

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
PROPOSED ZONING CHANGE APPLICATION**

Jurisdiction: (Check One)

Submitted: Feb. 11, 2025

Delaware County

Case No.: MPC 08-25

City of Muncie

(1) Applicant: Net Lease Properties, LLC

Address: 1000 Forest Park Blvd., Suite 401 Phone: 817-939-7231
Fort Worth, TX 76110

(2) Record of Applicant's Ownership:

A. By Deed:
Deed Book No. & Page No.: _____
Date of Deed: _____

B. By Recorded Contract:
Misc. Book No. & Page No.: _____
Date of Contract: _____

C. By Unrecorded Contract:
Date of Contract: 11/25/2024
Name of Contract Seller: Gail R. Vandusen
Book No. & Page No. Of Deed in Seller's Name: Instrument No. 1972-5713
Instrument No. 1984-2169

(3) Legal Description of Property for which rezoning is requested: (From the Deed or Abstract).

Lot Numbered Three (3) in Linden Park Fourth Addition, an addition to the City of Muncie, Indiana, as recorded in Plat Book 8, Page 10, in the office of the Recorder of Delaware County, Indiana on April 9th, 1955.

(4) Common Address of Property Involved:
3300 N Milton St. Muncie, IN 47304

(5) Proposed zoning change: (Give exact zone classification.)

From the R-3, Residence Zone 3 Zone
To the BV, Variety Business Zone

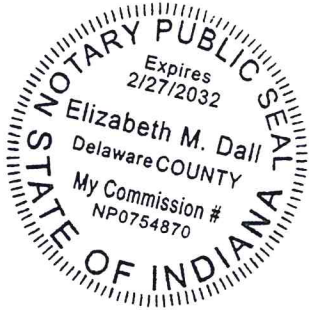
- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)
- Subject property is planned to be developed as a part of a larger development involving 3301 N Milton St, 602 W McGalliard Rd, and 604 W McGalliard Rd. In order to move forward with the proposed development, we are requesting that the property be rezoned to the same zone as the other three properties. The proposed use of all four (4) properties is a 7Brew drive-through. The principal use is not anticipated to be on the subject property. The subject property will mainly consist of a landscape buffer and accessory uses for the principal building, such as drives, parking, and/or a dumpster enclosure.
- (7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.
- Applicant intends to purchase property from the current owner and develop according to Item 6.
- (8) State how the proposed change will not adversely affect the surrounding area.
- The surrounding area along W. McGalliard is a heavily commercially developed area. The proposed rezoning will allow for the redevelopment of a commercial property and will introduce a new commercial business to the McGalliard Road corridor. The adjacent property immediately to the West is zoned similar to the proposed zoning of this property and the proposed development will be consistent with buffers to adjoining residential properties.
- (9) Will certain variances be requested if the proposed zoning change is granted?
(If yes, list the variances)
- At this time, none are anticipated for the subject property. A variance will be required when all four (4) parcels are developed. The variance anticipated is for 20' maximum building setback per Article XXX Section 7 – Corridor Development Standards.
- (10) Has the applicant provided stamped, addressed envelopes to send notices of this rezoning to all the property owners within 300 feet? Yes
- Has the applicant discussed this rezoning with those owners personally? No
- (If answer is yes, give their attitudes toward the rezoning.)
- (11) Are there any restrictions, easements, and/or covenants governing the property prohibiting its use for the purpose specified in this application?
(If answer is yes, attach copy of it and/or explain.)
- Based on initial review of the Title Commitment, none are anticipated.

AFFIDAVIT

(I or We) GAIL VAN DEUSEN being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: Gail Van Deusen

