Council of the City of Muncie, Indiana, to vacate certain public alleys to-wit:

**Parcel A:**

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 124 of John J. Perkins Addition to the City of Muncie; thence North 89 degrees 56 minutes 43 seconds East 150.00 to the Southwest corner of Lot 121 in said addition; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet along the West line of Lot 121 extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds West 15.48 feet to a point 5.0 feet North of the Northwest corner of a tract of ground described in Instrument #2019R08450, Records of Delaware County, Indiana; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet to a 5/8-inch rebar at the Northwest corner of said tract; thence South 89 degrees 56 minutes 43 seconds West 134.52 feet to the Northwest corner of Lot 100 in said addition; thence North 00 degrees 02 minutes 24 seconds East 10.00 feet to the point of beginning, containing 0.03 acres, more or less, and subject to all easements of record.

**Parcel B:**

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 121 of John J. Perkins Addition to the City of Muncie; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet along the East line of said Lot extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds 52.04 feet to a point 5.0 feet South of the Southwest corner of Lot 121; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet to the Southwest corner of Lot 121; thence North 89 degrees 56 minutes 43 seconds East 52.00 feet to the point of beginning, containing 0.01 acres, more or less, and subject to all easements of record.

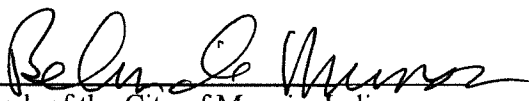
Parcel C:

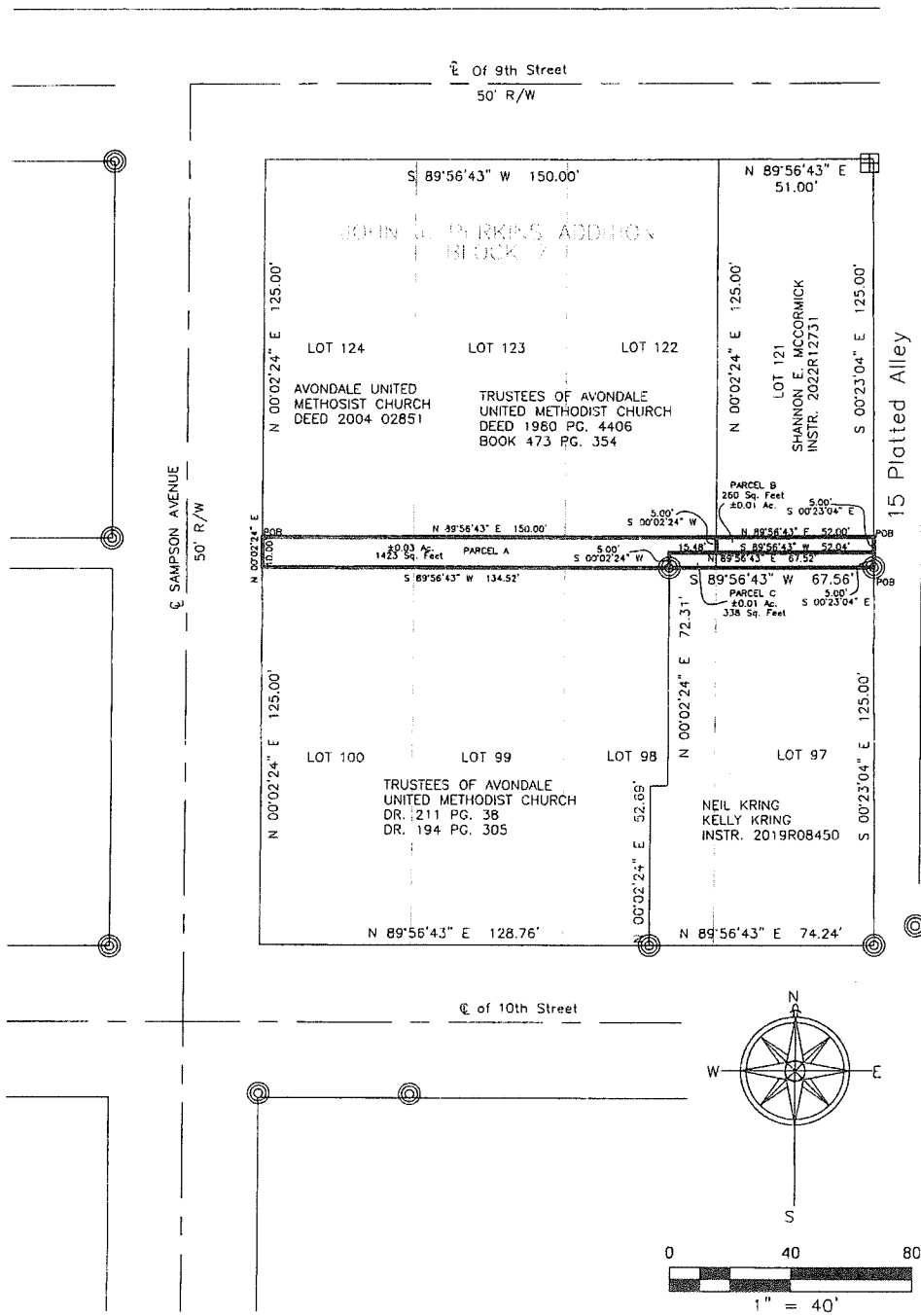
A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at a 5/8-inch rebar at the Northeast corner of Lot 97 in John J. Perkins Addition to the City of Muncie; thence South 89 degrees 56 minutes 43 seconds West 67.56 feet to a nail at the Northwest corner of a tract of land described in Instrument #2019R08450, Records of Delaware County, Indiana; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet along the West line of said tract extended to the centerline of a vacated 10-foot-wide alley; thence North 89 degrees 56 minutes 43 seconds East 67.52 feet along the centerline of said vacated alley to a point 5.00 feet North of the Northeast corner of said Lot 97; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet to the point of beginning containing 0.01 acres, more or less, and subject to all easements of record.

