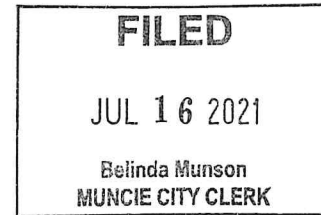


MUNCIE CITY COUNCIL
ORDINANCE 36-21



**AN ORDINANCE TO VACATE A CERTAIN STREET AND ALLEYS IN THE CITY OF
MUNCIE, DELAWARE COUNTY, INDIANA**

WHEREAS, Muncie Sanitary District, Cardinal Greenway, Inc., and Shields Land Company, L. L. C. have filed their petition with the City of Muncie, Indiana, to vacate a portion of a certain public street and alleys, more specifically described as follows:

Cardinal Greenway, Inc. Vacation #A

Parcel Nos. 18-11-11-352-002.000-003
18-11-10-484-001.000-003
18-11-10-501.001.000-003

A vacation on a part of North Street and a part of Macedonia Avenue as shown by the plat of Thomas H. Kirby's Addition and Hamilton's First Addition to the City of Muncie as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 1, Block 2 in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the centerline of Macedonia Avenue; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along said center line; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585, Records of Delaware County, Indiana; thence South 01 degrees 10 minutes 12 seconds West 324.61 feet along the East line of Macedonia Avenue as shown by the plat of Hamilton's First Addition to the City of Muncie to the Southwesterly line of the Cardinal Greenway as described by Deed Record 2019R02548; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 60.56 feet; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet to the point of intersection of the East line of Lot 1, of Block 6 in said Kirby's Addition with the Southwesterly right-of-way line of the former C and O Railroad (now Cardinal Greenway); thence North 01 degrees 10 minutes 12 seconds East 359.95 feet to the Northeast corner of Lot 1, Block 1 of said Kirby's Addition; thence North 89 degrees 11 minutes 33 seconds West 275.00 feet to the point of beginning, containing 0.70 acres, more or less.

City of Muncie Vacation #B

(Deed Record 250, pg.466)

A vacation of a part of Macedonia Avenue, as described by Hamilton's First Addition to the City of Muncie, records of Delaware County, Indiana, described as follows:

Commencing at the Northeast corner of Lot 1, Block 2 of Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the point of beginning at the centerline of Macedonia Avenue; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along the East line of Macedonia Avenue to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585 Records of Delaware County, Indiana; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 140.90 feet to the point of beginning, containing 0.08 acres, more or less.

Shields Land Company, L.L.C. Vacation #C

Parcel Nos. 18-11-11-353-002.000-003

18-11-11-483-002.000-003

A vacation of a portion of Macedonia Avenue as shown by Hamilton's First Addition and Thomas H. Kirby's Addition to the City of Muncie, as shown by the records of Delaware County, Indiana:

Beginning at the Southeast corner of Lot 10, Block 6, in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 205.36 feet along the West line of Macedonia Avenue to the Southerly line of the former C & O Railroad, now the Cardinal Greenway; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 60.56 feet; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the intersection of the East line of Macedonia Avenue with the Southwesterly line of said Greenway; thence South 01 degrees 10 minutes 12 seconds West 164.34 feet along the East line of Macedonia Avenue; thence North 88 degrees 49 minutes 48 seconds West 50.00 feet to the point of beginning, containing 0.20 acres, more or less.

Shields Land Company, L.L.C. Vacation #D

Parcel No. 18-11-11-353-002.000-003

A vacation of a part of the North Half of a 20-foot-wide alley which is along the South side of Lot 39 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at a point on the Easterly right-of-way line of Macedonia Avenue, as shown by Hamilton's First Addition to the City of Muncie, said point being North 01 degrees 10 minutes 12

seconds East 10.00 feet (assumed bearing) from the Northwest corner of Lot 38 in said addition; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the Southwest corner of Lot 39; thence South 88 degrees 49 minutes 48 seconds East 119.50 feet along the South line of said Lot 39 to the intersection with the Southwesterly line of the Cardinal Greenway; thence South 01 degrees 10 minutes 12 seconds West 10.00 feet to the center of a 20-foot-wide alley; thence North 88 degrees 49 minutes 48 seconds West 119.50 feet to the point of beginning, containing 0.03 acres, more or less.

Cardinal Greenway, Inc. Vacation #E

**Parcel Nos. 18-11-11-352-002.000-003
18-11-10-501.001.000-003**

A vacation of a 20-foot-wide alley along the East side of Lots 39-43 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 43 in Hamilton's First Addition to the City of Muncie; thence South 88 degrees 49 minutes 48 seconds East 20.00 feet (assumed bearing) along the South line of vacated Gilbert Street; thence South 01 degrees 10 minutes 12 seconds West 262.85 feet parallel with the East line of Lots 39-43 in Hamilton's First Addition; thence North 88 degrees 49 minutes 48 seconds West 25.50 feet along the center of an alley; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the point of intersection of the Southwesterly line of the Cardinal Greenway with the South line of Lot 39 in Hamilton's First Addition; thence South 88 degrees 49 minutes 48 seconds East 5.50 feet to the Southeast corner of said Lot 39; thence North 01 degrees 10 minutes 12 seconds East 252.85 feet to the point of beginning, containing 0.12 acres, more or less.

Muncie Sanitary District Vacation #F

**Parcel Nos. 18-11-11-353-003.000-003
18-11-11-353-004.000-003
18-11-11-353-005.000-003
18-11-11-353-006.000-003
18-11-11-353-007.000-003
18-11-11-353-008.000-003
18-11-11-353-009.000-003**

A vacation of a 20-foot-wide alley along the East side of Lots 33-38 and the South Half of a 20-foot-wide alley on the North side of said Lot 38 in Hamilton's First 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 38 in Hamilton's First Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) along the Easterly right-of-way line of Macedonia Avenue as shown by the Hamilton First Addition; thence South 88 degrees 49 minutes 48 seconds East 145.00 feet to the East line of a 20-foot-wide alley; thence South 01 degrees 10 minutes 12 seconds West 321.16 feet to the North line of Main Street as shown by said plat; thence North 84 degrees 25 minutes 41 seconds West 20.06 feet to the Southwest corner of Lot 33 in said addition; thence North 01 degrees 10 minutes 12 seconds East 309.62 feet to the Northeast corner of said Lot 38; thence North 88 degrees 49 minutes 48 seconds West 125.00 feet to the point of beginning, containing 0.18 acres, more or less.

all as shown on the survey by Ashton Land Surveyors, dated April 30, 2021, attached hereto as Exhibit A, reserving, however, an easement for existing public utilities and subject to restrictions of record; and

WHEREAS, City of Muncie, Indiana, Muncie Sanitary District, Cardinal Greenway, Inc., and Shields Land Company, L.L.C. are the owners of all of the land adjoining on all sides the public street as described above sought to be vacated; and

WHEREAS, notice of the filing of the petition and date of hearing on said petition was given to all interested parties, or waived, and published as required by law; and

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

WHEREAS, the vacation will not hinder the use of any public way by the neighborhood in which it is located; and

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

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 the City of Muncie, Indiana, as follows:

Section 1. The following described portion of the public street and alleys laid out and platted as a public right-of-way in the City of Muncie, Indiana, to-wit:

Cardinal Greenway, Inc. Vacation #A

Parcel Nos. 18-11-11-352-002.000-003

18-11-10-484-001.000-003

18-11-10-501.001.000-003

A vacation on a part of North Street and a part of Macedonia Avenue as shown by the plat of Thomas H. Kirby's Addition and Hamilton's First Addition to the City of Muncie as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 1, Block 2 in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the centerline of Macedonia Avenue; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along said center line; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585, Records of Delaware County, Indiana; thence South 01 degrees 10 minutes 12 seconds West 324.61 feet along the East line of Macedonia Avenue as shown by the plat of Hamilton's First Addition to the City of Muncie to the Southwesterly line of the Cardinal Greenway as described by Deed Record 2019R02548; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 60.56 feet; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet to the point of intersection of the East line of Lot 1, of Block 6 in said Kirby's Addition with the Southwesterly right-of-way line of the former C and O Railroad (now Cardinal Greenway); thence North 01 degrees 10 minutes 12 seconds East 359.95 feet to the Northeast corner of Lot 1, Block 1 of said Kirby's Addition; thence North 89 degrees 11 minutes 33 seconds West 275.00 feet to the point of beginning, containing 0.70 acres, more or less.

City of Muncie Vacation #B

(Deed Record 250, pg.466)

A vacation of a part of Macedonia Avenue, as described by Hamilton's First Addition to the City of Muncie, records of Delaware County, Indiana, described as follows:

Commencing at the Northeast corner of Lot 1, Block 2 of Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the point of beginning at the centerline of Macedonia Avenue; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along the East line of Macedonia Avenue to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585 Records of Delaware County, Indiana; thence North 88 degrees 49 minutes 48 seconds West 25.00

feet; thence North 01 degrees 10 minutes 12 seconds East 140.90 feet to the point of beginning, containing 0.08 acres, more or less.

Shields Land Company, L.L.C. Vacation #C

**Parcel Nos. 18-11-11-353-002.000-003
18-11-11-483-002.000-003**

A vacation of a portion of Macedonia Avenue as shown by Hamilton's First Addition and Thomas H. Kirby's Addition to the City of Muncie, as shown by the records of Delaware County, Indiana:

Beginning at the Southeast corner of Lot 10, Block 6, in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 205.36 feet along the West line of Macedonia Avenue to the Southerly line of the former C & O Railroad, now the Cardinal Greenway; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 60.56 feet; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the intersection of the East line of Macedonia Avenue with the Southwesterly line of said Greenway; thence South 01 degrees 10 minutes 12 seconds West 164.34 feet along the East line of Macedonia Avenue; thence North 88 degrees 49 minutes 48 seconds West 50.00 feet to the point of beginning, containing 0.20 acres, more or less.

Shields Land Company, L.L.C. Vacation #D

Parcel No. 18-11-11-353-002.000-003

A vacation of a part of the North Half of a 20-foot-wide alley which is along the South side of Lot 39 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at a point on the Easterly right-of-way line of Macedonia Avenue, as shown by Hamilton's First Addition to the City of Muncie, said point being North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) from the Northwest corner of Lot 38 in said addition; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the Southwest corner of Lot 39; thence South 88 degrees 49 minutes 48 seconds East 119.50 feet along the South line of said Lot 39 to the intersection with the Southwesterly line of the Cardinal Greenway; thence South 01 degrees 10 minutes 12 seconds West 10.00 feet to the center of a 20-foot-wide alley; thence North 88 degrees 49 minutes 48 seconds West 119.50 feet to the point of beginning, containing 0.03 acres, more or less.

Cardinal Greenway, Inc. Vacation #E

Parcel Nos. 18-11-11-352-002.000-003

18-11-10-501.001.000-003

A vacation of a 20-foot-wide alley along the East side of Lots 39-43 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 43 in Hamilton's First Addition to the City of Muncie; thence South 88 degrees 49 minutes 48 seconds East 20.00 feet (assumed bearing) along the South line of vacated Gilbert Street; thence South 01 degrees 10 minutes 12 seconds West 262.85 feet parallel with the East line of Lots 39-43 in Hamilton's First Addition; thence North 88 degrees 49 minutes 48 seconds West 25.50 feet along the center of an alley; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the point of intersection of the Southwesterly line of the Cardinal Greenway with the South line of Lot 39 in Hamilton's First Addition; thence South 88 degrees 49 minutes 48 seconds East 5.50 feet to the Southeast corner of said Lot 39; thence North 01 degrees 10 minutes 12 seconds East 252.85 feet to the point of beginning, containing 0.12 acres, more or less.

Muncie Sanitary District Vacation #F

Parcel Nos. 18-11-11-353-003.000-003
18-11-11-353-004.000-003
18-11-11-353-005.000-003
18-11-11-353-006.000-003
18-11-11-353-007.000-003
18-11-11-353-008.000-003
18-11-11-353-009.000-003

A vacation of a 20-foot-wide alley along the East side of Lots 33-38 and the South Half of a 20-foot-wide alley on the North side of said Lot 38 in Hamilton's First 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 38 in Hamilton's First Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) along the Easterly right-of-way line of Macedonia Avenue as shown by the Hamilton First Addition; thence South 88 degrees 49 minutes 48 seconds East 145.00 feet to the East line of a 20-foot-wide alley; thence South 01 degrees 10 minutes 12 seconds West 321.16 feet to the North line of Main Street as shown by said plat; thence North 84 degrees 25 minutes 41 seconds West 20.06 feet to the Southwest corner of Lot 33 in said addition; thence North 01 degrees 10 minutes 12 seconds East 309.62 feet to the Northeast corner of said Lot 38; thence North 88 degrees 49 minutes 48 seconds West 125.00 feet to the point of beginning, containing 0.18 acres, more or less.

Section 2. The public street and alleys so vacated shall become the property of the adjoining owners, City of Muncie, Indiana, Muncie Sanitary District, Cardinal Greenway, Inc., and Shields Land Company, L.L.C. , in accordance with the survey by Ashton Land Surveyors, dated April 30, 2021, attached hereto as Exhibit A, and a part of the tax identified parcels as shown above. The Auditor of Delaware County, Indiana, shall enter upon his records the vacation of such street and attach the same to the tax identified parcels as shown herein.

Section 3. This ordinance shall become effective on the date of passage.

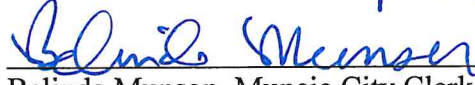
Passed by the Common Council of the City of Muncie, Indiana, this 13 day of September, 2021.

	Yeas	Nays	Abstained	Absent
Jeffrey Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jeff Robinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brandon Garrett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bradley Polk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry D. Dishman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anitra Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aaron Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Troy A. Ingram	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roza Selvey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



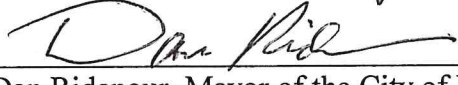
President
City Council, City of Muncie

Presented by me to the Mayor for his approval, this 13 day of September, 2021.



Belinda Munson, Muncie City Clerk

The above Ordinance is approved/vetoed by me this 13th day of September, 2021.