Subscribed and sworn to before me this 10 day of February, 20 25



Elizabeth M. Dall
Notary Public

02/27/2032
My Commission Expires

Resident of Delaware County

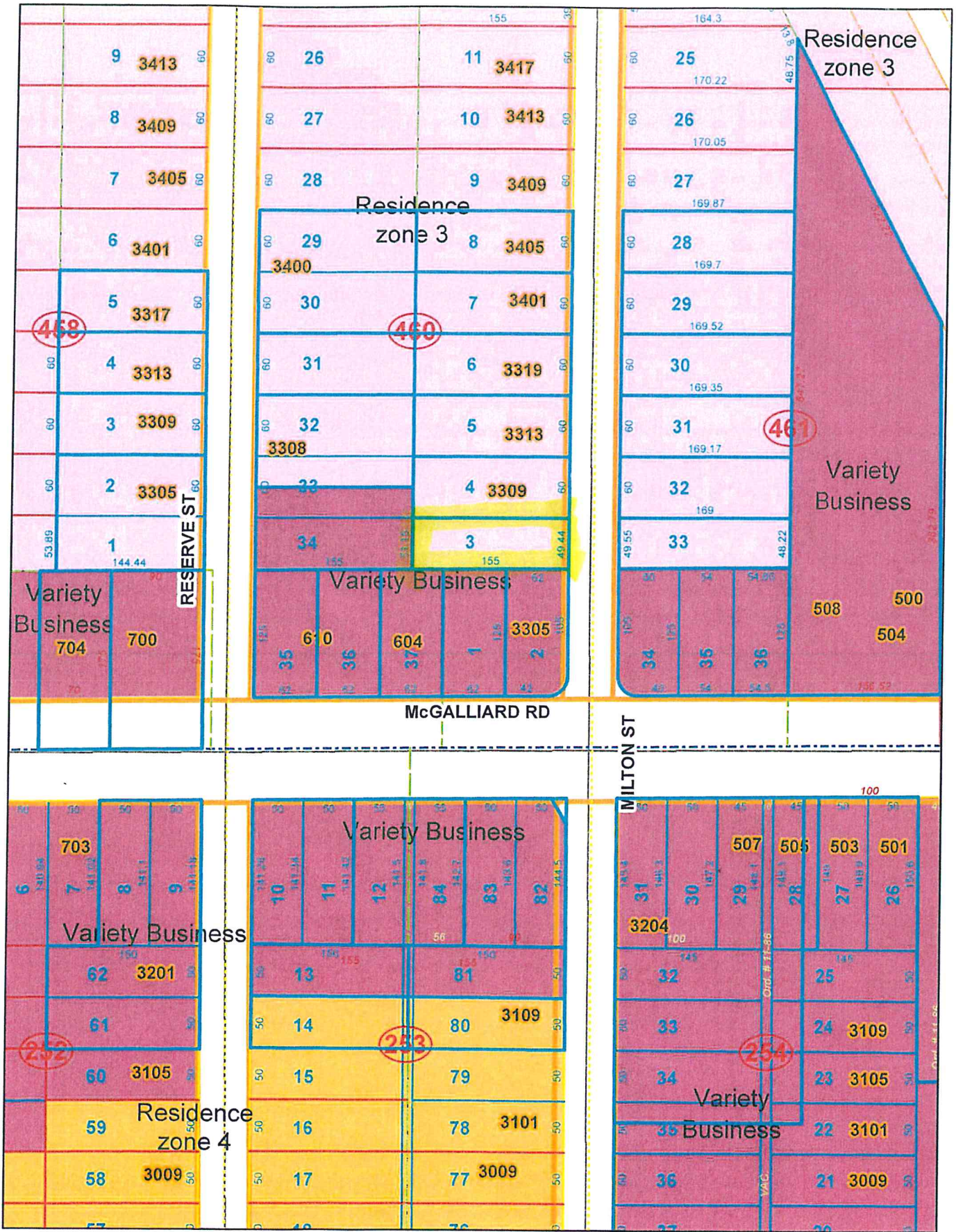
State of Indiana

DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 6 day of March, 20 25.

Signed [Signature]

Date Feb, 21 - 2025



602 W McGalliard rezone 1/31/2025

map not to scale



Recorded this day of 19 at o'clock M Recorder

Warranty Deed

THIS INDENTURE WITNESSETH That Charles P. VanDeusen and Betty Sue VanDeusen, his wife,

12648

of Delaware County, in the State of Indiana, DO HEREBY Convey and Warrant to Gail R. VanDeusen and Sandy VanDeusen, husband and wife,

of Delaware County, in the State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration

the receipt whereof is hereby acknowledged, the following described Real Estate in Delaware County, in the State of Indiana, to-wit:

Lots numbered two (2) and three (3) in Linden Park Fourth Addition, an Addition to the City of Muncie, Indiana, as recorded in Plat Book 8 page 10, in the office of the Recorder of Delaware County, Indiana.

Unit Tax Numbers 1526870 and 1526869 AB

As a part of the consideration for this conveyance, the grantees herein assume and agree to pay the 1972 taxes due and payable in the year 1973, and all subsequent taxes and assessments becoming a lien against said real estate.

