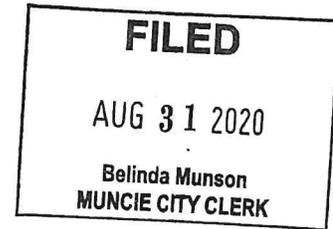


MUNCIE CITY COUNCIL
ORDINANCE 35 -20



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

WHEREAS, Muncie Sanitary District has filed its petition with the City of Muncie, Indiana, to vacate a portion of a certain public street and alleys, more specifically described as follows:

PORTION OF MARTIN LUTHER KING JR. BLVD.

A part of Blocks 1, 8, and 9 of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in, more particularly described as follows: Beginning at the northeast corner of Lot 6 of Block 1 of Rochester and Muncie Land Company's Subdivision; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 742.00 feet along the east line of Lots 6 and 7 of Block 1, the easterly right of way line of vacated 15th Street, Lots 1 through 7 of Block 8, the easterly right of way line of vacated 14th Street, and Lots 1 through 7 of Block 9 to the southeast corner of said Lot 7 of said Block 9; thence North 89 degrees 42 minutes 07 seconds West 25.00 feet along the south line of said Lot 7; thence North 0 degrees 22 minutes 48 seconds West 272.04 feet to a point on the south line of vacated 14th Street; thence North 9 degrees 12 minutes 38 seconds East 151.87 feet; thence North 0 degrees 43 minutes 44 seconds East 320.00 feet to a point on the north line of said Lot 6 of said Block 1; thence South 89 degrees 42 minutes 07 seconds East 10.00 feet along said north line to the Point of Beginning and containing 14,185 square feet, more or less.

PORTION OF ALLEY - BLOCK 9

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book I, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 9; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 272.00 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 89 degrees 42 minutes 07 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 9; thence North 0 degrees 43 minutes 44 seconds East 272.00 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,264 square feet, more or less.

PORTION OF ALLEY - BLOCK 18

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book 1, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 18; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 263.38 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 88 degrees 27 minutes 53 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 18; thence North 0 degrees 43 minutes 44 seconds East 263.12 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,159 square feet, more or less.

all as shown on the legal descriptions prepared by Dewey L. Witte, RLS dated August 18, 2020, attached hereto as Exhibit A, reserving, however, an easement for existing public utilities and subject to restrictions of record; and

WHEREAS, Muncie Sanitary District is the owner 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:

PORTION OF MARTIN LUTHER KING JR. BLVD.

A part of Blocks 1, 8, and 9 of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in, more particularly described as follows: Beginning at the northeast corner of Lot 6 of Block 1 of Rochester and Muncie Land Company's Subdivision; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 742.00 feet along the east line of Lots 6 and 7 of Block 1, the easterly right of way line of vacated 15th Street, Lots 1 through 7 of Block 8, the easterly right of way line of vacated 14th Street, and Lots 1 through 7 of Block 9 to the southeast corner of said Lot 7 of said Block 9; thence North 89 degrees 42 minutes 07 seconds West 25.00 feet along the south line of said Lot 7; thence North 0 degrees 22 minutes 48 seconds West 272.04 feet to a point on the south line of vacated 14th Street; thence North 9 degrees 12 minutes 38 seconds East 151.87 feet; thence North 0 degrees 43 minutes 44 seconds East 320.00 feet to a point on the north line of said Lot 6 of said Block 1; thence South 89 degrees 42 minutes 07 seconds East 10.00 feet along said north line to the Point of Beginning and containing 14,185 square feet, more or less.

PORTION OF ALLEY - BLOCK 9

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book I, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 9; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 272.00 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 89 degrees 42 minutes 07 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 9; thence North 0 degrees 43 minutes 44 seconds East 272.00 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,264 square feet, more or less.

PORTION OF ALLEY - BLOCK 18

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book 1, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 18; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 263.38 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 88 degrees 27 minutes 53 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 18; thence North 0 degrees 43 minutes 44 seconds East 263.12 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,159 square feet, more or less.

are hereby vacated, reserving an easement for existing public utilities and subject to restrictions of record.