Dan Ridenour, Mayor of the City of Muncie

ATTEST:



Belinda Munson, Muncie City Clerk of the Common Council

This resolution is proposed by Council Member

This resolution is approved in form by Controller

This resolution is approved in form by Legal Counsel

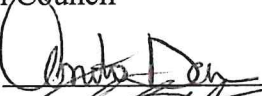


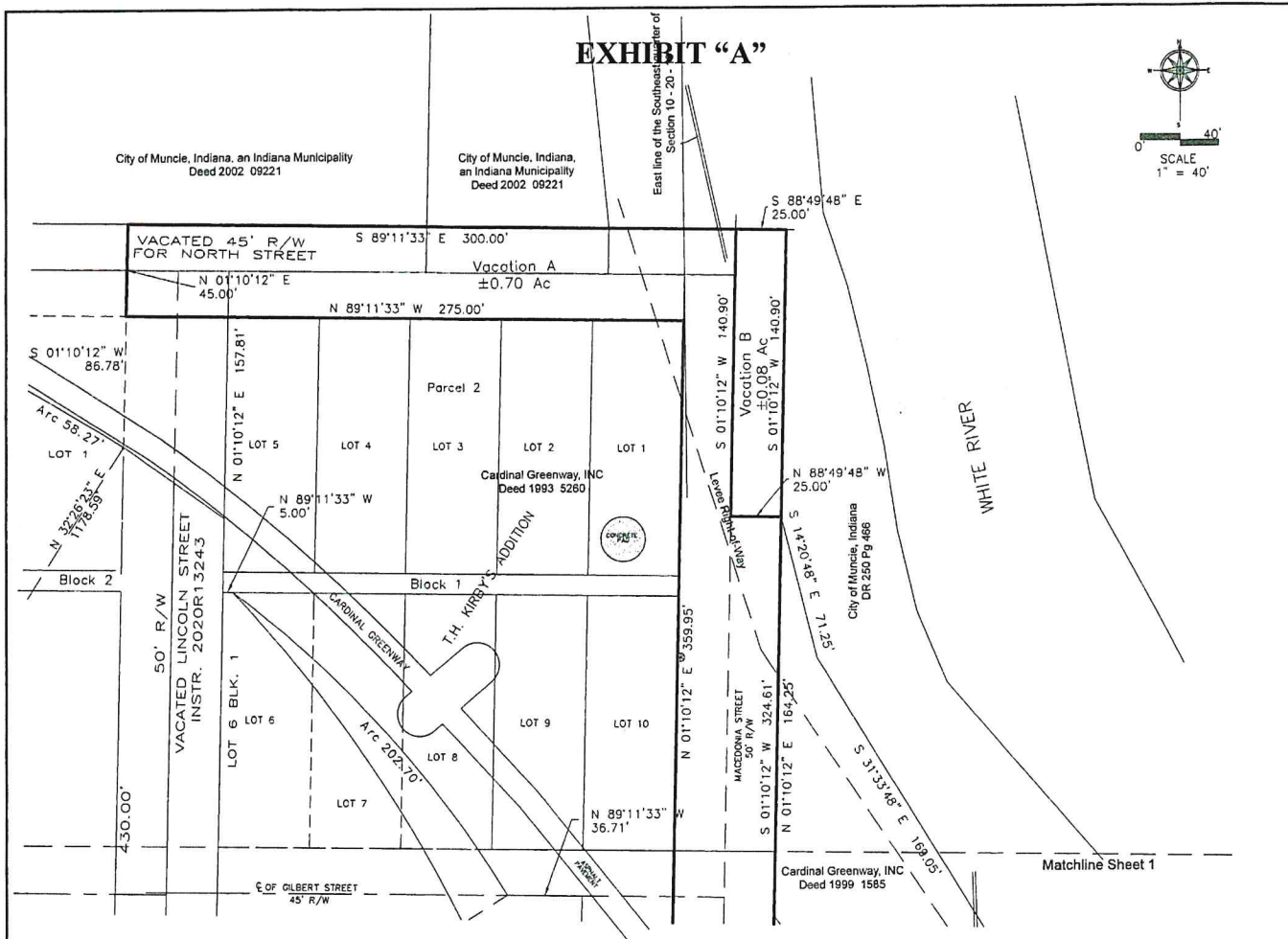
 (in-form) _____
 _____
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EXHIBIT "A"



Cardinal Greenway Vacation #A

A vacation of a portion of North Street and a part of Macedonia Avenue as shown by the plat of Thomas H. Kirby's Addition and Hamilton's First Addition to the City of Muncie as shown by the records of Delaware County, Indiana, described as follows:

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City of Muncie Vacation #B

A vacation of a part of Macedonia Avenue, as described by Hamilton's First Addition to the City of Muncie, records of Delaware County, Indiana, described as follows:

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Shield's Land Company Vacation #C

A vacation of a portion of Macedonia Avenue as shown by Hamilton's First Addition and Thomas H. Kirby's Addition to the City of Muncie, as shown by the records of Delaware County, Indiana;

Beginning at the Southeast corner of Lot 10, Block 6, in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 205.36 feet along the West line of Macedonia Avenue to the Southerly line of the former C & O Railroad, now the Cardinal Greenway; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 60.56 feet; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the intersection of the East line of Macedonia Avenue with the Southwesterly line of said Greenway; thence South 01 degrees 10 minutes 12 seconds West 164.34 feet along the East line of Macedonia Avenue; thence North 88 degrees 49 minutes 48 seconds West 50.00 feet to the point of beginning, containing 0.20 acres, more or less.

Shield's Land Company Vacation #D

A vacation of a part of the North Half of a 20-foot-wide alley which is along the South side of Lot 39 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at a point on the Easterly right-of-way line of Macedonia Avenue, as shown by Hamilton's First Addition to the City of Muncie, said point being North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) from the Northwest corner of Lot 38 in said addition; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the Southwest corner of Lot 39; thence South 88 degrees 49 minutes 48 seconds East 119.50 feet along the South line of said Lot 39 to the intersection with the Southwesterly line of the Cardinal Greenway; thence South 01 degrees 10 minutes 12 seconds West 10.00 feet to the center of a 20-foot-wide alley; thence North 88 degrees 49 minutes 48 seconds West 119.50 feet to the point of beginning, containing 0.03 acres, more or less.

Cardinal Greenway Vacation #E

A vacation of a 20-foot-wide alley along the East side of Lots 39-43 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

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Muncie Sanitary District Vacation #F

A vacation of a 20-foot-wide alley along the East side of Lots 33-38 and the South Half of a 20-foot-wide alley on the North side of said Lot 38 in Hamilton's First Addition to the City of Muncie, as shown by the Records of Delaware County, Indiana, described as follows:

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Dated: April 30, 2021

Haldon L. Ashton
Registered Land Surveyor LS80040149
Haldon L. Ashton

Revisions

No.
Date:
Reason:

No.
Date:
Reason:

Drawn: SMK
Date: 04/30/21
Job: 2021265
Client: Phil Tevis
Owner: City of Muncie
Crew: EA

I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security number in this document, unless required by law. Haldon L. Ashton



Vacation of Streets & Alleys
Muncie, IN

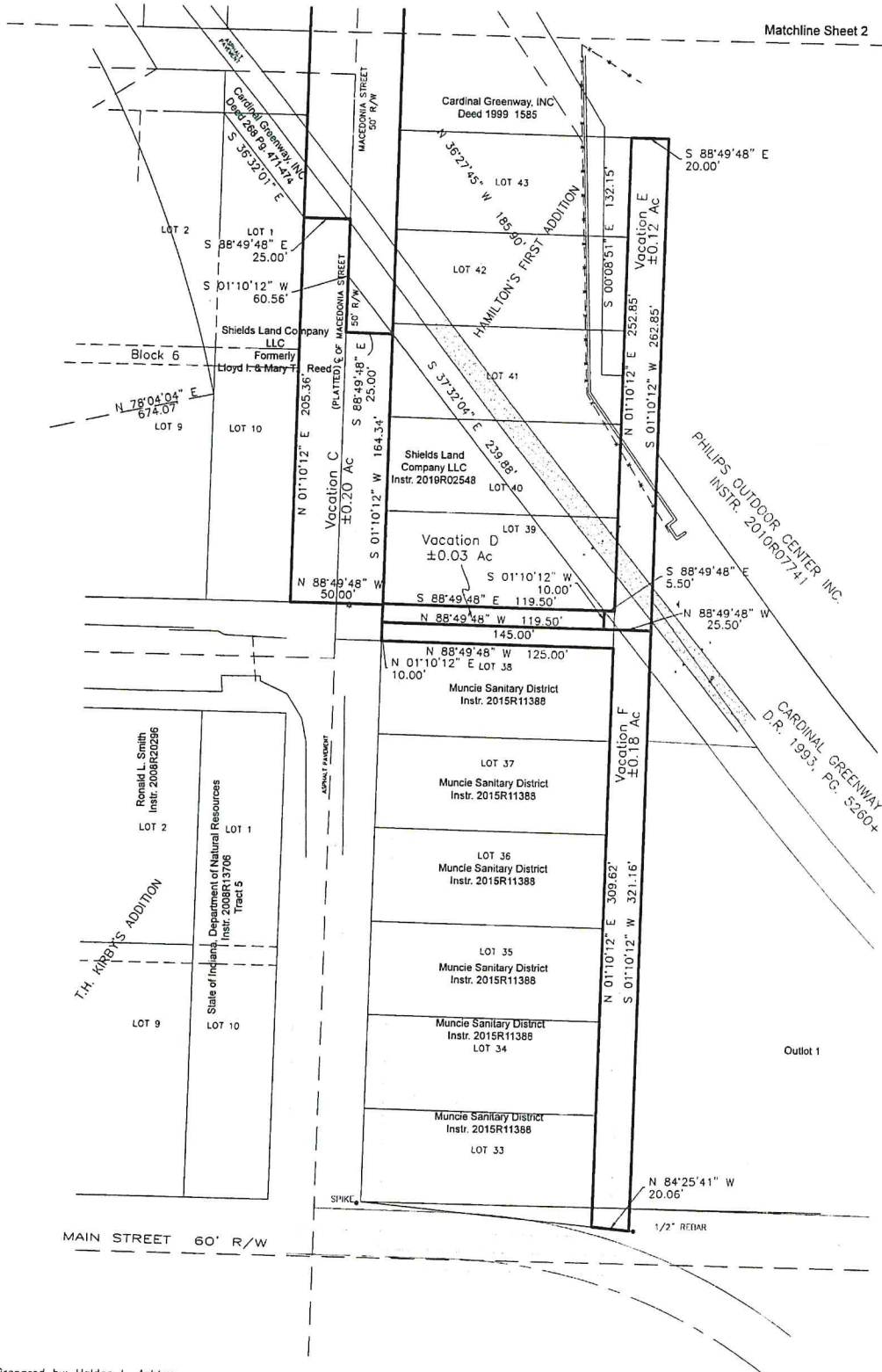
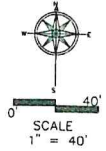
This Instrument Prepared by: Haldon L. Ashton
Accuracy or completeness of subsurface features is not certified.

325 W. Washington St.
Muncie, IN 47304
Phone: 765-282-5594
Fax: 765-282-5596
Ashton Land Surveyors, Inc.



325 West Washington Street, Muncie, IN 47304
Phone: 765-282-5594
Fax: 765-282-5596
Email: hal@ashtonsurveyors.com

EXHIBIT "A"

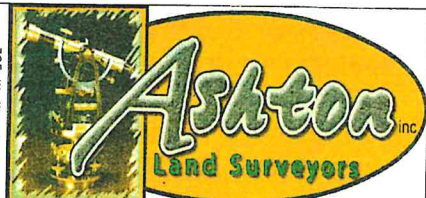


This instrument Prepared by: Haldon L. Ashton
Accuracy or completeness of subsurface features is not certified.

Revisions		I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security number in this document, unless required by law. Haldon L. Ashton
No.		
Date:		
Reason:		
No.		
Date:		
Reason:		
Drawn: SMK		
Date: 04/30/21		
Job: 2021265		
Client: Phil Tevis		
Owner: City of Muncie		
Crew: EA		
		</

Vacation of Streets & Alleys
Muncie, IN

325 W. Washington St.
Muncie, IN 47304
Ph: 765-282-5594
Fax: 765-282-5596
Ashton Land Surveyors, Inc.



205 West Washington Street, Muncie, IN 47304
Ph: (765) 282-5594
Fax: (765) 282-5596
Email: ashtonlandsurveyors.com

STATE OF INDIANA

SS:

DELAWARE COUNTY

BEFORE THE MUNCIE CITY COUNCIL

IN RE: MUNCIE SANITARY DISTRICT;
 CARDINAL GREENWAY, INC.;
 SHIELDS LAND COMPANY, L.L.C.

**NOTICE OF PETITION TO VACATE
PUBLIC STREETS AND ALLEY AND HEARING THEREON**

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

Philips Outdoor Center Inc.
1623 West Jackson Street
Muncie, In 47303

You are hereby notified that the Muncie Sanitary District, Cardinal Greenway, Inc. and Shields Land Company, L.L.C. have filed their petition with the Muncie City Council to vacate certain public streets and alley more specifically described as follows:

Cardinal Greenway, Inc. Vacation #A

**Parcel Nos. 18-11-11-352-002.000-003
 18-11-10-484-001.000-003
 18-11-10-501.001.000-003**

A vacation on a part of North Street and a part of Macedonia Avenue as shown by the plat of Thomas H. Kirby=s Addition and Hamilton=s First Addition to the City of Muncie as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 1, Block 2 in Thomas H. Kirby=s Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the centerline of Macedonia Avenue; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along said center line; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585, Records of Delaware County, Indiana; thence South 01 degrees 10 minutes 12 seconds West 324.61 feet along the East line of Macedonia Avenue as shown by the plat of Hamilton=s First Addition to the City of Muncie to the

Southwesterly line of the Cardinal Greenway as described by Deed Record 2019R02548; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 60.56 feet; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet to the point of intersection of the East line of Lot 1, of Block 6 in said Kirby=s Addition with the Southwesterly right-of-way line of the former C and O Railroad (now Cardinal Greenway); thence North 01 degrees 10 minutes 12 seconds East 359.95 feet to the Northeast corner of Lot 1, Block 1 of said Kirby=s Addition; thence North 89 degrees 11 minutes 33 seconds West 275.00 feet to the point of beginning, containing 0.70 acres, more or less.

City of Muncie Vacation #B
(Deed Record 250, pg.466)

A vacation of a part of Macedonia Avenue, as described by Hamilton=s First Addition to the City of Muncie, records of Delaware County, Indiana, described as follows:

Commencing at the Northeast corner of Lot 1, Block 2 of Thomas H. Kirby=s Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the point of beginning at the centerline of Macedonia Avenue; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along the East line of Macedonia Avenue to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585 Records of Delaware County, Indiana; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 140.90 feet to the point of beginning, containing 0.08 acres, more or less.

