

INDIANA DEPARTMENT OF TRANSPORTATION

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

TO: REAL ESTATE DIVISION, INDOT

FROM: NICOLE FOHEY-BRETING, ENVIRONMENTAL POLICY MANAGER, INDOT ENVIRONMENTAL SERVICES DIVISION

PREPARED BY: CINDY MAURO, ENVIRONMENTAL MANAGER, INDOT ENVIRONMENTAL SERVICES DIVISION

SUBJECT: STATE CATEGORICALLY EXEMPTED PROJECT, LA CODE 5269, PARCEL 220

DATE: **MARCH 14, 2023**

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 100% state funded and otherwise 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. 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 220 is located northeast of the intersection of US 31 and Roosevelt Road in St. Joseph County, Indiana. Parcel 220 is approximately 3.563 acres.

Statements of Disclosure:

Regarding above-ground resources, Parcel 5269-220 contains no buildings. According to the historic properties report (HPR), the parcel does not contain any properties on or adjacent to the parcel that are listed or eligible for any National Register. Based on the above information, no further work is recommended prior to the sale of the parcel.



Based on the INDNR-DHPA INDOT Disposal of Excess Parcel #220, dated October 26, 2020, the review did not identify any currently known archaeological resources listed or eligible for inclusion in the NRHP or IRHSS within Excess Parcel #220. Since excess parcel 5269-220 is completely disturbed, it is recommended that its sale be allowed to proceed without additional archaeological study.

Recommendations from RFI:

No recommendations for buyers were made.

Check all that apply	Exemption number	Project type
	1	Pipe culvert replacement
	2	Bridge painting
	3	Mowing
	4	Installation, modernization or maintenance of signs, traffic signals, pavement markings, highway lighting, and channelization within the 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)

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Concurrence:

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.

Nicole Fohey Digitally signed by Nicole Fohey-Breting

Breting Date: 2023.03.14 12:25:31 -04'00'

March 14, 2023

INDOT District Environmental or INDOT ESD

Date

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Appendix A:

Cultural Resources (Section 106)



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



October 26, 2020

Mary Kennedy Cultural Resources Office Indiana Department of Transportation 100 N. Senate Avenue, Room N642 Indianapolis, Indiana 46204

Stage Agency: Indiana Department of Administration ("IDOA"), and Indiana Department of

Transportation ("INDOT")

Re: INDOT disposal of Excess Parcel #220 located in Section 35, Township 37 North, Range

2 East associated with US 31 improvements (LA Code 5269; DHPA 26533)

Dear Ms. Kennedy:

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, with enclosures, dated and received October 5, 2020 for the above indicated project in Centre Township, St. Joseph County, Indiana.

Based on the information you provided, it does not appear that Excess Parcel #220, located east of the new US 31 bypass west of Ozone Street and Weller Avenue, 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 INDNR-DHPA, we have not identified any currently known archaeological resources listed or eligible for inclusion in the NRHP or IRHSS within Excess Parcel #220. We understand that the parcel was previously assessed by Matt Coon (INDOT) and it was determined that the parcel was disturbed by ROW, ditch, and berm construction. Given this, no additional archaeological reconnaissance is necessary.

Accordingly, we do not believe that Excess Parcel #220, LA Code 5269, in Centre Township, St. Joseph 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.

If you have further questions regarding this determination, please contact our office. Questions about archaeological issues should be directed to Rachel Sharkey at (317) 232-5254 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. 26533.