Section 2. The public street and alleys so vacated shall become the property of the adjoining owner, Muncie Sanitary District, in accordance with the drawing by Beam Longest Neff dated August 18, 2020, attached as Exhibit B, and a part of the tax identified parcels as shown on the parcel key list attached as Exhibit C. 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 in these exhibits.

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

Passed by the Common Council of the City of Muncie, Indiana, this ____ day of _____, 2020.

	Yeas	Nays	Abstained	Absent
Ralph Smith	_____	_____	_____	_____
Jeff Robinson	_____	_____	_____	_____
Ray Dudley	_____	_____	_____	_____
Bradley Polk	_____	_____	_____	_____
Jerry D. Dishman	_____	_____	_____	_____
Anitra Davis	_____	_____	_____	_____
Aaron Clark	_____	_____	_____	_____
Troy A. Ingram	_____	_____	_____	_____
Richard M. Ivy	_____	_____	_____	_____

President
City Council, City of Muncie

Presented by me to the Mayor for his approval, this _____ day of _____,
2020.

Belinda Munson, City Clerk

The above Ordinance is approved/vetoed by me this _____ day of _____,
2020.

Dan Ridenour, Mayor

ATTEST:

Belinda Munson, City Clerk

This ordinance is proposed by Council Member



This ordinance is approved in form by Controller



This ordinance is approved in form by Legal Counsel



EXHIBIT "A"

PORTION OF MARTIN LUTHER KING JR. BLVD. VACATION

A part of Blocks 1, 8, and 9 of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in , more particularly described as follows: Beginning at the northeast corner of Lot 6 of Block 1 of Rochester and Muncie Land Company's Subdivision; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 742.00 feet along the east line of Lots 6 and 7 of Block 1, the easterly right of way line of vacated 15th Street, Lots 1 through 7 of Block 8, the easterly right of way line of vacated 14th Street, and Lots 1 through 7 of Block 9 to the southeast corner of said Lot 7 of said Block 9; thence North 89 degrees 42 minutes 07 seconds West 25.00 feet along the south line of said Lot 7; thence North 0 degrees 22 minutes 48 seconds West 272.04 feet to a point on the south line of vacated 14th Street; thence North 9 degrees 12 minutes 38 seconds East 151.87 feet; thence North 0 degrees 43 minutes 44 seconds East 320.00 feet to a point on the north line of said Lot 6 of said Block 1; thence South 89 degrees 42 minutes 07 seconds East 10.00 feet along said north line to the Point of Beginning and containing 14,185 square feet, more or less.

This description was prepared for the Muncie Sanitary District by Beam, Longest and Neff, L.L.C.

Dewey L. Witte

08/18/2020

Dewey L. Witte

Date

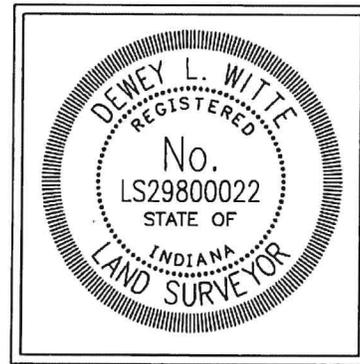
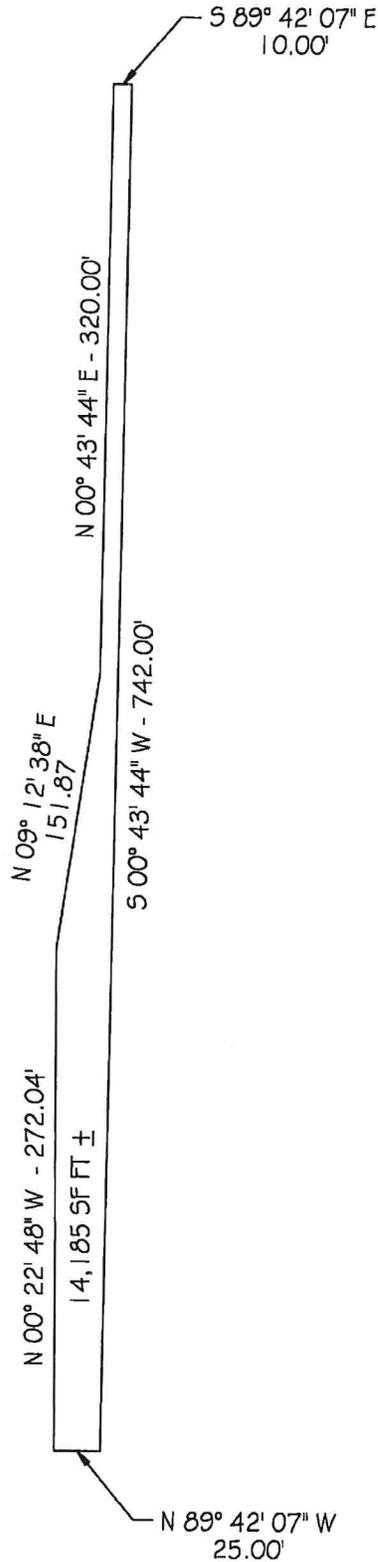
Indiana Registered Land Surveyor

