



# 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 5265, PARCEL 54 (EXCESS PARCEL)  
**DATE:** APRIL 26, 2022

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## 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.

Parcel 54 is located on the west side of US 31, 1.63 miles south of US 6 in Marshall County, Indiana. The parcel is approximately 26.097 acres.

### Statements of Disclosure:

**NWI – Wetlands:** Four (4) wetlands are located within Parcel 54. No impact is expected; however, potential buyers should be informed.

**Pipelines:** One (1) pipeline segment, Trunkline Gas Co., runs through the northern portion of Parcel 54. No impact is expected; however, potential buyers should be informed.

With regard to above-ground resources, this parcel was included in the studies for INDOT Des. No. 9405230, the US 31 Plymouth to South Bend project. As can be seen from the attached excerpted historic properties report (HPR) pages and 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 or adjacent this parcel. As can be seen on the attached mapping with aerial photography from 2016, the only Indiana Historic Sites and Structures Inventory (IHSSI) property located near this parcel is a "contributing" rated property: 099-342-05020, which has been demolished. The parcel is primarily grassy land with some wooded scrub brush vegetation and a wooded area on the north end. The only items that might be present on this parcel are utility poles and lines, and wire fences. We do not think that this

parcel contains any historic sites or structures that its sale will impact any historic properties. No further above-ground work is recommended prior to the sale of this parcel.

INDOT-CRO personnel who meet the Secretary of Interior’s Professional Qualification Standards as per 36 CFR Part 61 completed a Phase Ia archaeological investigation of this parcel (Coon, February 15, 2022). Sites 12Mr504, 12Mr505, 12Mr506, and 12Mr507 were newly recorded as a result of the investigation. These sites are ineligible for the NRHP and it is recommended that the sale of this parcel be allowed to proceed as planned.

SHPO concurred on March 17, 2022.

Check all that apply	Exemption number	Project type
	1	<b>Pipe culvert replacement</b>
	2	<b>Bridge painting</b>
	3	<b>Mowing</b>
	4	<b>Installation, modernization or maintenance of signs, traffic signals, pavement markings, highway lighting, and channelization within the existing right-of-way</b>
	5	<b>Patching and crack sealing of roadway surfaces</b>
	6	<b>Resurfacing existing pavement</b>
	7	<b>Guardrail and fence installation or repairs</b>
<b>X</b>	10	<b>Right-of-way abstracting, engineering appraising, property management and administration</b>
	11	<b>Landscaping and erosion control</b>
	12	<b>Safety projects such as pavement grooving, flare screen, safety barriers, and energy attenuators</b>
	13	<b>Addition or reconstruction of railroad crossing protection</b>
	15	<b>Reconstruction or replacement of an existing bridge crossing a stream, railroad, or roadway</b>
	16	<b>Addition of special facilities to an existing highway for the exclusive use of buses</b>
	17	<b>Slide correction measures which are not emergencies but are necessary to preserve the highway facility</b>
	18	<b>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</b>

(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.

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

Appendix A:  
Cultural Resources (Section 106)



March 17, 2022

Matt Coon, Ph.D.  
Cultural Resources Office  
Indiana Department of Transportation  
100 N. Senate Avenue, Room N-758ES  
Indianapolis, Indiana 46204

Stage Agency: Indiana Department of Administration (“IDOA”),  
and Indiana Department of Transportation (“INDOT”)

Re: Project information, and archaeological records check and Phase Ia field reconnaissance survey report (Coon, 02/15/2022), for the INDOT disposal of Excess Parcel No. 54 (LA Code 5265), associated with US 31 improvements (DHPA No. 28807)

Dear Dr. Coon:

Pursuant to Indiana Code 14-21-1-14, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (“Indiana DNR-DHPA”) has reviewed your review request submittal form, with enclosures, dated and received February 15, 2022, for the above indicated project in North Township, Marshall County, Indiana.

Based on the information you provided, it does not appear that Excess Parcel No. 54 (LA Code 5265), located on the west side of US 31 north of 4A Road, 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”).

Additionally, based on the documentation available to Indiana DNR-DHPA, we have not identified any currently known archaeological resources listed or eligible for inclusion in the NRHP or IRHSS within Excess Parcel No. 54 (LA Code 5265). We concur with the opinion of the archaeologist, as expressed in the archaeological records check and Phase Ia field reconnaissance survey report (Coon, 02/15/2022), that archaeological sites 12-Mr-0504, 12-Mr-0505, 12-Mr-0506, and 12-Mr-0507—all of which were identified during the archaeological investigations—do not appear to be eligible for inclusion in the NRHP, and that no further archaeological investigations appear necessary at Excess Parcel No. 54 (LA Code 5265).

Accordingly, we do not believe that Excess Parcel No. 54 (LA Code 5265), in North Township, Marshall 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 Indiana DNR-DHPA within two (2) business days. In that event, please call (317) 232-1646.

Additionally, we note that the archaeological site survey record forms associated with these archaeological investigations (i.e., the forms for archaeological sites 12-Mr-0504, 12-Mr-0505, 12-Mr-0506, and 12-Mr-0507) were submitted to the Indiana DNR-DHPA SHAARD system database. These forms have been reviewed and approved.

If you have further questions regarding this determination, please contact our office. Questions about archaeological issues should be directed to Wade T. Tharp at (317) 232-1650 or [wtharp1@dnr.IN.gov](mailto:wtharp1@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](mailto:dkauffmann@dnr.IN.gov). Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA No. 28807.

Very truly yours,



Beth K. McCord  
Director  
Division of Historic Preservation & Archaeology

BKM:DMK:WTT:wtt

emc: Anuradha Kumar, INDOT  
Matt Coon, INDOT  
Mary Kennedy, INDOT  
Susan Branigin, INDOT  
Steve Harless, IDOA  
Danielle Kauffmann, Indiana DNR-DHPA  
Wade T. Tharp, Indiana DNR-DHPA



# INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N758  
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

**Eric Holcomb, Governor**  
**Michael Smith, Commissioner**

February 15, 2022

Chad Slider  
Division of Historic Preservation and Archaeology  
Indiana Department of Natural Resources  
Assisant Director for Environmental Review  
402 W. Washington Street, Room 274  
Indianapolis, IN 46204

Re: The proposed sale of US 31 LA Code 5265 Parcel 54 in Marshall County, Indiana.

Dear Mr. Slider,

The Indiana Department of Transportation, Cultural Resources Office has evaluated LA Code 5265 Parcel 54 that was acquired in association with US 31 improvements in Marshall County (Des. No. 9405230, 9904300 & 9904310). INDOT has determined that this parcel is excess and, pending DHPA review, intends to offer it for sale.