You are further notified that said petition and the things at issue will be heard and determined by the Common Council on the 6th day of January 2025, at 6:45 p.m., at City Hall, 300 N. High Street, Muncie, IN 47305.

IN WITNESS WHEREOF, the Clerk of the City of Muncie has affixed her signature and official seal this 23<sup>rd</sup> day of December 2024.

  
Clerk of the City of Muncie, Indiana



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

⊙ = MONUMENT FOUND

|  |
|--|
| Revisions  |
| Date:<br>Reason:   |
| Date:<br>Reason:   |
| Drawn: CLG/END<br>Date: 07/24/24<br>Job: 2024399<br>Owner: UMC |

PROFORMA SURVEY  
 1314 W 10TH ST  
 MUNCIE, IN  
 VACATION OF ALLEY

SECTION CORNER COORDINATES ARE BASED ON  
 INDIANA STATE PLANE EAST ZONE (NORTH AMERICAN  
 DATUM OF 1983, CORRS 96 EPGC 2002.000)

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),



# MUNCIE SANITARY DISTRICT



[www.munciesanitary.com](http://www.munciesanitary.com)

5120 W. KILGORE AVENUE • MUNCIE, INDIANA 47304  
PHONE: 765-747-4879 FAX: 765-288-3347

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November 7, 2024

Muncie Common Council  
City Hall  
300 North High Street  
Muncie, IN 47305

Re: Proposed Alley Vacation

Dear Council Members:

The Muncie Sanitary District does not have any existing facilities within the proposed alley vacation in John J. Perkins Addition Block 7. The District does not object to this vacation.

Sincerely,

John D. Anderson, P.E.  
District Engineer



300 North High Street • Muncie, Indiana 47305  
www.cityofmuncie.com • Phone: (765) 747-4853

\*\*\*Official Letter\*\*\*

December 5, 2024

Re: Abandonment of Public Alley in Block 7 of John J. Perkins Addition.