License Number LS29800022

Revised 8-18-2020



EXHIBIT "A"
 PORTION OF MARTIN LUTHER KING JR. BLVD. VACATION



NOTE:
 THIS PLAT WAS PREPARED WITHOUT BENEFIT
 OF A FIELD CHECK. ITS SOLE PURPOSE IS FOR
 GRAPHIC REPRESENTATION AND IN NO WAY
 IS TO BE CONSTRUED AS A BOUNDARY SURVEY.

Dewey L. Witte 08/18/2020
 Dewey L. Witte Date
 Registered Land Surveyor No. LS29800022
 State of Indiana



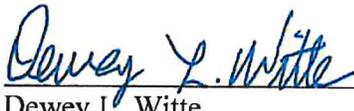
8320 Craig St. Indianapolis, Indiana 46250
 Telephone: (317) 849-5832
 www.b-l-n.com

EXHIBIT "A"

PROPOSED VACATED ALLEY – BLOCK 9

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book 1, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 9; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 272.00 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 89 degrees 42 minutes 07 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 9; thence North 0 degrees 43 minutes 44 seconds East 272.00 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,264 square feet, more or less.

This description was prepared for the Muncie Sanitary District by Beam, Longest and Neff, L.L.C.

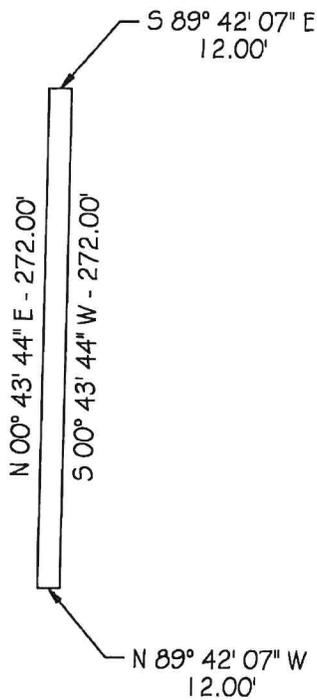


Dewey L. Witte
Indiana Registered Land Surveyor
License Number LS29800022

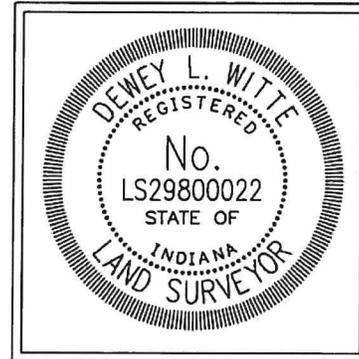
02/12/2020
Date



EXHIBIT "A"
PROPOSED VACATED ALLEY - BLOCK 9



3,264 SF FT ±



NOTE:

THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A FIELD CHECK. ITS SOLE PURPOSE IS FOR GRAPHIC REPRESENTATION AND IN NO WAY IS TO BE CONSTRUED AS A BOUNDARY SURVEY.