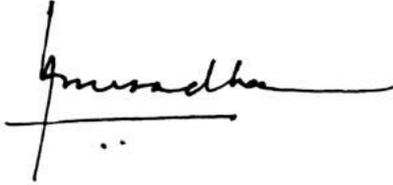
With regard to above-ground resources, this parcel was included in the studies for INDOT Des. No. 9405230, the US 31 Plymouth to South Bend project. As can be seen from the attached excerpted historic properties report (HPR) pages and the project's area of potential effects (APE) map, the identification efforts for the project did not identify any National Register eligible or listed properties on or adjacent this parcel. As can be seen on the attached mapping with aerial photography from 2016, the only Indiana Historic Sites and Structures Inventory (IHSSI) property located near this parcel is a "contributing" rated property: 099-342-05020, which has been demolished. The parcel is primarily grassy land with some wooded scrub brush vegetation and a wooded area on the north end. The only items that might be present on this parcel are utility poles and lines, and wire fences. We do not think that this parcel contains any historic sites or structures that its sale will impact any historic properties. No further above-ground work is recommended prior to the sale of this parcel.

INDOT-CRO personnel who meet the Secretary of Interior's Professional Qualification Standards as per 36 CFR Part 61 completed a Phase Ia archaeological investigation of this parcel (Coon, February 15, 2022). Sites 12Mr504, 12Mr505, 12Mr506, and 12Mr507 were newly recorded as a result of the investigation. These sites are ineligible for the NRHP and it is recommended that the sale of this parcel be allowed to proceed as planned.

There is no federal involvement with the disposal of this parcel and Section 106 of the National Historic Preservation Act does not apply. The reconnaissance was conducted per IC 14-21-1.

Please review the enclosed archaeological report and advise us of its acceptability and recommendations. If there are any questions or concerns regarding this project, please contact Matt Coon or Mary Kennedy of this section at 317-697-9752 or 317-694-3607, respectively.

Sincerely,

A handwritten signature in black ink, appearing to read "Anuradha", written over a horizontal line. The signature is fluid and cursive.

Anuradha Kumar  
Cultural Resource Manager  
INDOT Cultural Resources Office  
Indiana Department of Transportation

AK/MSK/MEK/msc

emc: INDOT Office of Environmental Services, Cultural Resource Office project file.

Draft Historic Property Report  
U.S. 31: Plymouth to South Bend

Prepared by: Weintraut & Associates Historians, Inc.

Prepared for: Federal Highway Administration  
Indiana Department of Transportation  
August 19, 2003



## EXECUTIVE SUMMARY

This Historic Property Report documents the methodology and determinations of eligibility of historic properties for listing in the National Register of Historic Places as part of the Section 106 process for the U.S. 31 Plymouth to South Bend Study. Historic properties were identified and evaluated in accordance with Section 106, National Historic Preservation Act (NHPA) of 1966, as amended, and CFR Part 800 (Revised January 2001) and Final Rule on Revision of Current Regulations dated 12 December 2000.

Project historians for the Indiana Department of Transportation identified and evaluated historic properties in consultation with the Indiana State Historic Preservation Officer, the Federal Highway Administration, and the consulting parties to this project.

There are two National Register listed properties in the Area of Potential Effects:

- 1 Evergreen Hill (70002) ✓
- 2 Lakeville School (86001) ✗

As a result of identification and evaluation efforts for this project, eight individual historic properties were determined eligible for listing in the National Register:

- 1 Cover House (70003) ✓
- 1 Emil Johnson House (70005)
- 1 Ullery/ Farneman House (70018) ✓
- 1 Peter Schafer Farmstead (70026) ✓
- 1 Francis Donaghue Farmstead (70038) ✓
- 1 Conrad Schafer Farmstead (85002) ✓
- 1 Court Farmstead (85037) ✓
- 2 W.O. Bunch Farm (85050)



Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739  
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.state.in.us

Frank O'Bannon, Governor  
John Goss, Director



September 2, 2003

Linda Weintraut, Ph.D.  
Weintraut & Associates Historians, Inc.  
16 Boone Woods  
Zionsville, Indiana 46077

Federal Agency: Federal Highway Administration

Re: Revised area of potential effects ("APE"), preliminary alternatives analysis and minutes from the May 15th, 2003 meeting, draft of historic property report, and meeting notice for September 4th for the US 31 Corridor project from US 30 near Plymouth to US 20 near South Bend (Designation #9405230; BLA Project #201-0101-OHY/HY21; DNR #6115, 9770-1)

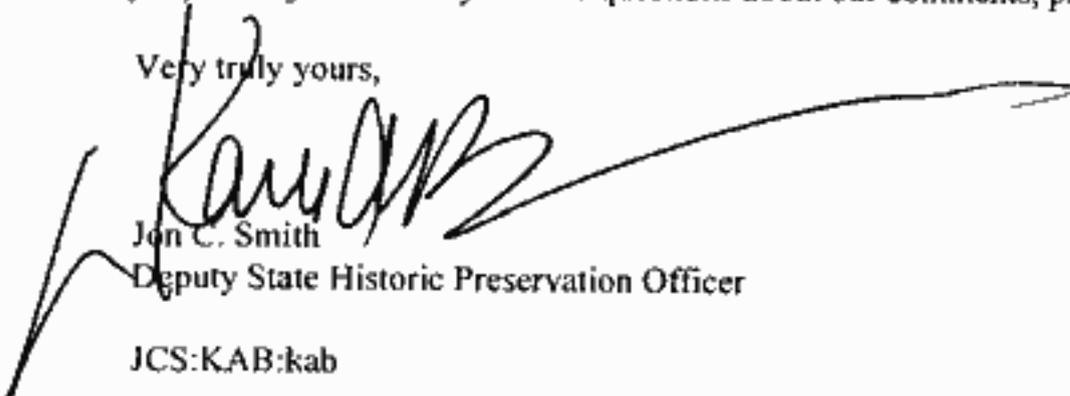
Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated July 24, 2003, August 19, 2003, and August 20, 2003, and received on July 28, 2003, August 20, 2003, and August 22, 2003, for the above indicated project in Marshall and St. Joseph counties, Indiana.

In general, we agree with the proposed findings of eligibility or non-eligibility for the properties identified in the August 19, 2003 "Draft Historic Property Report". We also agree with the proposed changes to the area of potential effects.

*A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at [www.achp.gov](http://www.achp.gov) for your reference. If you have questions about our comments, please call Karie A. Brudis of our office at (317) 232-1646.*

Very truly yours,

  
Jon C. Smith  
Deputy State Historic Preservation Officer

JCS:KAB:kab

cc: Kate Quinn, Acting Division Administrator, Federal Highway Administration  
Carl D. Camacho, Bernardin Lochmueller & Associates, Inc.  
emc: Todd Zeiger, Director, Northern Regional Office, Historic Landmarks Foundation of Indiana

# An Archaeological Records Check and Phase Ia Reconnaissance Survey for US 31 LA Code 5265 Excess Parcel 54, Marshall County, Indiana

Matt Coon,  
Principal Investigator

Signature: 

Prepared for:

Ron Bales, INDOT Environmental Services  
100 North Senate Avenue, Room N643  
Indianapolis, Indiana 46204

February 15, 2022



**Cultural Resources Office**  
INDOT Environmental Services  
100 North Senate Avenue, N758-ES  
Indianapolis, Indiana 46204  
317-697-9752

## MANAGEMENT SUMMARY

INDOT proposes the sale of US 31 LA Code 5265 Excess Parcel 54 (Parcel 5265-54), which was acquired in association with US 31 construction (Des. Nos. 9904300 and 9904310). INDOT has determined that this surplus land will not be needed for right-of-way or other transportation purposes within a reasonable time in the future.