Shields Land Company, L.L.C. Vacation #C
Parcel Nos. 18-11-11-353-002.000-003
18-11-11-483-002.000-003

A vacation of a portion of Macedonia Avenue as shown by Hamilton=s First Addition and Thomas H. Kirby=s Addition to the City of Muncie, as shown by the records of Delaware County, Indiana:

Beginning at the Southeast corner of Lot 10, Block 6, in Thomas H. Kirby=s Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 205.36 feet along the West line of Macedonia Avenue to the Southerly line of the former C & O Railroad, now the Cardinal Greenway; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 60.56 feet; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the intersection of the East line of Macedonia Avenue with the Southwesterly line of said Greenway; thence South 01 degrees 10 minutes 12 seconds West 164.34 feet along the East line of Macedonia Avenue; thence North 88 degrees 49 minutes 48 seconds West 50.00 feet to the point of beginning, containing 0.20 acres, more or less.

Shields Land Company, L.L.C. Vacation #D
Parcel No. 18-11-11-353-002.000-003

A vacation of a part of the North Half of a 20-foot-wide alley which is along the South side of Lot 39 in Hamilton=s First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at a point on the Easterly right-of-way line of Macedonia Avenue, as shown by Hamilton=s First Addition to the City of Muncie, said point being North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) from the Northwest corner of Lot 38 in said addition; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the Southwest corner of Lot 39; thence South 88 degrees 49 minutes 48 seconds East 119.50 feet along the South line of said Lot 39 to the intersection with the Southwesterly line of the Cardinal Greenway; thence South 01 degrees 10 minutes 12 seconds West 10.00 feet to the center of a 20-foot-wide alley; thence North 88 degrees 49 minutes 48 seconds West 119.50 feet to the point of beginning, containing 0.03 acres, more or less.

Cardinal Greenway, Inc. Vacation #E

**Parcel Nos. 18-11-11-352-002.000-003
18-11-10-501.001.000-003**

A vacation of a 20-foot-wide alley along the East side of Lots 39-43 in Hamilton=s First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 43 in Hamilton=s First Addition to the City of Muncie; thence South 88 degrees 49 minutes 48 seconds East 20.00 feet (assumed bearing) along the South line of vacated Gilbert Street; thence South 01 degrees 10 minutes 12 seconds West 262.85 feet parallel with the East line of Lots 39-43 in Hamilton=s First Addition; thence North 88 degrees 49 minutes 48 seconds West 25.50 feet along the center of an alley; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the point of intersection of the Southwesterly line of the Cardinal Greenway with the South line of Lot 39 in Hamilton=s First Addition; thence South 88 degrees 49 minutes 48 seconds East 5.50 feet to the Southeast corner of said Lot 39; thence North 01 degrees 10 minutes 12 seconds East 252.85 feet to the point of beginning, containing 0.12 acres, more or less.

Muncie Sanitary District Vacation #F

**Parcel Nos. 18-11-11-353-003.000-003
18-11-11-353-004.000-003
18-11-11-353-005.000-003
18-11-11-353-006.000-003
18-11-11-353-007.000-003
18-11-11-353-008.000-003
18-11-11-353-009.000-003**

A vacation of a 20-foot-wide alley along the East side of Lots 33-38 and the South Half of a 20-foot-wide alley on the North side of said Lot 38 in Hamilton=s First 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 38 in Hamilton=s First Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) along the Easterly right-of-way line of Macedonia Avenue as shown by the Hamilton First Addition;

thence South 88 degrees 49 minutes 48 seconds East 145.00 feet to the East line of a 20-foot-wide alley; thence South 01 degrees 10 minutes 12 seconds West 321.16 feet to the North line of Main Street as shown by said plat; thence North 84 degrees 25 minutes 41 seconds West 20.06 feet to the Southwest corner of Lot 33 in said addition; thence North 01 degrees 10 minutes 12 seconds East 309.62 feet to the Northeast corner of said Lot 38; thence North 88 degrees 49 minutes 48 seconds West 125.00 feet to the point of beginning, containing 0.18 acres, more or less.

You are further notified that said petition and the things at issue will be heard and determined by the Muncie City Council on the 2nd day of August, 2021, at __6:45__ o'clock p.m., at Muncie City Hall Auditorium, First Floor, 300 N. High Street, Muncie, Indiana.

IN WITNESS WHEREOF, the Muncie City Clerk has affixed her signature and official seal this 16th day of July, 2021.

A handwritten signature in cursive script that reads "Belinda Munson". The signature is written in dark ink and is positioned above a horizontal line.

Belinda Munson, City Clerk

Ord. 36-21

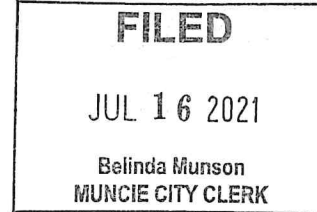
STATE OF INDIANA

SS:

DELAWARE COUNTY

BEFORE THE COMMON COUNCIL
OF THE CITY OF MUNCIE, INDIANA

IN RE: MUNCIE SANITARY DISTRICT;
 CARDINAL GREENWAY, INC.;
 SHIELDS LAND COMPANY, L.L.C.



PETITION TO VACATE A PUBLIC STREET AND ALLEYS

Comes now the Petitioners, Muncie Sanitary District, Cardinal Greenway, Inc. and Shields Land Company, L.L.C. , and respectfully petition to vacate parts of a public street and alleys and in support thereof says that:

1. Petitioners are the owners of the real estate situated in Delaware County, Indiana, and more particularly described in the deeds attached Exhibits "A-1", "A-2", "A-3" and "A-4".
2. Laid out and platted in the City of Muncie, Delaware County, Indiana, are certain parts of a public street and alleys more specifically described as follows:

Cardinal Greenway, Inc. Vacation #A

Parcel Nos. 18-11-11-352-002.000-003
18-11-10-484-001.000-003
18-11-10-501.001.000-003

A vacation on a part of North Street and a part of Macedonia Avenue as shown by the plat of Thomas H. Kirby's Addition and Hamilton's First Addition to the City of Muncie as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 1, Block 2 in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the centerline of Macedonia Avenue; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along said center line; thence

South 88 degrees 49 minutes 48 seconds East 25.00 feet to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585, Records of Delaware County, Indiana; thence South 01 degrees 10 minutes 12 seconds West 324.61 feet along the East line of Macedonia Avenue as shown by the plat of Hamilton's First Addition to the City of Muncie to the Southwesterly line of the Cardinal Greenway as described by Deed Record 2019R02548; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 60.56 feet; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet to the point of intersection of the East line of Lot 1, of Block 6 in said Kirby's Addition with the Southwesterly right-of-way line of the former C and O Railroad (now Cardinal Greenway); thence North 01 degrees 10 minutes 12 seconds East 359.95 feet to the Northeast corner of Lot 1, Block 1 of said Kirby's Addition; thence North 89 degrees 11 minutes 33 seconds West 275.00 feet to the point of beginning, containing 0.70 acres, more or less.

City of Muncie Vacation #B
(Deed Record 250, pg.466)

A vacation of a part of Macedonia Avenue, as described by Hamilton's First Addition to the City of Muncie, records of Delaware County, Indiana, described as follows:

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Shields Land Company, L.L.C. Vacation #C
Parcel Nos. 18-11-11-353-002.000-003
18-11-11-483-002.000-003

A vacation of a portion of Macedonia Avenue as shown by Hamilton's First Addition and Thomas H. Kirby's Addition to the City of Muncie, as shown by the records of Delaware County, Indiana:

Beginning at the Southeast corner of Lot 10, Block 6, in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 205.36 feet along the West line of Macedonia Avenue to the Southerly line of the former C & O Railroad, now the Cardinal Greenway; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 60.56 feet; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the intersection of the East line of Macedonia Avenue with the Southwesterly line of said Greenway; thence South 01 degrees 10 minutes 12 seconds West 164.34 feet along the East line of

Macedonia Avenue; thence North 88 degrees 49 minutes 48 seconds West 50.00 feet to the point of beginning, containing 0.20 acres, more or less.

Shields Land Company, L.L.C. Vacation #D

Parcel No. 18-11-11-353-002.000-003

A vacation of a part of the North Half of a 20-foot-wide alley which is along the South side of Lot 39 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at a point on the Easterly right-of-way line of Macedonia Avenue, as shown by Hamilton's First Addition to the City of Muncie, said point being North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) from the Northwest corner of Lot 38 in said addition; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the Southwest corner of Lot 39; thence South 88 degrees 49 minutes 48 seconds East 119.50 feet along the South line of said Lot 39 to the intersection with the Southwesterly line of the Cardinal Greenway; thence South 01 degrees 10 minutes 12 seconds West 10.00 feet to the center of a 20-foot-wide alley; thence North 88 degrees 49 minutes 48 seconds West 119.50 feet to the point of beginning, containing 0.03 acres, more or less.

Cardinal Greenway, Inc. Vacation #E

Parcel Nos. 18-11-11-352-002.000-003

18-11-10-501.001.000-003

A vacation of a 20-foot-wide alley along the East side of Lots 39-43 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 43 in Hamilton's First Addition to the City of Muncie; thence South 88 degrees 49 minutes 48 seconds East 20.00 feet (assumed bearing) along the South line of vacated Gilbert Street; thence South 01 degrees 10 minutes 12 seconds West 262.85 feet parallel with the East line of Lots 39-43 in Hamilton's First Addition; thence North 88 degrees 49 minutes 48 seconds West 25.50 feet along the center of an alley; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the point of intersection of the Southwesterly line of the Cardinal Greenway with the South line of Lot 39 in Hamilton's First Addition; thence South 88 degrees 49 minutes 48 seconds East 5.50 feet to the Southeast corner of said Lot 39; thence North 01 degrees 10 minutes 12 seconds East 252.85 feet to the point of beginning, containing 0.12 acres, more or less.

Muncie Sanitary District Vacation #F

Parcel Nos. 18-11-11-353-003.000-003

18-11-11-353-004.000-003

18-11-11-353-005.000-003

18-11-11-353-006.000-003

18-11-11-353-007.000-003
18-11-11-353-008.000-003
18-11-11-353-009.000-003

A vacation of a 20-foot-wide alley along the East side of Lots 33-38 and the South Half of a 20-foot-wide alley on the North side of said Lot 38 in Hamilton's First 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 38 in Hamilton's First Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) along the Easterly right-of-way line of Macedonia Avenue as shown by the Hamilton First Addition; thence South 88 degrees 49 minutes 48 seconds East 145.00 feet to the East line of a 20-foot-wide alley; thence South 01 degrees 10 minutes 12 seconds West 321.16 feet to the North line of Main Street as shown by said plat; thence North 84 degrees 25 minutes 41 seconds West 20.06 feet to the Southwest corner of Lot 33 in said addition; thence North 01 degrees 10 minutes 12 seconds East 309.62 feet to the Northeast corner of said Lot 38; thence North 88 degrees 49 minutes 48 seconds West 125.00 feet to the point of beginning, containing 0.18 acres, more or less.

all as shown on the survey by Ashton Land Surveyors dated April 30, 2021, attached hereto as Exhibit "B".

3. Petitioners desire to vacate, as a public right of way, the portion of the streets and alley above described.

4. The Petitioners own real estate abutting a part of the streets and alley herein sought to be vacated. Other owner of real estate abutting parts of the streets and alleys sought to be vacated is: Phillips Outdoor Center Inc.

5. Upon the vacation of the streets and alley, ownership will revert to the abutting owner whose name and Parcel No. are shown with each description of the street or alley to be vacated. No part of the streets and alley will revert to Phillips Outdoor Center Inc. because it and its predecessors in title did not own any part of the plat in which the abutting street was dedicated. Likewise, the portion of North Street being vacated reverts solely to the abutting owner on the south, because the abutting land to the north was not a part of the plat in which the street was dedicated.

5. No person will suffer any damage by reason of the vacation of said street and alleys; 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. The vacation of such street and alleys shall be subject to the right of such utilities to maintain their existing facilities therein.

WHEREFORE, Petitioners pray that the above described street and alleys be vacated by ordinance of the City Council of the City of Muncie, Indiana.

We affirm under the penalties for perjury that the foregoing representations are true.

MUNCIE SANITARY DISTRICT

By: _____
Printed Name and Title:

CARDINAL GREENWAY, INC.

By: _____
Printed Name and Title:

SHIELDS LAND COMPANY, L.L.C.

By: Richard B. Shields, Sole Member
Printed Name and Title:
Richard B. Shields

5. No person will suffer any damage by reason of the vacation of said street and alleys; 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. The vacation of such street and alleys shall be subject to the right of such utilities to maintain their existing facilities therein.

WHEREFORE, Petitioners pray that the above described street and alleys be vacated by ordinance of the City Council of the City of Muncie, Indiana.

We affirm under the penalties for perjury that the foregoing representations are true.

MUNCIE SANITARY DISTRICT

By: 
Printed Name and Title:

Brian Stephens, VP MSD Board

CARDINAL GREENWAY, INC.

By: 
Printed Name and Title:

Angela Pool, CEO

SHIELDS LAND COMPANY, L.L.C.

By: _____
Printed Name and Title:

INTHE
38

2015R11388
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
09/23/2015 11:32 AM
REC FEE: 20.00
PAGES: 3

File No: 20158083

Parcel Numbers: 18-11-11-353-003.000-003; 18-11-11-353-004.000-003; 18-11-11-353-005.000-003;
18-11-11-353-006.000-003; 18-11-11-353-007.000-003; 18-11-11-353-008.000-003; 18-11-11-353-009.000-003;
18-11-11-353-010.000-003; 18-11-10-493-008.000-003; 18-11-10-496-004.000-003;

WARRANTY DEED

This Indenture Witnesseth, That Burke Rentals 1, LLC, an Indiana limited liability company, (Grantor), *Conveys and Warrants* to Muncie Sanitary District, (Grantee) for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana:

See attached Exhibit "A",

commonly known as Main Street Flea Market, Muncie, IN 47305,

Subject To real estate taxes, not yet due and payable, any and all covenants, easements, assessments, agreements, and restrictions of record.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he has been fully empowered to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

In Witness Whereof, Grantor has executed this deed this 9 day of September, 2015.

Burke Rentals 1, LLC, an Indiana limited liability
company

Jeff Burke, member

Duly Entered for Taxation
Transfer Fees \$ 50.00 ft

SEP 23 2015

Steven G. Cragg
Delaware County Auditor



EXHIBIT "A-1"

STATE OF INDIANA, COUNTY OF DELAWARE) SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for the said County and State, personally appeared Jeff Burke, Member of Burke Rentals 1, LLC, an Indiana limited liability company, who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 9th day of September, 2015.

