

# **INDIANA DEPARTMENT OF TRANSPORTATION**

100 North Senate Avenue Room N758 Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Eric Holcomb, Governor Michael Smith, Commissioner

TO:	REAL ESTATE DIVISION, INDOT
FROM:	RON BALES, ENVIRONMENTAL POLICY MANAGER, INDOT
SUBJECT:	STATE CATEGORICALLY EXEMPTED PROJECT, LA 5839, PARCELS 21, 22, 23, 24 (EXCESS PARCELS)
DATE:	APRIL 8, 2022

#### ENVIRONMENTAL CLEARANCE OF STATE FUNDED EXEMPTED PROJECTS

Under Indiana code IC 13-12-4-5, the Indiana Department of Transportation has determined certain types of projects to be exempt from the State Environmental Policy Act requirements outlined in 327 IAC 11. As this project has been determined to be excluded from the National Environmental Policy Act (NEPA) requirements outlined in 40 CFR 1502.22 (b) it meets the requirements of the State Environmental Policy Act. As long as funding, approval, and permitting requirements remain the same as reported on this form, at letting this project is exempted under 327 IAC 11-1-3, sec. 3. (e) (1). The following table demonstrates the exemptions agreed upon by the Indiana Department of Environmental Management and the Governor of the State of Indiana in accordance with 327 IAC 11, and under the authority of IC 13-12-4 and 13-14-8.

#### SCOPE OF WORK

INDOT and IDOA recognize that state-owned excess right-of-way exists at various locations throughout the state. This land provides no function to the state highway system in terms of serviceability or maintenance, and prohibits development of the property for productive use for residential, commercial, agricultural, or other private or public use.

Additionally, state-ownership of land may reduce the availability of real estate that is subject to property taxation; revenue which could benefit the community as a whole. Selling such excess parcels of land would benefit the above causes, as well as providing the potential for additional revenue to the state from the proceeds of the sale.

Parcels 21, 22, 23, and 24 are located 0.04 mile west of the intersection of US 33 and SR 15 on the north side of US 33, and just east of 2nd Street. The parcels total approximately 0.25 acre combined.

#### Statements of Disclosure:

Underground Storage Tank (USTs) Sites: Glenn Battery, 304 West Pike Street, AI ID# 32206, is located on the southwest corner of US 33 and 2nd Street, approximately 0.02 mile southwest. Three 1,000-gallon steel USTs were reportedly closed in-place in 1984; however, it does not appear as though closure sampling or reporting was completed. No impact is expected; however, potential buyers should be informed.

With regard to above-ground resources, these parcels were included in the studies for INDOT Des. No. 1006199, the US 33/W Pike Street Road Reconstruction project in Goshen. As can be seen from the attached excerpted Section 106 Documentation pages including the project's area of potential effects (APE) map, the identification efforts for the project did not identify any National Register eligible or listed properties on these parcels. A corner of the National Register-listed Goshen Historic District is located across the street from these parcels with the boundary line being the southern edge of US 33. These parcels are located on the north side of US 33. As can be seen on the mapping, no Indiana Historic Sites and Structures Inventory (IHSSI) properties are located on these parcels. These parcels each contained a late 19th to early-20th century residence at the time of the studies for Des. No. 1006199. Photographs are attached. However, all the buildings were cleared from these parcels in conjunction with the construction



of Des. No. 1006199, and they are now grass lots. We do not think that these parcels contain any historic buildings or structures. No further above-groundwork is recommended prior to the sale of these parcels.

With regards to archaeology, excess parcels 5839-21, 22, 23, and 24 were included in the Phase Ia reconnaissance of the US 33 Road Reconstruction project from the Elkhart River Bridge to SR 15 (Laswell 2014). The residential parcels were shovel probed but no archaeological sites were identified. SHPO concurred with the results of the reconnaissance on June 26, 2014. In addition, a current review of SHAARD GIS did not identify any new sites near these parcels. Google Earth images from 2020 show that the residential houses shown in 2016 aerial imagery have been recently razed and the surface of the parcels severely disturbed (see below). Therefore, it recommended that the sale of excess parcels 5839-21, 22, 23, and 23 be allowed to proceed without additional archaeological study.

SHPO concurred on August 24, 2020.

Check all	Exemption	
that apply	number	Project type
	1	Pipe culvert replacement
	2	Bridge painting
	3	Mowing
		Installation, modernization or maintenance of signs, traffic signals, pavement markings, highway lighting, and channelization within the
	4	existing right-of-way
	5	Patching and crack sealing of roadway surfaces
	6	Resurfacing existing pavement
	7	Guardrail and fence installation or repairs
х	10	Right-of-way abstracting, engineering appraising, property management and administration
	11	Landscaping and erosion control
	12	Safety projects such as pavement grooving, flare screen, safety barriers, and energy attenuators
	13	Addition or reconstruction of railroad crossing protection
	15	Reconstruction or replacement of an existing bridge crossing a stream, railroad, or roadway
	16	Addition of special facilities to an existing highway for the exclusive use of buses
	17	Slide correction measures which are not emergencies but are necessary to preserve the highway facility
	18	Modernization of an existing highway by widening less than a single line (sic.) width, adding shoulders, adding auxiliary lanes for climbing, turning or weaving, and correcting substandard curves and intersections

(Please check all that apply)

\_X\_This project is to receive no federal funding, permits, approval that would lead to NEPA requirements.

\_X\_This project does not qualify as a "Major state action as defined under 327 IAC 11-3-4.

\_X\_ Furthermore, this action fails to meet the definition of "Significantly affecting the quality of the human environment" as defined in 327 IAC 11-3-6.

These conclusions were ascertained by a study of the work type (as listed above) and the accompanying documentation.

\_\_X\_\_ INDOT approved Red Flag Investigation
\_\_X\_\_ Historical/Archeological Survey
\_\_X\_\_ Other

I have reviewed the documented information and attest to the validity of this exemption based on current knowledge of the project and the existing known environment. Pursuant to 327 IAC 11-3-4, this exemption does not qualify as a "Major state action" and does not significantly affect the quality of the human environment. Therefore, the Responsible Official for INDOT, as defined in 327 IAC 11-3-5, does not need to approve this exemption.

E. Bilio

Ronald Bales Environmental Policy Manager Division of Environmental Services Indiana Department of Transportation

Appendix A:

Cultural Resources (Section 106)

<b>Date:</b> 7/30/20
LA Code/Parcel#: 5839/21, 22, 23, 24
Associated Project Name/Des. #: US 33/W Pike Street Road Reconstruction, Des. No. 1006199
Legal Description: Section 9, Township 36 North, Range 6 East
Township: Elkhart Township
City/County: Goshen/Elkhart County
Information reviewed (please check all that apply):
USGS map 🛛 Aerial photograph 🖾
SHAARD
Previously completed archaeology reports
Previously completed historic property reports 🛛 Interim Report 🗌
Other (please specify): Streetview imagery, SHAARD GIS; Indiana Historic Buildings, Bridges, and Cemeteries Map

Laswell, Jeffrey

2014 Archaeological Records Check and Phase Ia Reconnaissance: US 33 Road Reconstruction in the City of Goshen, East End of Elkhart River Bridge to SR 15, Elkhart County, Indiana. Report on file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, In.

Section 106 documentation for US 33/W Pike Street Road Reconstruction, Des. No. 1006199. On file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, In.