The proposed sale of this excess land is not a federal undertaking, and therefore Section 106 of the National Historic Preservation Act does not apply. However, archaeological investigation is required under IC 14-21-1-14, which outlines duties upon proposed transfers of property by the State. Under this statute, properties must be inspected for the presence of significant historic sites or structures before they are transferred out of State ownership.

A Phase Ia field reconnaissance survey of the parcel was conducted in September and November of 2019. The survey was conducted to identify any archaeological resources present within the project area and to assess their significance in terms of meeting the criteria for listing in the National Register of Historic Places (National Register). The Phase Ia field investigations were performed in accordance with the 2019 “Guidebook for Indiana Historic Sites and Structures Inventory – Archaeological Sites” issued by the Division of Historic Preservation and Archaeology and with INDOT’s Cultural Resources Manual. All aspects of the Phase Ia investigations and the subsequent report preparation were conducted by qualified professional archaeologists meeting the standards set forth by the U.S. Department of the Interior outlined in 36 CFR Part 61 and 66, and the Secretary of the Interior’s “Guidelines for Historic Preservation and Archaeology” (48 FR 44716) and 312 IAC 21.

Four archaeological sites (12-Mr-504, 12-Mr-505, 12-Mr-506, and 12-Mr-507) were newly recorded as a result of the investigation. Due to a lack of information potential, these sites are ineligible for the National Register and no additional investigation is recommended before the parcel is transferred out of state ownership.

This isolated find site probably reflects ephemeral use of a morainal rise that is nearly surrounded by a former wetland area for purposes of resource extraction (such sites are ubiquitous in northern Indiana). The site lacks the capacity to provide significant information about the prehistory of the area. Therefore, site 12-Mr-507 is ineligible for the National Register, and no additional investigation is recommended.

## CONCLUSION AND RECOMMENDATIONS

INDOT proposes the sale of US 31 LA Code 5265 Excess Parcel54 (Parcel 5265-54), which was acquired in association with US 31 construction (Des. Nos. 9904300 and 9904310). INDOT has determined that this surplus land will not be needed for right-of-way or other transportation purposes within a reasonable time in the future.

The proposed sale of this excess land is not a federal undertaking, and therefore Section 106 of the National Historic Preservation Act does not apply. However, archaeological investigation is required under IC 14-21-1-14, which outlines duties upon proposed transfers of property by the State. Under this statute, properties must be inspected for the presence of significant historic sites or structures before they are transferred out of State ownership.

A Phase Ia field reconnaissance survey of the parcel was conducted in September and November of 2019. Four archaeological sites (12-Mr-504, 12-Mr-505, 12-Mr-506, and 12-Mr-507) were newly recorded as a result of the investigation. Due to a lack of information potential, these sites are ineligible for the National Register and no additional investigation is recommended before the parcel is transferred out of state ownership.

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 25, 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 31, 1.63 Miles South of US 6  
LA 5265-54, Excess Parcel  
Marshall County, Indiana

## PROJECT DESCRIPTION

This RFI is being performed for the sale of one (1) excess parcel with an approximate acreage of 26.097 and is depicted on the attached map. The parcel is located on the west side of US 31, 1.63 miles south of US 6 in Marshall County, Indiana. 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. A legal description for the excess parcel is available in a separate document.

**INFRASTRUCTURE TABLE AND SUMMARY**

<b>Infrastructure</b>			
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 Facilities	N/A	Recreational Facilities	1
Airports <sup>1</sup>	N/A	Pipelines	3
Cemeteries	N/A	Railroads	1
Hospitals	N/A	Trails	N/A
Schools	N/A	Managed Lands	N/A

<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:**

**Recreational Facilities:** One (1) recreational facility is located within the 0.5 mile search radius. Although the icon for Tri-Way Golf Club is located 0.46 mile southwest of the subject parcel, the facility extends toward the parcel and is located 0.20 mile southwest, at its nearest point. No impact is expected.

**Pipelines:** Three (3) pipeline segments are located within the 0.5 mile search radius. One (1) segment, Trunkline Gas Co., runs through the northern portion of Parcel 54. No impact is expected; however, potential buyers should be informed.

**Railroads:** One (1) railroad segment is located within the 0.5 mile search radius, 0.11 mile west of the subject parcel. No impact is expected.

**Managed Lands:** No managed land features are located within the 0.5 mile search radius.

**WATER RESOURCES TABLE AND SUMMARY**

<b>Water Resources</b>			
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	1	Canal Routes – Historic	N/A
Karst Springs	N/A	NWI – Wetlands	29
Canal Structures – Historic	N/A	Lakes	N/A
NPS NRI Listed	N/A	Floodplain - DFIRM	1
NWI-Lines	2	Cave Entrance Density	N/A
IDEM 303d Listed Streams and Lakes (Impaired)	1	Sinkhole Areas	N/A
Rivers and Streams	1	Sinking-Stream Basins	N/A

**Explanation:**

**NWI - Lines:** Two (2) wetland lines are located within the 0.5 mile search radius. The nearest wetland line is located 0.44 mile southwest of the subject parcel. No impact is expected.

**IDEM 303d Listed Rivers and Lakes (Impaired):** One (1) impaired stream segment is located within the 0.5 mile search radius. The nearest impaired stream is located 0.42 mile east of the subject parcel. No impact is expected.

Rivers and Streams: One (1) stream segments are located within the 0.5 mile search radius. The nearest stream is located 0.42 mile east of the subject parcel. No impact is expected.

NWI - Wetlands: Twenty-nine (29) wetlands are located within the 0.5 mile search radius. Four (4) wetlands are located within Parcel 54. No impact is expected; however, potential buyers should be informed.

Floodplain – DFIRM: One (1) floodplain is located within the 0.5 mile search radius. The nearest floodplain is 0.16 mile east of the subject parcel. No impact is expected.

No impact to karst features is expected.

**MINING AND MINERAL EXPLORATION TABLE AND SUMMARY**

<b>Mining/Mineral Exploration</b> 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	N/A	Mineral Resources	N/A
Mines – Surface	N/A	Mines – Underground	N/A

Explanation:

Petroleum Wells: There are no Mining and Mineral Exploration resources located within the 0.5 mile search radius.

**HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY**

<b>Hazardous Material Concerns</b> 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	N/A	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A
State Cleanup Sites	N/A	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	N/A
Underground Storage Tank (UST) Sites	N/A	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	N/A	Brownfields	N/A
Construction Demolition Waste	N/A	Institutional Controls	N/A
Solid Waste Landfill	N/A	NPDES Facilities	N/A
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	N/A
Leaking Underground Storage (LUST) Sites	1	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:

Leaking Underground Storage Tank (LUST) Sites: One (1) Leaking Underground Storage Tank site is located within the 0.5 mile search radius. The nearest site, Plymouth Sub District, 1636 4A Road, AI ID # 46191, extends to 0.18 mile southwest of the subject parcel. A release of petroleum chemicals of concern (CoCs) was reported during the removal of four (4) USTs from the site in 1998. Approximately 200 cubic yards of petroleum impacted soil was removed and disposed off-site. IDEM issued a Request for Additional Investigation / CAP letter, dated May 15, 2000; however, it does not appear as though additional investigation was completed. Given the location and low level concentrations of the residual contamination (<100 ppm TPH) remaining in the vicinity of the former UST cavity, no impact to the subject parcel 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 [https://www.in.gov/dnr/nature-preserves/files/np\\_marshall.pdf](https://www.in.gov/dnr/nature-preserves/files/np_marshall.pdf). A preliminary review of the Indiana Natural Heritage Database by INDOT ESD did not indicate the presence of ETR species within the 0.5 mile search radius. 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:**

Pipelines: One (1) pipeline segment, Trunkline Gas Co., runs through the northern portion of Parcel 54. No impact is expected; however, potential buyers should be informed.

### **WATER RESOURCES:**

NWI – Wetlands: Four (4) wetlands are located within Parcel 54. No impact is expected; however, potential buyers should be informed.

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: N/A

ECOLOGICAL INFORMATION: N/A

Evaluation Completed by:

Nicole Fohey-Breting  
Team Lead

Nicole Fohey-  
Breting

Digitally signed by  
Nicole Fohey-Breting  
Date: 2022.04.25  
08:20:50 -04'00'

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

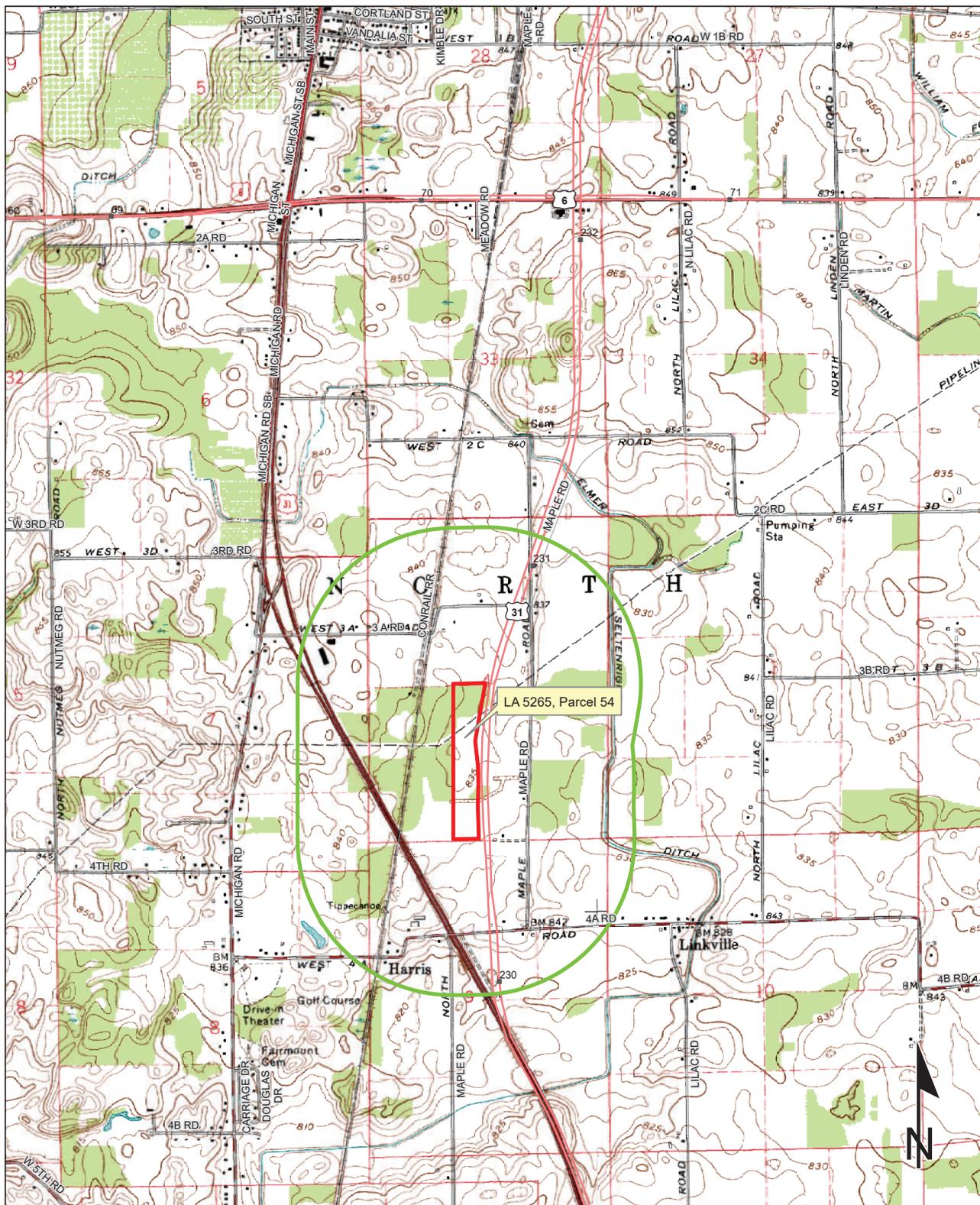
INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: YES

Red Flag Investigation - Site Location  
 LA 5265, Parcel 54  
 US 31, Excess Parcel  
 Marshall County, Indiana



Sources: 0.4 0.2 0 0.4 Miles  
**Non Orthophotography**  
 Data - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://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.