My Commission Expires: 3/29/2023

James Wilson Trulock, Notary Public
County of Residence: Delaware

On behalf of the Muncie Sanitary District, I hereby accept delivery of this deed.

Nikki Grigsby
Nikki Grigsby, District Administrator
Muncie Sanitary District



Send tax bills to and Grantee's street or rural route address is: 300 N. High St., Muncie, IN 47305.

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. James W. Trulock

This instrument prepared by: James W. Trulock, Attorney at Law.

EXHIBIT "A"
LEGAL DESCRIPTION

Lots Numbered Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty seven (37) and Thirty-eight (38) in Hamilton's First Addition to the City of Muncie, Indiana.

ALSO: Lot Number Thirty-three (33) in Hamilton's First Addition to the City of Muncie, also commencing at the Southwest corner of said Lot Thirty-three (33) and running thence East on the South line thereof One Hundred Twenty-five (125) feet, thence South Twenty (20) feet, thence West One Hundred Twenty-five (125) feet; thence North Twenty (20) feet to the place of beginning.

ALSO: All that part of Out Lot Number One (1), Lots Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Main Street and Windsor Street heretofore vacated, all in Hamilton's First Addition to the City of Muncie, Indiana, described as follows: Commencing at the Southwest corner of said Outlot Number One (1), running thence North on the West line of said Outlot Two Hundred Forty-eight and Four Tenths (248.4) feet to a point due East of the Southeast corner of Lot Thirty-eight (38) in said Addition; running thence East Thirty-four and Four Tenths (34.4) feet to the present right-of-way line of the Chesapeake and Ohio Railway Company; running thence Southeasterly following the Westerly line of said right-of-way to the point of intersection with the East line of Windsor Street, as platted in said Hamilton's First Addition, extended North; thence South with the East line of said Windsor Street extended North and the East line of said Windsor Street to the Southwest corner of Lot Twenty-six (26) in said Addition; thence Northwesterly to a point in the East line of said Lot Twenty-seven (27), Thirty-one (31) feet North of the Southeast corner thereof; thence Northwesterly over and across said Lots Twenty-seven (27), Twenty-eight (28) and Twenty-nine (29) to a point in the North line of said Lot Twenty-nine (29), Fifteen (15) feet East of the Northwest corner thereof; thence Northwesterly to a point in the center line of said vacated Main Street One Hundred Forty-five (145) feet East of the East line of Macedonia Avenue; thence North Thirty (30) feet to the place of beginning; subject to the right-of-way of State Highway No. 32; and excepting from said above-described real estate a strip of ground Seventeen (17) feet in width East and West off of the East side of said Real Estate conveyed to James Morgan Davis and Beatrice N. Davis by Deed recorded in Deed Record 302, page 455, in the office of the Recorder of Delaware County, Indiana.

ALSO:

A part of Lot Number One (1), Block Thirteen (13) in Thomas H. Kirby's First Addition to the City of Muncie, Delaware County, Indiana, more particularly described as follows, to-wit: Beginning at the Southwest corner of Lot Number One (1), Block Thirteen (13) in Thomas H. Kirby's First Addition to the City of Muncie, Delaware County, Indiana, as said Thomas H. Kirby's First Addition is shown in Plat Book 2, at page 67 of the records of plats in the Recorder's Office of Delaware County, Indiana; thence North on the West line of the said Lot Number One (1) in Block Thirteen (13), One Hundred Twenty-three and Three Tenths (123.3) feet to the Northwest corner of said Lot Number One (1) in Block Thirteen (13); thence East on the North line of said Lot Number One (1) in Block Thirteen (13), Forty-two and Twenty-four Hundredths (42.24) feet; thence in a Southeasterly direction with an interior angle of Ninety-four degrees, Fifty-nine minutes, Seven seconds (94°59'07"), Thirty-three and Thirty-one Hundredths (33.31) feet to a point in the East line of said Lot Number One (1) in Block Thirteen (13), Thirty-three and Eighteen Hundredths (33.18) feet South of the Northeast corner of said Lot Number One (1) in Block Thirteen (13); thence South on the East line of said Lot Number One (1) in Block Thirteen (13), Eighty-eight and Ninety-Hundredths (88.90) feet to the Southeast corner of said Lot Number One (1) in Block Thirteen (13); thence West on the South line of said Lot Number One (1) in Block Thirteen (13), Forty-five and One Hundredth (45.01) feet to the place of beginning. Estimated to contain Five Thousand Four Hundred and Seventy-five (5,475) square feet.

ALSO:

Lot Number 9 in Block Number 7 in Thomas H. Kirby's Addition to the City of Muncie, Indiana.

07023

DEED 1999 1585

FILED FOR RECORD
 10:10 o'clock 4 M.
 Record 1999 Page 1585-

Tax mailing address: 650 W. Minnetrista Blvd., Muncie, IN 47303-2992

MAR 11 1999 1586

WARRANTY DEED

Recorder, Delaware County

This Indenture Witnesseth, That Judith A. Barnes, of Delaware County, Indiana, does hereby convey and Warrant to Cardinal Greenway, Inc., an Indiana non-profit corporation of Delaware County, Indiana, for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, the following described **Real Estate** in Delaware County, in the State of Indiana, to-wit:

A part of that part of lots numbered forty-one (41), forty-two (42) and forty-three (43) and outlot number one (1) in Hamilton's First Addition to the City of Muncie, Indiana conveyed by Leora A. Medsker to the City of Muncie, Indiana by Deed dated the 27th day of December, 1939 and recorded in Deed Record 250, page 466 in the office of the Recorder of Delaware County, Indiana, more particularly described as follows, to-wit: A part of the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of Section Eleven (11), Township Twenty (20) North, Range Ten (10) East, more particularly described as follows, to-wit: Beginning at the point of intersection of the east line of Macedonia Avenue and the north line of Gilbert Street produced eastward in the City of Muncie, Indiana, and running thence north on and along the east line of Macedonia Avenue, produced northward one hundred sixty-four and twenty-five hundredths (164.25) feet; thence deflecting to the right one hundred sixty-four degrees twenty-nine minutes (164°29') and running thence in a southeasterly direction seventy-one and twenty-five hundredths (71.25) feet; thence deflecting to the left seventeen degrees thirteen minutes (17°13') and running in a southeasterly direction one hundred sixty-nine and five hundredths (169.05) feet; thence deflecting to the right thirty-one degrees twenty-three minutes (31°23') and running in a southeasterly direction one hundred thirty-two and fifteen hundredths (132.15) feet to a point on the northeasterly right-of-way line of the Chesapeake and Ohio Railroad thence deflecting to the right one hundred forty-three degrees forty-four minutes (143°44') and running in a northwesterly direction on and along the said right-of-way line of the Chesapeake and Ohio Railroad one hundred eighty-five and nine tenths (185.9) feet to the east line of Macedonia Avenue; thence running north on the said east line thirty-one and five tenths (31.5) feet to the place of beginning, containing .032 acres, more or less.

Tax Unit Numbers: 15-3055 & 15-3056
 Sidwell Number: 11-11-352-002

Grantor hereby covenants with Grantee as follows:

- First: Grantor has the right to sell and convey the above-described property;
- Second: Grantee shall quietly enjoy the said property;
- Third: Grantor will forever Warrant and defend the title to said property.

5th IN WITNESS WHEREOF, the said Judith A. Barnes has hereunto set her hand and seal this day of March, 1999.

Judith A. Barnes
 Judith A. Barnes

Duly Entered for Taxation
 Transfer Fees \$ 300

MAR 08 1999

James S. Slocum
 DELAWARE CO. AUDITOR

EXHIBIT "A-2"

1999 1586

STATE OF INDIANA, DELAWARE COUNTY, ss:

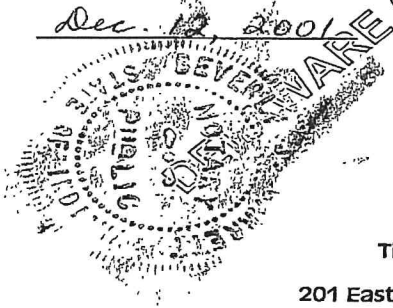
Before me, the undersigned, a Notary Public in and for said County and State, this 5th day of March, 1999, came Judith A. Barnes and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal.

Beverly J. Garrett
Beverly J. Garrett
NOTARY PUBLIC
A resident of Delaware County, Indiana.

My Commission Expires:

Dec. 10, 2001



This instrument prepared by: Samuel L. Reed
DeFur, Voran, Hanley, Radcliff & Reed, LLP
201 East Jackson Street - Suite 400 - Muncie, Indiana 47305;
Telephone: (765) 288-3651

DEED 1993 5260

Duly Entered for Taxation
Transfer Fees \$ 3.00

OCT 15 1993

Kurt Hegin
Delaware County

15619

This document executed
in four (4) original
counterparts for simul-
taneous recording in
four (4) counties.Counterpart No. 1 of 41993-01397-MAS
JA43\10723P1.93P

THIS QUITCLAIM DEED, made this 11th day of October, 1993, between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called "Grantor", and CARDINAL GREENWAY, INC., an Indiana non-profit corporation, whose mailing address is Post Office Box 2407, Muncie, Indiana 47307-0407, hereinafter called "Grantee", WITNESSETH:

(Wherever used herein, the terms "Grantor" and "Grantee" may be construed in the singular or plural as the context may require or admit, and for purposes of exceptions, reservations and/or covenants, shall include the heirs, legal representatives and assigns of individuals or the successors and assigns of corporations.)

THAT Grantor, for and in consideration of the sum of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00), to it in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby RELEASE, REMISE and forever QUITCLAIM unto Grantee, its successors and assigns, any and all presently existing right, title and interest in and to that certain tract or parcel of land situate, lying and being between Richmond and Gaston, in Wayne, Randolph, Henry, and Delaware counties, Indiana, hereinafter designated "the Premises," generally shown on Exhibit A and described in Exhibit B, and more particularly shown on Exhibits C1 thru C51, attached hereto and made a part hereof, containing 530.77 acres, more or less; TOGETHER WITH all bridges, bridge ties, culverts, fencing, depot, ballast, and buildings located thereon.

SUBJECT TO that certain agreement for a fiber optic communication system between Grantor and American Telephone and Telegraph Company, dated May 31, 1986, unrecorded, as supplemented by Right-of-Way Occupancy Agreement dated January 6, 1987, hereinafter referred to as "the AT&T System," the obligation of which Grantee shall assume and discharge.

EXCEPTING unto Grantor the ownership in and to all track(s) and other track materials (including switches, signals, communication lines and appurtenant fixtures, but excluding bridge ties) within and on the Premises.

RESERVING unto Grantor a railroad easement twenty (20) feet in width, ten (10) feet in each direction from center of each track, for the continued location, maintenance, use, repair, replacement and removal of said trackage;

EXHIBIT "A-3"

RECEIVED FOR RECORDS THIS 18 DAY OF Oct 1993
AT 8:30 A M RECORDED IN DEED
RECORD 1993 PAGE 5260-79
RECORDER, DELAWARE COUNTY

TOGETHER WITH the right of ingress and egress to and from said trackage until removal. Grantor shall indemnify Grantee for any and all loss, damage, injury or death resulting from the removal of tracks and other track material from the reserved railroad easement. Said reserved railroad easement shall automatically terminate after June 1, 1994 and all title in the Premises shall vest in Grantee.

FURTHER EXCEPTING unto Grantor the ownership in and to all of Grantor's existing Signal and/or Communication poles, wires, guys and other appurtenant fixtures, but not the AT&T System, within or on the Premises and located generally along or near the line thereof; and FURTHER RESERVING unto Grantor a signal and communication easement to maintain and/or remove said existing signal and/or communication pole lines, wires, and other appurtenant fixtures. Grantor shall indemnify Grantee for any and all loss, damage, injury or death resulting from the removal of the signal and/or communication pole lines, wires, guys and other appurtenant fixtures from the reserved signal and communication line easement. The reserved signal and communication line easement shall automatically terminate after June 1, 1994 and all title in the Premises shall vest in Grantee.

GRANTEE acknowledges that this Quitclaim is made upon Grantee's solicitation and request, and for Grantee's stated purpose of public transportation communications corridor preservation, with Grantee's stated public uses to include, but not be limited to: non-motorized travel and commuting; recreation, conservation and education; utility line occupancies; transportation of goods and materials; high speed communications-data highway by fiber optic cables; and possible future trolley, light rail, interurban, mass transit, or railroad reactivation. Grantor does not represent or warrant to Grantee any ownership or estate in the Premises or any specific title or interest in the Premises, which constituted a strip of Grantor's former operating property and Grantee hereby releases Grantor, its officers and agents, from any claim, demand, loss or cost resulting from the execution of this Release and Quitclaim, and will indemnify and hold Grantor harmless from any failure of or defect in Grantee's title to the Premises. Nothing in this deed shall create any obligation requirement or duty upon Grantor (either directly or indirectly) in regard to any type of present or future rail activation or restoration.

TO HAVE AND TO HOLD the Premises, and all the estate, right, title, lien, interest and claim whatsoever of Grantor therein, either in law or equity, and all improvements thereon and appurtenances thereto, unto the proper use, benefit and enjoyment of Grantee, Grantee's successors and assigns, forever.

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.

Signed, sealed and delivered
in the presence of:

CSX TRANSPORTATION, INC.:

Uma M. Kern
Uma M. Kern

Robert L. Whealton
Robert L. Whealton

By Gerald L. Nichols
Senior Vice President
Gerald L. Nichols
Attest R. L. Key, Jr.
Assistant Secretary
R. L. Key, Jr.
(SEAL)

William C. Basney,
Senior Counsel
Attorney for Grantor
Business Address:
500 Water Street
Jacksonville, Florida 32202

STATE OF FLORIDA)

) SS.