Very truly yours,

Beth K. McCord

Deputy State Historic Preservation Officer

Mary Kennedy October 26, 2020 Page 2

BKM:DMK:RAS:ras

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

INDOT Excess Parcel Historic Sites and Structures Screening Form

Date: 10/5/2020

IHSSI properties

2016 aerial image showing excess parcel & nearby IHSSI properties

LA Code/Parcel#: 5269/220

Associated Project Name/Des. #: US 31 Plymouth to South Bend/9904300 and 9904310
Legal Description: Section 35, Township 37N, Range 2E
Township: Centre Township
City/County: St. Joseph 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): IHBBC map, Streetview Imagery, Environmental Data, Photographs of excess parcel on-file at INDOT, CRO
Coon, Matt 2017 A Records Check and Phase Ia Field Reconnaissance for the Disposal of US 31 LA Code 5269 Excess Parcel 476 and LA Code 5271 Excess Parcels 212 and 213, St. Joseph County, Indiana. Report on file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, In.
List of Attachments:
2017 photographs of excess parcel
Portion of USGS 7.5' series Lakeville, In topographic quadrangle showing the location of the excess parcel and nearby archaeological sites
2012 aerial image showing the location and land use of excess parcel during US 31 Improvements
2016 aerial image showing the portion of the excess parcel and current land use
Pertinent pages of 2003 Historic Properties Report for Des. No. 9405230 and SHPO concurrence letter
Portion of USGS 7.5' series Lakeville, In topographic quadrangle showing the location of the excess parcel & nearby

Above-Ground Summary:

As can be seen in the attached photographs, Parcel 5269-220 contains a wide ditch and steeply sloping berms. No buildings are located on this parcel. Parcel 5269-220 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. It does not appear that this parcel contains any historic sites or structures. Based on the above information, no further work is recommended prior to the sale of the parcel.

Archaeology Summary:

With regards to archaeology, this excess parcel was visually inspected in 2017 by INDOT-CRO archaeologists while conducting a field reconnaissance of excess parcel 5269-476 which abuts the subject parcel to the south and east. At the time, parcel 220 was thought to be existing r/w because it consists wholly of a ditch and berms. As such, it was not included in Coon (2017) though it was determined to be excess at that time. The parcel lies between US 31 and the r/w fence line and contains a wide ditch and steeply sloping berms (see below photographs). Construction disturbance is evident in 2012 aerial images and is consistent with what was physically observed 2017. According to SHAARD GIS, there are no sites recorded in or adjacent to this excess parcel. Since excess parcel 5269-220 is completely disturbed, it is recommended that its sale 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.

Appendix B:

Red Flag Investigation

From: Passmore, Andrew D

To: Mauro, Cindy E

Subject: FW: ABBREVIATED RFI for Excess Parcel - LA 5269-220

Date: Friday, December 2, 2022 3:49:57 PM

Attachments: LA 5269-220 HazMat.pdf

LA 5269-220 Infrastructure.pdf LA 5269-220 Water Resources.pdf LA 5269-476 Site Location.pdf

image006.png

LA 5269-220

Drew Passmore

Major Projects/LPA Review Liaison

Environmental Services Division Indiana Department of Transportation 100 N Senate Ave N758-ES Indianapolis, IN 46204

Phone: (317) 439-7500

From: Foheybreting, Nicole K < NFoheyBreting@indot.IN.gov>

Sent: Thursday, July 28, 2022 11:39 AM

To: Passmore, Andrew D <APassmore@indot.IN.gov> **Subject:** ABBREVIATED RFI for Excess Parcel - LA 5269-220

Greetings Drew -

This abbreviated RFI is being performed for the sale of one (1) excess parcel that totals 3.563 acres and is depicted on the attached maps. LA 5269-220 is adjacent to the northwest of LA 5269-476 (see site location map), and both parcels are located northeast of the intersection of US 31 and Roosevelt Road in St. Joseph County. An RFI was prepared for LA 5269-476 on July 17, 2019, and no recommendations to potential buyers were made. 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.

A review of the half-mile search radius for LA 5269-220 for Infrastructure, Water Resources, Mining/Mineral Exploration, and Hazardous Material Concerns did not identify any impacts. The St. Joseph 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>Indiana County Endangered</u>, <u>Threatened and Rare Species List: St. Joseph County</u>. 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.

Regarding the abbreviated RFI figures, since no Mining/Mineral Exploration features were noted within the 0.5 mile search radius, a figure has not been included. The following maps are attached:

Site Location, Infrastructure, Water Resources, Hazardous Material Concerns.

