

**FILED**

**MAY 07 2025**

**Delinda Munson  
MUNCIE CITY CLERK**

ORDINANCE NO.

19-25

ORDINANCE TO VACATE A PORTION OF A CERTAIN  
UNIMPROVED PUBLIC STREET AT 401 SOUTH LOMBARD DRIVE  
AND 400 SOUTH TARA LANE, IN THE CITY OF MUNCIE,  
DELAWARE COUNTY, INDIANA

WHEREAS, Stephen W. Mann, and Aspen Mann, husband and wife, and Angela G. Parker, have filed their Petition to Vacate a Portion of a Certain Unimproved Public Street in the City of Muncie, Delaware County, Indiana, for a segment of the unimproved West Adams Street, in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, Indiana, and adjacent to 401 South Lombard Drive, Muncie, Indiana and 400 South Tara Lane, Muncie, Indiana, more particularly described as follows to-wit:

**Parcel A - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 10 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northeast corner of Lot 10 in subdivision of part of "Delaware Court"; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet (assumed bearing) to the Northwest corner of said Lot 10; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet along the Northerly extension of the West line of Lot 10; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 25, 26, and 27 of Jackson Crossing, and addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to the point of beginning, containing 0.07 acres, more or less.

**Parcel B - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 13 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northwest corner of Lot 13 in subdivision of Part of "Delaware Court"; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet (assumed bearing) along the Northerly extension of the West line of said Lot 13; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 27 and 28 of Jackson Crossing, an addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to a 5/8 inch rebar at the Northeast corner of said Lot 13; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet to the point of beginning, containing 0.07 acres, more or less.

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

WHEREAS, Angela G. Parker will be the owner of the land that comprises the part of the public street for which vacation is sought described as Parcel A;

WHEREAS, Stephen W. Mann and Aspen Mann will be the owners of the land that comprises the part of the public street for which vacation is sought described as Parcel B;

WHEREAS, notice of the filing of the Petition to Vacate a Portion of a Certain Unimproved Public Street 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 1. Parts of certain public alley, more particularly described as follows, to-wit:

**Parcel A - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 10 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northeast corner of Lot 10 in subdivision of part of "Delaware Court"; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet (assumed bearing) to the Northwest corner of said Lot 10; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet along the Northerly extension of the West line of Lot 10; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 25, 26, and 27 of Jackson Crossing, and addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to the point of beginning, containing 0.07 acres, more or less.

**Parcel B - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 13 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northwest corner of Lot 13 in subdivision of Part of "Delaware Court"; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet (assumed bearing) along the Northerly extension of the West line of said Lot 13; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 27 and 28 of Jackson Crossing, an addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to a 5/8 inch rebar at the Northeast corner of said Lot 13; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet to the point of beginning, containing 0.07 acres, more or less.

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

Section 2. Upon vacation of the portion of said street, 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. 18-11-18-229-001.000-003, owned by Angela G. Parker.
- b. The above-described Parcel B shall be joined to Parcel No. 18-11-18-229-010.000-003, owned by Stephen W. Mann and Aspen Mann.

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 , Council Member.

This Ordinance is approved in form by , <sup>Asst.</sup> City Attorney.

Parcel Nos.: 18-11-18-229-001.000-003  
18-11-18-229-010.000-003

STATE OF INDIANA        )  
                                  ) SS:  
DELAWARE COUNTY        )

BEFORE THE COMMON COUNCIL  
OF THE CITY OF MUNCIE, INDIANA

IN RE: STEPHEN W. AND ASPEN MANN  
AND ANGELA G. PARKER

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

Stephen W. Mann and Aspen Mann, husband and wife, and Angela G. Parker, “Petitioners”, respectfully petition to vacate part of a certain unimproved public street and in support thereof says that:

1. Petitioners, Stephen W. and Aspen Mann are the owners of the following described Real Estate commonly known as 401 South Lombard Drive, Muncie, Indiana 47304, located in the City of Muncie, Delaware County, Indiana, to-wit:

Lot Numbered Thirteen (13) in Subdivision of part of Delaware Court, an Addition to the City of Muncie, Indiana, a plat of which is recorded in Plat Book 6 Page 74 of the records of plats of Delaware County, Indiana.

