

Conditional Sales Agreement

WITNESSETH THIS AGREEMENT dated **March 7, 2013**, by and between **THE STATE OF INDIANA** acting through the Indiana Department of Administration, ("Seller") and _____, ("Buyer").

In consideration of this Agreement, Seller and Buyer agree as follows:

1. Sale of Property. Seller agrees to sell to Buyer, and Buyer agrees to buy from Seller, the following property (collectively, "Property"):

- 1.1 Property. The property commonly known as **INDOT Code 3384 – 6,7,9, SR 261, Warrick County, Indiana** described on the attached **Exhibit A** ("Land") together with all buildings, improvements and fixtures constructed or located on the Land ("Buildings") and all easements of record and rights benefiting or appurtenant to the Land (collectively the "Property"), subject to all existing legal rights-of-way, easements, conditions and restrictions of record.
- 1.2 Access. The subject parcel currently has limited public access or right of entry. The buyer will be responsible for gaining legal access to the property. Ingress/Egress permits may be submitted to the Department of Transportation and approved or denied at the agencies sole discretion. No assurance of such a permit is expressed or implied.
- 1.3 Personal Property. No personal property is being sold or conveyed as a part of this Purchase Agreement.

2. Purchase Price, Buyer's Premium, and Manner of Payment. The total purchase price ("Purchase Price") to be paid for the Property shall be _____ Dollars (\$_____). The Purchase Price shall be payable as follows:

- 2.1 In conjunction with execution of this Agreement (the "Execution Date"), Buyer shall submit _____ Dollars (\$_____) to Seller as earnest money ("Earnest Money"). In the event this Agreement is not accepted by Seller, the Earnest Money shall be promptly returned to Buyer. Upon acceptance of this Offer by Seller, such Earnest Money shall secure the Buyer's performance of this Agreement and in the event of a default by Buyer in the performance of its obligations herein specified, Seller shall have the right to terminate this Agreement and the Earnest Money shall be paid to Seller as liquidated damages as Seller's sole remedy at law or in equity; and
- 2.2 The balance of the Purchase Price, subject to adjustments as set forth herein, shall be payable in certified funds or by electronic transfer of funds on the "Closing Date" (as hereinafter defined).
- 2.3 In addition to the Purchase Price, Buyer shall, at Closing as hereinafter defined, pay Seller's representative a 10% Buyer's premium pursuant to the terms of a separate addendum to this Agreement.

3. Contingencies and Inspection Period. The obligation of the Seller is contingent upon approval of the transaction contemplated by this Agreement as required by **IC 4-13-2-14.1, IC 4-13-2-14.2 and IC 4-20.5-7**.

4. Closing. In the event that Seller has accepted this Agreement and the parties proceed to closing, the closing of the purchase and sale contemplated by this Agreement (the "Closing") shall occur within thirty (30) days following State approval as set forth above (the "Closing Date"), **such final closing is subject to and conditional upon approval by the Office of the Governor and the Indiana Attorney General**, unless extended by mutual agreement of the parties. The Closing shall take place at a time, place, and on a date agreeable by Seller and Buyer. The Buyer will be responsible for title fees, escrow fees, and costs charged by the company with whom the earnest money is deposited as outlined in Section 5.1.

4.1 Seller's Closing Documents. On the Closing Date, Seller shall have executed and delivered or caused to be delivered to Buyer the following (collectively, "Seller's Closing Documents"), all in form and content reasonably satisfactory to Buyer:

4.1.1 Deed. A Quitclaim Deed conveying the Property to Buyer, **an exemplar of such Quitclaim Deed is attached hereto as Exhibit B.**

4.1.2 Documents. Copies of all contracts, permits and warranties affecting the Property that will survive the Closing, if any.

4.1.3 Sales Disclosure Form. An Indiana sales disclosure form.

4.1.4 Other Documents. All other documents reasonably determined by Buyer to be necessary to transfer title to the Property to Buyer free and clear except Permitted Exceptions to Title.

4.2 Buyer's Closing Documents. On the Closing Date, Buyer will execute and deliver to Seller the following (collectively, "Buyer's Closing Documents"):

4.2.1 Purchase Price. Funds representing the Purchase Price, by electronic transfer of immediately available funds.

4.2.2 Assumption of Contracts, Permits, Warranties and Miscellaneous Documents. An Assumption of Contracts, Permits and Warranties, if any, assuming Seller's obligations under such documents.

4.2.3 Sales Disclosure Form. An Indiana sales disclosure form.

4.2.4 Other Documents. All other documents reasonably determined by Seller or Title Company to be necessary to complete the transaction contemplated by this Agreement. Including a Vendor Information form required by the State of Indiana Auditor's Office, **an exemplar of such Vendor Information form is attached hereto as Exhibit C.**

5. Allocation of Costs. Seller and Buyer agree to the following allocation of costs regarding this Agreement:

5.1 Title Insurance and Closing Fee. Buyer shall be solely responsible for the payment of all premiums and fees associated with title insurance, including any and all closing fees or recording charges. Buyer shall be responsible for payment, at or before Closing, of search fees charged by the title company from whom Seller obtained a preliminary title review and commitment. Unless waived by the title company, said closing fees shall be payable by Buyer whether or not Buyer obtains a policy of title insurance.

5.2 Taxes and Assessments. The Property being conveyed is owned by the State of Indiana and is exempt from all real property taxes. The Seller shall assume no responsibility or liability for any real property taxes or other assessments from

which it is statutorily exempt. Buyer shall be solely responsible for, and indemnify Seller against, any and all real property taxes assessed with respect to the Real Property on or after Closing.

5.3 Utilities. Seller shall either ensure that utility service to the Property is disconnected as of the Closing Date or shall cooperate with Buyer in having such utility services transferred to Seller's account. All contracts relating to operating the Property shall be canceled as of the Closing Date.

5.4 Attorney's Fees. Each of the parties will pay its own attorney's fees.

6. Evidence of Title. In the event that Buyer does not order and receive a commitment for title insurance, Seller shall, at its expense, within ten (10) days after written request from Buyer, furnish to Buyer a copy of the documents by which the State obtained or otherwise holds title or a letter from the State Land Office describing the documents by which the State obtained and otherwise holds title. Seller will cooperate with the Buyer or its title company in clarifying or resolving any perceived deficiencies or clouds in the title, but shall not be required to incur any expense beyond commitment of the time of the State Land Office. If such issues cannot be resolved to Buyer's satisfaction, Buyer may terminate this Agreement, and the Earnest Money, if any, shall be returned.

7. Maintenance of the Real Property Prior to Closing. During the period from the date of Seller's acceptance of this Agreement to the Closing Date, Seller shall maintain the Property and improvements in a reasonably prudent manner. Seller shall execute no contracts, leases or other agreements regarding the Property between the date hereof and the Date of Closing that are not terminable on or before the Closing Date, without the prior written consent of Buyer, which consent may be withheld by Buyer at its sole discretion.

8. Representations and Warranties by Seller. Seller represents and warrants to Buyer as follows:

8.1 Existence; Authority. Seller has the requisite power and authority to enter into and perform this Agreement and to execute and deliver Seller's Closing Documents; such documents have been duly authorized by all necessary action.

8.2 Contracts. Seller has made available to Buyer a correct and complete copy of any Contract and its amendments which will survive a closing hereunder, if any.

8.3 Operations. Seller has received no written notice of actual or threatened cancellation or suspension of any utility services for any portion of the Property. Seller has received no written notice of actual or threatened special assessments or reassessments of the Property.

8.4 Litigation. To Seller's knowledge, there is no litigation or proceeding pending or threatened against or relating to the Property, nor does Seller know of or have reasonable grounds to know of any basis for any such action or claim.

8.5 Physical Condition. Seller makes no representation or warranty concerning the physical condition of the Property and puts Buyer to the obligation to satisfy itself pursuant to the contingency contained in Section 3 above.

9. Casualty; Condemnation. If all or any part of the Property is materially damaged by fire, casualty, the elements or any other cause, Seller shall immediately give notice to Buyer, and Buyer shall have the right to terminate this Agreement and receive back all Earnest Money by giving notice within thirty (30) days after Seller's notice. If eminent domain proceedings are threatened or commenced against all or any part of the Property, Seller shall immediately give notice to Buyer, and Buyer shall have the right to terminate this Agreement and receive back all

Earnest Money by giving notice within thirty (30) days after Seller's notice. Termination of this Agreement and return of all Earnest Money are Seller's sole remedies

10. Notices. Any notice required or permitted hereunder shall be given by personal delivery upon an authorized representative of a party hereto; or if mailed by United States certified mail, return receipt requested, postage prepaid; or if transmitted by facsimile copy followed by mailed notice; or if deposited cost paid with a nationally recognized, reputable overnight courier, properly addressed as follows:

If to Seller: Commissioner
Indiana Department of Administration
402 W. Washington St., W479
Indianapolis, IN 46204

With Copy to: Attorney General
Office of the Indiana Attorney General
302 W. Washington St.
Indianapolis, IN 46204

If to Buyer:

With a Copy to:

Notices shall be deemed effective on the date of receipt. Any party may change its address for the service of notice by giving notice of such change ten (10) days prior to the effective date of such change.

11. Miscellaneous. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement, and are not to be considered in interpreting this Agreement. This written Agreement constitutes the complete agreement between the parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement, and no waiver of any of its terms will be effective unless in a writing executed by the parties. This Agreement binds and benefits the parties and their successors and assigns. This Agreement has been made under the laws of the State of Indiana, and any suit must be brought in an Indiana court of competent jurisdiction.

12. Remedies. If Buyer defaults, and if Buyer fails to cure such default within ten (10) days of the date of notice of such default from Seller, then Seller shall have the right to terminate this Agreement by giving written notice of termination to Buyer. In the event of termination Seller will receive the Earnest Money as liquidated damages, time being of the essence of this Agreement. The termination of this Agreement and retention of the Earnest Money will be the sole remedy available to Seller for such default by Buyer, and Buyer will not be liable for damages or specific performance. Buyer's sole remedy for any default by Seller shall be termination of this Agreement and return of the Earnest Money.