### List of Attachments:

Relevant pages of 2014 archaeological report & SHPO concurrence letter

Relevant pages of Section 106 documentation for US 33/W Pike Street Road Reconstruction, Des. No. 1006199 & SHPO concurrence letter

USGS 7.5' series Goshen, In topographic quadrangle showing the location of Excess Parcels

2016 aerial image showing the location and current land use of Excess Parcels

### **Above-Ground Summary:**

With regard to above-ground resources, these parcels were included in the studies for INDOT Des. No. 1006199, the US 33/W Pike Street Road Reconstruction project in Goshen. As can be seen from the

attached excerpted Section 106 Documentation pages including the project's area of potential effects (APE) map, the identification efforts for the project did not identify any National Register eligible or listed properties on these parcels. A corner of the National Register-listed Goshen Historic District is located across the street from these parcels with the boundary line being the southern edge of US 33. These parcels are located on the north side of US 33. As can be seen on the mapping, no Indiana Historic Sites and Structures Inventory (IHSSI) properties are located on these parcels. These parcels each contained a late-19<sup>th</sup> to early-20<sup>th</sup> century residence at the time of the studies for Des. No. 1006199. Photographs are attached. However, all the buildings were cleared from these parcels in conjunction with the construction of Des. No. 1006199, and they are now grass lots. We do not think that these parcels contain any historic buildings or structures. No further above-ground work is recommended prior to the sale of these parcels.

### Archaeology Summary:

With regards to archaeology, excess parcels 5839-21, 22, 23, and 24 were included in the Phase Ia reconnaissance of the US 33 Road Reconstruction project from the Elkhart River Bridge to SR 15 (Laswell 2014). The residential parcels were shovel probed but no archaeological sites were identified. SHPO concurred with the results of the reconnaissance on June 26, 2014. In addition a current review of SHAARD GIS did not identify any new sites near these parcels. Google Earth images from 2020 show that the residential houses shown in 2016 aerial imagery have been recently razed and the surface of the parcels severely disturbed (see below). Therefore, it recommended that the sale of excess parcels 5839-21, 22, 23, and 23 be allowed to proceed without additional archaeological study.

## INDOT Cultural Resources staff reviewer(s): Shaun Miller and Mary Kennedy

\*\*\*Pursuant to Indiana Code 14-21-1-14, the Indiana Department of Transportation on behalf of the Indiana Department of Administration is hereby notifying the Division of Historic Preservation and Archaeology of its intent to offer for sale or transfer the property listed above and described in the attached document. We request that the division inspect the property and notify the Indiana Department of Transportation of the location of each historic site or historic property within 30 days of receipt.





Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739 Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov · www.IN.gov/dnr/historic



August 24, 2020

Shaun Miller Cultural Resources Office Indiana Department of Transportation Room N601 Indianapolis, Indiana 46204

> State Agency: Indiana Department of Administration ("IDOA"), and Indiana Department of Transportation ("INDOT")

Re: INDOT disposal of excess parcels #21, 22, 23, & 24 associated with the US 33/West Pike Street Road Reconstruction project (LA Code 5839; DHPA 26204)

Dear Mr. Miller:

Pursuant to Indiana Code 14-21-1-14, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("INDNR-DHPA") has reviewed your review request submittal form, which enclosed your July 30, 2020 INDOT Excess Parcel screening form, received by our office the same day for the aforementioned project in Goshen, Elkhart Township, Elkhart County, Indiana.

Based on the information you provided, it does not appear that Excess Parcels #21, 22, 23, & 24, located on the north side of West Pike Street between N. 2<sup>nd</sup> and N. 3<sup>rd</sup> streets, contains a structure that could be eligible for inclusion in the National Register of Historic Places ("NRHP") or the Indiana Register of Historic Sites and Structures ("IRHSS"). A review of online aerial and streetview imagery dating to 2018 confirmed there are no structures currently located on the parcels.

Additionally, based on the documentation available to INDNR-DHPA, we have not identified any currently known archaeological resources listed or eligible for inclusion in the NRHP or IRHSS within Excess Parcels #21, 22, 23, & 24. Given the parcels were subjected to archaeological reconnaissance in 2014 (Laswell 2014) and no archaeological resources were identified, no additional archaeological reconnaissance will be necessary.

Accordingly, we do not believe that Excess Parcels #21, 22, 23, & 24, LA Code 5839, in Goshen, Elkhart Township, Elkhart County, contains a historic site or historic structure.

If any archaeological artifacts, features, or human remains are uncovered during construction, state law (Indiana Code 14-21-1-27 & 29) requires that the discovery must be reported to INDNR-DHPA within two (2) business days. In that event, please call (317) 232-1646.

Shaun Miller August 24, 2020 Page 2

If you have further questions regarding this determination, please contact our office. Questions about archaeological resources should be directed to Rachel Sharkey at (317) 234-5254 or rsharkey@dnr.IN.gov. Questions about historic buildings or structures pertaining to this project should be directed to Danielle Kauffmann at (317) 232-0582 or dkauffmann@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 26204.

Very truly yours,

1Chal W. Shilm

Beth K. McCord Deputy State Historic Preservation Officer

BKM:DMK:RAS:ras

emc: Anuradha Kumar, INDOT Susan Branigin, INDOT Shaun Miller, INDOT Mary Kennedy, INDOT Steve Harless, IDOA Rachel Sharkey, INDNR-DHPA Danielle Kauffmann, INDNR-DHPA Appendix B:

Red Flag Investigation

# **INDIANA DEPARTMENT OF TRANSPORTATION**



100 North Senate Avenue Room N758-ES Indianapolis, Indiana 46204 PHONE: (855) 463-6848 (855) INDOT4U Eric Holcomb, Governor Michael Smith, Commissioner

- Date: April 5, 2022
- To: John Connell Right-of-Way Specialist Real Estate Division Indiana Department of Transportation (INDOT) 100 N Senate Avenue, Room N758-RE Indianapolis, IN 46204 jconnell@indot.in.gov
- From: Site Assessment & Management (SAM)
   Environmental Policy Office Environmental Services Division (ESD)
   INDOT
   100 N Senate Avenue, Room N758-ES
   Indianapolis, IN 46204
- Re: RED FLAG INVESTIGATION US 33, 0.04 Mile West of the Intersection of US 33 and SR 15 LA 5839-21, 22, 23, 24, Excess Parcels Elkhart County, Indiana

#### PROJECT DESCRIPTION

This RFI is being performed for the sale of four (4) adjoining excess parcels that total approximately 0.25 acre combined and are depicted on the attached map. The parcels are located stating 0.04 mile west of the intersection of US 33 and SR 15 on the north side of US 33, and just east of 2<sup>nd</sup> Street. The Indiana Department of Transportation (INDOT) has decided that this surplus land will not be needed for right-of-way or other transportation purposes in the foreseeable future. Legal description for the four excess parcels are available in a separate document.

Infrastructure Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:								
Religious Facilities4*Recreational Facilities7								
Airports <sup>1</sup>	Airports <sup>1</sup> N/A Pipelines 2							
Cemeteries 1* Railroads 3								
Hospitals N/A Trails 4								
Schools	1	Managed Lands	6					

<sup>1</sup>In order to complete the required airport review, a review of public-use airports within 3.8 miles (20,000 feet) is required.

#### Explanation:

Religious Facilities: Four (4) unmapped religious facilities are located within the 0.5 mile search radius. The nearest facility, Goshen First Brethren Church, is located 0.06 mile south of parcel 21. No impact is expected.

Cemeteries\*: One (1) cemetery, whose icon is mapped outside the 0.5 mile search radius, is located 0.27 mile northwest of the subject parcels. No impact is expected.

Schools: One (1) school is located within the 0.5 mile search radius, 0.27 mile northeast of the subject parcels. No impact is expected.

Recreational Facilities: Seven (7) recreational facilities are located within the 0.5 mile search radius. The nearest recreational facility is 0.12 mile southwest of the subject parcels. No impact is expected.

Pipelines: Two (2) pipeline segments are located within the 0.5 mile search radius. The nearest segment is 0.23 mile south of the subject parcels. No impact is expected.

Railroads: Three (3) railroad segments are located within the 0.5 mile search radius. The nearest segment is 0.11 mile northeast of the subject parcels. No impact is expected.

Trails: Four (4) trail segments are located within the 0.5 mile search radius. The nearest segment is 0.11 mile south of the subject parcels. No impact is expected.