COUNTY OF DUVAL)

Robert L. Wheaton

I, _____, a Notary Public of the State of Florida and the County of Duval, do certify that, on the date below, before me in said County came Gerald L. Nichols, (☒) to me known, and/or (☐) proven by satisfactory current evidence to be the person whose name is subscribed to the above instrument, who, being by me first duly sworn, did make oath, acknowledge and say that: he resides in Jacksonville, Duval County, Florida; he is Senior Vice President, of CSX Transportation, Inc., the corporation described in and which executed said instrument; he is fully informed of the contents of the instrument; he knows the seal of said corporation; the seal affixed to said instrument is such seal; it was so affixed by authority of the Board of Directors of said corporation; he signed his name thereto for said corporation pursuant to Board authority; and instrument is the free act and deed of said corporation; and the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

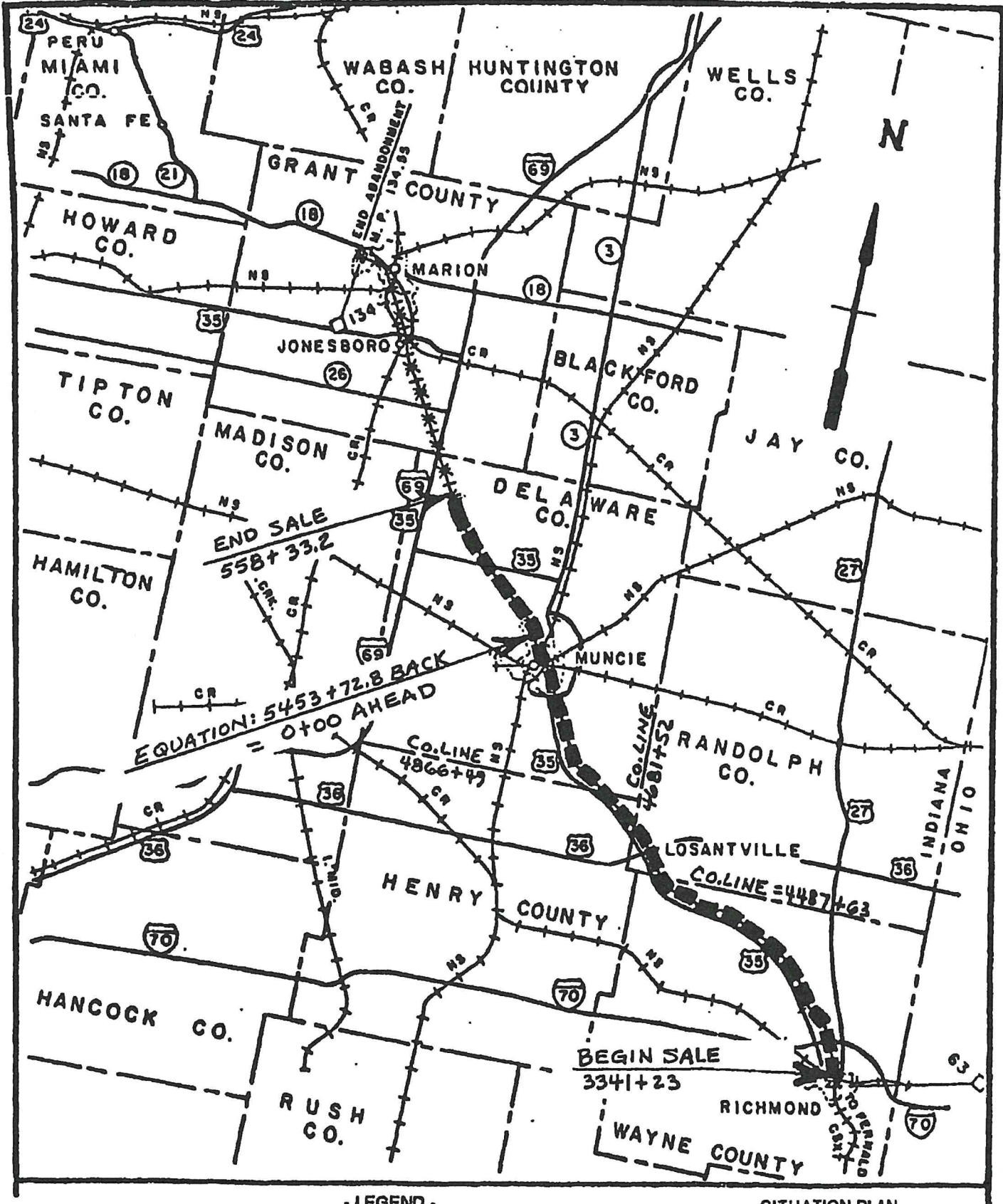
IN WITNESS WHEREOF, I hereunto set my hand and official seal, this

10th day of October, 1993

My commission expires on:

ROBERT L. ALTON
NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Dec. 7, 1993
Commission No. AA 730510
Bonded thru Patterson-Secht Agency

Notary Public Robert L. Wheelton
Print Name:



- LEGEND -



SALE AREA:

WAYNE COUNTY	= 21.71 ± MILES OR 234.24 ± ACRES
RANDOLPH COUNTY	= 3.67 ± MILES OR 39.87 ± ACRES
HENRY COUNTY	= 3.50 ± MILES OR 42.02 ± ACRES
DELAWARE COUNTY	= 21.70 ± MILES OR 214.64 ± ACRES
TOTAL	= 50.58 ± MILES OR

SITUATION PLAN
RICHMOND TO GASTON
INDIANA

V-51 (31 TO 81) NO SCALE

EXHIBIT 'A'

EXHIBIT 'B'

Description of property at: Richmond to Gaston, Indiana
 To: Cardinal Greenway, Inc.
 CSXT Deed File No.: 1993-00

Part 'A'

A strip of land varying in width situate in Wayne County, Indiana, lying on either side of the following described centerline:

Commencing at the point of intersection of the centerline of Grantor's former main track with the centerline of North D Street at or near Richmond; thence in a northeasterly direction along the former centerline of track a distance of 546 ft., more or less, to Grantor's Valuation Station 3341+23, being the **TRUE POINT OF BEGINNING**, such BEGINNING POINT being indicated on a fragment print of Grantor's Valuation Map V-51, sheet 31, marked Exhibit B-1, attached hereto; thence extending generally in a northerly direction along the former centerline of track a distance of 21.71 miles, more or less, to the **ENDING POINT** at the intersection of the former centerline of track at Valuation Station 4487+63 with the County Line between the Counties of Wayne and Randolph, such ENDING POINT being indicated on a fragment print of Grantor's Valuation Map V-51, sheet 52, marked Exhibit B-2, attached hereto; TOGETHER WITH that certain land conveyed to The Chesapeake and Ohio Railway Company, a predecessor of Grantor, by the following two deeds recorded among the Public Land Records of Wayne County, Indiana:

<u>Grantor</u>	<u>Date</u>	<u>Book/Page</u>
Second National Bank of Richmond	January 25, 1938	194/197
Avco Manufacturing Corp.	May 5, 1952	240/477

and being indicated crosshatched on a reduced fragment print of Grantor's Valuation Map V-51, sheet 33, marked Exhibit B-2(a), attached hereto.

BEING all or part of the same property acquired by predecessors of Grantor, by the following instruments, recorded among the Public Land Records of Wayne County, Indiana:

WAYNE COUNTY

<u>Acquired From</u>	<u>Predecessor Railroad</u>	<u>Date of Instrument</u>	<u>Book</u>	<u>Page</u>
Richmond, City of	CR&M RR	03/23/1900	G	341
Scott Garr & Company	CR&M RR	12/14/1900	114	421
White, Louisa H.	CC&L RR	06/02/1905	7	428
Rodenberg, Henry	C&O RY	01/04/1956	273	297
Keller, Fred	C&O RY	08/12/1901	116	79
Richmond, City of	CC&L RR	07/26/1904	122	109

Wenzlaff, Ada	CR&M RR	12/17/1900	114	428
Pitman, Nancy J.	CR&M RR	12/04/1900	114	362
Elliott, Josiah T.	CR&M RR	12/05/1900	114	392
Rudy, Josephine	CR&M RR	12/06/1900	114	394
Besselman, Laura E.	CR&M RR	12/05/1900	114	392
McCoy, Annie	CR&M RR	11/26/1900	114	359
Keller, Marietta	CR&M RR	11/27/1900	114	349
Worrell, Mary	CR&M RR	03/23/1901	46	162
Baumer, A. F.	CR&M RR	11/27/1900	114	352
Hampton, Margaret	CR&M RR	11/26/1900	114	349
Foulke, Mary E.	CR&M RR	11/15/1900	114	301
Foulke, Mary E.	CC&L RR	05/24/1905	123	376
Brannon, Wm J.	CR&M RR	10/27/1900	114	83
Ratliff, Cornelius	CR&M RR	06/30/1900	114	18
Lemon, Everett R., et al	C&O RY	04/24/1946	212	435
Richmond Baking Co.	C&O RY	06/05/1946	213	152
National Auto Tool	C&O RY	02/14/1946	211	508
Diamond Clamp & Flask	C&O RY	02/22/1946	211	521
Nixon, George R.	C&O RY	04/01/1946	212	190
Van Ausdal, Charles P.	C&O RY	02/07/1946	102	408
Brewer, Edwin	C&O RY	04/24/1946	211	565
Davis, Bert F., et ux	C&O RY	11/17/1952	252	364
Parry, Susannah	CR&M RR	07/09/1900	114	24
Rodefild, Edward, et al	C&O RY	10/24/1935	188	123
Thorpe, G. R., Commissioner	C&O RY	09/30/1936	190	165
Brown, F. J., et al	CR&M RR	07/20/1900	114	36
Penn Central Corp.	C&O RY	12/19/1983	430	55
Jameson, Mary, et al	CR&M RR	07/21/1900	114	29
Lamb, J. H.	CR&M RR	07/18/1900	114	27
Baldwin, Elizabeth	CR&M RR	03/23/1901	46	159
Longstreth, M. M.	C&O RY	10/26/1937	193	23
Brown, S. J.	C&O RY	02/12/1951	240	477
Industries, Inc.	C&O RY	02/27/1963	310	437
Richmonds Committee of 100	C&O RY	09/09/1965	324	284
Consolidated Rail Corp.	C&O RY	03/07/1985	433	84
Deitmeyer, W., et al	CR&M RR	11/05/1900	114	97
Kenley, Mary E.	CR&M RR	07/30/1900	114	43
Sullivan, Nancy	CR&M RR	11/12/1900	114	98
Dietmeyer, W.	CR&M RR	07/24/1900	114	44
Dennis, T. P.	CR&M RR	07/23/1900	114	35
Parker, C. W.	CR&M RR	07/19/1900	114	26
Sullivan, J. W.	CR&M RR	08/01/1900	114	43
Brown, C. D.	CR&M RR	07/20/1900	114	35
Reid, Anna E.	CR&M RR	07/19/1900	114	27
Flatley, J.	CR&M RR	07/16/1900	114	20
Harris, A. G., et al	CR&M RR	07/27/1900	114	40
Unthank, Emma H.	CR&M RR	08/03/1900	114	69
Smith, W.	CR&M RR	06/17/1900	114	22
Wilson, M. A.	CR&M RR	07/19/1900	114	25
Unthank, Emma H.	CR&M RR	02/00/1901	116	22
Smith, William	CR&M RR	09/18/1900	114	79

Brown, J. B.	CC&L RR	02/10/1908	127	502
Bond, W.	CR&M RR	07/30/1900	114	41
Lamb, T. J.	CR&M RR	09/26/1901	116	249
Horton, M. A., et vir	CR&M RR	10/27/1900	114	84
Votaw, C. E.	CR&M RR	08/03/1900	114	48
Bond, J.	CR&M RR	08/10/1901	116	224
Roberts, A. H.	CR&M RR	07/30/1900	114	42
Roberts, A. H.	CR&M RR	11/22/1900	114	323
Nutter, J. L.	CR&M RR	07/23/1900	114	34
Comer, J., et al	CR&M RR	07/24/1900	114	39
Menenhall, J.	CR&M RR	07/21/1900	114	30
McMahan, E. B.	CR&M RR	07/13/1900	114	19
Carny, L., et al	CR&M RR	03/23/1901	46	160
Gavin, M.	CR&M RR	11/15/1900	114	296
Moorman, M. L.	CR&M RR	03/04/1901	115	132
Moorman, M. L.	CR&M RR	03/23/1901	46	172
Bond, M. A.	CR&M RR	07/24/1900	114	38
Pitts, S.	CR&M RR	07/21/1900	114	28
Pitts, A.	CR&M RR	07/21/1900	114	32
Pearce, A.	CR&M RR	07/24/1900	114	33
Cranor, Milo	CR&M RR	07/23/1900	114	31
St. Meyer, A.	CR&M RR	08/07/1900	114	49
Mullin, W.	CR&M RR	07/24/1900	114	37
Davis, J.	CR&M RR	08/04/1900	114	48
Cranor, Milo	CR&M RR	04/18/1901	115	302
Davis, F. S.	CR&M RR	08/06/1900	114	47
Study, M.	CR&M RR	08/04/1900	114	51
Catey, O. B.	CR&M RR	08/04/1900	114	46
Williams, R. A.	CR&M RR	08/04/1900	114	50
Faucett, W. E.	CR&M RR	08/09/1900	114	68
Cranor, J. A.	CR&M RR	08/13/1900	114	65
Oler, W.	CR&M RR	08/09/1900	114	59
Oler, A.	CR&M RR	09/28/1900	114	80
Duke, W. A.	CR&M RR	08/10/1900	114	64
Study, J. G.	CR&M RR	08/09/1900	114	58
Ballenger, G. S.	CR&M RR	08/09/1900	114	61
Williams, R.	CR&M RR	08/30/1900	114	74
Weyl, J. L.	CR&M RR	09/01/1900	114	72
Edwards, A. T.	CR&M RR	08/09/1900	114	52
Williams, D. B.	CR&M RR	08/21/1900	114	71
Lamb, J. H.	CR&M RR	08/10/1900	114	67
Lamb, A., et al	CR&M RR	08/15/1900	114	66
Osborn, E.	CR&M RR	08/06/1900	114	53
Canady, L.	CR&M RR	08/11/1900	114	63
Sedwick, J. B.	CR&M RR	08/30/1900	114	76
Cain, H. P.	CR&M RR	08/31/1900	114	73
Cain, H.	CR&M RR	09/03/1901	116	177
Swain, Alanson W., et ux	C&O RY of IN	09/03/1928	173	301
Williams, W. R.	CR&M RR	08/11/1900	114	62
Beard, L., et al	CR&M RR	08/10/1900	114	55
Hadley, T. P.	CR&M RR	08/08/1900	114	58
Hadley, T. P.	CR&M RR	09/14/1900	114	78
Beard, C. S.	CR&M RR	08/08/1900	114	54
Beard, J. G. Whitter	CR&M RR	08/08/1900	114	54