2. Petitioner, Angela G. Parker is the owner of the following described Real Estate commonly known as 400 South Tara Lane, Muncie, Indiana 47304, located in the City of Muncie, Delaware County, Indiana, to-wit:

Lot Numbered Ten (10) in Subdivision of part of Delaware Court, an Addition to the City of Muncie, Indiana, a plat of which is recorded in Plat Book 6 Page 74 of the records of plats of Delaware County, Indiana.

(hereinafter collectively referred to as “Real Estate”).

3. Petitioners desire to vacate certain parts of the unimproved West Adams Street, specifically the portion running directly north of Petitioners, Mann’s Real Estate and Petitioner, Parker’s real estate, so as to vacate the entire segment of West Adams Street, more particularly described as follows:

**Parcel A - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 10 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northeast corner of Lot 10 in subdivision of part of "Delaware Court"; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet (assumed bearing) to the Northwest corner of said Lot 10; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet along the Northerly extension of the West line of Lot 10; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 25, 26, and 27 of Jackson Crossing, and addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to the point of beginning, containing 0.07 acres, more or less.

**Parcel B - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 13 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northwest corner of Lot 13 in subdivision of Part of "Delaware Court"; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet (assumed bearing) along the Northerly extension of the West line of said Lot 13; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 27 and 28 of Jackson Crossing, an addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to a 5/8 inch rebar at the Northeast corner of said Lot 13; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet to the point of beginning, containing 0.07 acres, more or less.

4. Petitioners' adjoining neighbors to the North in Jackson Crossing Addition requiring notices by certified mail are: Joseph Michael Waters and Nicole M. Waters, 3609 West Wind Hill Drive, Muncie, Indiana 47304 (Lot 25); Donald Lee Lowrey, 3605 West Wind Hill Drive, Muncie, Indiana 47304 (Lot 26); Trevor A. Meadows, 3601 West Wind Hill Drive, Muncie, Indiana 47304 (Lot 27); and Gary D. Atkinson and Donna K. Atkinson, 312 Ivy Wood Drive, Muncie, Indiana 47304 (Lot 28).

5. Even though Petitioners do not own the real estate on both sides of the unimproved West Adams Street, the portion of the West Adams Street requested to be vacated is the northernmost part of the plat of Delaware Court and as such should in its entirety become part of the adjoining lots to the south that are within the platted Subdivision of part of "Delaware Court"

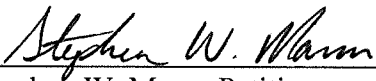
an Addition to the City of Muncie, specifically Lot 10 and Lot 13, as said platted area being vacated reverts back to the plat from which it originally came.

6. The vacation of the part of unimproved West Adams Street described above is subject to all easements of existing public utilities and all restrictions of record.

7. No person will suffer any damage by reason of the vacation of the part of the unimproved West Adams Street 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.

8. The undersigned affirms under the penalties of perjury that they are the owners of the Real Estate described in this petition and that the foregoing representations are true.

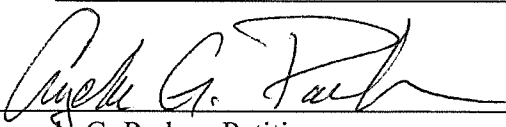
WHEREFORE, Petitioners pray that the part of the unimproved public West Adams Street described above be vacated by Ordinance of the Common Council of the City of Muncie, Indiana.

  
Stephen W. Mann, Petitioner

Date: 5-5-2025

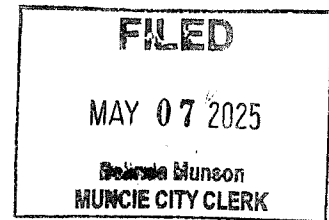
  
Aspen Mann, Petitioner

Date: 5-5-2025

  
Angela G. Parker, Petitioner

Date: 5/5/2025

STATE OF INDIANA       )  
                                  ) SS:  
DELAWARE COUNTY       )