Managed Lands: Six (6) managed lands are located within the 0.5 mile search radius. The nearest managed land is 0.12 mile southwest the subject parcel. No impact is expected.

Water Resources Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:							
NWI – Points	N/A	Canal Routes – Historic	N/A				
Karst Springs	N/A	NWI – Wetlands	11				
Canal Structures – Historic	Canal Structures – Historic N/A Lakes 1						
NPS NRI Listed	N/A	Floodplain - DFIRM	17				
NWI-Lines	NWI-Lines 4 Cave Entrance Density N/A						
IDEM 303d Listed Streams and Lakes (Impaired) 7 Sinkhole Areas N/A							
Rivers and Streams	12	Sinking-Stream Basins	N/A				

Explanation:

NWI - Lines: Four (4) wetland lines are located within the 0.5 mile search radius. The nearest wetland line is located 0.14 mile northeast of the subject parcels. No impact is expected.

IDEM 303d Listed Rivers and Lakes (Impaired): Seven (7) impaired stream segments are located within the 0.5 mile search radius. The nearest impaired stream is located 0.14 mile northeast of the subject parcels. No impact is expected.

Rivers and Streams: Twelve (12) stream segments are located within the 0.5 mile search radius. The nearest stream is located 0.14 mile northeast of the subject parcels. No impact is expected.

NWI - Wetlands: Eleven (11) wetlands are located within the 0.5 mile search radius. The nearest wetland is located 0.23 mile northeast of the subject parcels. No impact is expected.

Lakes: One (1) lake is located within the 0.5 mile search radius, 0.45 mile southwest of the subject parcels. No impact is expected.

Floodplain – DFIRM: Seventeen (17) floodplains are located within the 0.5 mile search radius. The nearest floodplain is 0.11 mile southwest of the subject parcels. No impact is expected.

No impact to karst features is expected.

Mining/Mineral Exploration						
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items,						
please indicate N/A:						
Petroleum Wells 1 Mineral Resources N/A						
Mines – Surface	N/A	Mines – Underground	N/A			

Explanation:

Petroleum Wells: One (1) petroleum well is located within the 0.5 mile search radius, 0.15 mile northeast of the subject parcels. No impact is expected.

#### HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

Hazardous Material Concerns Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:						
Superfund	N/A	Manufactured Gas Plant Sites	N/A			
RCRA Generator/ TSD	1	Open Dump Waste Sites	N/A			
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A			
State Cleanup Sites	4	Waste Transfer Stations	N/A			
Septage Waste Sites	N/A	Tire Waste Sites	N/A			
Underground Storage Tank (UST) Sites	14	Confined Feeding Operations (CFO)	N/A			
Voluntary Remediation Program	3	Brownfields	8			
Construction Demolition Waste	N/A	Institutional Controls	51			
Solid Waste Landfill	N/A	NPDES Facilities	9			
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	1			
Leaking Underground Storage (LUST) Sites	8	Notice of Contamination Sites	N/A			

Unless otherwise noted, site specific details presented in this section were obtained from documents reviewed on the Indiana Department of Environmental Management (IDEM) Virtual File Cabinet (VFC).

Explanation:

RCRA Generator / TSD: One (1) RCRA generator is located within the 0.5 mile search radius. Douglas Carpet and Dry Cleaning, 215 Pleasant Avenue, AI ID# 38273, is located 0.09 mile west of the subject parcels and no longer operates as a dry cleaner facility. No violations were on file. No impact is expected.

State Cleanup: Four (4) State Cleanup sites are located within the 0.5 mile search radius. The nearest site, Kirts Dry Cleaners, AI ID# 29748, is located 0.33 mile west of the subject parcels. The IDEM issued a Covenant Not To Sue letter, dated June 22, 2021, following the recording of an ERC on the deed of the property. The extents of contamination have been delineated and do not appear to extend to the subject parcels. No impact is expected.

Underground Storage Tank (USTs) Sites: There are fourteen (14) UST sites within the 0.5 mile search radius. The nearest site, Glenn Battery, 304 West Pike Street, AI ID# 32206, is located on the southwest corner of US 33 and 2<sup>nd</sup> Street, approximately 0.02 mile southwest. Three 1,000 gallon steel USTs were reportedly closed in-place in 1984; however, it does not appear as though either closure sampling or report was completed. No impact is expected; however, potential buyers should be informed.

Voluntary Remediation Program (VRP): Three (3) Voluntary Remediation Program sites are located within the 0.5 mile search radius. The nearest site, Northern Indiana Public Service Corp, 312 North 5<sup>th</sup> Street, AI ID# 35748, is located 0.23 mile northwest of the subject parcels. No impact is expected.

Leaking Underground Storage Tank (LUST) Sites: Eight (8) Leaking Underground Storage Tank sites are located within the 0.5 mile search radius. The nearest site, Greg Smucker, 406 Pike Street, AI ID# 34163, is actually located 0.04 mile west of the subject parcels on the southeast corner of US 33 and New Street. IDEM issued a No Further Action Determination Pursuant to RISC Branch Guidance letter, dated August 29, 2006, following the removal of one 550 gallon used oil UST. One soil sample contained concentrations of total petroleum hydrocarbons (TPH) above 20 ppm, but appears to be confined to the northern sidewall adjacent to the former tank. No impact is expected.

Brownfields: Eight (8) Brownfields sites are located within the 0.5 mile search radius. The nearest site, Elkhart County CW Assessment, 117 North 2<sup>nd</sup> Street, AI ID# 59725, is located 0.18 mile south of the subject parcels and appears to be associated with a mailing address for two different sites.

Institutional Controls: Fifty-one (51) institutional control sites are located within the 0.5 mile search radius. The nearest, Crown Pozzi Master Fab, AI ID # 35787, is located 0.20 mile north of the subject parcels. No impact is expected.

NPDES Facilities: Nine (9) NPDES facilities are located within the 0.5 mile search radius. The nearest, US 33 Road Reconstruction, is adjacent to the subject parcels. The permit (INR10K251) expired June 2, 2020. No impact is expected.

NPDES Pipe Locations: One (1) NPDES pipe location is located within the 0.5 mile search radius. The outfall is located 0.18 mile northwest of the subject parcels. No impact is expected.

#### ECOLOGICAL INFORMATION SUMMARY

The Howard County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is provided at <u>https://www.in.gov/dnr/nature-preserves/files/np elkhart.pdf</u>. A preliminary review of the Indiana Natural Heritage Database by INDOT ESD did indicate the presence of one (1) ETR species within the 0.5 mile search radius, 0.11 mile west of the subject parcels. No impact is expected.

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the subject parcels. No impact is expected.

#### **RECOMMENDATIONS SECTION**

Include recommendations from each section. If there are no recommendations, please indicate N/A:

INFRASTRUCTURE: N/A

WATER RESOURCES: N/A

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: Underground Storage Tank (USTs) Sites: Glenn Battery, 304 West Pike Street, AI ID# 32206, is located on the southwest corner of US 33 and 2<sup>nd</sup> Street, approximately 0.02 mile southwest. Three 1,000 gallon steel USTs were reportedly closed in-place in 1984; however, it does not appear as though closure sampling or reporting was completed. No impact is expected; however, potential buyers should be informed.