Clark, B. W.	CR&M RR	08/11/1900	114	57
Barnard, G. W.	CR&M RR	08/00/1900	45	167
Wayne Co. Brd. of Commissioners	C&O RY	10/14/1985	15	64
Barnard, G.	CR&M RR	09/01/1900	114	78
Cain, E. A.	CR&M RR	08/11/1900	114	65
Jordan, W. D.	CR&M RR	08/10/1900	114	52
Thornburg, D. C.	CR&M RR	08/10/1900	114	62
Lumpkin, R. M.	CR&M RR	08/11/1900	114	60
Thornburg, W. R.	CR&M RR	08/11/1900	114	56
Bales, G. W.	CR&M RR	09/08/1900	114	76
Abbott, A.	CR&M RR	08/23/1900	114	70
Simmons, I.	CR&M RR	09/08/1900	114	75

BEING all or part of the same property acquired by predecessors of Grantor, by the following instruments, recorded among the Public Land Records of Randolph County, Indiana:

RANDOLPH COUNTY

<u>Acquired From</u>	<u>Predecessor Railroad</u>	<u>Date of Instrument</u>	<u>Book</u>	<u>Page</u>
Jackson, B.	CR&M RR	09/08/1900	92	113
Luther, M. M., et ux	CR&M RR	09/06/1900	92	118
Jordan, S. E.	CR&M RR	09/13/1900	92	116
Beeson, I. F.	CR&M RR	11/21/1900	93	101
Burroughs, F.	CR&M RR	09/12/1900	92	115
Templin, S. V., et ux	CR&M RR	12/01/1900	51	518
Wiggins, B. H., et ux	CR&M RR	11/21/1900	92	353
Metzker, I.	CR&M RR	09/13/1900	92	112
Butler, N. J.	CR&M RR	09/12/1900	92	119
Second National Bank of Richmond	CR&M RR	02/25/1901	92	579
Wiggins, B., et ux	CR&M RR	06/03/1901	94	285
Metzker, Isaac, et ux	CR&M RR	04/24/1901	93	245
Metzker, Jacob, et ux	C&O RY	03/22/1943	142	165
Maynard, Elias	C&O RY	04/06/1943	142	207
Richwein, E. B., et ux	C&O RY	06/09/1943	142	511
Routh, J. L.	CR&M RR	03/20/1901	94	186
Johnson, T. O.	CR&M RR	09/20/1900	92	114
Conwell, D. F., et ux	CR&M RR	09/13/1900	92	117
Bookout, Wm A., et ux	CR&M RR	03/26/1901	93	244
Thompson, S. A.	CR&M RR	08/27/1900	70	556
Burch, O., et ux	CR&M RR	09/17/1900	92	227

BEING all or part of the same property acquired by predecessors of Grantor, by the following instruments, recorded among the Public Land Records of Henry County, Indiana:

HENRY COUNTY

<u>Acquired From</u>	<u>Predecessor Railroad</u>	<u>Date of Instrument</u>	<u>Book</u>	<u>Page</u>
Moore, R. B., et vir	CR&M RR	01/14/1901	71	522
Finch, C., et al	CR&M RR	12/05/1900	61	119
Finch, W., et al	CR&M RR	08/27/1900	70	551
Bird, L., et al	CR&M RR	12/05/1900	61	117
Snodgrass, T., et ux	CR&M RR	08/27/1900	70	549
Howell, E., et al	CR&M RR	12/05/1900	61	121
Chamness, S. C.	CR&M RR	08/17/1900	70	552
Thompson, S. A.	CR&M RR	08/27/1900	70	556
Bennett, S. E., et ux	CR&M RR	08/16/1900	70	554
Burch, J. M., et ux	CR&M RR	08/24/1900	70	553
Burch, Sarah	C&O RY of IN	01/04/1911	86	430
Lines, W. R., et al	CR&M RR	12/05/1900	61	115
Hetsler, O. I.	C&O RY of IN	02/06/1911	85	65
Jordan, F. A., et vir	CR&M RR	07/18/1901	73	100
Burch, Sarah	C&O RY of IN	06/27/1916	92	5
Linville, S. C.	CR&M RR	08/23/1900	70	555
Linville, S. C.	C&O RY of IN	11/05/1910	84	467
Linville, S. C.	C&O RY of IN	01/23/1911	85	30
Luther, Wm J. B., et ux	CR&M RR	09/06/1900	70	550
Stonebraker, A., et ux	C&O RY of IN	01/23/1911	85	29

BEING all or part of the same property acquired by predecessors of Grantor, by the following instruments, recorded among the Public Land Records of Delaware County, Indiana:

DELAWARE COUNTY

<u>Acquired From</u>	<u>Predecessor Railroad</u>	<u>Date of Instrument</u>	<u>Book</u>	<u>Page</u>
DePauw University, et al	CR&M RR	03/21/1901	76	403
Daughy, C., et vir	CR&M RR	09/07/1900	100	187
Oren, H. V., et al	CR&M RR	03/20/1901	76	390
Offerdinger, A. M., et ux	CR&M RR	03/21/1901	76	404
Kilmer, W. A., et ux	CR&M RR	09/06/1900	100	188

Marshall, T., et ux	CR&M RR	03/21/1901	76	402
Felton, R., et ux	CR&M RR	09/07/1900	100	197
Jackson, E., et al	CR&M RR	00/00/1900	102	575
Swearingen, E., et vir	CR&M RR	02/06/1901	102	574
Carmichael, C., et vir	CR&M RR	09/18/1900	100	198
Rees, G. M., et ux	CR&M RR	11/14/1900	100	550
Keesling, G., et ux	C&O RY of IN	02/16/1911	140	395
Whitehead, J. R.	C&O RY of IN	11/27/1910	140	111
Carmichael, M.	C&O RY of IN	11/29/1910	140	109
Hutchings, J. S., et ux	CR&M RR	06/22/1901	104	259
Hutchings, J. S., et ux	CR&M RR	09/18/1900	100	199
Cross, A. S., et ux	CR&M RR	11/14/1900	100	544
Coffin, O. F., et ux	C&O RY of IN	12/02/1910	140	113
Coffin, O. F., et ux	C&O RY of IN	01/18/1911	140	312
Carmichael, J., et ux	CR&M RR	09/05/1900	100	196
Carmichael, J., et ux	C&O RY of IN	02/13/1911	140	441
Carmichael, J., et ux	C&O RY of IN	07/05/1912	145	427
Jackson, E., et ux	CR&M RR	09/06/1900	100	192
Jackson, M. H., et ux	CR&M RR	09/06/1900	100	200
Jackson, J. B., et ux	CR&M RR	09/05/1900	100	194
Linville, J., et ux	CR&M RR	11/19/1900	100	546
Felton, R., et ux	CR&M RR	09/18/1900	100	195
Felton, J., et vir	CR&M RR	09/04/1900	100	193
Phillips, C., et vir	CR&M RR	08/31/1900	100	191
Wilcox, J. F.	CR&M RR	02/14/1902	110	22
Will, J., et ux	CR&M RR	09/14/1900	100	201
Rees, R., et vir	CR&M RR	05/26/1902	80	289
Constant, W. J., et ux	CR&M RR	09/05/1900	100	189
Hughes, G., et ux	CR&M RR	09/14/1900	100	190
Bell, M., et al	CR&M RR	09/17/1900	100	202
Rees, D., et al	CR&M RR	03/20/1901	76	391
Kiger, A. G., et al	CR&M RR	03/21/1901	76	406
Hopping, C.	CR&M RR	01/17/1901	61	239
Hopping, J.	CR&M RR	01/11/1901	61	220
Huffman, W., et ux	CR&M RR	08/04/1900	101	452
Luick, W. H., et ux	CR&M RR	01/16/1902	62	485
Luick, C., et al	CR&M RR	01/11/1901	61	220
Franklin, P. W., et ux	CR&M RR	08/03/1900	101	450
Bakker, S., et vir	CR&M RR	08/01/1900	101	445
Holbert, A. R., et vir	CR&M RR	08/02/1900	101	447
Brown, T., et ux	CR&M RR	08/01/1900	101	149
Kirk, C. M., et vir	CR&M RR	08/01/1900	101	448
Erlinghagen, M., et ux	CR&M RR	08/01/1900	101	451
White, W. H., et ux	CR&M RR	07/31/1900	101	446
Fromuth, F., et ux	CR&M RR	09/14/1900	101	480
Citizens Land Co.	CR&M RR	07/01/1901	105	524
Wall, H. C. R., et ux	C&O RY of IN	06/27/1916	158	490
Tibbens, W. M.	CR&M RR	03/23/1901	105	192
Zeller, V., et al	CR&M RR	04/25/1901	105	216
Joris, C., et ux	CR&M RR	04/23/1901	105	211
Ladwron, F. J., et ux	CR&M RR	05/20/1901	105	517
Constant, J.	CR&M RR	05/16/1901	105	519
Ratliff, H. B., et vir	CR&M RR	05/02/1901	105	209
Burgess, G. W., et ux	CR&M RR	05/02/1901	105	206
Gibson, D., et vir	CR&M RR	05/28/1901	105	522

O'Neil, G. A., et ux	CR&M RR	05/08/1901	105	191
Baugh, L., et ux	CR&M RR	05/02/1901	105	219
Litteral, M., et vir	CR&M RR	05/02/1901	105	205
Walling, L.	CR&M RR	04/26/1901	105	208
Linville, N. K., et ux	CR&M RR	04/23/1901	105	204
Muncie, City of	C&O RY	11/16/1956	NONE	
Oskamp, D. C.	CR&M RR	05/27/1912	80	295
Storer, O. W., et ux	CR&M RR	05/28/1930	216	139
Zurick, C. H., et ux	CR&M RR	04/26/1901	105	203
Cannon, M. F., et vir	CR&M RR	04/23/1901	105	212
Russell, J., et ux	CR&M RR	05/01/1901	105	214
Ball Bros. Glass Mfg.	CR&M RR	11/12/1902	113	234
Branch, R. H., et ux	CR&M RR	04/26/1901	105	207
Muncie Water Works	CR&M RR	07/22/1901	78	214
Muncie, City of	CR&M RR	04/23/1901	3	498
Muncie, City of	CR&M RR	11/26/1901	3	526
Hamilton, A. H., et al	CR&M RR	08/05/1900	M	213
Stainbrook, J. N., et vir	CR&M RR	09/09/1902	111	284
Kirby, T. H., et ux	CR&M RR	06/20/1901	105	528
Rose, T. F., et ux	CR&M RR	06/20/1901	105	527
Bradford, W. A. Jr.	CR&M RR	03/25/1902	113	96
Storer, O. W., et ux	C&O RY of IN	03/14/1913	148	70
Wilcox, J. F.	CR&M RR	02/07/1902	113	99
Carpenter, L. L.	CR&M RR	12/11/1901	79	259
Anchor Silver Plate Co.	CR&M RR	07/08/1901	105	543
Meeks, J. A., et ux	CR&M RR	04/25/1901	105	218
Kennedy, E. M., et ux	CR&M RR	05/02/1901	105	210
McCulloch, G. F., et al	CR&M RR	10/26/1901	79	66
Hibbitts, W., et ux	C&O RY of IN	10/07/1913	150	205
Wysor, H. R., et ux	C&O RY of IN	03/08/1926	197	504
Muncie, City of	C&O RY	09/04/1940	10	241
Wingate, C. C., et al	C&O RY	06/10/1943	266	148
Ledsinger, G. W., et al	C&O RY	06/17/1943	266	279
Silvers, H. R., et ux	C&O RY	05/24/1943	266	115
Byrne, W., et ux	C&O RY	05/31/1943	266	99
Keever, F. E., et vir	C&O RY	08/02/1943	266	556
Phillips, A. A., et ux	C&O RY	10/19/1943	268	83
Pittsburgh, Chicago,				
Cincinnati & St. Louis RR	C&O RY	11/16/1943	268	471
Wysor, H. R., Administrator,				
et al	CC&L RR	04/00/1905	88	545
Bradford, W. A., Jr.	CR&M RR	03/25/1902	113	97
Bradford, W. A., Jr.	C&O RY of IN	02/20/1925	193	566
Mayes, I. E. et al	C&O RY of IN	09/28/1926	201	112
Muncie, City of	CR&M RR	11/05/1901	3	524
Kirby, G., et ux	C&O RY	06/03/1901	105	529
Kirby, T., et ux	C&O RY	06/20/1901	105	528
Bradford, W., Jr.	C&O RY of IN	02/25/1925	195	182
McCulloch, G. F., et al	CR&M RR	10/26/1901	79	66
Wysor, J. H., et al	CR&M RR	08/09/1901	105	542
Hibbitts, W., et al	CR&M RR	05/20/1901	105	541
Brown, P., et ux	CR&M RR	05/16/1901	105	537
Jones, L., et al	CR&M RR	07/22/1901	78	213

Chicago, Indiana & Eastern RY	CR&M RR	05/16/1901	105	540
Storer, O. W., et ux	C&O RY of IN	03/14/1913	148	70
Garrison, E., et ux	CR&M RR	12/10/1901	79	256
Storer, O. W.	C&O RY of IN	03/14/1913	148	70
Wilcox, J. F.	CR&M RR	02/07/1902	113	100
Whitely Malleable Casting	CR&M RR	03/20/1901	105	520
Wysor Land Co.	CR&M RR	06/06/1902	80	341
Wysor Land Co.	CR&M RR	06/19/1902	113	101
Wilcox, J. F.	CR&M RR	07/03/1902	113	118
Streeter, H. W., et ux	CR&M RR	06/05/1902	80	328
Wysor, H. R., et ux	C&O RY of IN	03/08/1926	197	504
Wysor, H. R., et ux	C&O RY of IN	05/09/1912	145	159
Streeter, M. E.	CR&M RR	10/03/1901	78	451
Streeter, M. E., et vir	CR&M RR	07/22/1901	78	209
Streeter, S. B., et ux	CR&M RR	07/22/1901	78	211
Hackneyer, W., et al	CR&M RR	10/09/1901	78	512
Conn, S.	CR&M RR	05/21/1901	105	518
Frees, C., et ux	CR&M RR	07/22/1901	78	210
Sargent, C.	CR&M RR	NONE	NONE	
Michener, E. E.	CR&M RR	05/22/1901	105	523
Wolting, C. P., et ux	CR&M RR	12/11/1901	79	258
Williams, R. H., et ux	CR&M RR	10/03/1901	78	449
Pittsburgh, Chicago, Cincinnati & St. Louis RR	C&O RY	10/02/1951	326	548
Will, B. E., et ux	CR&M RR	12/23/1901	79	321
Hamilton, R., et al	CR&M RR	10/03/1901	78	450
Marsh, H. C., et ux	CR&M RR	11/15/1900	100	541
Williams, A. H., et ux	CR&M RR	10/29/1900	100	552
Cowing, G., et ux	CR&M RR	11/02/1900	100	515
Davis, A. L., et ux	CR&M RR	10/30/1900	100	507
Scudder, A. T., et ux	CR&M RR	11/02/1900	100	512
Freeman, M. M.	CR&M RR	11/02/1900	100	513
Watson, L. C., et ux	CR&M RR	11/08/1900	100	537
Norris, L., et ux	CR&M RR	11/08/1900	100	539
Thomas, J. W., et ux	CR&M RR	11/02/1900	100	514
Snider, W. H. et ux	CR&M RR	10/31/1900	100	508
Cary, S. A., et ux	CR&M RR	11/08/1900	100	538
Hammond, A. A., et ux	CR&M RR	10/31/1900	100	509
McClellan, H. J., et al	CR&M RR	03/20/1901	76	397
Greely, A., et ux	CR&M RR	11/01/1900	100	510
Yohler, M., et al	CR&M RR	03/20/1901	76	394
Lewis, E.	CR&M RR	10/26/1900	100	516
Mulread, A., Guardian	CR&M RR	11/21/1900	100	634
Mulread, A., Individual	CR&M RR	11/21/1900	100	632
Rees, L., et ux	CR&M RR	10/19/1900	100	517
Rector, J. A., et ux	CR&M RR	10/12/1900	100	524
Cary, C., et al	CR&M RR	03/20/1901	76	395
Vermillion, S., et ux	CR&M RR	11/09/1900	100	542
Benadum, F., et ux	CR&M RR	10/12/1900	100	534
Hirons, C. C., et ux	CR&M RR	10/25/1900	100	518
Rector, A., et ux	CR&M RR	10/12/1900	100	530
Rector, A., et al	CR&M RR	10/17/1900	100	548
Mullin, S., et vir	CR&M RR	10/17/1900	100	519
McCreery, S. J., et ux	CR&M RR	10/10/1900	100	528