The City of Muncie Public Works Department supports the abandonment of the portion of the 10' alleyway described below, as identified in the 1888 Perkins Plat recorded in plat book 2 page 73 in block 7 of that plat, the legal description as supplied follows. Commonly identified as the NE Corner of the intersection of Sampson and 10<sup>th</sup> Street, with the alleyway located between 9<sup>th</sup> (formerly Fremont) and 10<sup>th</sup> (formerly Elmyra). The Alley does not appear to be in use for through purposes beyond access for the existing church requesting the abandonment. It is noted there are poles that appear to have live electrical service and apparent communications which will require the grant of an easement for continued service.

Parcel A:

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 124 of John J. Perkins Addition to the City of Muncie; thence North 89 degrees 56 minutes 43 seconds East 150.00 to the Southwest corner of Lot 121 in said addition; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet along the West line of Lot 121 extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds West 153.48 feet to a point 5.0 feet North of the Northwest corner of a tract of ground described in Instrument #2019R08450, Records of Delaware County, Indiana; thence South 00 degrees 02 minutes 24 seconds West 5.00 feet to a 5/8-inch rebar at the Northwest corner of said tract; thence South 89 degrees 56 minutes 43 seconds West 134.52 feet to the Northwest corner of Lot 100 in said addition; thence North 00 degrees 02 minutes 24 seconds East 10.00 feet to the point of beginning, containing 0.03 acres, more or less, and subject to all easements of record.

Parcel B:

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at the Southwest corner of Lot 121 of John J. Perkins Addition to the City of Muncie; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet along the East line of said Lot extended to the centerline of a vacated 10-foot-wide alley; thence South 89 degrees 56 minutes 43 seconds 52.04 feet to a point 5.0 feet South of the Southwest corner of Lot 121; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet to the Southwest corner of Lot 121; thence North 89 degrees 56 minutes 43 seconds East 52.00 feet to the





300 North High Street • Muncie, Indiana 47305

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point of beginning, containing 0.01 acres, more or less, and subject to all easements of record.

Parcel C:

A part of a 10-foot-wide alley in Block 7 of John J. Perkins Addition to the City of Muncie, described as follows:

Beginning at a 5/8-inch rebar at the Northeast corner of Lot 97 in John J. Perkins Addition to the City of Muncie; thence South 89 degrees 56 minutes 43 seconds West 67.56 feet to a nail at the Northwest corner of a tract of land described in Instrument #2019R08450, Records of Delaware County, Indiana; thence North 00 degrees 02 minutes 24 seconds East 5.00 feet along the West line of said tract extended to the centerline of a vacated 10-foot-wide alley; thence North 89 degrees 56 minutes 43 seconds East 67.52 feet along the centerline of said vacated alley to a point 5.00 feet North of the Northeast corner of said Lot 97; thence South 00 degrees 23 minutes 04 seconds East 5.00 feet to the point of beginning containing 0.01 acres, more or less, and subject to all easements of record.

Adam K. Leach PE, CFM  
City Engineer  
City of Muncie, Indiana

**wiseley@beasleylaw.com**

---

**From:** Reichle, Andrew P <Andrew.Reichle@centerpointenergy.com>  
**Sent:** Thursday, December 5, 2024 9:43 AM  
**To:** Griggs, Brittany L; wiseley@beasleylaw.com  
**Subject:** RE: [External Email] RE: Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

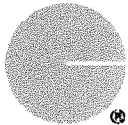
Hello Mr. Wisely,

Our internal stakeholders have reviewed this request and determined that we have no objection to the vacation of the alley.

Please let me know if you need anything further from us on this matter.

Thank you.

Drew



**Andrew Reichle**

**Senior Right of Way Agent**

---

CenterPoint Energy Land and Field Services

765.287.2102 w 765.215.7040 c

CenterPointEnergy.com

**From:** Griggs, Brittany L <brittany.griggs@centerpointenergy.com>  
**Sent:** Tuesday, December 3, 2024 4:10 PM  
**To:** wiseley@beasleylaw.com  
**Cc:** Reichle, Andrew P <Andrew.Reichle@centerpointenergy.com>  
**Subject:** RE: [External Email] RE: Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

Good Afternoon Mr. Wiseley!