ECOLOGICAL INFORMATION: N/A

Evaluation Completed by: Nicole Fohey-Breting Team Lead Site Assessment & Management INDOT Environmental Policy Office, ESD

#### Graphics:

A map for each report section with a 0.5 mile search radius buffer around all project area(s) showing all items identified as possible items of concern is attached. If there is not a section map included, please change the YES to N/A:

SITE LOCATION: YES

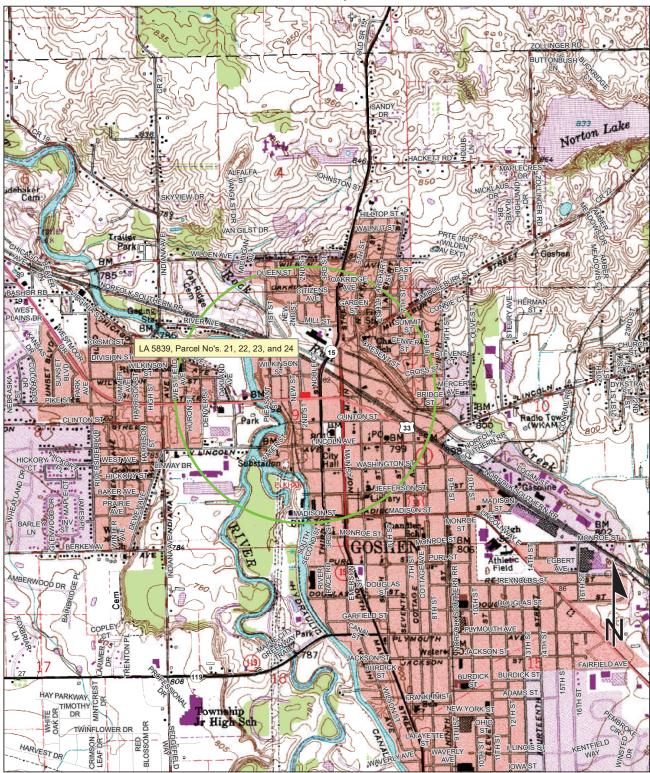
INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: YES

HAZARDOUS MATERIAL CONCERNS: YES

## Red Flag Investigation - Site Location US 33 - Excess Parcels LA 5839, Parcel No's 21, 22, 23, and 24 Elkhart County, Indiana



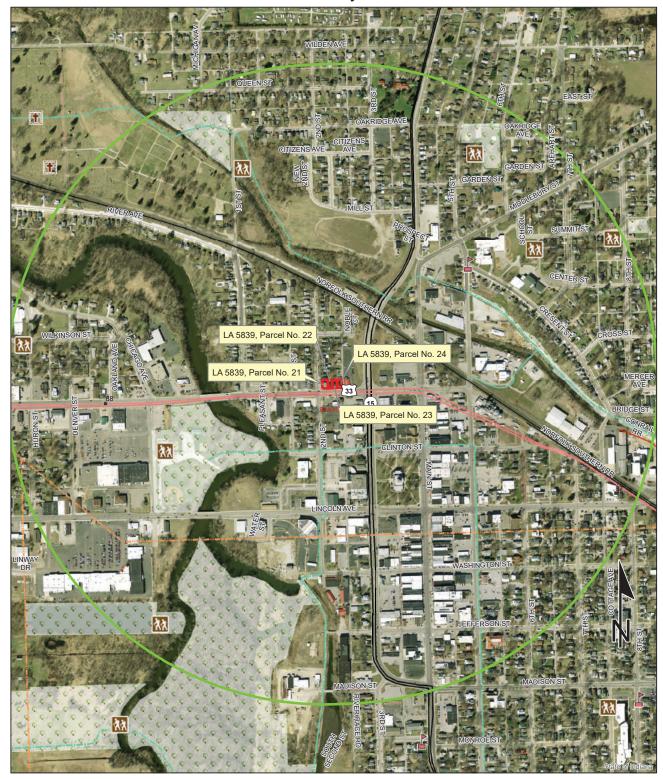
0.3 0.15 0 0.3 Sources: Miles Non Orthophotography Data - Obtained from the State of Indiana Geographical Information Office Library Orthophotography - Obtained from Indiana Map Framework Data

Map Projection: UTM Zone 16 N Map Datum: NAD83

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

**GOSHEN QUADRANGLE INDIANA 7.5 MINUTE SERIES** (TOPOGRAPHIC)

Red Flag Investigation - Infrastructure US 33 - Excess Parcels LA 5839, Parcel No's 21, 22, 23, and 24 Elkhart County, Indiana



0.1 Miles 0.1 0.05 0

Sources:

Non Orthophotography Data - Obtained from the State of Indiana Geographical Information Office Library Orthophotography - Obtained from Indiana Map Framework Data

(www.indianamap.org) <u>Map Projection:</u> UTM Zone 16 N <u>Map Datum:</u> NAD83

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

1	Religious Facility	👯 Recreation Facility 📃 Project Area
+	Airport	Pipeline Half Mile Radius
		Railroad
t	Cemeteries	Trails
	Hospital	Managed Lands State Route
	School	US Route
		County Boundary Local Road

Red Flag Investigation - Water Resources US 33 - Excess Parcels LA 5839, Parcel No's 21, 22, 23, and 24 Elkhart County, Indiana



0.1 0.05 0

0.1

Miles

Sources: Non Orthophotography Data - Obtained from the State of Indiana Geographical

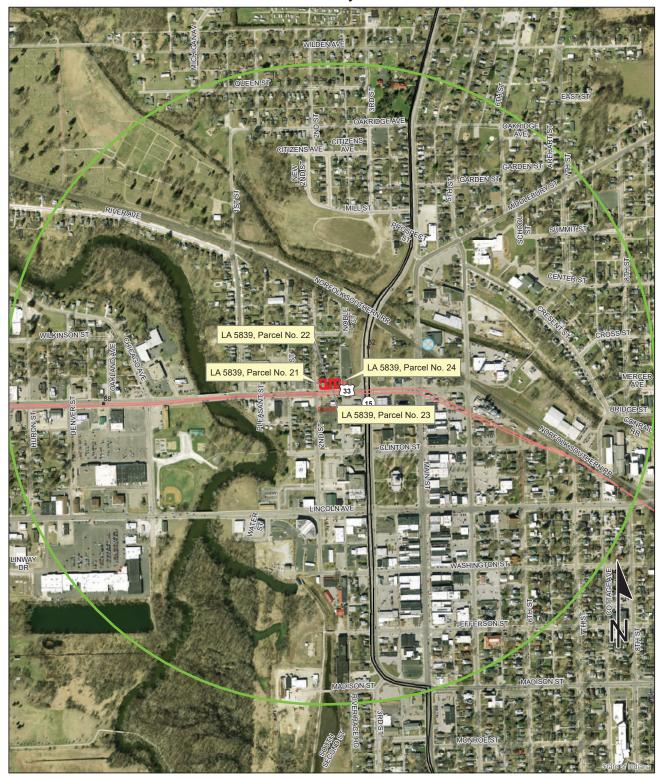
Information Office Library <u>Orthophotography</u> - Obtained from Indiana Map Framework Data (www.indianamap.org)

Map Projection: UTM Zone 16 N Map Datum: NAD83

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.



Red Flag Investigation - Mining and Mineral Exploration US 33 - Excess Parcels LA 5839, Parcel No's 21, 22, 23, and 24 Elkhart County, Indiana



0.1 0.05 0 0.1 🖊 Toll Miles Oil and Gas Wells County Boundary Non Orthophotography Interstate Data - Obtained from the State of Indiana Geographical Information Office Library Orthophotography - Obtained from Indiana Map Framework Data Mineral Resources Project Area State Route Half Mile Radius 🚓 🔬 Mine - Surface (www.indianamap.org) Map Projection: UTM Zone 16 N Map Datum: NAD83 **US Route** Mine -Local Road This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

Sources:

## Red Flag Investigation - Hazardous Material Concerns US 33 - Excess Parcels LA 5839, Parcel No's 21, 22, 23, and 24 Elkhart County, Indiana



#### Brownfield \* La **RCRA** Corrective Action Sites **Confined Feeding Operation** -----÷

- Notice\_Of\_Contamination
- **♦** Construction/Demolition Site
- Infectious/Medical Waste Site
- Leaking Underground Storage Tank
- Manufactured Gas Plant
- **NPDES Facilites**