Lyons, A. J., et ux	CR&M RR	10/16/1900	100	527
McCreery, T., et ux	CR&M RR	10/10/1900	100	525
Fallis, S. E., et vir	CR&M RR	10/12/1900	100	523
McCreery, J. W., et ux	CR&M RR	10/16/1900	100	522
McCreery, W., et ux	CR&M RR	10/10/1900	100	526
Lambert, O. R., et ux	C&O RY	10/15/1951	326	531
Shephard, N. M.	C&O RY	11/09/1951	327	212
McCreery, R., et ux	C&O RY	10/07/1954	NONE	
Ritchie, O. P., et ux	C&O RY	09/29/1951	11	41
Batt, M., et vir	CR&M RR	10/16/1900	100	520
Sharp, T.	CR&M RR	04/21/1903	110	539
Bartlett, B., et al	CR&M RR	10/13/1900	100	532
Sharp, T., et ux	CR&M RR	10/10/1900	100	535
McCreery, E.	C&O RY	09/29/1951	11	40
McColm, J. H., et ux	C&O RY	01/26/1954	11	42

CR&M RR - Cincinnati, Richmond and Muncie Railroad
 CC&L RR - Chicago, Cincinnati and Louisville Railroad
 C&O RY - The Chesapeake and Ohio Railway Company

Effective June 1, 1903, the Cincinnati, Richmond and Muncie Company consolidated with the Chicago, Cincinnati and Louisville Railway Company; under foreclosure proceedings and through mesne conveyances, the Chicago, Cincinnati and Louisville Railway Company and the Chicago, Cincinnati, and Louisville Railway Company merged into The Chesapeake and Ohio Railway Company of Indiana, effective July 28, 1910; effective October 1, 1934, The Chesapeake and Ohio Railway Company of Indiana merged into The Chesapeake and Ohio Railway Company; The Chesapeake and Ohio Railway Company was merged into CSX Transportation, Inc. effective September 2, 1987.

Shields Land Company

IP
ICR

2019R02548
MELANIE MARSHALL
DELAWARE COUNTY RECORDER
RECORDED ON
02/28/2019 03:29 PM
REC FEE 25.00
PAGES: 1

File Number: 20183422

QUITCLAIM DEED

Parcel No. 18-11-11-353-002.000-003

THIS INDENTURE WITNESSETH, That **Karen L. Heinrichs** QUITCLAIM(S) to **Shields Land Company LLC** (Grantee) for no consideration the following described real estate in Delaware County, State of Indiana:

A part of Lots Numbered 39, 40, 41, 42 and that portion of vacated Macedonia Avenue in Hamilton's 1st Addition to the City of Muncie, Indiana, more particularly described as follows, to-wit: Beginning at the Southeast corner of Lot 39 in Hamilton's 1st Addition to the City of Muncie, Indiana; thence West on the South line of said Lot 39 and said South line produced, 150.0 feet to the West line of said Addition; thence North on the West line of said Addition, 196.2 feet to a point 25.0 feet Southwesterly (measured at right angles) from the centerline of the main tract of the Miami Subdivision of the Chesapeake and Ohio Railway; thence South 37 degrees 48 minutes 30 seconds East and parallel with and 25.0 feet Southwest of the said main tract, 243.2 feet to its intersection with the East line of said Lot 39; thence South on the East line of said Lot 39, 9.0 feet to the point of beginning. *none*

The parties hereto acknowledge that the preparer has not conducted a title search in connection with this transaction and makes no guarantee as to the status or condition of the real estate title.

Grantor represents that she and Nelson W. Heinrichs acquired title to the above described real estate as husband and wife in Corporate Warranty Deed dated May 22, 1987 and recorded May 26, 1987 in Deed Record 1987 pages 2171-2173 that from the date of said deed until the date of his death, grantor and Nelson W. Heinrichs remained continuously husband and wife, and that said Nelson W. Heinrichs died on or about MARCH 14, 2016.

IN WITNESS WHEREOF, Grantor has executed this deed this 20 day of February, 2019.

Karen L. Heinrichs
Karen L. Heinrichs

State of Arizona

ss: ACKNOWLEDGEMENT

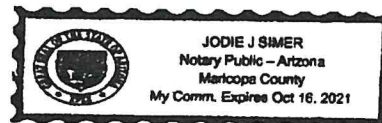
County of maricopa

Before me, a Notary Public in and for the said County and State, personally appeared **Karen L. Heinrichs** who acknowledged the execution of the foregoing Instrument, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 20th day of February, 2019

My commission expires: 10.16.2021

Jodie J. Simer
Notary Public -



Residing in maricopa County

Send Tax bills to and Grantee's street or rural route address is: P.O. Box 2623, MUNCIE IN 47307

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. James W. Smith, Attorney-at-Law

This instrument prepared by: James W. Smith, Attorney-at-Law

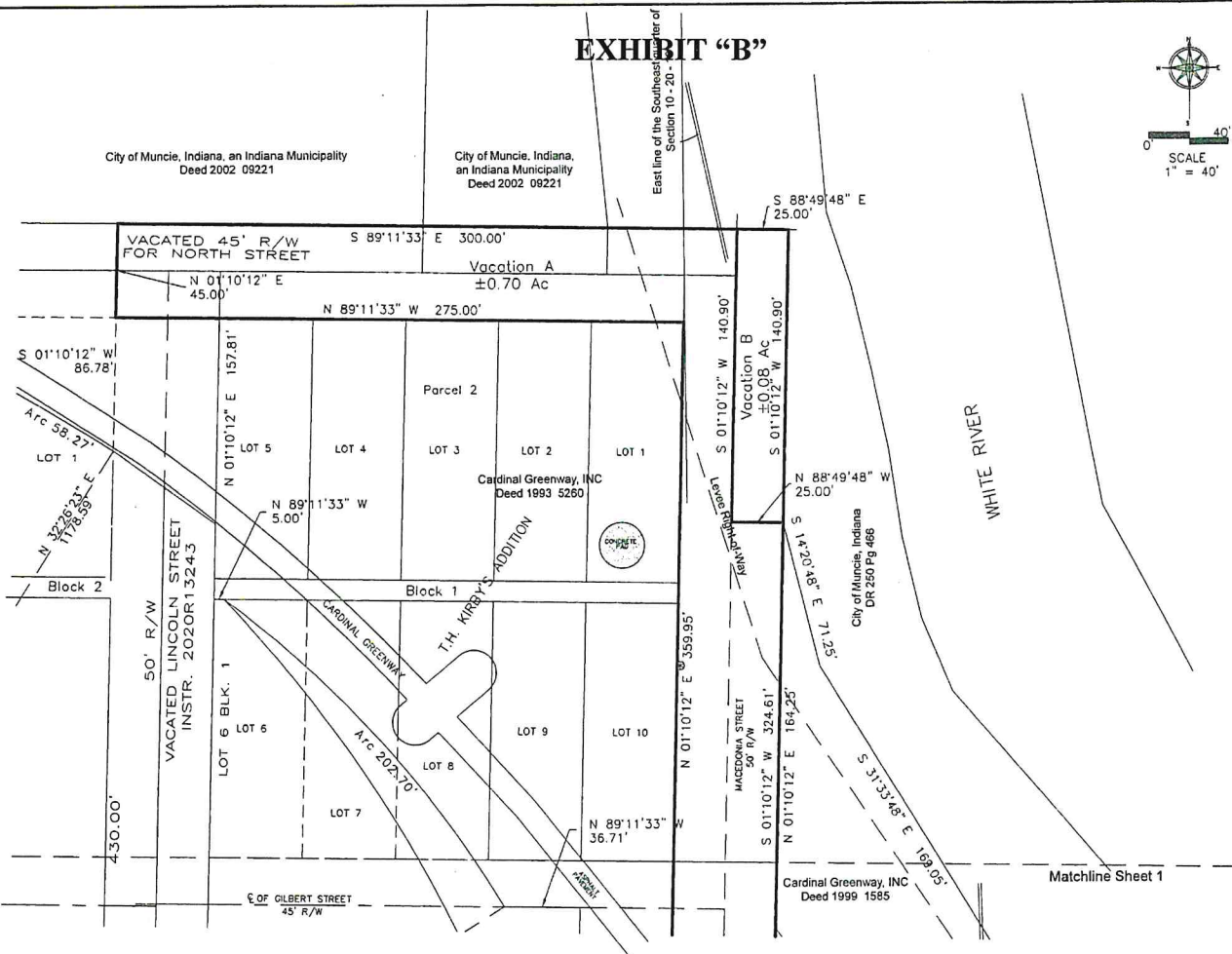
Duly Entered for Taxation
Transfer Fees \$ 5.00
FEB 28 2019

Sharon G. Cragg
Delaware County Auditor

EXHIBIT "A-4"



EXHIBIT "B"



Cardinal Greenway Vacation #A

A vacation on a part of North Street and a part of Macedonia Avenue as shown by the plot of Thomas H. Kirby's Addition and Hamilton's First Addition to the City of Muncie as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 1, Block 2 in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the centerline of Macedonia Avenue; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along said center line; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585, Records of Delaware County, Indiana; thence South 01 degrees 10 minutes 12 seconds West 324.61 feet along the East line of Macedonia Avenue as shown by the plot of Hamilton's First Addition to the City of Muncie to the Southwesterly line of the Cardinal Greenway as described by Deed Record 2019R02548; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 60.56 feet; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet to the point of intersection of the East line of Lot 1, Block 6 in said Kirby's Addition with the Southwesterly right-of-way line of the former C & O Railroad (now Cardinal Greenway); thence North 01 degrees 10 minutes 12 seconds East 359.95 feet to the Northeast corner of Lot 1, Block 1 of said Kirby's Addition; thence North 89 degrees 11 minutes 33 seconds West 275.00 feet to the point of beginning, containing 0.70 acres, more or less.

City of Muncie Vacation #B

A vacation of a part of Macedonia Avenue, as described by Hamilton's First Addition to the City of Muncie, records of Delaware County, Indiana, described as follows:

Commencing at the Northeast corner of Lot 1, Block 2 of Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the point of beginning at the centerline of Macedonia Avenue; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along the East line of Macedonia Avenue to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585 Records of Delaware County, Indiana; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 140.90 feet to the point of beginning, containing 0.08 acres, more or less.

Shield's Land Company Vacation #C

A vacation of a portion of Macedonia Avenue as shown by Hamilton's First Addition and Thomas H. Kirby's Addition to the City of Muncie, as shown by the records of Delaware County, Indiana:

Beginning at the Southeast corner of Lot 10, Block 6, in Thomas H. Kirby's Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 205.36 feet along the West line of Macedonia Avenue to the Southerly line of the former C & O Railroad, now the Cardinal Greenway; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 60.56 feet; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the intersection of the East line of Macedonia Avenue with the Southwesterly line of said Greenway; thence South 01 degrees 10 minutes 12 seconds West 164.34 feet along the East line of Macedonia Avenue; thence North 88 degrees 49 minutes 48 seconds West 50.00 feet to the point of beginning, containing 0.20 acres, more or less.

Shield's Land Company Vacation #D

A vacation of a part of the North Half of a 20-foot-wide alley which is along the South side of Lot 39 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at a point on the Easterly right-of-way line of Macedonia Avenue, as shown by Hamilton's First Addition to the City of Muncie, said point being North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) from the Northwest corner of Lot 38 in said addition; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the Southwest corner of Lot 39; thence South 88 degrees 49 minutes 48 seconds East 119.50 feet along the South line of said Lot 39 to the intersection with the Southwesterly line of the Cardinal Greenway; thence South 01 degrees 10 minutes 12 seconds West 10.00 feet to the center of a 20-foot-wide alley; thence North 88 degrees 49 minutes 48 seconds West 119.50 feet to the point of beginning, containing 0.03 acres, more or less.

Cardinal Greenway Vacation #E

A vacation of a 20-foot-wide alley along the East side of Lots 39-43 in Hamilton's First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northeast corner of Lot 43 in Hamilton's First Addition to the City of Muncie; thence South 88 degrees 49 minutes 48 seconds East 20.00 feet (assumed bearing) along the South line of vacated Gilbert Street; thence South 01 degrees 10 minutes 12 seconds West 252.85 feet parallel with the East line of Lots 39-43 in Hamilton's First Addition; thence North 88 degrees 49 minutes 48 seconds West 25.50 feet along the center of an alley; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the point of intersection of the Southwesterly line of the Cardinal Greenway with the South line of Lot 39 in Hamilton's First Addition; thence South 88 degrees 49 minutes 48 seconds East 5.50 feet to the Southeast corner of said Lot 39; thence North 01 degrees 10 minutes 12 seconds East 252.85 feet to the point of beginning, containing 0.12 acres, more or less.