Lisa Adams forwarded me your email. Drew Reichle is working on your request. He sent an email out to all internal stakeholders on 11/20/2024. We are still waiting to receive a response from one more group to ensure they approve the vacate.

Drew is out this week, but we will make sure and follow up as soon as we receive all responses.

Thank you,



**Brittany Griggs, SR/WA**

**Supervisor, Right of Way**

---

CenterPoint Energy Land and Field Services

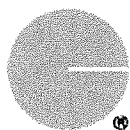
1 N. Main St. – P.O. Box 209, Evansville, IN 47702  
812.491.4544 w 812.204.7429 c  
[CenterPointEnergy.com](http://CenterPointEnergy.com)

**From:** Adams, Lisa D <lisa.adams@centerpointenergy.com>  
**Sent:** Tuesday, December 3, 2024 3:02 PM  
**To:** Griggs, Brittany L <brittany.griggs@centerpointenergy.com>  
**Subject:** FW: [External Email] RE: Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

Hi, Brittany.

I believe this may belong to your group?

Sincerely,



**Lisa Adams**  
Supervisor – Property Rights

---

CenterPoint Energy Land & Field Services | Land Management  
713.207.6351 w 832.537.4959 c  
[CenterPointEnergy.com](http://CenterPointEnergy.com)

**From:** wiseley@beasleylaw.com <>  
**Sent:** Thursday, November 14, 2024 1:17 PM  
**To:** 'Allen Wiseley' <wiseley@beasleylaw.com>  
**Subject:** [External Email] RE: Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

**EXTERNAL EMAIL**

**CAUTION:** This message originated from outside CenterPoint Energy. Do not click on links, open attachments, or enter data unless you recognize the sender, were expecting the content and know it to be safe.

I am following up on this alley vacation request. My client wishes to file this ordinance as soon as possible.

I have attached copies of both the petition, signed by all adjoining property owners, and the proposed ordinance. Both of these documents contain language reserving all rights to the utilities.

Allen F. Wiseley



Location:

302 E Jackson St. Suite A  
Muncie, IN 47305

Mailing Address:

PO Box 1648  
Muncie, Indiana 47308

(P) 765-289-0661

(F) 765-282-4966

[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)

[www.beasleylaw.com](http://www.beasleylaw.com)

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**From:** Allen Wiseley <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>

**Sent:** Tuesday, November 5, 2024 10:56 AM

**To:** Allen Wiseley <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>

**Subject:** Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

My name is Allen Wiseley and I am an attorney with Beasley & Gilkison, LLP, representing Avondale United Methodist Church in Muncie, Indiana in their application to vacate a public alley that bisects their property. The alley is an East/West alley that connects S Sampson Ave to the North/South alley between W 9th St and W 10th St. I have attached a survey from Ashton Land Surveyors of the alley to be vacated. We are not asking you to vacate any easements you may have in the alley. We are simply seeking a statement that you consent to the public alley being vacated. Please let me know if you have any questions or concerns.

Sincerely,

Allen Wiseley

--

Allen F. Wiseley

**From:** [Chey Carpenter Barr](#)  
**To:** [wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)  
**Subject:** RE: [EXTERNAL] Alley Vacation - Muncie, Indiana - Avondale United Methodist Church  
**Date:** Friday, November 15, 2024 9:27:10 AM  
**Attachments:** [image003.png](#)  
[image005.png](#)

---

Good morning,

Thank you for the copy of the Ordinance. IMPC will give consent as long as we always have access to our assets.

Thank you,  
Chey Barr



CHEY BARR | RIGHT OF WAY AGENT  
[CBARR@AEP.COM](mailto:CBARR@AEP.COM) | D:765.287.3373  
5000 WHEELING AVE., MUNCIE, IN 47304

**From:** [wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com) <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>  
**Sent:** Thursday, November 14, 2024 2:13 PM  
**To:** Chey Carpenter Barr <[cbarr@aep.com](mailto:cbarr@aep.com)>  
**Subject:** RE: [EXTERNAL] Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

Attached is the ordinance and the petition, which both contain language reserving all rights to the utilities.