0.05

0.1

- **NPDES Pipe Locations**
- Open Dump Waste Site

 $\diamond$ RCRA Generator/TSD

- **Restricted Waste Site**
- Septage Waste Site
- Solid Waste Landfill
- State Cleanup Site
- Superfund ۲
- ۲ Tire Waste Site
- $\bigcirc$ Underground Storage Tank
  - Voluntary Remediation Program
  - Waste Transfer Station
- / Interstate State Route US Route Local Road

Toll

Institutional Controls

**County Boundary** 

Half Mile Radius

**Project Area** 

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

0.1

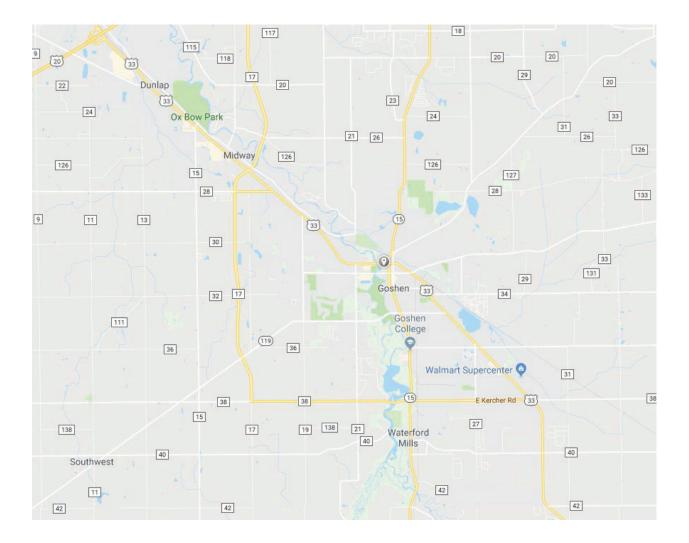
Miles

Sources: Non Orthophotography Data - Obtained from the State of Indiana Geographical Information Office Library Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org) <u>Map Projection:</u> UTM Zone 16 N <u>Map Datum:</u> NAD83 Appendix C:

Parcel Documentation

OFTRN





This aerial is not a precise representation of the parcel in question. For an exact depiction, please refer to the legal description.











## 5839-21, 22, 23, 24, US 33, Elkhart County

This aerial is not a precise representation of the parcel in question. For an exact depiction, please refer to the legal description.







#### **EXHIBIT "A"**

 Project:
 1006199

 Parcel:
 21 Fee Simple

 Tax ID No:
 20-11-09-258-019.000-015

 Form:
 WD-1

Sheet 1 of 2 Code: 5839

A part of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county, and being that part of the grantor(s) land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: BEGINNING at the southwest corner of said lot; thence North 0 degrees 42 minutes 13 seconds West 13.75 feet along the west line of said lot to the point designated "1011" on said Parcel Plat; thence South 44 degrees 32 minutes 24 seconds East 19.00 feet to the south line of said lot designated as point "1012" on said Parcel Plat; thence South 89 degrees 06 minutes 18 seconds West 13.16 feet along said south line to the POINT OF BEGINNING and containing 90 square feet, more or less.

This description was prepared for the Indiana Department of Transportation by the following:

08/18/2014

V.S. Engineering, Inc. Vincent J. Barr, P.S. Professional Surveyor No. 9700015 State of Indiana



#### **EXHIBIT "A"**

 Project:
 1006199

 Parcel:
 21B Excess Land

 Tax ID No:
 20-11-09-258-019.000-015

 Form:
 WD-1

Sheet 2 of 2 Code: 5839

Part of Lot Numbered Two hundred twenty-one (221) as the said Lot is known and designated on the recorded ORIGINAL PLAT OF GOSHEN, Indiana, said Plat being recorded in Deed Record 1, page 16 in the office of the Recorder of Elkhart County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Lot Numbered Two hundred twenty-one (221); thence East Fortysix and one-half (46 ½) feet; thence North to the North line of said Lot Numbered Two hundred twenty-one (221); thence West Forty-six and one-half (46 ½) feet to the West line of said Lot; thence South to the place of beginning.

EXCEPTING THEREFROM the following described land:

A part of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county, and being that part of the grantor(s) land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat marked EXHIBIT "B", described as follows: BEGINNING at the southwest corner of said lot; thence North 0 degrees 42 minutes 13 seconds West 13.75 feet along the west line of said lot to the point designated "1011" on said Parcel Plat; thence South 44 degrees 32 minutes 24 seconds East 19.00 feet to the south line of said lot designated as point "1012" on said Parcel Plat; thence South 89 degrees 06 minutes 18 seconds West 13.16 feet along said south line to the POINT OF BEGINNING and containing 90 square feet, more or less.

Containing in all less said exception 2,995 square feet, more of less.

This description was prepared for the Indiana Department of Transportation by the following:

Im 08/18/2014

V.S. Engineering, Inc. Vincent J. Barr, P.S. Professional Surveyor No. 9700015 State of Indiana



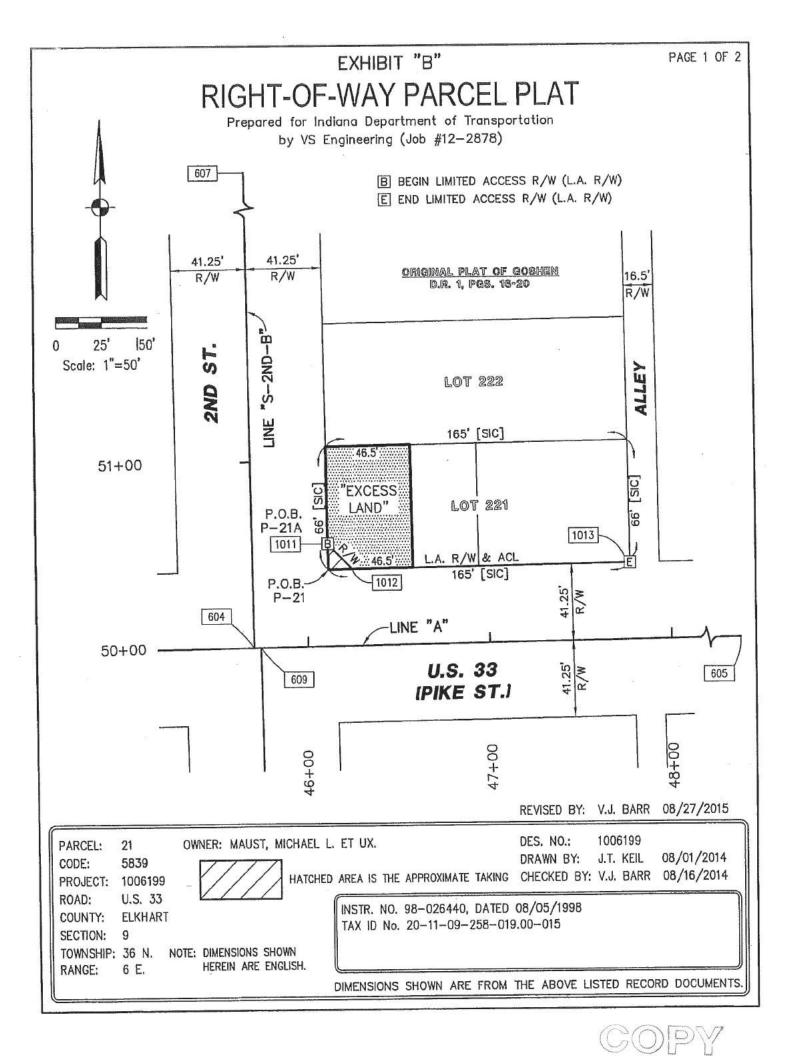


EXHIBIT "B" (cont.)