Please let this serve as the environmental clearance (via RFI) documentation for the excess parcel. Let me know if there are any questions or concerns or if I can be of further assistance.

Thank you! Sincerely, Nicole

Nicole Fohey-Breting

Site Assessment & Management (SAM) Team Lead 100 North Senate Avenue N758-ES Indianapolis, Indiana 46204

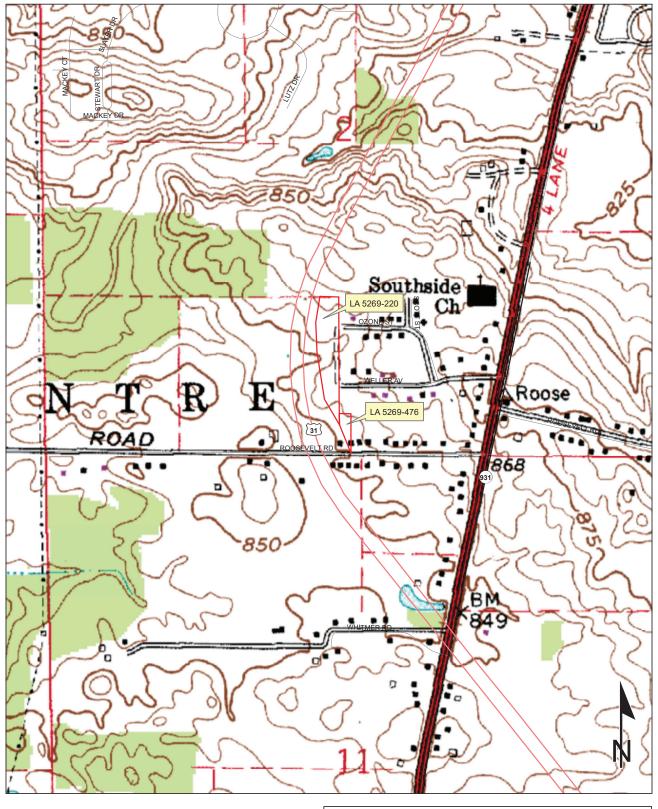
Office: (317) 416-7084

Email: NFoheyBreting@indot.in.gov

Office Hours: 8 to 4 PM



Red Flag Investigation - Site Location US 31, Northeast of US 31 and Roosevelt Road Intersection LA 5269-220, Excess Parcel St. Joseph County, Indiana



Sources: 0.1 0.05 0 0.1

Non Orthophotography

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

Orthophotography - Obtained from Indiana Map Framework Data

(www.indianamap.org)

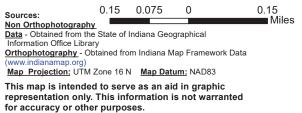
Map Projection: UTM Zone 16 N Map Datum: NAD83

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

LAKEVILLE QUADRANGLE INDIANA 7.5 MINUTE SERIES (TOPOGRAPHIC)

Red Flag Investigation - Infrastructure US 31, Northeast of US 31 and Roosevelt Road Intersection LA 5269-220, Excess Parcel St. Joseph County, Indiana







Red Flag Investigation - Water Resources US 31, Northeast of US 31 and Roosevelt Road Intersection LA 5269-220, Excess Parcel St. Joseph County, Indiana



Sources:
Non Orthophotography
Data - Obtained from the State of Indiana Geographical
Information Office Library
Orthophotography - 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 - Hazardous Material Concerns US 31, Northeast of US 31 and Roosevelt Road Intersection LA 5269-220, Excess Parcel St. Joseph County, Indiana





0.15 0.075 0 0.15

This map is intended to serve as an aid in graphic representation only. This information is not warranted

for accuracy or other purposes.