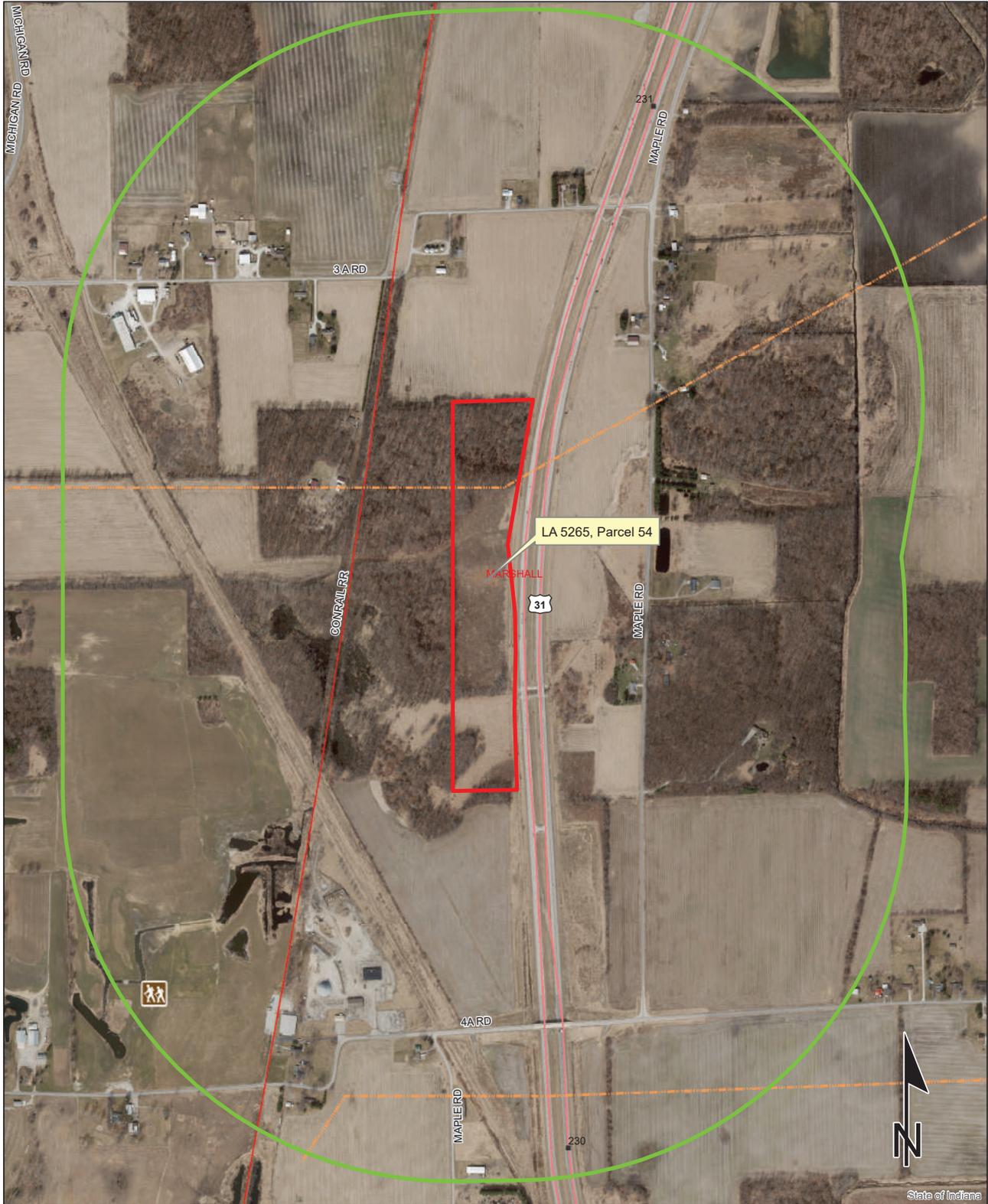
LA PAZ QUADRANGLE  
 INDIANA  
 7.5 MINUTE SERIES  
 (TOPOGRAPHIC)

# Red Flag Investigation - Infrastructure

## LA 5265, Parcel 54

### US 31, Excess Parcel

### Marshall County, Indiana



Sources: 0.15 0.075 0 0.15 Miles

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

**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://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.**

	Religious Facility		Recreation Facility		Project Area
	Airport		Pipeline		Half Mile Radius
	Cemeteries		Railroad		Toll
	Hospital		Trails		Interstate
	School		Managed Lands		State Route
			County Boundary		US Route
					Local Road

Red Flag Investigation - Water Resources  
 LA 5265, Parcel 54  
 US 31, Excess Parcel  
 Marshall County, Indiana



Sources: 0.15 0.075 0 0.15 Miles  
**Non Orthophotography**  
 Data - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: UTM Zone 16 N Map Datum: NAD83

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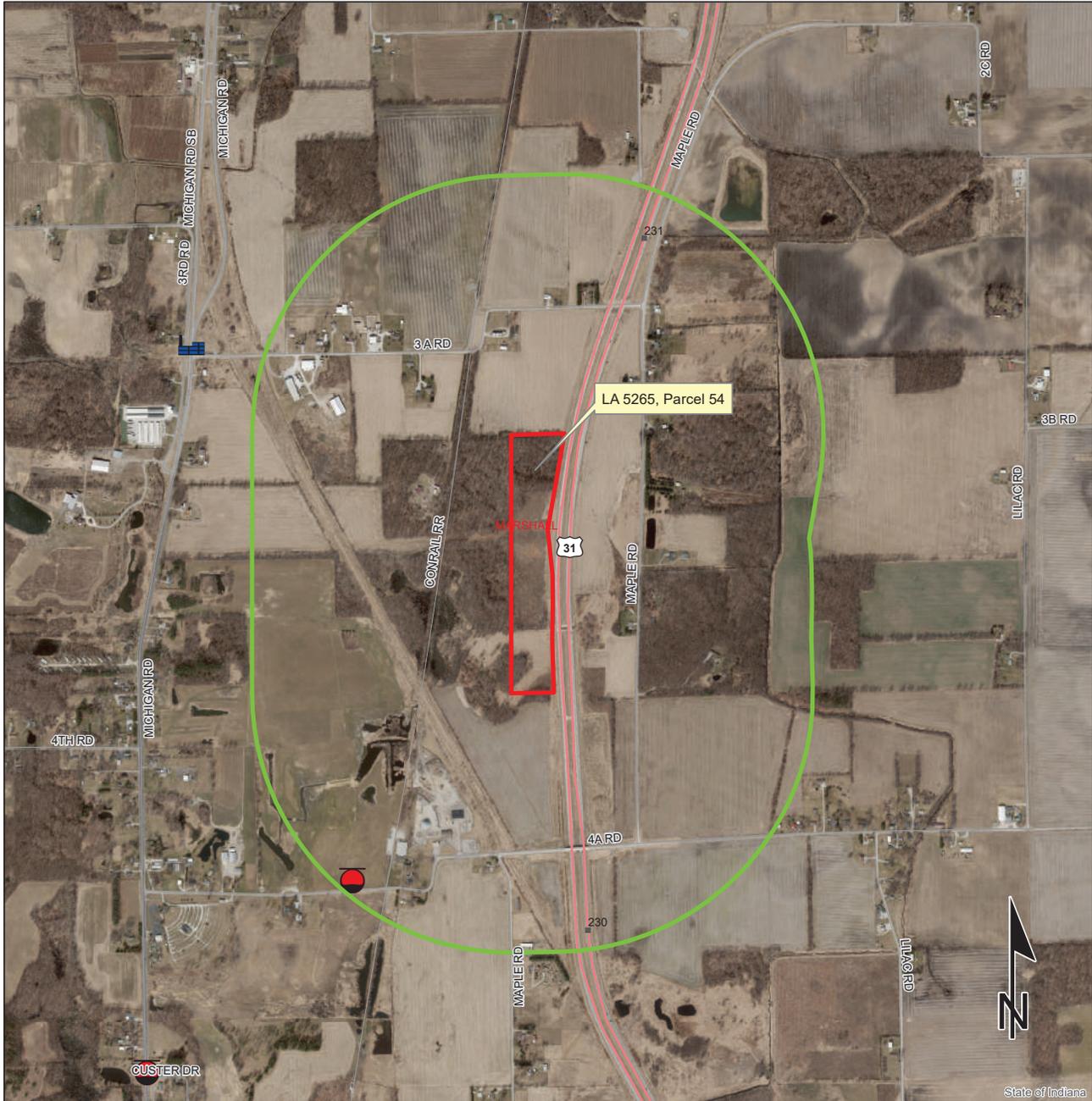
NWI - Point	Wetlands	Project Area
Karst Spring	Lake	Half Mile Radius
NWI - Line	Floodplain - DFIRM	Toll
Impaired_Stream_Lake	Cave Entrance Density	Interstate
NPS NRI listed	Sinkhole Area	State Route
River	Sinking-Stream Basin	US Route
Canal Structure - Historic	County Boundary	Local Road
Canal Route - Historic		