	PARCEL COORDINATE CHART (shown in feet)								
Point	Centerline	Centerline Station Offset Lt./Rt. Northing Easting							
1011	A 46+11.89 55.00' Lt. 19,768.4653 81,325.78								
1012	A 46+25.00 41.25' Lt. 19,754.9218 81,339.10								
1013	<u> </u>	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772			
604									
605	D5 SEE LOCATION CONTROL ROUTE SURVEY PLAT								
607		SEE LUGATION CONTROL ROUTE SURVET FLAT							
609									

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES. SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

more 1/2015

VS ENGINEERING, INC. VINCENT J. BARR, P.S. PROFESSIONAL SURVEYOR NO. 9700015 STATE OF INDIANA



REVISED BY: V.J. BARR 08/27/2015

DES. NO.:	1006199	
DRAWN BY:	J.T. KEIL	08/01/2014
CHECKED BY:	V.J. BARR	08/16/2014

PARCEL: 21 OWNER: MAUST, MICHAEL L. ET UX. CODE: 5839 PROJECT: 1006199 ROAD: U.S. 33 ELKHART COUNTY: SECTION: 9 TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH. RANGE: 6 E.

Project:1006199Parcel:22 Full Limitation of Access Control LineTax ID No:20-11-09-258-020.000-015Form:WL-3

Sheet 1 of 1 Code: 5839

For the purposes of a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility (to be known as U.S. 33 and as Project 1006199) to and from the Grantor(s) abutting lands, only along the line or lines shown on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county; thence North 89 degrees 06 minutes 18 seconds East 46.65 feet along the south line of said lot to the southwest corner of the grantor(s) land and the POINT OF BEGINNING of this description: thence continuing North 89 degrees 06 minutes 18 seconds East 36.12 feet along the south line of said lot and ENDING at the southeast corner of the grantor(s) land.

The above described access control line restrictions shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation by the following:

M 08/18/2014

V.S. Engineering, Inc. Vincent J. Barr, P.S. Professional Surveyor No. 9700015 State of Indiana



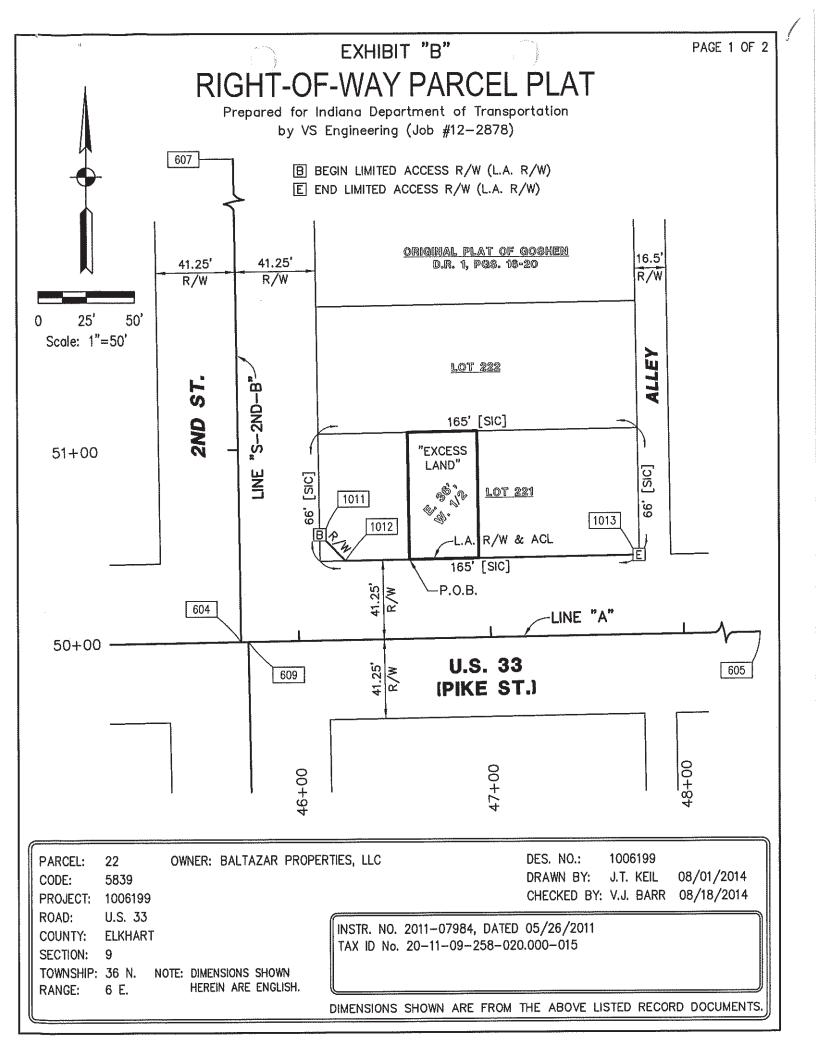


EXHIBIT "B" (cont.)

	PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting	
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814	
1012	Α	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091	
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772	
604							
605	605 SEE LOCATION CONTROL ROUTE SURVEY PLAT						
607	SEE LOCATION CONTROL ROUTE SURVET PLAT						
609							

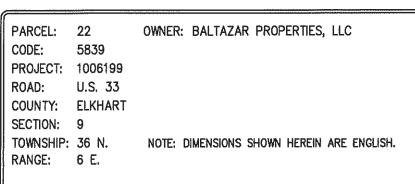
NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

#### SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

614

VS ENGINEERING, INC. VINCENT J. BARR, P.S. PROFESSIONAL SURVEYOR NO. 9700015 STATE OF INDIANA





DES. NO.: 1006199 DRAWN BY: J.T. KEIL 08/01/2014 CHECKED BY: V.J. BARR 08/18/2014

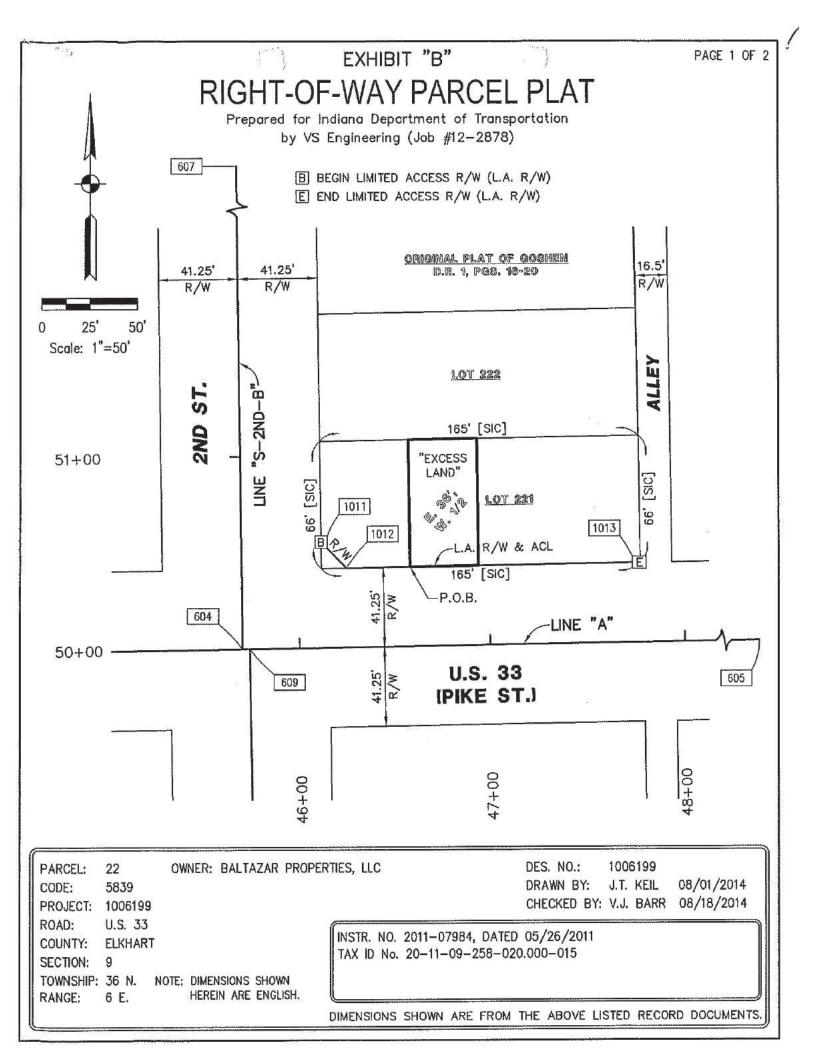


EXHIBIT "B" (cont.)