Appendix C:

Parcel Documentation

EXHIBIT "A"

Project: 0710755

Code: 4651 5269

Form: WD-1

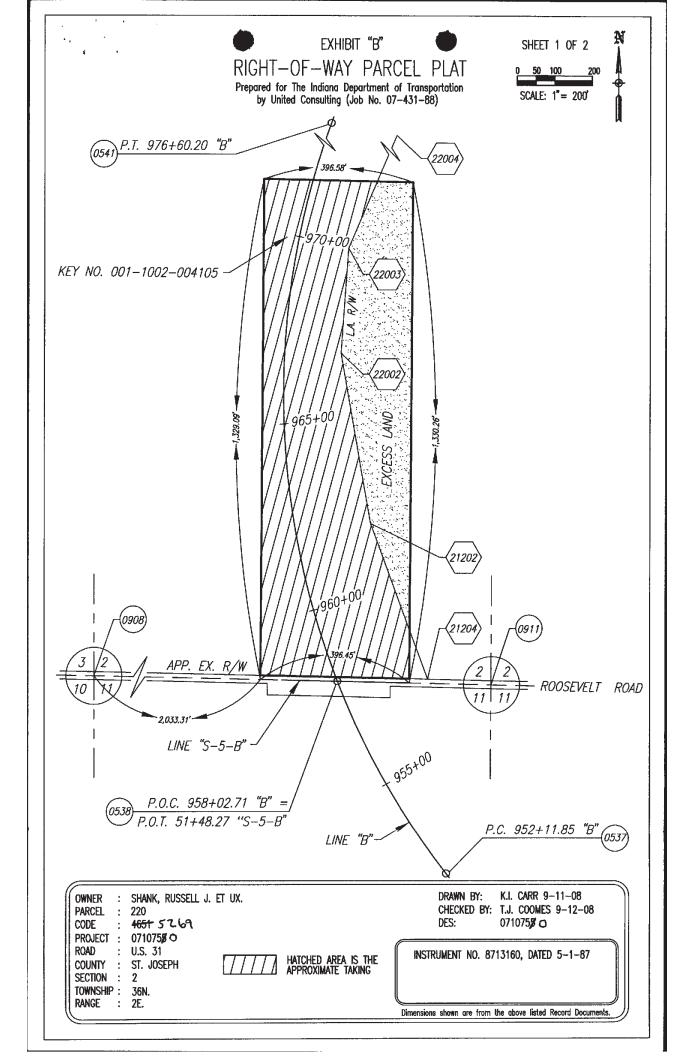
Key No.: 001-1002-004105

Parcel: 220 Fee

A parcel of land being a part of the South Half of the Southwest Quarter of Section 2, Township 36 North, Range 2 East, Centre Township, St, Joseph County, Indiana and being more particularly described as follows:

Beginning at a point on the South line of said Section 2 that is 2033.31 feet North 90°-00'-00" East (Bearing Assumed) from the Southwest corner of said Southwest Quarter; thence North 1°-00'-00" West, a distance of 1329.09 feet to the North line of said South Half of the Southwest Quarter; thence North 89°-49'-50" East, along said North line, a distance of 396.58 feet; thence South 0°-59'-35" East, along the West line of Weller Heights Subdivision a distance of 1330.26 feet to the South line of said Section 2; thence South 90°-00'-00" West along said South line, a distance of 396.45 feet to the place of beginning.

Pis J Cypo



PARCEL COORDINATE CHART

Point	Line	Station	Offset	NORTH	EAST
0537*	N/A				
0538*	N/A				
0541*	N/A				
0908*	N/A				
0911*	N/A				
21202	"B"	962+00.00	200.00' RT.	92833.9391	60689.9157
21204	"B"	957+10.31	223.82 RT.	92421.3345	60842.5121
22002	"B"	967+00.00	150.00° RT.	93287.0171	60610.7707
22003	"B"	970+00.00	135.00° RT.	93566.0938	60630.9529
22004	"B"	976+60.20	165.00° RT.	94128.4116	60870.5571

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

* SEE LOCATION CONTROL ROUTE SURVEY PLAT.

SURVEYOR'S STATEMENT

1,15

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded in Instrument No. 0654538 in the Office of the Recorder of St. Joseph 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"). * 20600004 * STATE OF SURV

Given under my hand and seal

TIMOTHY J. COOMES
Registered Land Surveyor No. 20600004
State of Indiana

: SHANK, RUSSELL J. ET UX.