Allen F. Wiseley



Location:  
302 E Jackson St. Suite A  
Muncie, IN 47305

Mailing Address:  
PO Box 1648  
Muncie, Indiana 47308

(P) 765-289-0661

(F) 765-282-4966  
[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)  
[www.beasleylaw.com](http://www.beasleylaw.com)

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**From:** Chey Carpenter Barr <[cbarr@aep.com](mailto:cbarr@aep.com)>  
**Sent:** Thursday, November 14, 2024 1:08 PM  
**To:** Allen Wiseley <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>  
**Subject:** RE: [EXTERNAL] Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

Hello Mr. Wiseley,

Would the landowner be willing to grant IMPC an easement for our existing facilities once the alley is vacated?

Thank you,  
Chey Barr



CHEY BARR | RIGHT OF WAY AGENT  
[CBARR@AEP.COM](mailto:CBARR@AEP.COM) | D:765.287.3373  
5000 WHEELING AVE., MUNCIE, IN 47304

**From:** Allen Wiseley <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>  
**Sent:** Tuesday, November 5, 2024 10:56 AM  
**To:** Allen Wiseley <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>  
**Subject:** [EXTERNAL] Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

My name is Allen Wiseley and I am an attorney with Beasley & Gilkison, LLP, representing Avondale United Methodist Church in Muncie, Indiana in their application to vacate a public alley that bisects their property. The alley is an East/West alley that connects S Sampson Ave to the North/South alley between W 9th St and W 10th St. I have attached a survey from Ashton Land Surveyors of the alley to be vacated. We are not asking you to vacate any easements you may have in the alley. We are simply seeking a statement that you consent to the public alley being vacated. Please let me know if you have any questions or concerns.

Sincerely,  
Allen Wiseley

--

Allen F. Wiseley

Location:  
302 E Jackson St. Suite A  
Muncie, IN 47305

Mailing Address:  
PO Box 1648  
Muncie, Indiana 47308

(P) 765-289-0661  
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[www.beasleylaw.com](http://www.beasleylaw.com)

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**From:** [Shannon Haney](#)  
**To:** [wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)  
**Subject:** FW: Alley Vacation - Muncie, Indiana - Avondale United Methodist Church  
**Date:** Tuesday, November 19, 2024 5:05:40 PM  
**Attachments:** [image002.png](#)

---

Allen,

Indiana-American does not have any assets in this area and therefore can consent to the vacation of this public alley.

***Shannon L. Haney***

Senior Director, Corporate Counsel  
Indiana-American Water Company  
Kentucky-American Water Company  
Tennessee-American Water Company  
T: 618.239.2222  
C: 618.623.5992  
[shannon.haney@amwater.com](mailto:shannon.haney@amwater.com)  
[www.amwater.com](http://www.amwater.com)

**From:** [wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com) <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>  
**Sent:** Monday, November 18, 2024 12:13 PM  
**To:** 'Allen Wiseley' <[wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)>  
**Subject:** FW: Alley Vacation - Muncie, Indiana - Avondale United Methodist Church

EXTERNAL EMAIL: The Actual Sender of this email is [wiseley@beasleylaw.com](mailto:wiseley@beasleylaw.com)  
"Think before you click!"

My name is Allen Wiseley and I am an attorney with Beasley & Gilkison, LLP, representing Avondale United Methodist Church in Muncie, Indiana in their application to vacate a public alley that bisects their property. The alley is an East/West alley that connects S Sampson Ave to the North/South alley between W 9th St and W 10th St. I have attached a survey from Ashton Land Surveyors of the alley to be vacated as well as the petition and proposed ordinance. We are not asking you to vacate any easements you may have in the alley. We are simply seeking a statement that you consent to the public alley being vacated. Please let me know if you have any questions or concerns.

Allen F. Wiseley