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772
604			30. S		6	<u>.</u>
605						Ŧ
607	,	SEE LUCATIO	N CUNTR	OL RUUT	E SURVEY PLA	
609						

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

#### SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

m 08/18/2014

VS ENGINEERING, INC. VINCENT J. BARR, P.S. PROFESSIONAL SURVEYOR NO. 9700015 STATE OF INDIANA

A . 1 To

I	DADOD	00	AUNTO DUTITIO ADADEDTES UNA
l	PARCEL:	22	OWNER: BALTAZAR PROPERTIES, LLC
I	CODE:	5839	
	PROJECT:	1006199	
	ROAD:	U.S. 33	
	COUNTY:	ELKHART	
	SECTION:	9	
	TOWNSHIP:	36 N.	NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH.
	RANGE:	6 E.	
I			



DES. NO.:	1006199				
DRAWN BY:	J.T. KEIL	08/01/2014			
CHECKED BY:	V.J. BARR	08/18/2014			

EXHIBIT "A"

	1	. J.
	Projeci:	1008199
'	Parcel:	23 Full Limitation of Access Control Line
•	Tax ID No:	20-11-09-258-021,000-015
	Form:	WL-3

For the purposes of a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility (to be known as U.S. 33 and as Project 1006199) to and from the Grantor(s) abuiling lands, only along the line or lines shown on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county; thence North 89 degrees 06 minutes 18 seconds East 82.77 feet along the south line of said lot to the southwest corner of the grantor(s) land and the POINT OF BEGINNING of this description: thence continuing North 89 degrees 06 minutes 18 seconds East 41.39 feet along said south line and ENDING at the southeast corner of the grantor(s) land.

The above described access control line restrictions shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation by the following:

V.S. Engineering, Ino. Vincent J. Barr, P.S. Professional Surveyor No. 9700015 State of Indiana



Sheet 1 of 1 Code: 5839

EXH	IBIT	"A'

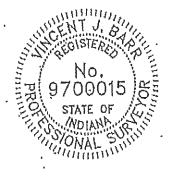
Project: Parcel:	1006199 23A ´Excess Land		• • •	•		et 1 of 1 de: .5839
Tax ID No:	20-11-09-258-021.000-015	,		, • •	·	•
Form:	WD-1	٠	•	•••	•	

The West One-half of the East One-half of Lot Numbered Two Hundred Twenty-one (221), as the said Lot is known and designated on the recorded Plat of the Original Plat of the Town, now City of Goshen, Indiana; said Plat being recorded in Deed Record 1, page 17, in the Office of the Recorder of Elkhart County, Indiana.

This description was prepared for the indiana Department of Transportation by the following:

16/10/4.

V.S. Engineering, Inc. Vincent J. Barr, P.S. Professional Surveyor No. 9700015 State of Indiana



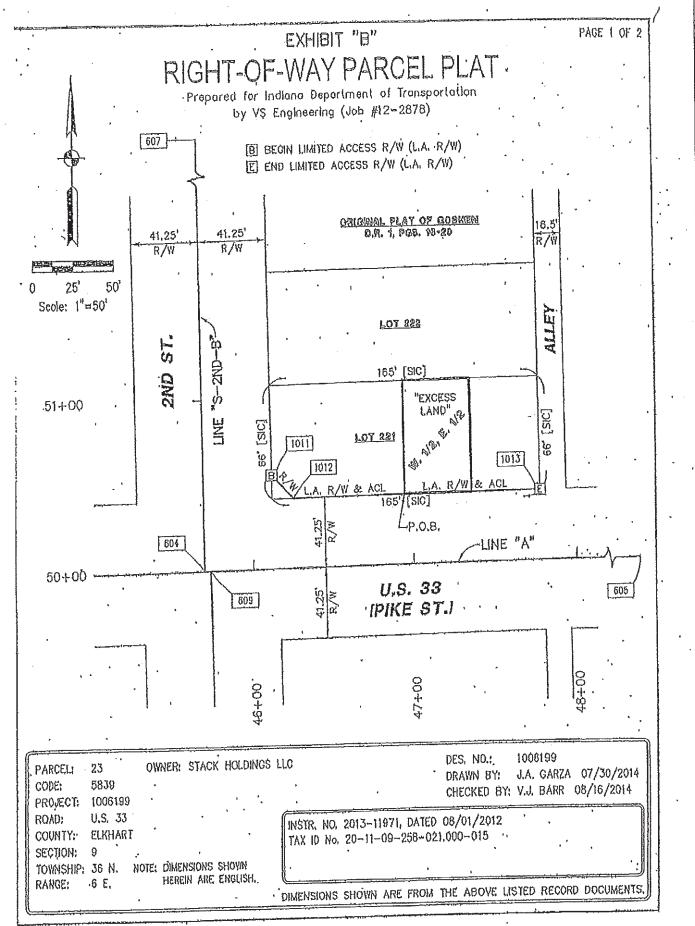


EXHIBIT "B" (cont.).

PAGE 2 OF 2

PARCEL COORDINATE CHART (shown in feet)								
Point	Centerline	. Station	Offsel	LI./RI.	Northing	Easling		
1011	A	46+11.89	55,00'	٤L	19,768.4653	81,325.7814		
1012	A ·	46+25.00	41.25'	' u.	19,754,9218	81,339,1091		
1013	A	47+77,39	41.25*		19,757,3020	81,491,4772		
604	305							
605								
607		SEE LOCATION CONTROL ROUTE SURVEY PLAT						
609	:							

NOTE; STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

#### SURVEYOR'S STATEMENT

To the best of my knowledge and bellef, this plat, together with 'the "Location Control Route Survey" recorded as instrument No. 2013-06714 in the Office of the Recorder of Elkhort County, Indiana, (Incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

VS ENGINEERING, INC. VINCENT J. BARR, P.S. PROFESSIONAL SURVEYOR NO. 9700015 STATE OF INDIANA

PARCEL:

CODE:

ROAD:

23

PROJECT: 1006199

5839

U.S. 33

1006199 ' DES. NO.: OWNER: STACK HOLDINGS LLC DRAWN BY: J.A. GARZA 07/30/2014 CHECKED BY: V.J. BARR 08/16/2014

COUNTY: ELKHART SECTION: 9 NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH. TOWNSHIP: 36 N. RANGE: 6 E.

NÒ, 0001

Project:1006199Parcel:24 Full Limitation of Access Control LineTax ID No:20-11-09-258-022.000-015Form:WL-3

Sheet 1 of 1 Code: 5839

For the purposes of a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility (to be known as U.S. 33 and as Project 1006199) to and from the Grantor(s) abutting lands, only along the line or lines shown on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county; thence North 89 degrees 06 minutes 18 seconds East 124.16 feet along the south line of said lot to the southwest corner of the grantor(s) land and the POINT OF BEGINNING of this description: thence continuing North 89 degrees 06 minutes 18 seconds East 41.39 feet along said south line and TERMINATING at the southeast corner of said lot designated as point "1013" on said Parcel Plat.