# Red Flag Investigation - Hazardous Material Concerns

## LA 5265, Parcel 54

### US 31, Excess Parcel

### Marshall County, Indiana



	Brownfield		RCRA Generator/TSD		Institutional Controls
	RCRA Corrective Action Sites		Restricted Waste Site		County Boundary
	Confined Feeding Operation		Septage Waste Site		Project Area
	Notice_of_Contamination		Solid Waste Landfill		Half Mile Radius
	Construction/Demolition Site		State Cleanup Site		Toll
	Infectious/Medical Waste Site		Superfund		Interstate
	Leaking Underground Storage Tank		Tire Waste Site		State Route
	Manufactured Gas Plant		Underground Storage Tank		US Route
	NPDES Facilities		Voluntary Remediation Program		Local Road
	NPDES Pipe Locations		Waste Transfer Station		
	Open Dump Waste Site				



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

Sources:  
**Non Orthophotography**  
 Data - Obtained from the State of Indiana Geographical Information Office Library  
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 Map Projection: UTM Zone 16 N Map Datum: NAD83

Appendix C:  
Parcel Documentation



# 5265-54, US 31, Marshall County

Section 4, Township 34N, Range 2E



Respect  
Teamwork  
Accountability  
Excellence





\* 2 0 1 2 0 3 3 2 8 7 \*

201203328

MARLENE MAHLER  
MARSHALL COUNTY RECORDER  
06/11/2012 12:12:27PM  
REC FEE: \$0.00 PGS: 7

Form WL-2  
8/98

**WARRANTY DEED  
WITH PARTIAL LIMITATION OF ACCESS**  
50-42-04-00-025.000-009

Project: 0710769  
Code: 5265  
Parcel: 54 and 54 Excess Land  
Page: 1 of 3

**THIS INDENTURE WITNESSETH**, That Robert D. Landis and Gail A. Landis, husband and wife,

the Grantors, of Marshall County, State of Indiana Convey and Warrant to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of One Hundred Ninety Five Thousand Dollars (\$195,000.00) (of which said sum \$165,000.00 represents land and improvements acquired and \$30,000.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Marshall, State of Indiana, and which is more particularly described in the legal descriptions attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as U.S. 31 and as Project 0710769 to and from the Grantors' remaining lands along the line or lines specifically described in the said exhibits. This restriction is a covenant running with the land and shall be binding on the Grantors and on all successors in title to the said abutting lands.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantors hereby specifically acknowledge and agree that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantors, or any successors in title to the abutting lands of the Grantors', notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantors and all successors and assigns.

As an inducement for the State to close this real estate transaction, the grantors assume and agree to pay the 2011 payable 2012 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State in the event of any non-payment.

Interests in land acquired by the Indiana  
Department of Transportation  
I.C. 8-23-7-31

*see pg 4*

Duly entered for taxation subject to final  
acceptance for transfer 6-11-2012

50-42-04-000-025.001-009  
\* 50-42-04-000-025.002-009  
Key Number Auditor, Marshall Cty.

Part of 50-42-04-000-025.000-009  
*[Signature]*

AS PRESENTED

MAY 31 2012

MARLENE MAHLER, RECORDER  
MARSHALL COUNTY, INDIANA

Project: 0710769  
Code: 5265  
Parcel: 54 and 54 Excess Land  
Page: 2 of 3

IN WITNESS WHEREOF, the said Grantors have executed this instrument this 1<sup>ST</sup> day of

MARCH, 2012.

Robert D. Landis (Seal)  
Signature

Robert D. Landis  
Printed Name

Gail A. Landis (Seal)  
Signature

Gail A. Landis  
Printed Name

STATE OF INDIANA :

COUNTY OF MARSHALL :

SS:

Before me, a Notary Public in and for said State and County, personally appeared Robert D. Landis and Gail A. Landis, husband and wife, the Grantors in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 1<sup>ST</sup> day of MARCH, 2012.

Signature Roy Michael Roush

Printed Name \_\_\_\_\_

My Commission expires \_\_\_\_\_

I am a resident of \_\_\_\_\_ County.



Code: 5265

Parcel: 54

This instrument prepared by:

Kristen E. Edmundson  
Deputy Attorney General  
Attorney No. 25558-49  
Office of the Attorney General  
302 W. Washington St., 5th Floor  
Indianapolis, IN 46204-2770

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.



Kristen E. Edmundson

**Grantee's Mailing Address:**  
100 North Senate Avenue  
Indianapolis, IN 46204-2219  
I.C. 8-23-7-31

# EXHIBIT "A"

PROJECT: 0710769

CODE: 5265

Sheet 1 of 3

PARCEL NO.: 54-Fee Simple with Full Limitation of Access  
(WL-2)

Key Number: 50-42-04-000-025.000-009

A part of the West Half of the Southeast Quarter of Section 4, Township 34 North, Range 2 East, Marshall County, Indiana, and being that part of the grantors' land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the south line of said section South 88 degrees 52 minutes 34 seconds West 511.94 feet from the southeast corner of said half-quarter section; thence continuing South 88 degrees 52 minutes 34 seconds West 377.97 feet along said line; thence North 1 degree 30 minutes 28 seconds East 282.47 feet to point "21391" on said plat; thence North 0 degrees 28 minutes 30 seconds West 425.26 feet to point "21396" on said plat; thence North 3 degrees 33 minutes 45 seconds West 382.88 feet to point "21392" on said plat; thence Northerly 409.33 feet along an arc to the right having a radius of 7,675.00 feet and subtended by a long chord having a bearing of North 1 degree 37 minutes 39 seconds East and a length of 409.28 feet to point "21437" on said plat; thence North 6 degrees 30 minutes 11 seconds East 230.31 feet to point "21436" on said plat; thence North 8 degrees 44 minutes 42 seconds East 179.01 feet to point "21435" on said plat; thence Northeasterly 773.56 feet along an arc to the right having a radius of 7,655.00 feet and subtended by a long chord having a bearing of North 9 degrees 06 minutes 22 seconds East and a length of 773.23 feet to the north line of said quarter section; thence North 89 degrees 26 minutes 04 seconds East 298.26 feet along said line; thence South 14 degrees 26 minutes 29 seconds West 23.57 feet to point "21399" on said plat; thence Southwesterly 589.20 feet along an arc to the left having a radius of 7,365.00 feet and subtended by a long chord having a bearing of South 10 degrees 01 minute 51 seconds West and a length of 589.04 feet to point "21434" on said plat; thence South 4 degrees 38 minutes 52 seconds West 294.55 feet to point "21398" on said plat; thence South 6 degrees 14 minutes 47 seconds West 294.55 feet to point "21397" on said plat; thence Southerly 392.80 feet along an arc to the left having a radius of 7,365.00 feet and subtended by a long chord having a bearing of South 1 degree 37 minutes 39 seconds West and a length of 392.75 feet to point "21395" on said plat; thence South 3 degrees 57 minutes 49 seconds East