13. Buyer's Examination. Buyer is relying solely upon its own examination of the Property and inspections in determining its physical condition, character, and suitability for Buyer's intended use of the Property and is not relying upon any representation by Seller or any broker, except for those made by Seller directly to Buyer in writing in **Exhibit D, which is attached to this**

agreement. Buyer agrees and acknowledges that it is accepting the Property “**AS IS**” subject to all faults of every kind and nature whatsoever, whether latent or patent, and whether now or hereafter existing, and Buyer acknowledges that it has based its decision to purchase the Property solely upon information obtained independently by Buyer. Buyer shall sign a Hold Harmless Affidavit, **an exemplar of such Hold Harmless Affidavit is attached hereto as Exhibit E.** Buyer shall acquire the Property subject to all laws imposed upon the Property by any governmental or quasi-governmental authority having jurisdiction thereof. Buyer represents and warrants to Seller that Buyer has not relied, and will not rely, upon the representation or statement, or the failure to make any representation or statement, by Seller or Seller’s agents, employees or by any person acting or purporting to act on the behalf of Seller with respect to the physical condition of the Property.

14. Compliance with Telephone Privacy. As required by IC 5-22-3-7:

(1) the Buyer and any principals of the Buyer certify that (A) the Buyer, except for de minimis and nonsystematic violations, has not violated the terms of (i) IC 24-4.7 [Telephone Solicitation Of Consumers], (ii) IC 24-5-12 [Telephone Solicitations] , or (iii) IC 24-5-14 [Regulation of Automatic Dialing Machines] in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) the Buyer will not violate the terms of IC 24-4.7 for the duration of the Contract, even if IC 24-4.7 is preempted by federal law.

(2) The Buyer and any principals of the Buyer certify that an affiliate or principal of the Buyer and any agent acting on behalf of the Buyer or on behalf of an affiliate or principal of the Buyer (A) except for de minimis and nonsystematic violations, has not violated the terms of IC 24-4.7 in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) will not violate the terms of IC 24-4.7 for the duration of the Contract, even if IC 24-4.7 is preempted by federal law.

15. Withdrawal of Offer. This Agreement shall be deemed to be withdrawn, unless accepted by Seller, after one-hundred-fifty (150) days of delivery to Seller. In the event of a withdrawal under this section, Buyer shall be entitled the return of the Earnest Money.

16. Additional terms.

17. Non-Collusion and Acceptance. The undersigned attests, subject to the penalties for perjury, that he/she is the Buyer, or that he/she is the properly authorized representative, agent, member or officer of the Buyer, that he/she has not, nor has any other member, employee, representative, agent or officer of the Buyer, directly or indirectly, to the best of the undersigned’s knowledge, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he/she has not received or paid any sum of money or other consideration for the execution of this Property Purchase Agreement other than that which appears upon the face of this Agreement.

In Witness Whereof, Buyer and the Seller have, through their duly authorized representatives, entered into this Property Purchase Agreement. The parties, having read and understood the foregoing terms, do by their respective signatures dated below hereby agree to the terms thereof.

BUYER:

Signature

Printed Name

Title

BUYER SHALL TAKE TITLE OF THE PROPERTY AS FOLLOWS:

BUYERS PRIMARY ADDRESS:

SELLER:

State of Indiana acting through the Indiana Department of Administration.

By _____
For:

A PART OF PARCELS 6 AND 7 CODE 3384

A part of Northwest Quarter of the Southeast Quarter of Section 33, Township 5 South, Range 8 West, Warrick County Indiana, described as follows: Commencing at a point 630.317 feet (distance quoted from Doc No, 1999R-008110) South of and 443.46 feet (distance quoted from Doc No, 1999R-008110) East of the Northwest corner of said quarter quarter section; thence North 31 degrees 30 minutes 00 seconds West 30.00 feet to the boundary of SR 261 and the point of beginning of this description; thence South 58 degrees 30 minutes 00 seconds West 75.00 feet; thence North 31 degrees 30 minutes 00 seconds West 124.23 feet to the northwest corner of the land described in Doc No. 1999R-01079; thence North 58 degrees 30 minutes 00 seconds East 155.00 feet to the northeast corner of land described in Doc No. 1999R-008110; thence South 31 degrees 30 minutes 00 seconds East 124.23 feet to the boundary of said SR 261; thence South 58 degrees 30 minutes 00 west 80.00 feet along the boundary of said SR 261 to the point of beginning and containing 0,442 acres, more or less.

The above description prepared for the Indiana Department of Transportation by Ronald L. Raney a licensed Land Surveyor in the State of Indiana, number LS80870012 on the 18th day of May 2004. The description was prepared from existing INDOT records no field survey was done and no corners were set.


Ronald L. Raney, LS80870012



EXHIBIT

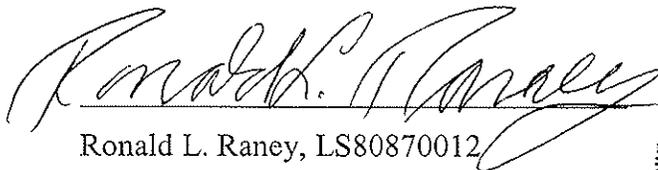
(1/2)

"A"

CODE: 3384
PARCEL: 9-EXCESS LAND

A part of the northwest quarter of the southeast quarter of Section 33, Township 5 South, Range 8 West, Warrick County, Indiana, Described as follows: Commencing at a point 671.967 feet (distance quoted from Deed Record 1999R-005485) south of and 381.09 feet (distance quoted from Deed Record 1999R-005485) east of the northwest corner of the northwest quarter of the southeast quarter of said section; thence North 58 degrees 30 minutes 00 seconds East 225.00 feet; thence North 31 degrees 30 minutes 00 seconds West 19.26 feet to the northwestern boundary of S.R. 261 at (Station 10+078.552, 15.015 meters left of line "A" R/W Code 3384) and the point of beginning of this description; thence North 31 degrees 30 minutes 00 seconds West 130.73 feet to the northwest corner of the land described in Deed Record 1999R-005485; thence North 58 degrees 30 minutes 00 seconds East 115.00 feet to the northeast corner of said land; thence South 31 degrees 30 minutes 00 seconds East 134.07 feet to the northwestern boundary of said S.R. 261 at Station 10+113.604, 14.000 meters left of Line "A" R/W Code 3384); thence South 60 degrees 09 minutes 29 seconds West 115.05 feet along the boundary of said S.R. 261 to the point of beginning and containing 0.350 acres, more or less.

The above description was prepared for the Indiana Department of Transportation by Ronald L. Raney, a Registered Land Surveyor in the State of Indiana, License Number LS80870012 on the 7th day of October 2002 from existing INDOT records no field survey was done and no corners were set.


Ronald L. Raney, LS80870012

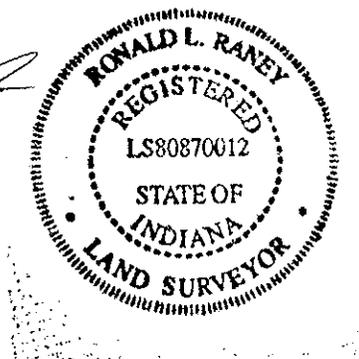


EXHIBIT B

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that the STATE OF INDIANA, acting through the Governor of the State of Indiana and the Commissioner of the Indiana Department of Administration, or their respective designees, and by the authority of Indiana Code 4-20.5-7-11, RELEASES and QUITCLAIMS to:

for good, valuable, and sufficient consideration, receipt of which is hereby acknowledged, the real property located in _____ County, Indiana and more fully described on Exhibit A, attached hereto and incorporated fully herein.

Subject to all existing legal rights-of-way, easements, conditions, and restrictions of record.

IN WITNESS WHEREOF, the undersigned have executed the foregoing Quitclaim Deed on behalf of the State of Indiana this _____ day of _____ 2011.

**David L. Pippen, Designee for
Mitchell E. Daniels, Jr. Governor**

State of Indiana)
) ss:
County of Marion)

Before me, a Notary in and for said County and State, personally appeared David L. Pippen, designee of the Governor of Indiana pursuant to IC 4-20.5-7-17 (b), and acknowledged execution of the foregoing Quitclaim Deed this _____ day of _____ 2011.

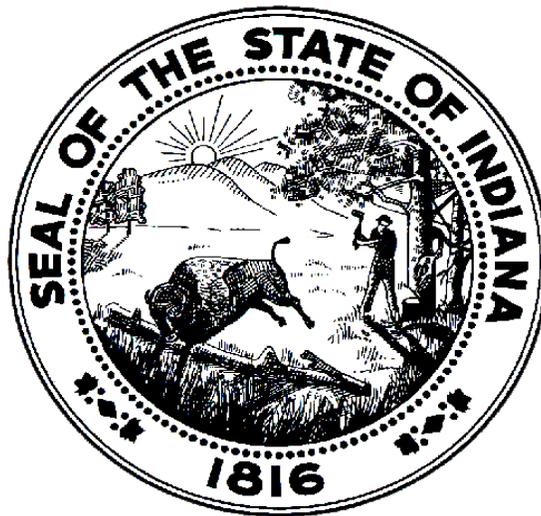
Notary signature: _____

Notary name printed: _____

My commission expires: _____ I reside in _____ County

Categorical Exclusion 1 Excess Parcel Clearance

LA: 3384 Parcels 6, 7, and 9
DES Number: 9026850
Warrick County Indiana



Kristy M. Wright
Environmental Mgr II
INDOT – Vincennes District

CATEGORICAL EXCLUSION LEVEL 1 FORM

Date: November 8, 2012

Initial Version

Additional Information to CE Level 1 Dated:

Purpose of this document:

CE Level 1 documentation for exempted projects

State-funded categorical exemption documentation

Approval of Exempt, CE Level 1 or State-Funded CE:

Ernest A. Stoops

Capital Program Management
Environmental Scoping Manager

11/8/12

Date

PROJECT INFORMATION			
Project Number, County, Route	LA 3384, Parcels 6, 7, and 9 North side of SR 261 - Warrick County, Indiana	Des Number	9026850
Project Description	The above referenced locations have been declared as excess property by the State of Indiana, owner. The locations have been reviewed to identify any potential sources of risk or liability on the subject property regarding hazardous materials, environmental resources and archeological resources. Attachment 1 - Project Locations Map		
Purpose and Need for Action:	The purpose of this CE 1 is to clear the excess right-of way parcels in preparation for sale. LA 3384, Parcels 6, 7, and 9 are located near SR 261 in Warrick County, Indiana. The sale of the excess land would relieve INDOT of the cost for maintaining these parcels and provide funds from the sale for INDOT use.		
Alternatives Considered:	The do-nothing alternative was considered, but rejected since it would not meet the purpose and need of the project.		
Project Termini:			
Funding Source(s):	<input type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input type="checkbox"/> Local	Estimated Cost	N/A
Project Sponsor:	Indiana Department of Transportation	Project Length	N/A

Name and organization of CE Level 1 Preparer: Kristy M. Wright - Environmental Manager II
Indiana Department of Transportation – Vincennes, Indiana

SCOPE OF THE PROPOSED ACTION		
Public Involvement	No: X	Possible:
Comments:	No public controversy is expected. Any applicable public involvement procedures will be followed.	
Relocation of residences/businesses/etc.*	No: X	Possible:
Comments:	No structures will be acquired under this project. No relocations will be necessary.	
Right-of-way in acres (permanent and temporary)*	No: X	Possible:
Comments:	No right of way will be acquired under this project.	
Added through-traffic lanes – length*	No: X	Possible:
Comments:	No through traffic lanes will be added under this project.	
Permanent alteration of local traffic pattern*	No: X	Possible:
Comments:	There will be no permanent alteration of local traffic patterns under this project.	
Facility on new location or realignment*	No: X	Possible:
Comments:	There is no facility on new location or realignment.	
Disruption to public facilities/services (such as schools, emergency service)	No: X	Possible:
Comments:	There will be no disruption to public facilities/services under this project.	
Involvement with existing bridge(s) (Include structure number(s))	No: X	Possible:
Comments:	No bridges are involved in this project.	
INVOLVEMENT WITH RESOURCES		
Watercourses Impacted (linear feet)	No: X	Possible:
Comments:	There will be no construction in waterways as part of this project.	
Other Surface Waters (such as ponds, lakes, reservoirs, in acres)	No: X	Possible:
Comments:	There will be no construction in water bodies as part of this project.	
Wetlands (acres)*	No: X	Possible:
Comments: Twelve (12) NWI Wetland polygons are located within ½ mile of the subject parcel, none being adjacent to the parcel. There should be no impacts to wetlands from the sale of this parcel. Attachment 2: Red Flag Report.		

SCOPE OF THE PROPOSED ACTION		
Disturbance of Terrestrial Habitat (acres)		No: X Possible:
Comments:	There will be no construction which adversely affects habitat as part of this project.	
Karst Features		No: X Possible:
Comments:	There are no known Karst features present in Warrick County, Indiana.	
Threatened and Endangered Species Present/Impacted*		No: X Possible:
Comments:	The Indiana Natural Heritage Database for Warrick County revealed no state or federal endangered species within ½ mile of this parcel. Sale of the subject parcels is not expected to impact ETR species or high quality natural communities. Attachment 2: Red Flag Report.	
Impacts to Sole Source Aquifer*		No: X Possible:
Comments:	There is no known Sole Source Aquifer located in Warrick County, Indiana.	
Flood Plains (note transverse or longitudinal impact)		No: X Possible:
Comments:	Two flood plains are located within the ½ mile radius of the parcels. All three (3) parcels are located within one (1) of these floodplains. The sale of the parcels will not impact the floodplain or alter flood elevations. Attachment 2: Red Flag Report.	
Farmland (acres)		No: X Possible:
Comments:	This project is not of the type which will affect farmland.	
Cultural Resources (Section 106)*		No: X Possible:
Comments:	Excess right-of-way parcels are cleared under state law, not Federal 106. The archeological survey has been completed for all parcels. The project has been determined to be of a nature which has no potential to adversely affect resources protected by Section 106 of the Historic Preservation Act. Attachment 3 Archeological Short Report. Attachment 4: SHIPPO Letter of Concurrence	
Section 4(f) and Section 6(f) Resources *		No: X Possible:
Comments:	No 4f or 6f resources will be impacted under this project.	
Air Quality Non-attainment Area		No: X Possible:
Comments:	This project is exempt from air quality analysis and therefore will have no significant impact on air quality.	
Noise Analysis Required*		No: X Possible:
Comments:	This project is exempt from noise quality analysis and therefore will have no significant impact on noise levels.	
Community/Economic Impacts		No: X Possible:
Comments:	No negative impacts are anticipated for the established communities.	
Environmental Justice		No: X Possible:

Categorical Exclusion Level Thresholds

	Level 1	Level 2	Level 3	Level 4
Relocations	None	≤ 2	> 2	> 10
Right of way¹	< 0.5 acres	< 10 acres	≥ 10 acres	≥ 10 acres
Length of added through lane	None	< 1 miles	≥ 1 mile	≥ 1 mile
Permanent Traffic pattern alteration	None	None	Yes	Yes
New alignment	None	None	< 1 mile	≥ 1 mile ²
Wetlands	< 0.1 acres	< 1 acre	< 1 acre	≥ 1 acre
Stream Impacts	≤ 300 linear feet of stream impacts, no work beyond 75 feet from pavement	> 300 linear feet impacts, or work beyond 75 feet from pavement	N/A	N/A
Section 4(f)*	None	None	None	Any impacts
Section 6(f)	None	None	Any impacts	Any impacts
Section 106	"No Historic Properties Affected" or falls within guidelines of Minor Projects PA	"No Adverse Effect" or "Adverse Effect"	N/A	If ACHP involved
Noise Analysis Required	No	No	Yes ³	Yes ³
Threatened/Endangered Species*	"Not likely to Adversely Affect", or Falls within Guidelines of USFWS 9/8/93 Programmatic Response	N/A	N/A	"Likely to Adversely Affect" ⁴
Sole Source Aquifer Groundwater Assessment	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Required
Approval Level • ESM ⁵ • ES ⁶ • FHWA	Yes	Yes	Yes Yes	Yes Yes Yes

¹These thresholds have changed from the March 2009 Manual.

¹Permanent and/or temporary right of way.

²If the length of the new alignment is equal to or greater than one mile, contact the FHWA's Air Quality/Environmental Specialist.

³In accordance with INDOT's Noise Policy.

⁴If the project is considered Likely to Adversely Affect Threatened and/or Endangered Species, INDOT and the FHWA should be consulted to determine whether a higher class of document is warranted.

⁵Environmental Scoping Manager

⁶Environmental Services

Attachment 1

Maps

Supporting Documents

EXHIBIT

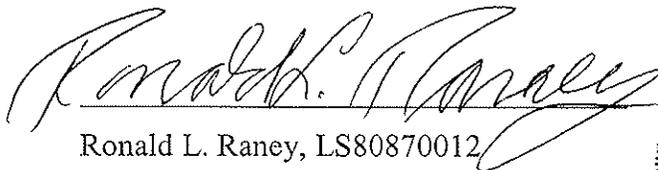
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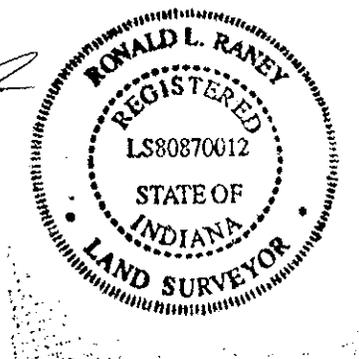
"A"

CODE: 3384
PARCEL: 9-EXCESS LAND

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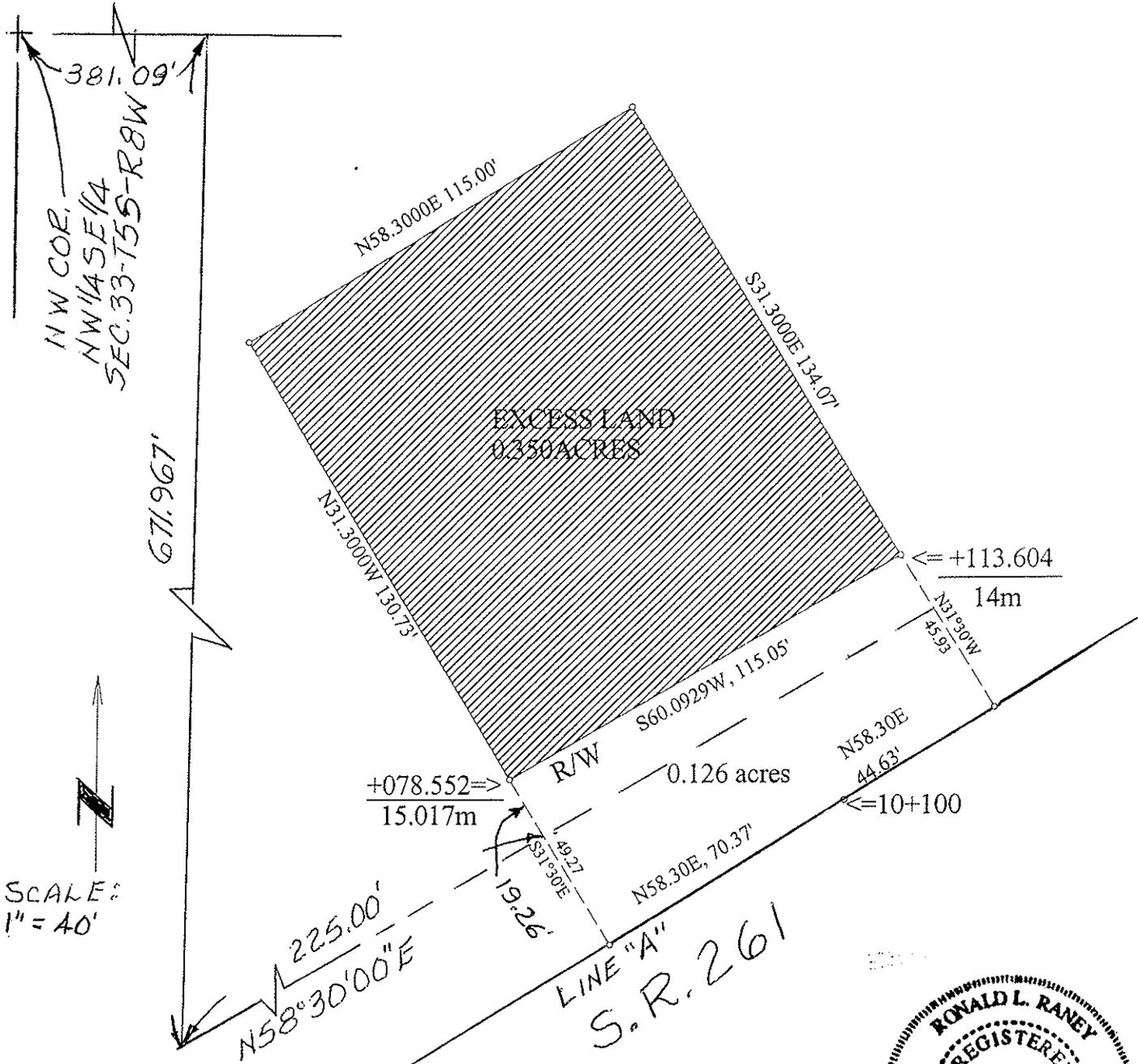