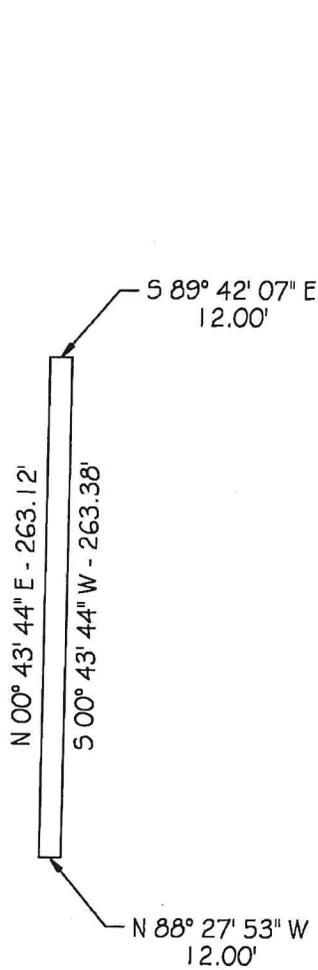
Dewey L. Witte 08/18/2020

Dewey L. Witte Date
Registered Land Surveyor No. LS29800022
State of Indiana

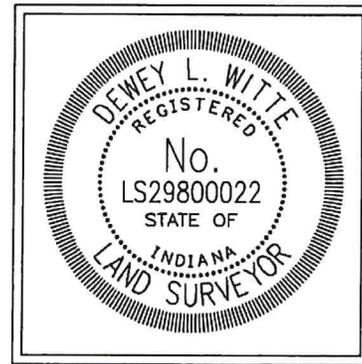


8320 Craig St. Indianapolis, Indiana 46250
Telephone: (317) 849-5832
www.b-l-n.com

EXHIBIT "A"
PROPOSED VACATED ALLEY - BLOCK 18



3,159 SF FT ±



NOTE:

THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A FIELD CHECK. ITS SOLE PURPOSE IS FOR GRAPHIC REPRESENTATION AND IN NO WAY IS TO BE CONSTRUED AS A BOUNDARY SURVEY.

Dewey L. Witte 08/18/2020

Dewey L. Witte Date
Registered Land Surveyor No. LS29800022
State of Indiana



8320 Craig St. Indianapolis, Indiana 46250
Telephone: (317) 849-5832
www.b-l-n.com

EXHIBIT C

<u>ID</u>	<u>PARCEL #</u>	<u>OWNER</u>	<u>BLOCK</u>	<u>LOT #</u>	<u>RECORD</u>
A	18-11-03-453-029.000-003	Muncie Sanitary District	18	5-11	INST. #2019R06418
B	18-11-03-453-003.000-003	Muncie Sanitary District	18	12	INST. #2019R06418
C	18-11-03-453-001.000-003	Muncie Sanitary District	18	13-14	INST. #2019R06418
D	18-11-03-453-044.000-003	Muncie Sanitary District	18	Part of 1-4	INST. #2019R06418
F	18-11-03-409-013.000-003	Muncie Sanitary District	9	1-7	INST. #2019R06418
G	18-11-03-409-011.000-003	Muncie Sanitary District	9	Part of 8-11	INST. #2019R06418
J	18-11-03-409-001.000-003	Muncie Sanitary District	9	12-14	INST. #2019R06418
K	18-11-03-403-003.000-003	Muncie Sanitary District	1, 8	BLK 1, PART OF 6-7; BLK 8, 1-6, part of 7-14	INST. #2019R06418

STATE OF INDIANA

SS:

DELAWARE COUNTY

BEFORE THE MUNCIE CITY COUNCIL

IN RE: NUNCIE SANITARY DISTRICT

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

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

You are hereby notified that the Muncie Sanitary District has filed its petition with the Muncie City Council to vacate a certain public street and alleys more specifically described as follows:

PORTION OF MARTIN LUTHER KING JR. BLVD.

A part of Blocks 1, 8, and 9 of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in, more particularly described as follows: Beginning at the northeast corner of Lot 6 of Block 1 of Rochester and Muncie Land Company's Subdivision; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 742.00 feet along the east line of Lots 6 and 7 of Block 1, the easterly right of way line of vacated 15th Street, Lots 1 through 7 of Block 8, the easterly right of way line of vacated 14th Street, and Lots 1 through 7 of Block 9 to the southeast corner of said Lot 7 of said Block 9; thence North 89 degrees 42 minutes 07 seconds West 25.00 feet along the south line of said Lot 7; thence North 0 degrees 22 minutes 48 seconds West 272.04 feet to a point on the south line of vacated 14th Street; thence North 9 degrees 12 minutes 38 seconds East 151.87 feet; thence North 0 degrees 43 minutes 44 seconds East 320.00 feet to a point on the north line of said Lot 6 of said Block 1; thence South 89 degrees 42 minutes 07 seconds East 10.00 feet along said north line to the Point of Beginning and containing 14,185 square feet, more or less.