# EXHIBIT "A"

PROJECT: 0710769  
CODE: 5265  
PARCEL NO.: 54-Fee Simple with Full Limitation of Access

Sheet 2 of 3

294.66 feet to point "21426" on said plat; thence South 3 degrees 26 minutes 02 seconds East 299.24 feet to point "21393" on said plat; thence South 5 degrees 40 minutes 35 seconds East 450.69 feet to point "21390" on said plat; thence South 6 degrees 53 minutes 42 seconds East 40.95 feet to the point of beginning and containing 19.167 acres, more or less.

TOGETHER with 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. 31 and as Project 0710769), to and from the grantors' remaining lands where they abut the above-described real estate. This restriction 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 Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 17<sup>th</sup> day of February, 2011

  
Fred L. Bengé

# EXHIBIT "A"

PROJECT: 0710769  
CODE: 5265  
PARCEL NO.: 54-Excess Land  
(WL-2)

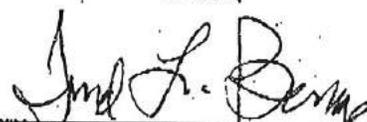
Sheet 3 of 3

Key Number: 50-42-04-000-025.000-009

A part of the West Half of the Southeast Quarter of Section 4, Township 34 North, Range 2 East, Marshall County, Indiana, and being that part of the grantors' land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked **Exhibit "B"**, described as follows: Beginning on the south line of said section South 88 degrees 52 minutes 34 seconds West 889.91 feet from the southeast corner of said half-quarter section; thence continuing South 88 degrees 52 minutes 34 seconds West 420.07 feet along said line to the southwest corner of said quarter section; thence North 0 degrees 58 minutes 14 seconds East 2,671.38 feet along the west line of said quarter section to the northwest corner of said quarter section; thence North 89 degrees 26 minutes 04 seconds East 542.17 feet along the north line of said quarter section; thence Southwesterly 773.56 feet along an arc to the left having a radius of 7,655.00 feet and subtended by a long chord having a bearing of South 9 degrees 06 minutes 22 seconds West and a length of 773.23 feet to point "21435" on said plat; thence South 8 degrees 44 minutes 42 seconds West 179.01 feet to point "21436" on said plat; thence South 6 degrees 30 minutes 11 seconds West 230.31 feet to point "21437" on said plat; thence Southerly 409.33 feet along an arc to the left having a radius of 7,675.00 feet and subtended by a long chord having a bearing of South 1 degree 37 minutes 39 seconds West and a length of 409.28 feet to point "21392" on said plat; thence South 3 degrees 33 minutes 45 seconds East 382.88 feet to point "21396" on said plat; thence South 0 degrees 28 minutes 30 seconds East 425.26 feet to point "21391" on said plat; thence South 1 degree 30 minutes 28 seconds West 282.47 feet to the point of beginning and containing 26.097 acres, more or less.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 17<sup>th</sup> day of FEBRUARY, 2011.

  
Fred L. Bengé



# EXHIBIT "A"

PROJECT: 0710769

CODE: 5265

Sheet 1 of 1

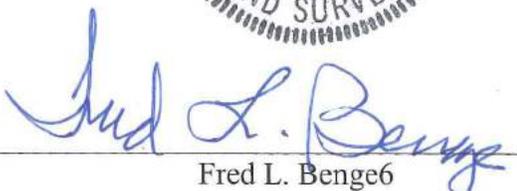
PARCEL NO.: 54-Excess Land

A part of the West Half of the Southeast Quarter of Section 4, Township 34 North, Range 2 East, Marshall County, Indiana, and being that land within the lines depicted on the attached Parcel Plat, marked **EXHIBIT "B"**, described as follows: Beginning on the south line of said quarter section South 88 degrees 52 minutes 34 seconds West 889.91 feet from the southeast corner of said half-quarter section; thence continuing South 88 degrees 52 minutes 34 seconds West 420.07 feet along said line to the southwest corner of said quarter section; thence North 0 degrees 58 minutes 14 seconds East 2,671.38 feet along the west line of said quarter section to the northwest corner of said quarter section; thence North 89 degrees 26 minutes 04 seconds East 542.17 feet along the north line of said quarter section to the west boundary of U. S. 31; thence Southwesterly 773.56 feet along said boundary along an arc to the left having a radius of 7,655.00 feet and subtended by a long chord having a bearing of South 9 degrees 06 minutes 22 seconds West and a length of 773.23 feet; thence South 8 degrees 44 minutes 42 seconds West 179.01 feet along said boundary; thence South 6 degrees 30 minutes 11 seconds West 230.31 feet; thence Southerly 409.33 feet along said boundary along an arc to the left having a radius of 7,675.00 feet and subtended by a long chord having a bearing of South 1 degree 37 minutes 39 seconds West and a length of 409.28 feet; thence South 3 degrees 33 minutes 45 seconds East 382.88 feet; thence South 0 degrees 28 minutes 30 seconds East 425.26 feet; thence South 1 degree 30 minutes 28 seconds West 282.47 feet along said boundary to the point of beginning and containing 26.097 acres, more or less.