BEFORE THE COMMON COUNCIL  
OF THE CITY OF MUNCIE, INDIANA

IN RE: STEPHEN W. MANN, ASPEN MANN AND ANGELA G. PARKER

NOTICE OF PETITION TO VACATE  
STREET AND HEARING THEREON

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

You are hereby notified that Stephen W. Mann, Aspen Mann and Angela G. Parker have filed their petition with the Common Council of the City of Muncie, Indiana, to vacate a portion of an unimproved street, specifically, West Adams Street, in Subdivision of part of "Delaware Court" an Addition to the City of Muncie in the Records of Delaware County, Indiana, said portion of the street is more particularly described as follows:

Angela G. Parker

**Parcel A - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 10 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northeast corner of Lot 10 in subdivision of part of "Delaware Court"; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet (assumed bearing) to the Northwest corner of said Lot 10; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet along the Northerly extension of the West line of Lot 10; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 25, 26, and 27 of Jackson Crossing, and addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to the point of beginning, containing 0.07 acres, more or less.

Stephen W. Mann and Aspen Mann

**Parcel B - 0.07 Acres**

A vacation of a part of Adams Street, North of Lot 13 in Subdivision of part of "Delaware Court" an Addition to the City of Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the Recorder of Delaware County, Indiana, described as follows: Beginning at a 5/8 inch rebar marking the Northwest corner of Lot 13 in subdivision of Part of "Delaware Court"; thence North 00 degrees 41 minutes 09 seconds West 25.00 feet (assumed bearing) along the Northerly extension of the West line of said Lot 13; thence South 89 degrees 47 minutes 11 seconds East 115.00 feet along the South line of Lots 27 and 28 of Jackson Crossing, an addition to the City of Muncie; thence South 00 degrees 41 minutes 09 seconds East 25.00 feet to a 5/8 inch rebar at the Northeast corner of said Lot 13; thence North 89 degrees 47 minutes 11 seconds West 115.00 feet to the point of beginning, containing 0.07 acres, more or less.



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 2<sup>nd</sup> day of June, 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 6th day of may 2025.

*Belinda Munson*

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Belinda Munson, CLERK, City of Muncie, Indiana

Notice of Public Hearing  
BEFORE THE COMMON COUNCIL, OF THE CITY OF  
MUNCIE, INDIANA  
IN RE: STEPHEN W. MANN, ASPEN MANN AND ANGELA G.  
PARKER, NOTICE OF PETITION TO VACATE STREET AND  
HEARING THEREON

TO: The City of Muncie, Indiana, and the Citizens Thereof:  
You are hereby notified that Stephen W. Mann, Aspen Mann and  
Angela G. Parker have filed their petition with the Common  
Council of the City of Muncie, Indiana, to vacate a portion of  
an unimproved street, specifically, West Adams Street, in Subdi-  
vision of part of "Delaware Court" an Addition to the City of  
Muncie in the Records of Delaware County, Indiana, said portion  
of the street is more particularly described as follows:

Parcel A - 0.07 Acres Angela G. Parker

A vacation of a part of Adams Street, North of Lot 10 in Subdi-  
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Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the  
Recorder of Delaware County, Indiana, described as follows:

Beginning at a 5/8 inch rebar marking the Northeast corner of Lot  
10 in subdivision of part of "Delaware Court"; thence North 89  
degrees 47 minutes 11 seconds West 115.00 feet (assumed bearing)  
to the Northwest corner of said Lot 10; thence North 00 degrees 41  
minutes 09 seconds West 25.00 feet along the Northerly extension  
of the West line of Lot 10; thence South 89 degrees 47 minutes 11  
seconds East 115.00 feet along the South line of Lots 25, 26, and 27  
of Jackson Crossing, and addition to the City of Muncie; thence  
South 00 degrees 41 minutes 09 seconds East 25.00 feet to the point  
of beginning, containing 0.07 acres, more or less.

Parcel B - 0.07 Acres Stephen W. Mann and Aspen Mann

A vacation of a part of Adams Street, North of Lot 13 in Subdi-  
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Muncie, which is a Plat Recorded in Plat Book 6 Page 74 of the  
Recorder of Delaware County, Indiana, described as follows:

Beginning at a 5/8 inch rebar marking the Northwest corner of  
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east corner of said Lot 13; thence North 89 degrees 47 minutes 11  
seconds West 115.00 feet to the point of beginning, containing 0.07  
acres, more or less.

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 2nd day of June, 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 8th day  
of May, 2025.

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

HSPAXLP  
Publication Dates  
LSBN0295803