Muncie Sanitary District Vacation #F

A vacation of a 20-foot-wide alley along the East side of Lots 33-38 and the South Half of a 20-foot-wide alley on the North side of said Lot 38 in Hamilton's First 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 38 in Hamilton's First Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) along the Easterly right-of-way line of Macedonia Avenue as shown by the Hamilton First Addition; thence South 88 degrees 49 minutes 48 seconds East 145.00 feet to the East line of a 20-foot-wide alley; thence South 01 degrees 10 minutes 12 seconds West 321.16 feet to the North line of Main Street as shown by said plot; thence North 84 degrees 25 minutes 41 seconds West 20.06 feet to the Southwest corner of Lot 33 in said addition; thence North 01 degrees 10 minutes 12 seconds East 309.62 feet to the Northeast corner of said Lot 38; thence North 88 degrees 49 minutes 48 seconds West 125.00 feet to the point of beginning, containing 0.18 acres, more or less.

Dated: April 30, 2021

Haldon L. Ashton
Registered Land Surveyor LS80040149
Haldon L. Ashton

Revisions

No.
Date:
Reason:

No.
Date:
Reason:

Drawn: SMK
Date: 04/30/21
Job: 2021265
Client: Phil Tevis
Owner: City of Muncie
Crew: EA

I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security number in this document, unless required by law. Haldon L. Ashton



SECTION CORNER COORDINATES ARE BASED ON INDIANA STATE PLANE, EAST ZONE (NORTH AMERICAN DATUM OF 1983, CORRS. 98 EPC 2002-020)

Vacation of Streets & Alleys
Muncie, IN

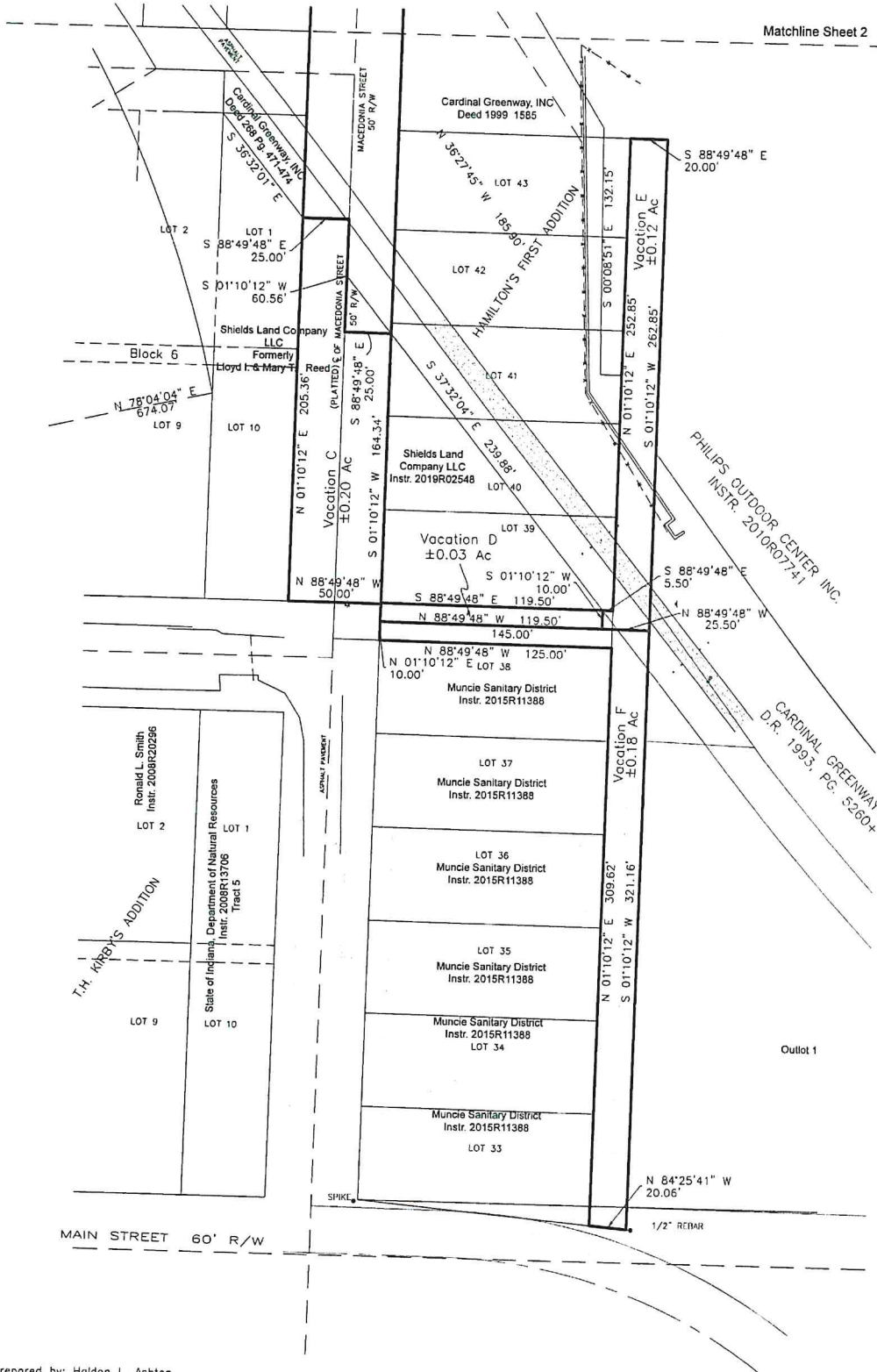
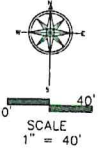
This Instrument Prepared by: Haldon L. Ashton
Accuracy or completeness of subsurface features is not certified.

725 W. Washington St.
Muncie, IN 47306
Ph: 765-282-5594
Fax: 765-282-5596
Ashton Land Surveyors, Inc.



125 West Washington Street, Muncie, IN 47306
We are proud to be a part of the Muncie community.
ashtonlandsurveyors.com

EXHIBIT "B"



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

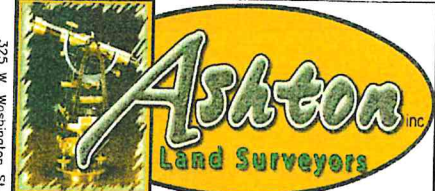
Revisions	
No.	
Date:	
Reason:	
No.	
Date:	
Reason:	
Drawn: SMK	
Date: 04/30/21	
Job: 2021265	
Client: Phil Tevis	
Owner: City of Muncie	
Crew: EA	

I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each "Serial" Security number in this document, unless required by law. Haldon L. Ashton

SECTION CORNER COORDINATES ARE BASED ON INDIANA STATE PLANE EAST ZONE (NORTH AMERICAN DATUM OF 1983, CORRS 86 EPOCH 2002.000)

Vacation of Streets & Alleys
Muncie, IN

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Muncie, IN 47305
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STATE OF INDIANA SS: DELAWARE COUNTY BEFORE THE MUNCIE CITY COUNCIL IN RE: MUNCIE SANITARY DISTRICT; CARDINAL GREENWAY, INC.; SHIELDS LAND COMPANY, L.L.C. NOTICE OF PETITION TO VACATE PUBLIC STREETS AND ALLEY AND HEARING THEREON TO: The City of Muncie, Indiana, and the Citizens thereof. Philips Outdoor Center Inc. 1623 West Jackson Street Muncie, In 47303 You are hereby notified that the Muncie Sanitary District, Cardinal Greenway, Inc. and Shields Land Company, L.L.C. have filed their petition with the Muncie City Council to vacate certain public streets and alley more specifically described as follows: Cardinal Greenway, Inc. Vacation #A Parcel Nos. 18-11-11-352-002.000-003 18-11-10-484-001.000-003 18-11-10-501.001.000-003 A vacation on a part of North Street and a part of Macedonia Avenue as shown by the plat of Thomas H. Kirby=s Addition and Hamilton=s First Addition to the City of Muncie as shown by the records of Delaware County, Indiana, described as follows: Beginning at the Northeast corner of Lot 1, Block 2 in Thomas H. Kirby=s Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes 33 seconds East 300.00 feet along the North line of North Street to the centerline of Macedonia Avenue; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along said center line; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585, Records of Delaware County, Indiana; thence South 01 degrees 10 minutes 12 seconds West 324.61 feet along the East line of Macedonia Avenue as shown by the plat of Hamilton=s First Addition to the City of Muncie to the Southwesterly line of the Cardinal Greenway as described by Deed Record 2019R02548; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 60.56 feet; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet to the point of intersection of the East line of Lot 1, of Block 6 in said Kirby=s Addition with the Southwesterly right-of-way line of the former C and O Railroad (now Cardinal Greenway); thence North 01 degrees 10 minutes 12 seconds East 359.95 feet to the Northeast corner of Lot 1, Block 1 of said Kirby=s Addition; thence North 89 degrees 11 minutes 33 seconds West 275.00 feet to the point of beginning, containing 0.70 acres, more or less. City of Muncie Vacation #B (Deed Record 250, pg.466) A vacation of a part of Macedonia Avenue, as described by Hamilton=s First Addition to the City of Muncie, records of Delaware County, Indiana, described as follows: Commencing at the Northeast corner of Lot 1, Block 2 of Thomas H. Kirby=s Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 45.00 feet (assumed bearing) along the Northerly extension of the East line of said Lot 1; thence South 89 degrees 11 minutes

33 seconds East 300.00 feet along the North line of North Street to the point of beginning at the centerline of Macedonia Avenue; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 140.90 feet along the East line of Macedonia Avenue to the Northwest corner of a tract of ground described by Deed Record 1999 page 1585 Records of Delaware County, Indiana; thence North 88 degrees 49 minutes 48 seconds West 25.00 feet; thence North 01 degrees 10 minutes 12 seconds East 140.90 feet to the point of beginning, containing 0.08 acres, more or less. Shields Land Company, L.L.C. Vacation #C Parcel Nos. 18-11-11-353-002.000-003 18-11-11-483-002.000-003 A vacation of a portion of Macedonia Avenue as shown by Hamilton=s First Addition and Thomas H. Kirby=s Addition to the City of Muncie, as shown by the records of Delaware County, Indiana: Beginning at the Southeast corner of Lot 10, Block 6, in Thomas H. Kirby=s Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 205.36 feet along the West line of Macedonia Avenue to the Southerly line of the former C & O Railroad, now the Cardinal Greenway; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet; thence South 01 degrees 10 minutes 12 seconds West 60.56 feet; thence South 88 degrees 49 minutes 48 seconds East 25.00 feet to the intersection of the East line of Macedonia Avenue with the Southwesterly line of said Greenway; thence South 01 degrees 10 minutes 12 seconds West 164.34 feet along the East line of Macedonia Avenue; thence North 88 degrees 49 minutes 48 seconds West 50.00 feet to the point of beginning, containing 0.20 acres, more or less. Shields Land Company, L.L.C. Vacation #D Parcel No. 18-11-11-353-002.000-003 A vacation of a part of the North Half of a 20-foot-wide alley which is along the South side of Lot 39 in Hamilton=s First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows: Beginning at a point on the Easterly right-of-way line of Macedonia Avenue, as shown by Hamilton=s First Addition to the City of Muncie, said point being North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) from the Northwest corner of Lot 38 in said addition; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the Southwest corner of Lot 39; thence South 88 degrees 49 minutes 48 seconds East 119.50 feet along the South line of said Lot 39 to the intersection with the Southwesterly line of the Cardinal Greenway; thence South 01 degrees 10 minutes 12 seconds West 10.00 feet to the center of a 20-foot-wide alley; thence North 88 degrees 49 minutes 48 seconds West 119.50 feet to the point of beginning, containing 0.03 acres, more or less. Cardinal Greenway, Inc. Vacation #E Parcel Nos. 18-11-11-352-002.000-003 18-11-10-501.001.000-003 A vacation of a 20-foot-wide alley along the East side of Lots 39-43 in Hamilton=s First Addition to the City of Muncie, as shown by the records of Delaware County, Indiana, described as follows: Beginning at the Northeast corner of Lot 43 in Hamilton=s First Addition to the City of Muncie; thence South 88 degrees

49 minutes 48 seconds East 20.00 feet (assumed bearing) along the South line of vacated Gilbert Street; thence South 01 degrees 10 minutes 12 seconds West 262.85 feet parallel with the East line of Lots 39-43 in Hamilton=s First Addition; thence North 88 degrees 49 minutes 48 seconds West 25.50 feet along the center of an alley; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet to the point of intersection of the Southwesterly line of the Cardinal Greenway with the South line of Lot 39 in Hamilton=s First Addition; thence South 88 degrees 49 minutes 48 seconds East 5.50 feet to the Southeast corner of said Lot 39; thence North 01 degrees 10 minutes 12 seconds East 252.85 feet to the point of beginning, containing 0.12 acres, more or less. Muncie Sanitary District Vacation #F Parcel Nos. 18-11-11-353-003.000-003 18-11-11-353-004.000-003 18-11-11-353-005.000-003 18-11-11-353-006.000-003 18-11-11-353-007.000-003 18-11-11-353-008.000-003 18-11-11-353-009.000-003 A vacation of a 20-foot-wide alley along the East side of Lots 33-38 and the South Half of a 20-foot-wide alley on the North side of said Lot 38 in Hamilton=s First 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 38 in Hamilton=s First Addition to the City of Muncie; thence North 01 degrees 10 minutes 12 seconds East 10.00 feet (assumed bearing) along the Easterly right-of-way line of Macedonia Avenue as shown by the Hamilton First Addition; thence South 88 degrees 49 minutes 48 seconds East 145.00 feet to the East line of a 20-foot-wide alley; thence South 01 degrees 10 minutes 12 seconds West 321.16 feet to the North line of Main Street as shown by said plat; thence North 84 degrees 25 minutes 41 seconds West 20.06 feet to the Southwest corner of Lot 33 in said addition; thence North 01 degrees 10 minutes 12 seconds East 309.62 feet to the Northeast corner of said Lot 38; thence North 88 degrees 49 minutes 48 seconds West 125.00 feet to the point of beginning, containing 0.18 acres, more or less. You are further notified that said petition and the things at issue will be heard and determined by the Muncie City Council on the 2nd day of August, 2021, at __6:45__ o=clock p.m., at Muncie City Hall Auditorium, First Floor, 300 N. High Street, Muncie, Indiana. IN WITNESS WHEREOF, the Muncie City Clerk has affixed her signature and official seal this 16th day of July, 2021. Belinda Munson, City Clerk (MNI - 7/22/21 - 0004831563) hspaxlp

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