This conveyance is made subject to all zoning restrictions imposed upon said real estate by the Common Council of the City of Muncie, Indiana, and subject also to the restrictions contained in the recorded plat of said addition and to all other restrictions and easements of record.

As a part of the consideration for this conveyance, the grantees herein assume and agree to pay the unpaid balance of a certain mortgage for the principal sum of \$11,950.00 in favor of Colonial Mortgage Company, Inc., which said mortgage is recorded in mortgage record 260 pages 499-502 in the office of the Recorder of Delaware County, Indiana, which said mortgage was assigned to Metropolitan Life Insurance Company on April 6, 1964.

The grantor herein, Charles P. VanDeusen represents and warrants that he is the same person as Charles VanDeusen who was the grantee in a certain deed recorded in Deed Record 456 page 247.

In Witness Whereof, The said Charles P. VanDeusen and Betty Sue VanDeusen, his wife,

Duly entered for taxation Dec 26 19 72 JERRY L. THORNBURG, Auditor, Filed for Record Dec 26 19 72 at 11:00 AM year 1972 Page 5713 Fee \$2.50 paid.

Alvin Sullivan R.D.C.

have hereunto set their hands and seal s, this 22nd day of December 19 72

(Seal) Charles P. VanDeusen (Seal) (Charles P. VanDeusen)

(Seal) Betty Sue VanDeusen (Seal) (Betty Sue VanDeusen)

STATE OF INDIANA, DELAWARE COUNTY, as:

Before me, the undersigned, a Notary Public in and for said County, this 22nd day of December, 1972, came Charles P. VanDeusen and Betty Sue VanDeusen, his wife, and

acknowledged the execution of the foregoing instrument.

Witness my hand and official seal.

My Commission expires July 11, 1976.

Gladys A. Borders Notary Public Gladys A. Borders

This instrument prepared by: Jon H. Moll.

04822

QUITCLAIM DEED

DEED 1984 2169

THIS INSTRUMENT WITNESSETH, That SANDY VANDEUSEN (Grantor) of Delaware County in the State of Indiana QUITCLAIMS to GAIL R. VANDEUSEN whose mailing address is R.R. #11, Box 219, Muncie, Indiana 47302 of Delaware County, Indiana for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Delaware County, Indiana:

Lot numbered two (2) and three (3) in Linden Park Fourth Addition, an Addition to the City of Muncie, Indiana, as recorded in Plat Book 8 page 10, in the office of the Recorder of Delaware County, Indiana.

Unit Tax Numbers: 1526780 and 1526869

Subject to any and all outstanding mortgages or other liens, taxes, and assessments, restrictions, conditions, or limitations and recorded easements.

This conveyance is made pursuant to a certain Decree of Dissolution of Marriage, In Re The Marriage of Sandra R. VanDeusen and Gail R. VanDeusen, Cause No. 83/618, in Delaware Circuit Court, Delaware County, Indiana, dated April 5, 1984.

IN WITNESS WHEREOF, the Grantor has executed this deed, this

21st day of June, 1984.

Sandy VanDeusen
Sandy VanDeusen

STATE OF Indiana)
) SS
COUNTY OF Delaware)

Before me, a Notary Public in and for said County and State personally appeared Sandy VanDeusen, who acknowledged the execution of the foregoing Quitclaim Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 21st day of 1984. My Commission expires January 9, 1984.

Kenneth P. Schuck
Kenneth P. Schuck, Notary Public
residing in Delaware County, IN