Ronald L. Raney, LS80870012



CODE 3384, PARCEL 9
EXCESS LAND

EXHIBIT
"A"

(2 of 2)



SCALE:
1" = 40'



Ronald L. Raney
10-09-02

A PART OF PARCELS 6 AND 7 CODE 3384

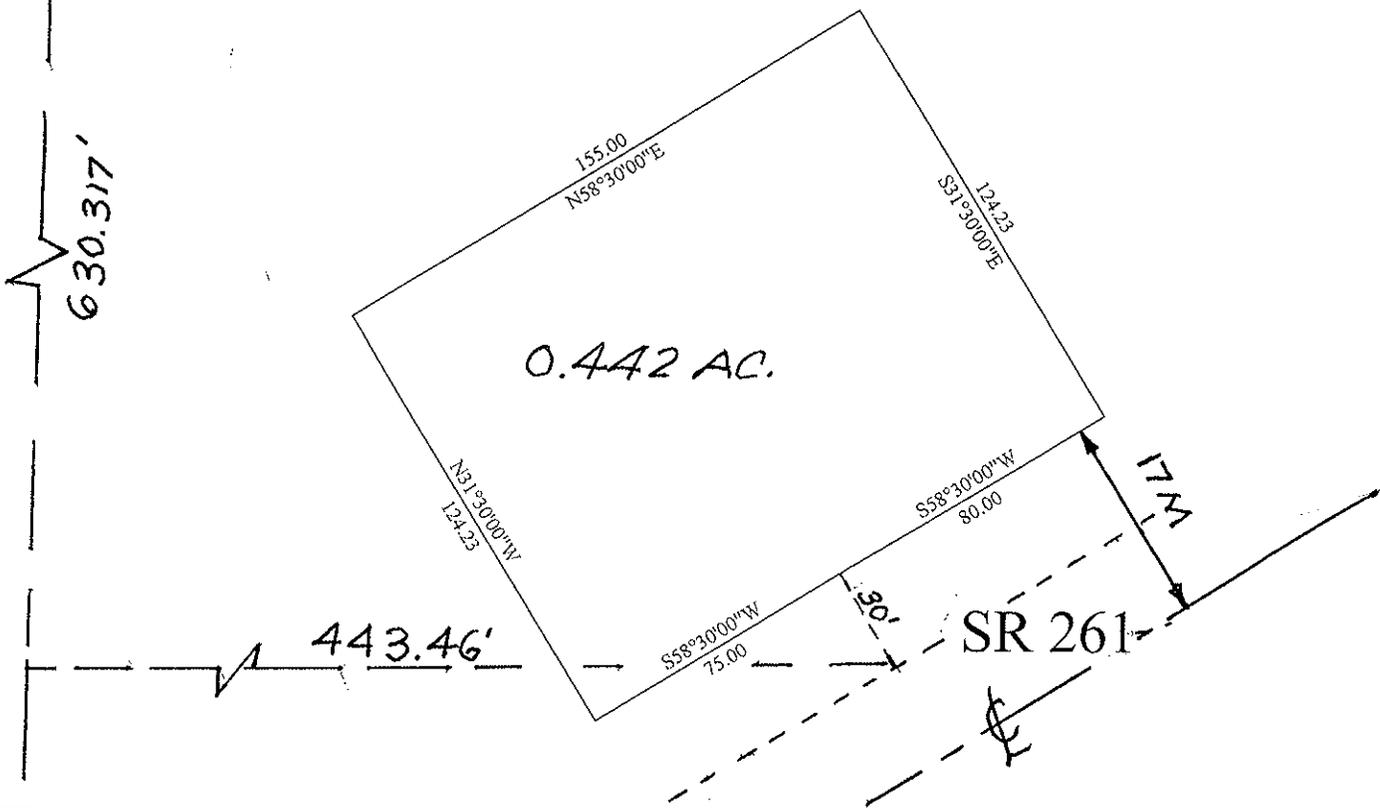
A part of Northwest Quarter of the Southeast Quarter of Section 33, Township 5 South, Range 8 West, Warrick County Indiana, described as follows: Commencing at a point 630.317 feet (distance quoted from Doc No, 1999R-008110) South of and 443.46 feet (distance quoted from Doc No, 1999R-008110) East of the Northwest corner of said quarter quarter section; thence North 31 degrees 30 minutes 00 seconds West 30.00 feet to the boundary of SR 261 and the point of beginning of this description; thence South 58 degrees 30 minutes 00 seconds West 75.00 feet; thence North 31 degrees 30 minutes 00 seconds West 124.23 feet to the northwest corner of the land described in Doc No. 1999R-01079; thence North 58 degrees 30 minutes 00 seconds East 155.00 feet to the northeast corner of land described in Doc No. 1999R-008110; thence South 31 degrees 30 minutes 00 seconds East 124.23 feet to the boundary of said SR 261; thence South 58 degrees 30 minutes 00 west 80.00 feet along the boundary of said SR 261 to the point of beginning and containing 0,442 acres, more or less.

The above description prepared for the Indiana Department of Transportation by Ronald L. Raney a licensed Land Surveyor in the State of Indiana, number LS80870012 on the 18th day of May 2004. The description was prepared from existing INDOT records no field survey was done and no corners were set.


Ronald L. Raney, LS80870012



NORTHWEST CORNER
 NORTHWEST QUARTER OF THE SOUTHEAST QUARTER
 SECTION 33, TOWNSHIP 5 SOUTH, RANGE 8 WEST
 WARRICK COUNTY



Title: PART OF PARCEL 6 & 7 CODE 3384		Date: 18-04
Scale: 1 inch = 50 feet	File: Untitled	
Tract 1: 0.442 Acres: 19256 Sq Feet: 1788.9 Sq Meters: No significant closure error. : Perimeter = 618 feet		
001=N31.3000W 30.00	004=N58.3000E 155.00	007=S31.3000E 30.00
002=S58.3000W 75.00	005=S31.3000E 124.23	
003=N31.3000W 124.23	006=S58.3000W 80.00	



RLR
 5-18-04

Attachment 2

Red Flag Investigation Report



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204-2216 (317) 232-5348 FAX: (317) 233-4929

Mitchell E. Daniels, Jr., Governor
Michael B. Cline, Commissioner

Date: June 11, 2012

To: Kristy M. Wright
Environmental Manager II
Indiana Department of Transportation
Capital Program Management - Environmental
3650 US Hwy. 41 South
Vincennes, IN 47591
Kwright@Indot.IN.gov

From: Marlene Mathas, CHMM
Hazardous Materials Unit
Environmental Services
Indiana Department of Transportation
100 N Senate Avenue, Room N642
Indianapolis, IN 46204

Re: RED FLAG INVESTIGATION
LA 3384 - Parcels 6, 7, and 9
Excess Parcels
SR 261
Boonville, Warrick County, Indiana

NARRATIVE

This RFI is being performed for the sale of three (3) excess parcels. The subject parcels were acquired by INDOT for right-of-way purposes for DES 9026850, and are located on the north side of SR 261. INDOT has decided that this surplus land will not be needed for right-of-way or other transportation purposes in the foreseeable future. Legal descriptions of the parcels are as follows:

Parcels 6 and 7: Part of the Northwest Quarter of the Southeast Quarter of Section 33, Township 5 South, Range 8 West, Warrick County, Indiana, described as follows: Commencing at a point 630.317 feet (distance quoted from Doc No, 1999R-008110) South of and 443.46 feet (distance quoted from Doc No, 1999R, 008110) East of the Northwest corner of said quarter quarter section; thence North 31 degrees 30 minutes 00 seconds West 30.00 feet to the boundary of SR 261 and the point of beginning of this description; thence South 58 degrees 30 minutes 00 seconds West 75.00 feet; thence North 31 degrees 30 minutes 00 seconds West 124.23 feet to the northwest corner of the land described in Doc No. 1999R-01079; thence North 58 degrees 30 minutes 00 seconds East 155.00 feet to the northeast corner of land described in Doc No. 1999R-008110; thence South 31 degrees 30 minutes 00 seconds East 124.23 feet to the boundary of said SR 261; thence South 58 degrees 30 minutes 00 west 80.00 feet along the boundary of said SR 261 to the point of beginning and containing 0.442 acres, more or less.

