MEMORANDUM OF AGREEMENT
AMONG THE CITY OF CHICAGO
AND THE
ILLINOIS STATE HISTORIC PRESERVATION OFFICER
REGARDING THE
DEMOLITION OF A BUILDING
LOCATED AT 10454-56 SOUTH MARYLAND AVENUE
IN THE PULLMAN HISTORIC DISTRICT,
CHICAGO, COOK COUNTY, ILLINOIS

WHEREAS the City of Chicago ("CITY") plans to use Community Development Block Grant Funds to demolish a building at 10454-56 S. Maryland Avenue, Chicago, Illinois (the "Building"), that have been deemed dangerous and hazardous by the CITY; and

WHEREAS the undertaking consists of demolition of a contributing building within the Pullman National Historic Landmark Historic District; and

WHEREAS, the CITY has defined the undertaking's area of potential effect (APE) as the area of land containing the Building; and

WHEREAS, the CITY has determined that the undertaking will have an adverse effect and has consulted with the Illinois State Historic Preservation Officer ("SHPO") pursuant to 36 C.F.R. part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and

WHEREAS, no other properties of historic, architectural or archaeological significance exist within the project area, nor are human remains likely to be encountered; and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), the CITY has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, the CITY and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The CITY shall ensure that the following measures are carried out:

1. The Building shall be documented in accordance with the Illinois Historic American Buildings Survey Standards (IL HABS).

2. Level III documentation as determined in consultation between the CITY and SHPO shall be prepared by the CITY.
3. Digital photography of the Building, to include the building site, exterior elevations, and any distinctive exterior architectural features, shall be recorded as TIFF files on a CD-R Archival Gold compact disc, following National Register photography requirements.
4. A concise written historic narrative of the Pullman Historic District, accompanied by a written architectural description of the Building using the IL HABS designated outline format, shall be completed.
5. Historic Preservation Division staff, Department of Housing and Economic Development (HED) will perform the work on behalf of the CITY, in accordance with IL HABS Standards and guidelines as determined in consultation with the SHPO.
6. The Illinois Historic Preservation Agency (IHPA), acting on behalf of the SHPO, will review the draft photos and field notes and accept or reject documentation, and the CITY will deliver one final original and one copy of the documentation on computer disc to IHPA and a local repository if so requested.
7. Upon IHPA's written acceptance of the draft IL HABS documentation, the City may commence demolition activities to the Building.

IV. DURATION

This MOA will be null and void if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, the CITY may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VII below.

V. DISPUTE RESOLUTION

Should the SHPO or the CITY object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the SHPO and the CITY shall consult with each other to resolve the objection. If the CITY determines that such objection cannot be resolved, the CITY will:

A. Forward all documentation relevant to the dispute, including the CITY's proposed resolution, to the ACHP. The ACHP shall provide the CITY with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the CITY shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The CITY will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the CITY may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the CITY shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a

copy of such written response.

C. The CITY'S responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VI., above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, [the CITY?]must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. The CITY shall notify the SHPO as to the course of action it will pursue.

Execution of this MOA by the CITY and SHPO and implementation of its terms will constitute evidence that the CITY has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

May 1, 2012 Date

Anne Ekhardt
Illinois State Historic Preservation Officer
Illinois Historic Preservation Agency
State of Illinois

5.1.12 Date

Andrew J. Mooney
Commissioner,
Department of Housing and Economic Development
City of Chicago