PARCEL : 220

: 4654 5269 CODE

PROJECT : 071075**80** ROAD : U.S. 31 COUNTY : ST. JOSEPH

SECTION: 2 TOWNSHIP: 36N. RANGE : 2E.

DRAWN BY: K.I. CARR 9-11-08 CHECKED BY: T.J. COOMES 9-12-08

DES: 0710758 0

EXHIBIT "A"

0710750 PROJECT:

5269

Sheet 1 of 1

CODE:

220-Excess Land PARCEL NO .: A Part of the South Half of the Southwest Quarter of Section 2, Township 36 North, Range 2 South 0 degrees 20 minutes 53 seconds West 1,190.83 feet to the place of beginning and containing East, St, Joseph County, Indiana and being that land within the lines depicted on the attached Parcel section; thence South 88 degrees 39 minutes 32 seconds East 2,033.31 feet along the south line of said section; thence continuing South 88 degrees 39 minutes 32 seconds East 396.45 feet along said line; thence North 0 degrees 20 minutes 53 seconds East 139.42 feet to the point of beginning of this description said point being on the east boundary of U.S. 31; thence North 20 degrees 17 seconds West 459.94 feet along said boundary; thence North 4 degrees 08 minutes 11 seconds East along said boundary; thence South 88 degrees 49 minutes 42 seconds East 95.24 feet; thence Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of said minutes 47 seconds West 301.78 feet along said boundary; thence North 9 degrees 54 minutes 31 279.81 feet along said boundary; thence North 23 degrees 04 minutes 44 seconds East 193.01 feet 3.563 acres, more or less.

oot, the 279.81-foot and the 193.01-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 from, and across the limited access facility (to be known as U.S. 31 and as Project 0710750), to and TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, rom the grantor's remaining lands along the lines described as follows: the 301.78-foot, the 459.94lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Benge, Indiana Registered Land Surveyor, License, Number LS80040408, on the Adv. day of February, 2017

EXHIBIT "B" PARCEL PLAT

SHEET 1 OF 1 PREPARED BY CHA COMPANIES FOR THE INDIANA DEPARTMENT OF TRANSPORTATION (0541) P. T. 976+60.20 "B" SCALE: 1" = 200' -95.24 22004 22003 22002 -965+00 E ,329.09" LINE "B" 21202 .960+00 (0908 21204 (0911 139.42 396.45 APP. EX. R/W ROOSEVELT ROAD P.C. 952+11.85 B LINE "S-5-B" P.O.C. 958+02.71 "B" = P.O.T. 51+48.27

		PARCEL COORDI	NATE CHART			
Point Line		Station	Offset	NORTH	FAST	
0537*	N/A	507 May 340 May		and the way who		
0538*	N/A					
0541*	N/A					
0908*	N/A					
0911*	N/A					
21202	"B"	962+00.00	200.00' RT.	92833.9391	60689.9157	
21204	"B"	957+10.31	223.82' RT.	92421.3345	60842.5121	
22002	"B"	967+00.00	150.00' RT.	93287.0171	60610.7707	
22003	"B"	970+00.00	135.00' RT.	93566.0938	60630.9529	
	"B"	976+60.20	165.00' RT.	94128.4116	60870.5571	

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

* SEE LOCATION CONTROL ROUTE SURVEY PLAT.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded in Instrument No. 0554538 in the Office of the Recorder of St. Joseph 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").

		STATE OF INDIANA				DRAWN BY:		
PARCEL		220				CHECKED BY:		
CODE	:	5269				DES:	0710755	
PROJECT		0710750			6			
ROAD		U.S. 31	F		ĬÍ			
COUNTY		ST. JOSEPH	1/////	HATCHED AREA IS THE APPROXIMATE EXCESS LAND				
SECTION		2		APPROXIMATE EXCESS LAND				
TOWNSHIP		36N.						
RANGE		2E.			(



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5269-220, US 31, St. Joseph's County

Section 2, Township 36N, Range 2E