PORTION OF ALLEY - BLOCK 9

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book I, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 9; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 272.00 feet, along the west line of Lots 1 through 7 of said

Block to the southwest corner of said Lot 7; thence North 89 degrees 42 minutes 07 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 9; thence North 0 degrees 43 minutes 44 seconds East 272.00 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,264 square feet, more or less.

PORTION OF ALLEY - BLOCK 18

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book 1, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 18; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 263.38 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 88 degrees 27 minutes 53 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 18; thence North 0 degrees 43 minutes 44 seconds East 263.12 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,159 square feet, 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 14th day of September, 2020, at 6:30 o'clock p.m., at Muncie City Hall Auditorium, First Floor, 300 N. High Street, Muncie, Indiana.

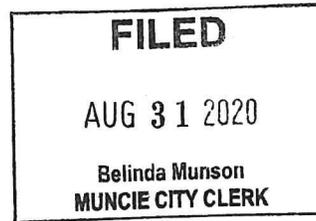
IN WITNESS WHEREOF, the Muncie City Clerk has affixed her signature and official seal this 31 day of August, 2020.



Belinda Munson, City Clerk

STATE OF INDIANA
DELAWARE COUNTY

SS:



BEFORE THE COMMON COUNCIL
OF THE CITY OF MUNCIE, INDIANA

IN RE: MUNCIE SANITARY DISTRICT

PETITION TO VACATE A PUBLIC STREET AND ALLEYS

Comes now the Petitioner, Muncie Sanitary District, and respectfully petitions to vacate parts of a public street and alleys and in support thereof says that:

1. Petitioner is the owner of the following described real estate situated in Delaware County, Indiana, to-wit:

See attached Exhibit "A".

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:

PORTION OF MARTIN LUTHER KING JR. BLVD.

A part of Blocks 1, 8, and 9 of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in, more particularly described as follows: Beginning at the northeast corner of Lot 6 of Block 1 of Rochester and Muncie Land Company's Subdivision; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 742.00 feet along the east line of Lots 6 and 7 of Block 1, the easterly right of way line of vacated 15th Street, Lots 1 through 7 of Block 8, the easterly right of way line of vacated 14th Street, and Lots 1 through 7 of Block 9 to the southeast corner of said Lot 7 of said Block 9; thence North 89 degrees 42 minutes 07 seconds West 25.00 feet along the south line of said Lot 7; thence North 0 degrees 22 minutes 48 seconds West 272.04 feet to a point on the south line of vacated 14th Street; thence North 9 degrees 12 minutes 38 seconds East 151.87 feet; thence North 0

degrees 43 minutes 44 seconds East 320.00 feet to a point on the north line of said Lot 6 of said Block I; thence South 89 degrees 42 minutes 07 seconds East 10.00 feet along said north line to the Point of Beginning and containing 14,185 square feet, more or less.

PORTION OF ALLEY - BLOCK 9

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book I, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 9; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 272.00 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 89 degrees 42 minutes 07 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 9; thence North 0 degrees 43 minutes 44 seconds East 272.00 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,264 square feet, more or less.

PORTION OF ALLEY - BLOCK 18

A part of Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, Indiana, as recorded in Plat Book 1, page 55 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows: Beginning at the northwest corner of Lot 1 of Block 18; thence South 0 degrees 43 minutes 44 seconds West (assumed bearing) 263.38 feet, along the west line of Lots 1 through 7 of said Block to the southwest corner of said Lot 7; thence North 88 degrees 27 minutes 53 seconds West 12.00 feet along the prolonged south line of said Lot 7 to the southeast corner of Lot 8 of said Block 18; thence North 0 degrees 43 minutes 44 seconds East 263.12 feet along the east line of Lots 8 through 14 of said Block to the northeast corner of said Lot 14; thence South 89 degrees 42 minutes 07 seconds East 12.00 feet along the prolonged north line of said Lot 14 to the Point of Beginning and containing 3,159 square feet, more or less.