Parcel 9: A part of the northwest quarter of the southeast quarter of Section 33, Township 5 South, Range 8 West, Warrick County, Indiana, Described as follows: Commencing at a point 671.967 feet (distance quoted from Deed Record 1999R-005485) south of and 381.09 feet (distance quoted from Deed Record 1999R-005485) east of the northwest

corner of the northwest quarter of the southeast quarter of said section; thence North 58 degrees 30 minutes 00 seconds East 225.00 feet; thence North 31 degrees 30 minutes 00 seconds West 19.26 feet to the northwestern boundary of SR 261 at (Station 10+078.552, 15.015 meters left of line "A" R/W Code 3384) and the point of beginning of this description; thence North 31 degrees 30 minutes 00 seconds West 130.73 feet to the northwest corner of the land described in Deed Record 1999R-005485; thence North 58 degrees 30 minutes 00 seconds East 115.00 feet to the northeast corner of said land; thence South 31 degrees 30 minutes 00 seconds East 134.07 feet to the northwestern boundary of said SR 261 at Station 10+113.604, 14.000 meters left of Line "A" R/W Code 3384); thence South 60 degrees 09 minutes 29 seconds West 115.05 feet along the boundary of said SR 261 to the point of beginning and containing 0.350 acres, more or less.

SUMMARY

Infrastructure			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Other road projects	2	Airports	1
Cemeteries	N/A	Hospitals	N/A
Railroads	1	Recreational Facilities	N/A
Religious Facilities	N/A	Schools	N/A
Trails	N/A	Pipelines	1
Managed Lands	N/A		

EXPLANATION:

Other road projects: Other than the project in which the property was acquired, there is one other project on SR 261, 2 miles north of SR 66 to SR 62, which is listed for 2016 as HMA Overlay, Preventive Maintenance. This project should not impact the sale of the subject parcels.

Airports: Boonville Airport is located approximately ½ mile to the northwest and should not impact the sale of the subject parcels.

Railroads: The Norfolk Southern Railroad runs east-west approximate ¼ mile north of the subject parcels and should not impact the sale of the subject parcels.

Pipelines: Texas Gas Transmission Corporation has a natural gas intrastate pipeline that runs east-west less than ½ mile to the north of the parcels and should not impact the sale of the subject parcels.

Water Resources			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Canal Routes – Historic	N/A	Canal Structures – Historic	N/A
NWI Wetland Lines	N/A	Floodplain-DFIRM	2
NWI Wetland Polygons	12	NWI Wetland Points	N/A
Rivers & Streams	7	Lakes	13
IDEM 303d Listed Rivers and Streams	N/A	IDEM 303d Listed Lakes	N/A

Cave Entrance Density	N/A	Sinkhole Areas	N/A
Karst Springs	N/A	Sinking-Stream Basins	N/A

EXPLANATION:

Floodplains-DFIRM: Two (2) floodplains are located within the ½ mile radius of the parcels. The parcels are located within one (1) of these floodplains. Further consultation with Ecology and Permits should be conducted to see if the sale of the parcel will be affected.

NWI Wetland Polygons: Twelve (12) wetlands are located within the ½ mile radius of the parcels. None of these wetlands are adjacent to the parcels and should not impact the sale of the parcels.

Rivers and Streams: Seven (7) water features, three (3) canals/ditches, and four (4) intermittent streams, are located within the ½ mile radius. Kelly Ditch is located to the west/southwest of the parcels and should not impact the sale of the parcels.

Lakes: Thirteen (13) lakes are located within the ½ mile radius. These water features are listed as perennial lakes/ponds and should not impact the sale of the parcels.

Mining/Mineral Exploration			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Petroleum Wells	4	Petroleum Fields	N/A
Mines – Surface	2	Mines – Underground	1

EXPLANATION:

Petroleum Wells: Of the four (4) wells within the ½ mile buffer, the closest well is approximately 0.12 mile from the subject parcels. These wells are presumed to be plugged and should not impact the sale of the subject parcels.

Surface Mines: Three (3) surface mines are located to the west-southwest of the subject parcels. Two (2) of the mines were active in the 1930s. The last mine was active from 1943 to 1952. These mines should not impact the sale of the subject parcels.

Underground Mines: One (1) underground mine, which was active from 1912 to 1929, is located a little less than ½ mile to the west of the subject parcels and should not impact the sale of the subject parcels.

Ecological Information

The Warrick County listing of the Indiana Natural Heritage Data Center, information on endangered, threatened, or rare (ETR) species and high quality natural communities is attached with ETR species highlighted.

Research into the Indiana Heritage database revealed no state or federal ETR species within a ½ mile radius of the subject parcel. Sale of the subject parcels is not expected to impact ETR species or high quality natural communities.

Cultural Resources

The Cultural Resources review is pending and will be submitted separately.

Hazmat Concerns			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Brownfield Sites	N/A	Corrective Action Sites (RCRA)	N/A
State Cleanup Sites	N/A	Superfund Sites	N/A
Voluntary Remediation Program	N/A	Institutional Control Sites	N/A
Manufactured Gas Plant Sites	N/A	Industrial Waste Sites	N/A
Underground Storage Tanks (USTs)	N/A	Leaking Underground Storage Tanks (LUSTs)	N/A
Confined Feeding Operations	N/A	Septage Waste Sites	N/A
Construction Demolition Waste	N/A	Infectious/Medical Waste Sites	N/A
Lagoon/Surface Impoundments	N/A	Open Dump Sites	N/A
Restricted Waste Sites	N/A	Solid Waste Landfills	N/A
Tire Waste Sites	N/A	Waste Transfer Stations	N/A
Waste Treatment, Storage, and Disposal Sites (TSDs)	N/A	NPDES Facilities	N/A
NPDES Pipe Locations	N/A		

EXPLANATION: N/A

RECOMMENDATIONS

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

INFRASTRUCTURE: N/A

WATER RESOURCES: Two (2) floodplains are located within the ½ mile radius of the parcels. The parcels are located within one (1) of these floodplains. Further consultation with Ecology and Permits should be conducted to see if the sale of the parcel will be affected.

MINING/MINERAL EXPLORATION: N/A

ECOLOGICAL INFORMATION: N/A

CULTURAL RESOURCES: The Cultural Resources review is pending and will be submitted separately.

HAZMAT CONCERNS: N/A

Environmental Services concurrence: _____(Signature)

Prepared by:
Marlene Mathas
HazMat Team Lead
INDOT Environmental Services

Graphics:

A map for each report section with a ½ mile 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:

GENERAL SITE MAP SHOWING PROJECT AREA: YES

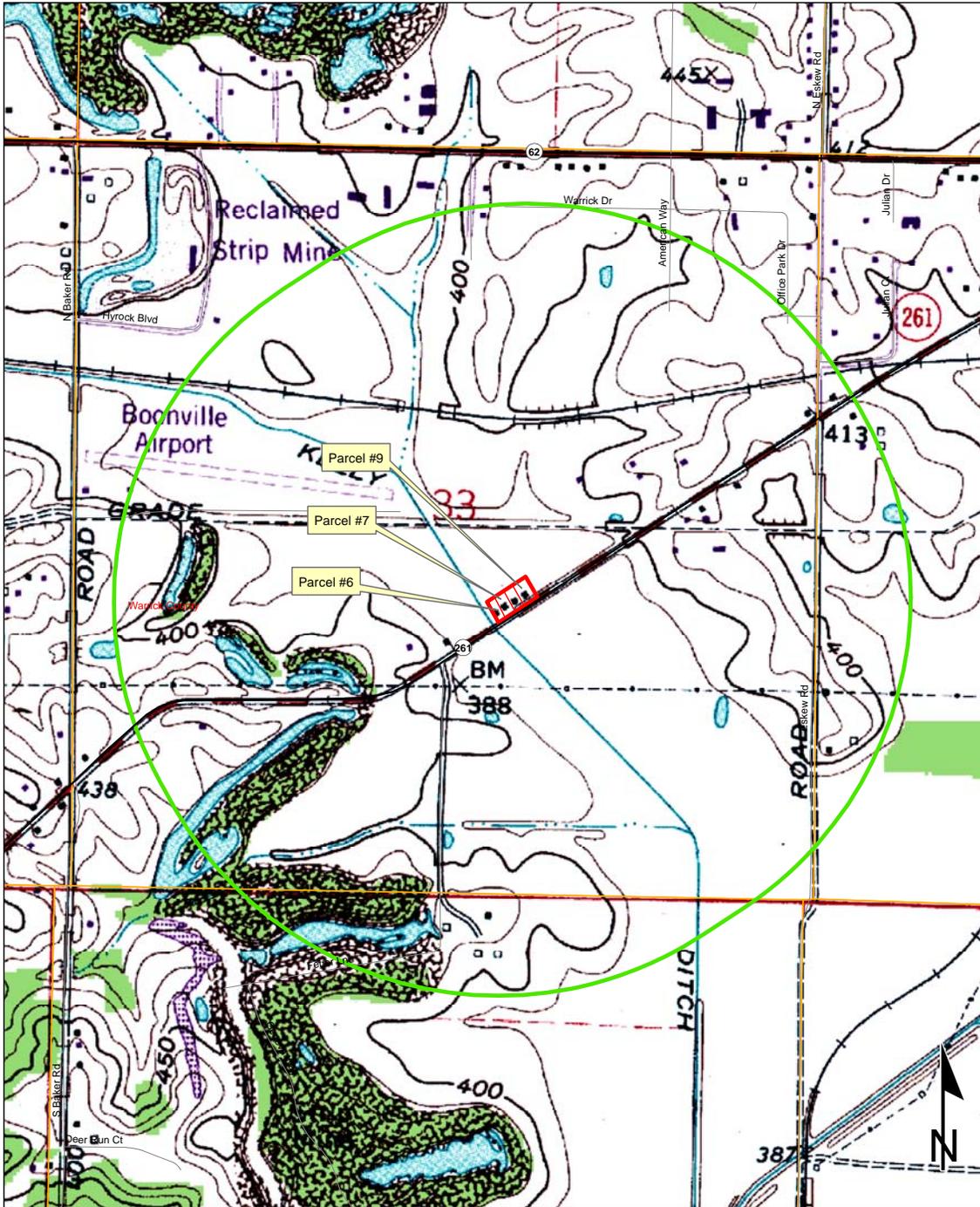
INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: YES