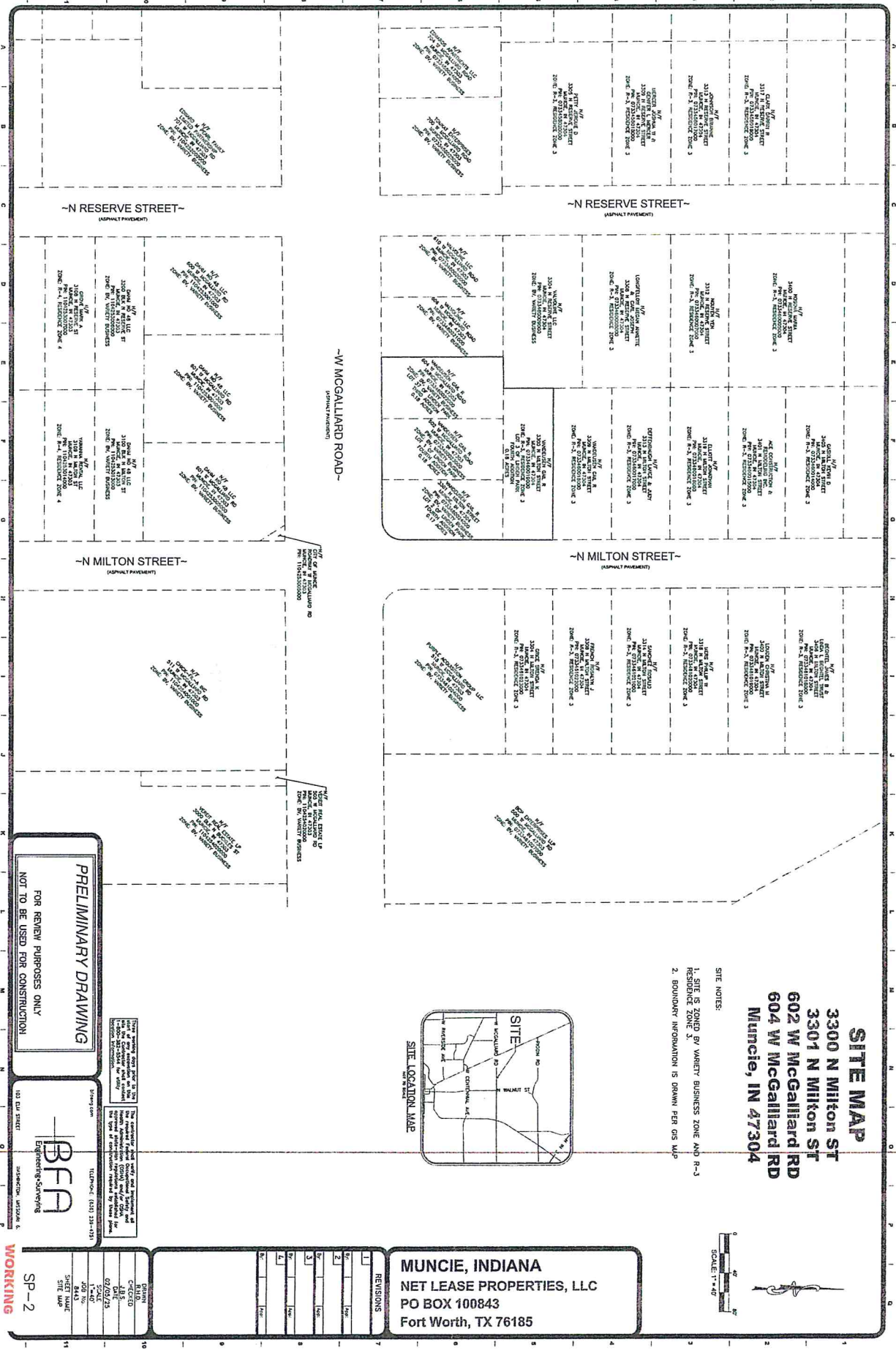
this instrument was prepared by Kenneth P. Schuck, Attorney at Law.

Duly entered for taxation June 22, 1984
Jack Donati, Auditor, Filed for Record
Record 2169 Page 2169 Fees 5.00 Paid

Duly Entered For Taxation

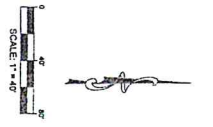
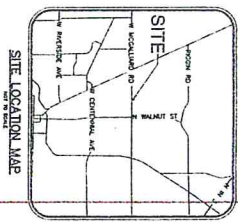
JUN 26 1984





SITE MAP
 3300 N Milton St
 3301 N Milton St
 602 W McCallard Rd
 604 W McCallard Rd
 Muncie, IN 47304

SITE NOTES:
 1. SITE IS ZONED BY VARIETY BUSINESS ZONE AND R-3 RESIDENCE ZONE.
 2. BOUNDARY INFORMATION IS DRAWN PER GIS MAP



MUNCIE, INDIANA
 NET LEASE PROPERTIES, LLC
 PO BOX 100843
 Fort Worth, TX 76185

REVISIONS	
1	Issue
2	Issue
3	Issue
4	Issue
5	Issue
6	Issue
7	Issue
8	Issue
9	Issue
10	Issue

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SP-2
 SHEET NAME
 SITE MAP

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