



Chapter 6: Mitigation

6.1 Relocation Assistance

All acquisitions and relocations required by this project will be completed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, 49 CFR (Code of Federal Regulations) 24, and Title VI of the Civil Rights Act of 1968. No person displaced by this project will be required to move from a displaced dwelling unless comparable replacement housing is available to that person. INDOT will take required actions to ensure fair and equitable treatment of persons displaced as a result of this project up to and including providing replacement housing of last resort as defined in 49 CFR 24.404. Relocation resources for this project are available to residential and business relocatees without discrimination. Advisory services will be made available to farms and businesses, with the aim of minimizing the economic harm to those businesses and farm establishments.

There are no unique relocation situations that are known at this time. If a displaced resident cannot be relocated due to the unavailability of comparable housing, or because comparable housing is not available within the statutory limit of the Uniform Relocation Act, then housing of last resort will be made available to these persons. Last resort housing includes, but is not limited to, rental assistance, additions to existing replacement dwellings, construction of new dwellings and dwelling relocation. Replacement dwellings must meet the requirements of decent, safe, and sanitary standards as established by FHWA.

Relocation resources would be available to all residential relocatees without regard to race, creed, color, sex, national origin, or economic status, as required by the Uniform Act and Title VI of The Civil Rights Act of 1964. Financial assistance will be available to eligible persons displaced by this project. Payments received are not considered as income under the provisions of the Internal Revenue Code of 1954; or for the purposes of determining any person’s eligibility, or the extent of eligibility, for assistance under the Social Security Act or any other federal law.

The single-family homes to be acquired by Preferred Alternative G-Es represent a wide range of values. The following information was taken from multiple listing services and local publications to determine the availability of replacement housing in the St. Joseph and Marshall County area. Generally, about 60% of the homes on the market have 3 or more bedrooms. It appears that there is sufficient available housing to accommodate the expected number of relocations. Alternative G-Es is projected to require approximately 124 single-family homes. Tables 6.1.1 and 6.1.2 show the available housing in the project area during the fall of 2003 and again in the winter of 2005.

Table 6.1.1 Available Residential Housing Units (Fall 2003)*			
Price Range of Available Housing Units	Marshall County	St. Joseph County	Southern St. Joseph County**
\$0 - \$50,000	13	239	5
\$50,000 – 100,000	102	555	28
\$100,000 – 150,000	91	246	22
\$150,000 – 200,000	33	167	11



Table 6.1.1 Available Residential Housing Units (Fall 2003)* (Continued)			
Price Range of Available Housing Units	Marshall County	St. Joseph County	Southern St. Joseph County**
\$200,000 – 250,000	14	94	14
\$250,000 +	18	161	19
Total	271	1462	99

** Includes Madison, Union, Liberty, Lincoln, Centre and Greene Townships

• Source: St. Joseph-Elkhart Board of Realtors and North Central Indiana Association of Realtors.

Table 6.1.2 Available Residential Housing Units (Winter 2005)*			
Price Range of Available Housing Units	Northern Marshall County	St. Joseph County	Southern St. Joseph County**
\$0 - \$50,000	4	197	105
\$50,000 – 100,000	43	568	214
\$100,000 – 150,000	40	253	54
\$150,000 – 200,000	18	139	14
\$200,000 – 250,000	7	54	10
\$250,000 +	13	150	32
Total	125	1361	429

** Includes Madison, Union, Liberty, Lincoln, Centre and Greene Townships, and SE and SW South Bend

• Source: St. Joseph-Elkhart Board of Realtors and North Central Indiana Association of Realtors.

The availability of residential building lots was also evaluated in southern St. Joseph County and northern Marshall County. In February 2005, there were a total of 247 residential lots for sale in St. Joseph County ranging in price from \$2,400 to \$187,500. The majority of residential lots were priced under \$50,000. In Marshall County there were 37 residential lots for sale under \$50,000 and 23 lots available with a price over \$50,000.

The availability of farm acreage is difficult to ascertain because many farms trade hands without coming on the real estate market. In February 2005 there were 15 farms (some with residences and outbuildings) available in southern St. Joseph and northern Marshall Counties. The size of the available farm parcels ranged from 20 to 153 acres. Prices ranged from \$69,900 to \$519,500.

The mitigation of negative social impacts can be accomplished in the same way as relocation impacts are mitigated. Where reasonable, impacts to neighborhoods and subdivisions can be reduced through the use of frontage and access roads to maintain access to specific properties that are impacted by US 31 construction. Rights-of-way will be minimized, where reasonable, in urbanized areas.

The availability of commercial real estate is most prevalent in the South Bend area at the north end of the corridor. In general there appears to be adequate availability of commercial property available. Commercial properties are most heavily affected by Preferred Alternative G-Es because it utilizes a section of existing US 31 north of Kern Road. It is expected that there will be some small uneconomic remnant commercial parcels adjacent to the new US



31 frontage roads following right-of-way acquisition for the new facility. These parcels may be combined and allow opportunities for some relocated businesses to rebuild in the same general vicinity.

Benefits would be made available for all commercial properties displaced by this project in accordance with 42 USC 4601-4655, 49 CFR Part 24, Title VI of the Civil Rights Act of 1964, and IC 8-23-17. Mitigation measures for displaced businesses include moving expenses, compensation for direct loss of tangible property, and replacement property search. The following table 6.1.3, shows the availability of commercial property in St. Joseph and Marshall County in the fall of 2003:

Table 6.1.3 Availability of Commercial Property				
Price Range and County	Commercial or Retail with Building	Industrial or Manufacturing With Building	Commercial or Retail Parcel	Industrial Parcel
St. Joseph County:				
\$0 – 100,000	3		1	3
\$100,000 – 300,000	21	8	27	13
\$300,000 – 500,000	8	4	9	4
\$500,000 – 1,000,000	5	7	10	3
\$1,000,000 – 2,000,000	2	4	4	
\$2,000,000+	4	3	2	2
Marshall County:				
\$0 – 100,000	2	1	1	
\$100,000 – 300,000	6	3	3	2
\$300,000 – 500,000	3		1	
\$500,000 – 1,000,000	2			

- Source: St. Joseph-Elkhart Board of Realtors and North Central Indiana Association of Realtors.

Due to the high number of business relocations in the northern part of the corridor, an additional evaluation was completed to determine the availability of commercial and industrial sites in St. Joseph County during February of 2005. The availability of business replacement sites is sometimes difficult to pinpoint since not all available sites are advertised. The market can be expected to fluctuate over time, but it appears that the South Bend region has a very active market with a good volume of sales and leasing activities. The actual right-of-way acquisition stage for this project will take place over an extended period of time, thus allowing for natural fluctuations in the real estate market. Relocation assistance advisory services will be available to all nonresidential displacements. The Uniform Relocation Assistance and Real Property Acquisition Policies Act allows for the identification and resolution of the unique problems that a business encounters when displaced.



Table 6.1.4 Availability of Commercial Property (Winter 2005)			
Price Range and County	Commercial Office or Retail with Building	Industrial or Manufacturing With Building	Commercial Industrial or Retail Parcel
St. Joseph County:			
\$0 – 100,000	29	3	4
\$100,000 – 300,000	34	5	8
\$300,000 – 500,000	16	6	6
\$500,000 – 1,000,000	0	6	5
\$1,000,000 – 2,000,000	0	0	3
\$2,000,000+	1	0	2

- Source: St. Joseph-Elkhart Board of Realtors and North Central Indiana Association of Realtors.