TOGETHER with 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. 31 and as Project 0710769), to and from the grantor's remaining lands along the lines described as follows: the 773.56-foot, the 179.01-foot, the 230.31-foot, the 409.33-foot, the 382.88-foot, and the 425.26 foot courses described above. This restriction 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 Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 4<sup>th</sup> day of February, 2017

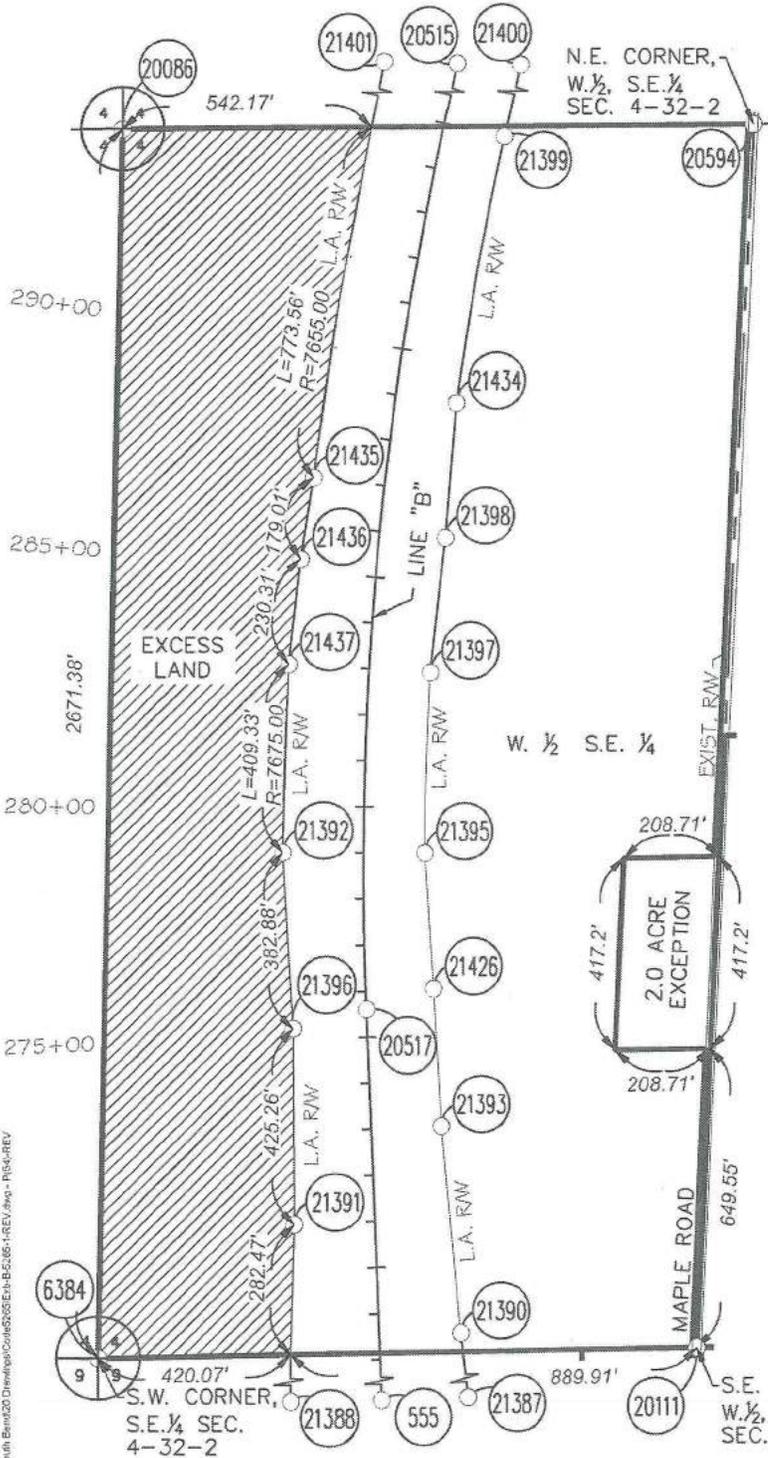
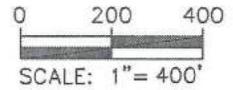
  
Fred L. Bengé

# EXHIBIT "B"

## PARCEL PLAT

PREPARED BY CHA CONSULTING, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1



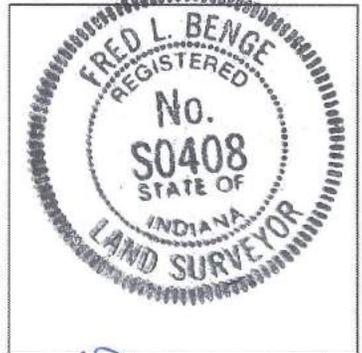
COORDINATE CHART (FEET)

POINT	NORTHING	EASTING	STATION	OFFSET	SIDE	LINE
555	27800.4904	50905.0596	255+00.00	0.00	--	"Line B"
6384	29100.7415	50233.1137	** CALC.	LOC.		
20086	* REFER	TO L.C.R.S.				
20111	29126.4390	51542.8446	267+96.91	694.93	Rt	"Line B"
20515	32785.6728	51273.3946	305+42.37	0.00	--	"Line B"
20517	29858.7186	50815.3238	275+60.18	0.00	--	"Line B"
20594	31785.3726	51658.9887	296+57.99	660.99	Rt	"Line B"
21387	28833.4468	51065.2189	265+25.00	205.00	Rt	"Line B"
21388	28890.2996	50647.3459	266+00.00	210.00	Lt	"Line B"
21390	29157.0495	51026.0866	268+50.00	180.00	Rt	"Line B"
21391	29391.3495	50660.5341	271+00.00	175.00	Lt	"Line B"
21392	30198.7359	50633.2174	279+00.00	175.00	Lt	"Line B"
21393	29605.5336	50981.5095	273+00.00	155.00	Rt	"Line B"
21395	30198.1994	50943.2169	279+00.00	135.00	Rt	"Line B"
21396	29816.5994	50657.0082	275+25.00	160.00	Lt	"Line B"
21397	30590.7944	50954.3715	283+00.00	135.00	Rt	"Line B"
21398	30883.5958	50986.4202	286+00.00	145.00	Rt	"Line B"
21399	31757.2143	51112.8867	295+00.00	135.00	Rt	"Line B"
21400	32042.4315	51186.3363	298+00.00	140.00	Rt	"Line B"
21401	32313.6830	50955.0144	300+00.00	155.00	Lt	"Line B"
21426	29904.2401	50963.5853	276+00.00	150.00	Rt	"Line B"
21434	31177.1755	51010.2882	289+00.00	135.00	Rt	"Line B"
21435	31013.6101	50698.1409	287+00.00	155.00	Lt	"Line B"
21436	30836.6823	50670.9253	285+25.00	165.00	Lt	"Line B"
21437	30607.8556	50644.8414	283+00.00	175.00	Lt	"Line B"

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

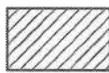
\* SEE LOCATION CONTROL ROUTE SURVEY FOR ADDITIONAL POINTS

**SURVEYOR'S STATEMENT**  
TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT, TOGETHER WITH THE "LOCATION CONTROL ROUTE SURVEY" RECORDED AS INSTRUMENT NO. 200723394 IN THE OFFICE OF THE RECORDER OF MARSHALL 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").



*Fred L. Benge* 2-14-17  
FRED L. BENGÉ DATE  
REG. LAND SURVEYOR No. LSO408

OWNER: STATE OF INDIANA  
PARCEL: 54  
ROAD: U.S. 31  
COUNTY: MARSHALL  
SECTION: 4 PROJECT: 0710769  
TOWNSHIP: 34 NORTH DES. No.: 0710769  
RANGE: 2 EAST CODE: 5265



HATCHED AREA IS THE APPROXIMATE EXCESS LAND

DRAWN BY: A. LITTLEPAGE DATE: 11-23-16  
CHECKED BY: F. BENGÉ DATE: 12-12-16