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

4. The Petitioners own all of the real estate abutting the parts of the street and alleys

herein sought to be vacated.

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.

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

MUNCIE SANITARY DISTRICT

By:

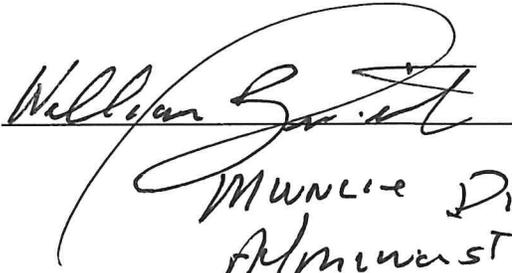

MUNCIE DISTRICT
ADMINISTRATOR

EXHIBIT "A"

TRACT 1

A part of Blocks 1, 8, 9 and 10 including vacated streets and alleys in the Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, as shown by the Records of Delaware County, Indiana, described as follows:

Beginning at a 5/8 inch rebar on the north line of Lot 6, Block 1, in the Rochester and Muncie Land Company's Subdivision to the City of Muncie as shown by the Records of Delaware County, Indiana, said rebar being North 89 degrees 42 minutes 07 seconds West 10.00 feet (assumed bearing) from the northeast corner of said lot; thence South 00 degrees 43 minutes 44 seconds West 320.00 feet along the westerly right-of-way line of Dr. Martin Luther King Jr. Blvd to a 5/8 inch rebar; thence South 09 degrees 12 minutes 38 seconds West 151.87 feet along said right-of-way line to a 5/8 inch rebar on the North line of Lot 1, Block 9, in said subdivision; thence South 00 degrees 22 minutes 48 seconds East 272.04 feet along said right-of-way line to a 5/8 inch rebar on the north line of Waid Street; thence North 89 degrees 42 minutes 07 seconds West 275.20 feet along said north line to a 5/8 inch rebar; thence South 00 degrees 43 minutes 44 seconds West 30.00 feet to a spike at the point of intersection of the center line of Waid Street with the centerline of Market Street; thence North 89 degrees 42 minutes 07 seconds West 91.10 feet to the center of the Hamilton Ditch; thence North 10 degrees 07 minutes 35 seconds East 80.07 feet along said ditch; thence North 20 degrees 23 minutes 19 seconds East 268.00 feet along said ditch; thence North 18 degrees 20 minutes 46 seconds East 307.23 feet along said ditch; thence North 48 degrees 50 minutes 00 seconds East 224.35 feet along said ditch to the North line of Lot 6 in said Block 1; thence South 89 degrees 42 minutes 07 seconds East 18.00 feet to the point of beginning, containing 4.09 acres, more or less.

TRACT 2

Lots 1 through 14, Block 18, Lots 1 through 6 and 8 through 12, Block 29, together with heretofore vacated streets and alleys appertaining thereof, in the Rochester and Muncie Land Company's Subdivision of the Muncie Land Company's Addition to the City of Muncie, as shown by the Records of Delaware County, Indiana, described as follows:

Beginning at a 5/8 inch rebar marking the northeast corner of Lot 1, Block 18 in the Rochester and Muncie Land Company's Subdivision to the City of Muncie; thence South 00 degrees 43 minutes 44 seconds West 608.26 feet along the West line of Dr. Martin Luther King Jr. Blvd. to a nail; thence North 88 degrees 27 minutes 53 seconds West 136.00 feet along the centerline of Weber Drive to a 5/8 inch rebar; thence North 00 degrees 43 minutes 44 seconds East 72.00 feet along the center of a vacated alley to a 5/8 inch rebar; thence North 88 degrees 27 minutes 53 seconds West 136.00 feet along the South line of Lot 8, Block 29, in said subdivision to a 5/8 inch rebar at the southwest corner of said Lot 8; thence North 00 degrees 43 minutes 44 seconds East 530.35 feet to a 5/8 inch rebar at the northwest corner of Lot 14 in said Block 18; thence South 89 degrees 42 minutes 07 seconds East 272.00 feet to the point of beginning, containing 3.56 acres, more or less.