HAZMAT CONCERNS: N/A

Red Flag Investigation - Project Location Map
 State Road 261
 LA 3384 - Parcels 6, 7, and 9 - Excess Parcels
 Warrick County, Indiana

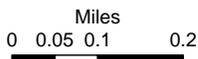


This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

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

BOONVILLE QUADRANGLE
 INDIANA - WARRICK COUNTY
 7.5 MINUTE SERIES (TOPOGRAPHIC)

Red Flag Investigation - Infrastructure Map
 State Road 261
 LA 3384 - Parcels 6, 7, and 9 - Excess Parcels
 Warrick County, Indiana



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

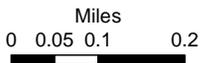
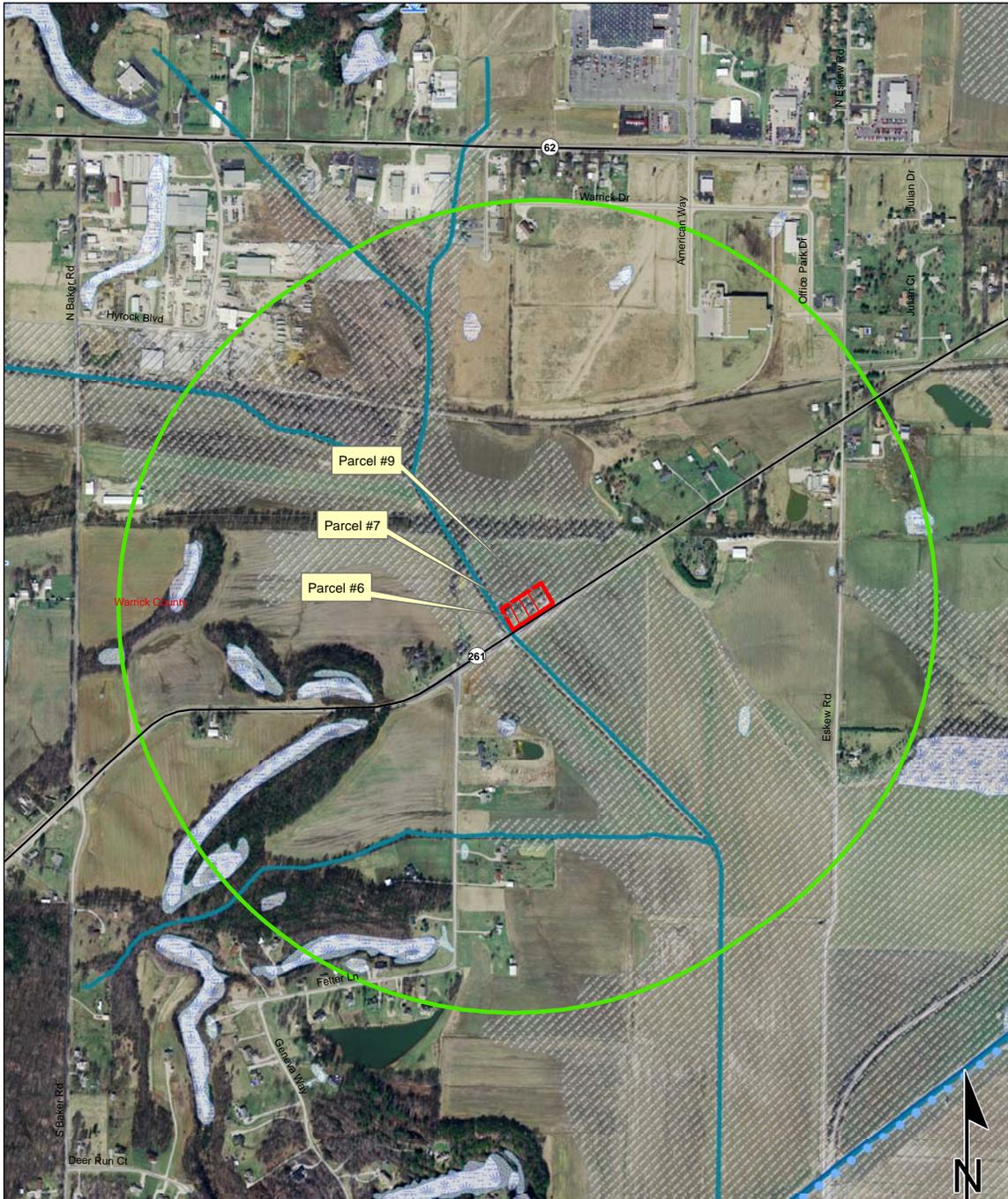
Data - Obtained from the State of Indiana Geographical Information Office Library

Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)

Map Projection: UTM Zone 16 N **Map Datum:** NAD83

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

Red Flag Investigation - Water Resources Map
 State Road 261
 LA 3384 - Parcels 6, 7, and 9 - Excess Parcels
 Warrick County, Indiana



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

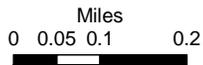
Data - Obtained from the State of Indiana Geographical Information Office Library

Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)

Map Projection: UTM Zone 16 N **Map Datum:** NAD83

NW1 - Point	Wetlands	Project Area
Karst Spring	Lake - Impaired	Half Mile Radius
Canal Structure - Historic	Lake	Interstate
NW1 - Line	Floodplain - DFIRM	State Route
Stream - Impaired	Cave Entrance Density	US Route
River	Sinkhole Area	Local Road
Canal Route - Historic	Sinking-Stream Basin	
	County Boundary	

Red Flag Investigation - Mining/Mineral Exploration Map
 State Road 261
 LA 3384 - Parcels 6, 7, and 9 - Excess Parcels
 Warrick County, Indiana



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

Orthophotography - Obtained from Indiana Map Framework Data

(www.indianamap.org)

Map Projection: UTM Zone 16 N **Map Datum:** NAD83

Gas Well	Project Area
Oil Well	Half Mile Radius
Mine - Surface	Interstate
Mine - Underground	State Route
Petroleum Field	US Route
County Boundary	Local Road

Attachment 3

Archeological Short Report with attachments



INDIANA ARCHAEOLOGICAL SHORT REPORT

State Form 54566 (1-11)

INDIANA DEPARTMENT OF NATURAL RESOURCES DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY

402 West Washington Street, Room W274
Indianapolis, Indiana 46204-2739
Telephone Number: (317) 232-1646
Fax Number: (317) 232-0693
E-mail: dhpa@dnr.IN.gov

Where applicable, the use of this form is recommended but not required by the Division of Historic Preservation and Archaeology.

Author:

Date (month, day, year):

Project Title:

PROJECT OVERVIEW

Project Description:

INDOT Designation Number/ Contract Number:

Project Number:

DHPA Number:

Approved DHPA Plan Number:

Prepared For:

Contact Person:

Address:

City:

State:

ZIP Code:

Telephone Number:

Email Address:

Principal Investigator:

Signature:

Company/Institution:

Address:

City:

State:

ZIP Code:

Telephone Number:

Email Address:

PROJECT LOCATION

County:

USGS 7.5' series Topographic Quadrangle:

Civil Township:

Legal Location:

1/4, 1/4, 1/4, 1/4, Section: Township: Range:

Topographic Map Datum: Grid Alignment:

Comments:

Property Owner:

PROJECT AREA DETAILS

Length meters: feet: Width meters: feet: hectares: acres:

Natural Region:

Topography:

Soil Association:

Soils:

Drainage:

Current Land Use:

Comments:

RECORDS REVIEW (*check all that apply*) Date of Records Check (*month, day, year*):

SHAARD database

Site Maps on file at DHPA

Previously Reported Sites within One Mile of the Project (include citations):

12W-0544	isolated	unidentified	unknown eligibility
12W-0543	isolated	historic ceramic	ineligible/disturbed
12W-0600	lithic scatter	unidentified prehistoric	ineligible/disturbed
12W-0545	historic scatter	unidentified prehistoric/historic	disturbed
	lithic scatter	unidentified prehistoric	ineligible/disturbed
12W-0541	historic scatter	19th-20th Century	disturbed
12W-0149	camp	unidentified prehistoric	indetermined

(SHAARD 2012)

Cultural Resource Management reports, other research reports, grant reports on file at DHPA or other institutions

Previous Archaeological Studies within One Mile of the Project (include citations):

Parcel # 9 was first investigated in 2002 by Carmany (Carmany 2002). In total, nine archaeological investigations have been completed within 1.6 km (1 mile) of the project area (Figure 2). All of the investigations were Phase Ia reconnaissances (Beard 1989, 1993, 2010; Martin 1999; Snyder and Snell 2009; BHE Environmental 2002; Landers et al. 1995).

List other institutions:

Cemetery Records

Results: Within 1.6 km (1 mile) of the project area, two cemeteries were found: Harpole Cemetery 1827-1916; Baker Cemetery 1856-present (SHAARD 2012)

McGregor Industrial Site records (in applicable counties)

Results: None within 1.6 km (1 mile) of the project area.

County Interim Report

Results: None within 1.6 km (1 mile) of the project area.

Historic Maps

Results: Two churches, the county fair grounds, and the residence of BP Lewis found within 1.6 km (1 mile) of the project area (Andreas 1968).

Known Cultural Manifestations and/or Additional Information:

Prehistoric cultural manifestations near the project area reflect the general cultural sequence of the state from Paleoindian through Euroamerican contact. Paleoindian sites are more common on the terraces and floodplains of the Ohio River drainage system (Tankersley et al. 1990). Projectile points diagnostic of the Early Archaic are more common in the uplands in this area than other Archaic periods (Stafford et al. 2000). Specific cultures include the Late Archaic French Lick Phase, the Early Woodland Adena or Crab Orchard, the Middle Woodland Allison-LaMotte, Late Woodland Albee Phase, and the Late Prehistoric Middle Mississippian.