The above described access control line restrictions shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation by the following:

V.S. Engineering, Inc. Vincent J. Barr, P.S. Professional Surveyor No. 9700015 State of Indiana



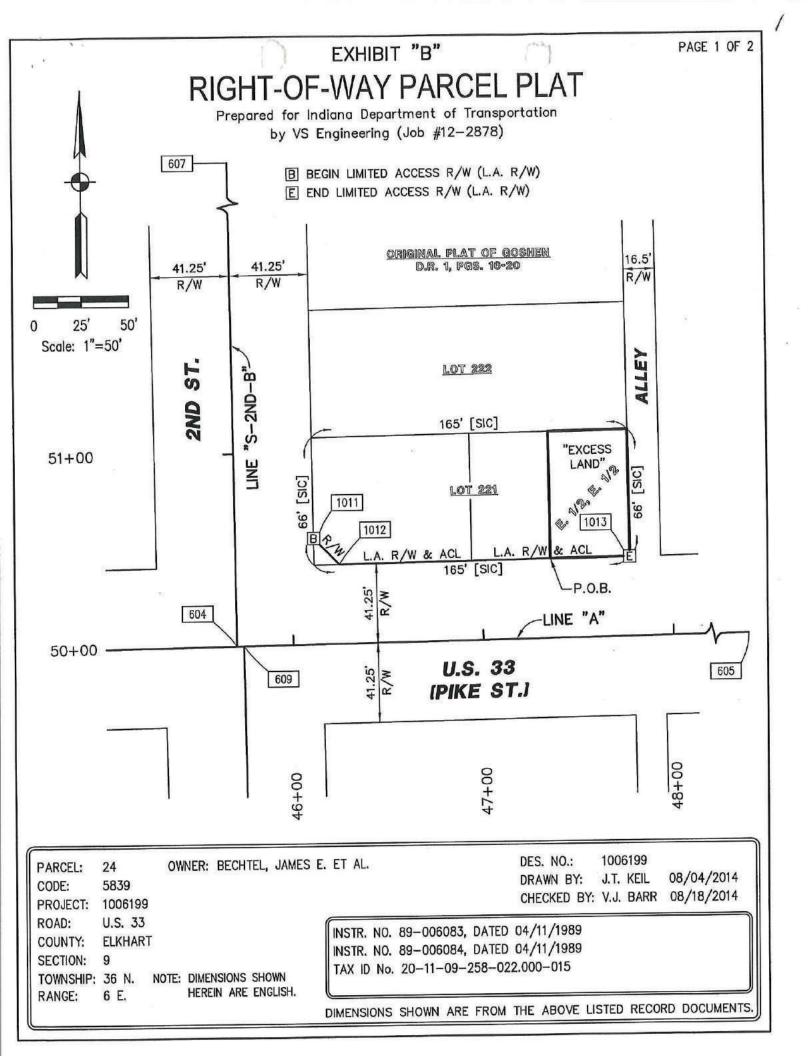


EXHIBIT "B" (cont.)

	PARCEL	COORDIN	ATE CH	IART (sł	nown in fee	t)	
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting	
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814	
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091	
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772	
604		Ϋ́.					
605						т	
607 SEE LOCATION CONTROL ROUTE SURVEY PLAT							
609	1						

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

#### SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

1014

VS ENGINEERING, INC. VINCENT J. BARR, P.S. PROFESSIONAL SURVEYOR NO. 9700015 STATE OF INDIANA

PARCEL:	24	OWNER	: BECHTEL,	JAMES	E. ET	AL.	
CODE:	5839						
PROJECT:	1006199						
ROAD:	U.S. 33						
COUNTY:	ELKHART						
SECTION:	9						
TOWNSHIP:	36 N.	NOTE:	DIMENSIONS	SHOWN	HEREIN	ARE	ENGLISH.
RANGE:	6 E.						



DES. NO.: 1006199 DRAWN BY: J.T. KEIL 08/04/2014 CHECKED BY: V.J. BARR 08/18/2014 
 Project:
 1006199

 Parcel:
 24A Excess Land

 Tax ID No:
 20-11-09-258-022.000-015

 Form:
 WD-1

Sheet 1 of 1 Code: 5839

The East one-half (E ½) of the East one-half (E ½) of Lot Number 221 in the Original Plat of the Town (now City) of Goshen, Indiana.

This description was prepared for the Indiana Department of Transportation by the following:

m 08/18/2014

V.S. Engineering, Inc. Vincent J. Barr, P.S. Professional Surveyor No. 9700015 State of Indiana



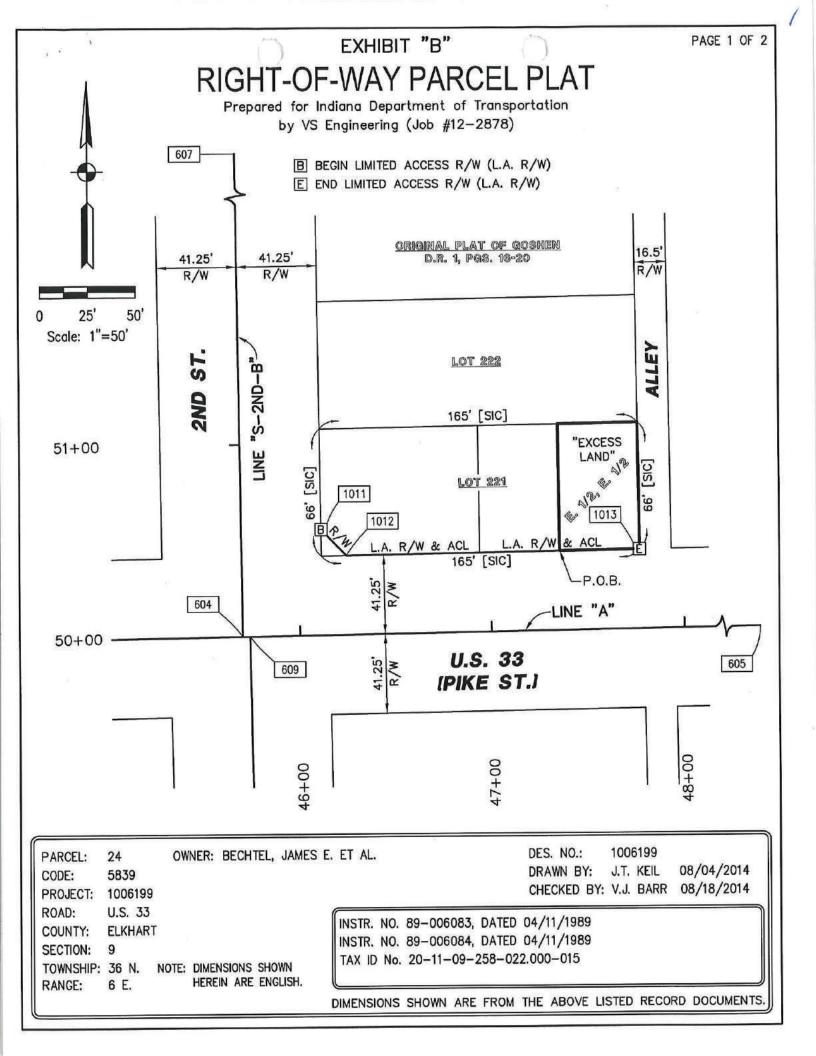


EXHIBIT "B" (cont.)

	PARCEL	COORDIN	ATE CH	IART (sl	nown in fee	t)
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772
604					E	
605	1					Ŧ
SEE LOCATION CONTROL ROUTE SURVEY PLAT						

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

#### SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

1014

VS ENGINEERING, INC. VINCENT J. BARR, P.S. PROFESSIONAL SURVEYOR NO. 9700015 STATE OF INDIANA

PARCEL: OWNER: BECHTEL, JAMES E. ET AL. 24 CODE: 5839 PROJECT: 1006199 ROAD: U.S. 33 COUNTY: ELKHART SECTION: 9 NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH. TOWNSHIP: 36 N. RANGE: 6 E.



DES. NO.: 1006199 DRAWN BY: J.T. KEIL 08/04/2014 CHECKED BY: V.J. BARR 08/18/2014