Warrick County was established in 1813 and was reduced to its present boundaries in 1818. Boon Township is one of the ten townships in Warrick County. The county seat was moved to Boonville in 1818 developing the town into a central location. In 1873 the railroad was constructed in Warrick County starting at the city of Boonville traveling all the way to Evansville increasing industry and commerce. (Historic Landmarks Foundation of Indiana 2001).

FIELD INVESTIGATION: (check all that apply) Field Investigation Dates (month, day, year): June 21, 2012

Field Supervisor: David Moffatt

Field Crew: Shaun Miller, Jeffrey Laswell, Matthew Coon, Erin Gould, Katie Lange

Surface Visibility: < 10%

Factors Affecting Visibility: grass, weeds, brush, other vegetation, truck, miscellaneous objects,

Visual Walkover Pedestrian Survey Shovel Test Screened Mesh Size

Interval 5 m 10 m 15 m Other (describe below)

Number of Shovel Test Units Excavated:

A total of ten shovel test were excavated at southwest parcels #6 and #7. The northeast parcel #9 was heavily disturbed by the highway. One shovel test was excavated at its northeast corner, and five shovel tests were excavated on its northwest side for a total of six shovel tests.

Describe Methods:

The project area was examined through shovel tests at 15 m intervals. Shovel tests were at least 30 cm in diameter and 30 cm deep placed at 15 m or smaller intervals. All st's were excavated to sterile soil and the sediment screened through 1/4" hardware cloth.

Attach photographs documenting disturbances below

Describe Disturbances:

Parcel #9 was heavily disturbed due to residential activity, and use as a parking area (Figure 4).
Parcels # 6 and # 7 were also heavily disturbed due to two relatively recent cement footings in the southwest half (Figure 5).

Comments:

Results

- Archaeological records check has determined that the project area does not have the potential to contain archaeological resources.
- Archaeological records check has determined that the project area has the potential to contain archaeological resources.
- Phase Ia reconnaissance has located no archaeological resources in the project area.
- Phase Ia reconnaissance has identified landforms conducive to buried archaeological deposits.

Actual Area Surveyed hectares:

acres:

Comments:

Actual Area Surveyed for Parcels # 6 and # 7: 0.19 hectares; 0.46 acres
Actual Area Surveyed of Parcel # 9 : 0.14 hectares; 0.35 acres

Recommendation

- The archaeological records check has determined that the project area has the potential to contain archaeological resources and a Phase Ia archaeological reconnaissance is recommended.
- The archaeological records check has determined that the project area does not have the potential to contain archaeological resources and no further work is recommended before the project is allowed to proceed.
- The Phase Ia archaeological reconnaissance has located no archaeological sites within the project area and it is recommended that the project be allowed to proceed as planned.

The Phase Ia archaeological reconnaissance has determined that the project area includes landforms which have the potential to contain buried archaeological deposits. It is recommended that Phase Ic archaeological subsurface reconnaissance be conducted before the project is allowed to proceed.

The Phase Ia archaeological reconnaissance has determined that the project area is within 100 feet of a cemetery and a Cemetery Development Plan is required per IC-14-21-1-26.5.

Cemetery Name:

Other Recommendations/Commitments:

Pursuant to IC-14-21-1, if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

Attachments

- Figure showing project location within Indiana.
- USGS topographic map showing the project area (*1:24,000 scale*).
- Aerial photograph showing the project area, land use and survey methods.
- Photographs of the project area.
- Project plans (*if available*)

Other Attachments:

Andreas, Alfred Theodore
1968 Maps of Indiana Counties in 1876. Indiana Historical Society. Indianapolis, Indiana.

Beard, Thomas C.
1989 Archaeological Field Reconnaissance Project ST-3387 (001) Sigh Distance Correction on S.R. 261 at Co. Rd. 400 West (Baker Road) Located 1.7 Miles South of S.R. 62, Warrick County, Indiana. Submitted to Indiana Department of Transportation. Report on file at Indiana Department Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

1993 Archaeological Field Reconnaissance Project BRF-3387 () Bridge Replacement on SR 261 over Kelly Prong Ditch Located 1.0 Miles South of S.R. 62, Warrick County, Indiana. Submitted to Indiana Department of Transportation. Report on file at Indiana Department Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

2010 Archaeological Field Reconnaissance Project MAF-012-3 (6), and MAF012-4 (006), Proposed Borrow Area for SR 62- SR 261 Intersection Improvements in Booneville, Warrick County, Indiana. Landmark Archaeological and Environmental Services, Inc. Submitted to Ragle, Inc., Report on file at Indiana Department Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

BHE Environmental, Inc.
2002 Phase Ia Cultural Resources Survey of a Lateral Realignment and Two Workspaces for Williams Gas Pipeline - Texas Gas' Proposed 6 Inch Boonville Natural Gas Pipeline Relocation in Warrick County, Indiana. Prepared for Williams Gas Pipeline - Texas Gas. Report on file at Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

Carmany, Karstin
2002 Archaeological Field Reconnaissance Project ST-3387 (C) Excess Land Parcel #9, Warrick County, Indiana. Landmark Archaeological and Environmental Services, Inc. Submitted to Indiana Department of Transportation. Report on file at Indiana Department Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

Gould, Erin
2012 Archaeological records check and Phase Ia archaeological reconnaissance for the disposal of INDOT excess parcel # 144 along State Highway 62 (LA Code 3395) in Warrick County, Indiana.. Indiana Department of Transportation, Cultural Resources Office. Report on file at Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

Griffing
1880 An illustrated historical atlas of Warrick County, Indiana/ from actual surveys under the direction of B.N. Griffing. Evansville, Indiana.

Historic Landmarks Foundation of Indiana
1984 Gibson County Warrick County Interim Report: Historic Sites and Structures Inventory. Historic Landmarks Foundation of Indiana, Indianapolis, Indiana.

Landers, Diane Beynon and Cynthia F. Cookenham-Glenn
1995 Phase Ia Archaeological Survey of S.R. 62 From I-164 to Locust Street Boonville, Warrick and Vanderburgh Counties. Volume I of II. GAI Consultants, Inc. Submitted to Indiana Department of Transportation, Report on file at Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

Martin, Andrew
1999 Archaeological Field Reconnaissance Project ST-3387, Sale of Excess Land Parcel 26, SR 261, Warrick County, Indiana. Archaeological Resources Management Service. Submitted to Indiana Department of Transportation., Report on file at Indiana Department Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis.

Snyder, Jim, and Samuel Snell
2009 Phase Ia Archaeological Survey for the Proposed SR 61 Boonville Bypass in Boon Township (Des. No. 0500194), Warrick County, Indiana. ASC Group, Inc. Submitted to

References Cited:

Comments:

Curation

Curation Facility for Project Documentation:

INDOT, CRO files

Indiana County Endangered, Threatened and Rare Species List

County: **Warrick**

Species Name	Common Name	FED	STATE	GRANK	SRANK
Mollusk: Bivalvia (Mussels)					
Plethobasus cyphus	Sheepnose	C	SE	G3	S1
Pleurobema cordatum	Ohio Pigtoe		SSC	G4	S2
Reptile					
Nerodia erythrogaster neglecta	Copperbelly Water Snake	PS:LT	SE	G5T3	S2
Opheodrys aestivus	Rough Green Snake		SSC	G5	S3
Bird					
Ammodramus henslowii	Henslow's Sparrow		SE	G4	S3B
Asio flammeus	Short-eared Owl		SE	G5	S2
Botaurus lentiginosus	American Bittern		SE	G4	S2B
Buteo lineatus	Red-shouldered Hawk		SSC	G5	S3
Circus cyaneus	Northern Harrier		SE	G5	S2
Dendroica cerulea	Cerulean Warbler		SE	G4	S3B
Haliaeetus leucocephalus	Bald Eagle	LT,PDL	SE	G5	S2
Helmitheros vermivorus	Worm-eating Warbler		SSC	G5	S3B
Ictinia mississippiensis	Mississippi Kite		SSC	G5	S1B
Ixobrychus exilis	Least Bittern		SE	G5	S3B
Lanius ludovicianus	Loggerhead Shrike	No Status	SE	G4	S3B
Nyctanassa violacea	Yellow-crowned Night-heron		SE	G5	S2B
Rallus limicola	Virginia Rail		SE	G5	S3B
Tyto alba	Barn Owl		SE	G5	S2
Mammal					
Lasiurus borealis	Eastern Red Bat		SSC	G5	S4
Lutra canadensis	Northern River Otter		SSC	G5	S2
Lynx rufus	Bobcat	No Status	SSC	G5	S1
Myotis sodalis	Indiana Bat or Social Myotis	LE	SE	G2	S1
Sylvilagus aquaticus	Swamp Rabbit		SE	G5	S1
Vascular Plant					
Bacopa rotundifolia	Roundleaf Water-hyssop		ST	G5	S1
Carex bushii	Bush's Sedge		ST	G4	S1
Carex socialis	Social Sedge		SR	G4	S2
Catalpa speciosa	Northern Catalpa		SR	G4?	S2
Clematis pitcheri	Pitcher Leather-flower		SR	G4G5	S2
Dicliptera brachiata	Wild Mudwort		SE	G5	S1
Didiplis diandra	Water-purslane		SE	G5	S2
Eleocharis wolfii	Wolf Spikerush		SR	G3G4	S2
Festuca paradoxa	Cluster Fescue		ST	G5	S1
Hypericum denticulatum	Coppery St. John's-wort		ST	G5	S2
Iresine rhizomatosa	Eastern Bloodleaf		SR	G5	S2
Nothoscordum bivalve	Crow-poison		SR	G4	S2

Indiana Natural Heritage Data Center
Division of Nature Preserves
Indiana Department of Natural Resources
This data is not the result of comprehensive county surveys.

Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting
State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list
GRANK: Global Heritage Rank: G1 = critically imperiled globally; G2 = imperiled globally; G3 = rare or uncommon globally; G4 = widespread and abundant globally but with long term concerns; G5 = widespread and abundant globally; G? = unranked; GX = extinct; Q = uncertain rank; T = taxonomic subunit rank
SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked

Indiana County Endangered, Threatened and Rare Species List

County: **Warrick**

Species Name	Common Name	FED	STATE	GRANK	SRANK
Orobanche riparia	Bottomland Broomrape		SE	G5	S2
Perideridia americana	Eastern Eulophus		SE	G4	S1
Poa wolfii	Wolf Bluegrass		SR	G4	S2
Rudbeckia fulgida var. fulgida	Orange Coneflower		WL	G5T4?	S2
Scutellaria parvula var. australis	Southern Skullcap		WL	G4T4?	S2
Stenanthium gramineum	Eastern Featherbells		ST	G4G5	S1
Styrax americanus	American Snowbell		WL	G5	S3
Taxodium distichum	Bald Cypress		ST	G5	S2
Thalictrum pubescens	Tall Meadowrue		ST	G5	S2
Trachelospermum difforme	Climbing Dogbane		SR	G4G5	S2
High Quality Natural Community					
Forest - flatwoods dry	Dry Flatwoods		SG	G2?	S2
Forest - floodplain wet	Wet Floodplain Forest		SG	G3?	S3
Forest - upland dry-mesic	Dry-mesic Upland Forest		SG	G4	S4
Other					
Freshwater Mussel Concentration Area	Mussel Bed		SG	G3	SNR

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Figure 3. 2005 aerial photograph showing the Parcels #6, #7, #9 and areas previously surveyed (Cantin 1994; Moffatt 2008c).



Figure 4. Parcel #9 showing the truck and other miscellaneous objects in project area.



Figure 5. Parcel #9 showing the pasture, view to southwest.

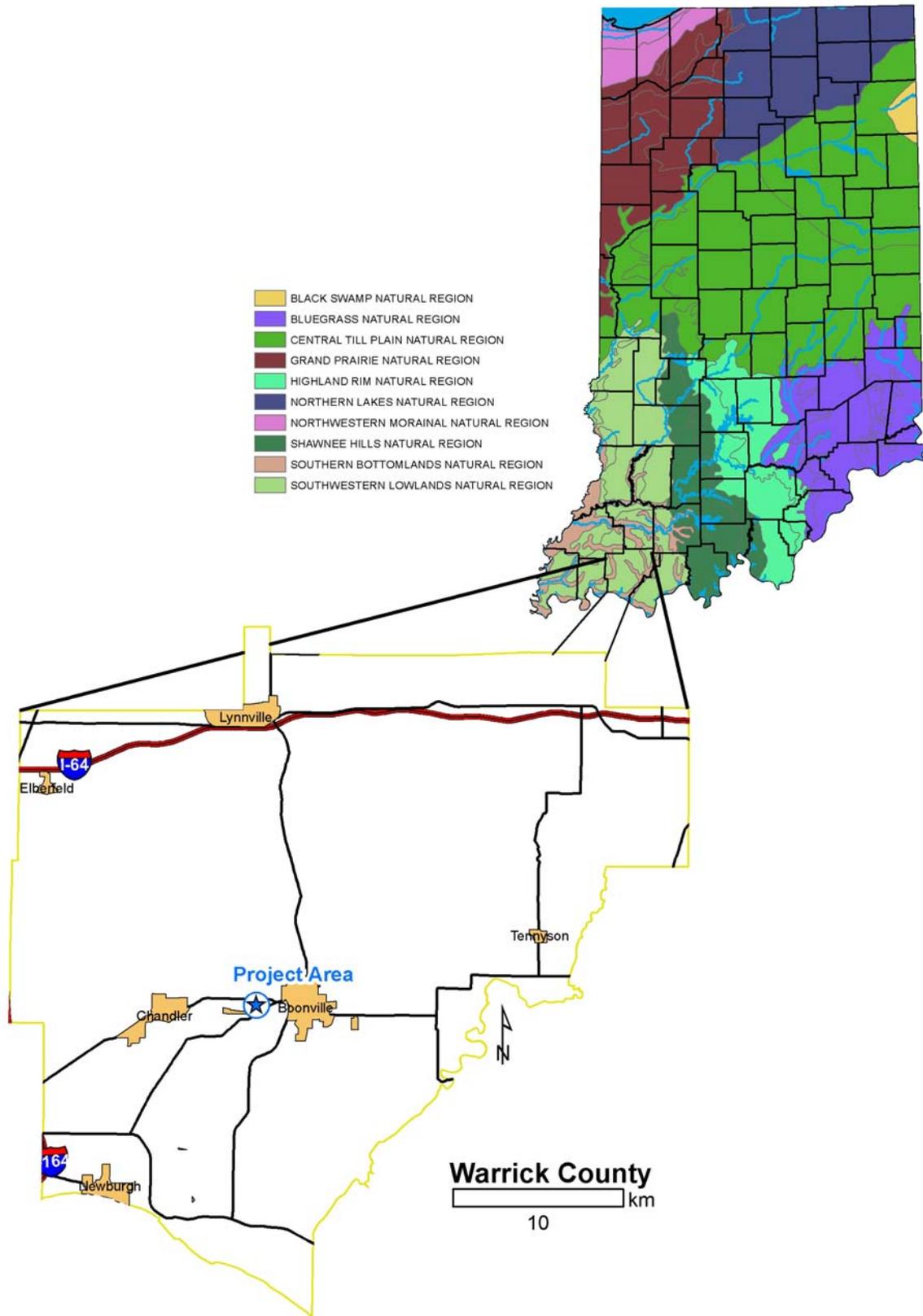


Figure 1. Location of the project area within Warrick County, Indiana



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.

Figure 2. A portion of USGS 7.5' Series Boonville Indiana topographic quadrangle showing the project area and the location of previous archaeological surveys.

Attachment 4

Letter of Concurrence from Indiana Department of
Natural Resources (IDNR)



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204-2216 (317) 232-5348
FAX: (317) 233-4929

Mitchell E. Daniels, Jr.,
Governor
Michael W. Reed, Commissioner

August 13, 2012

James A. Glass, Ph.D.
Director, Division of Historic Preservation and Archaeology
Indiana Department of Natural Resources
Deputy State Historic Preservation Officer
402 W. Washington Street, Room 274
Indianapolis, IN 46204

Re: The Disposal of INDOT Excess Parcel #144 along SR 62 (LA 3395) in Warrick County, Indiana.

Dear Dr. Glass

Indiana Department of Transportation, Cultural Resources Office (CRO) personnel who meet the Secretary of Interior's Professional Qualification Standards as per 36 CFR Part 61 completed a Phase Ia archaeological investigation for the above references project (Gould August 3, 2012). The archaeological records check found that no archaeological sites had been recorded within the excess parcel. The Archaeological reconnaissance found no cultural material. No additional archaeological investigation is recommended.

With regard to above-ground resources, no buildings are located on LA 3395 Excess Parcel 144. Nonetheless, the State and National Register of Historic Places lists for Warrick County were checked by an INDOT- CRO historian who meets the Secretary of the Interior's Professional Qualification Standards per 36 CFR Part 61. No properties on these lists are located on or adjacent to the parcel. The *Warrick County Interim Report* (1984) of the Indiana Historic Sites and Structures Inventory (IHSSI) was referenced (Boone Township). Additionally, the updated IHSSI entries for Warrick County (2010) in the State Historic Architectural and Archaeological Research Database (SHAARD) were checked. No properties are recorded on or adjacent to the parcel. The parcel is immediately surrounded by mid-late 20th century residences, late 20th century commercial development, and pasture land. INDOT does not think that the sale of this parcel is an activity that has the potential to cause effects on any above-ground resources eligible for or listed in the National Register.

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 Mr. David Moffatt of this section at (317)-233-3703.

Sincerely,

A handwritten signature in black ink that reads "Patrick Carpenter".

Patrick Carpenter
Cultural Resource Manager
INDOT Cultural Resources Office
Indiana Department of Transportation

PC/CDM/cdm

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



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



September 13, 2012

Patrick A. Carpenter
Manager
Cultural Resources Office
Environmental Services Division, Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

State Agency: Indiana Department of Transportation ("INDOT")

Re: Indiana archaeological short report (Lange, 8/10/12) regarding the disposal of INDOT excess parcels #6, #7, and #9 along SR 62 (LA 3384; DHPA No. 13829)

Dear Mr. Carpenter:

Pursuant to Indiana Code 14-21-1-14, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted a review of the materials submitted with your cover letter dated August 13, 2012, and received on August 14, 2012, for the aforementioned disposal of property within Boone Township, Warrick County, Indiana.

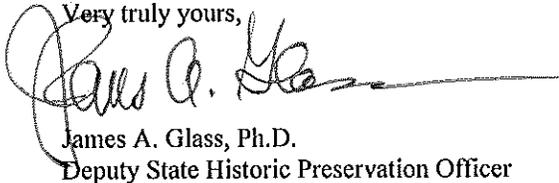
Based on our analysis, we concur with the archaeological report, and no currently known archaeological sites listed in or eligible for inclusion in the National Register of Historic Places or the Indiana Register of Historic Sites and Structures exist within the named parcels.

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 the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

In regard to buildings and structures, we do not believe that any above-ground properties listed in or eligible for inclusion in the National Register of Historic Places or the Indiana Register of Historic Sites and Structures exist within the named parcels.

If you have questions about archaeological issues, please contact Wade Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures, please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. In any future correspondence regarding this project, please refer to DHPA No. 13829.

Very truly yours,



James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:CWS:WTT:wt

emc: Patrick A. Carpenter, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
David Moffatt, Indiana Department of Transportation
Melany Prather, Indiana Department of Transportation

