

**MEMORANDUM OF AGREEMENT AMONG
ALGONQUIN PUBLIC LIBRARY DISTRICT, THE ILLINOIS DEPARTMENT OF
COMMERCE AND ECONOMIC OPPORTUNITY,
AND THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER
REGARDING EXTERIOR RENOVATION AND THE ADDITION OF AN EXTERIOR PATIO
AT 115 EASTGATE DRIVE IN ALGONQUIN, ILLINOIS
(SHPO LOG #010041124)**

WHEREAS, the Algonquin Area Public Library District (Owner) plans to undertake exterior renovation and the addition of an exterior patio (Undertaking) at 115 Eastgate Drive in Algonquin, IL (Building); and

WHEREAS, the project requires funding from the Illinois Department of Commerce and Economic Opportunity (Agency), thereby making the project (DCEO Project #SR240031) an Undertaking subject to review under the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420) and its implementing rules (17 IAC 4180) (Act); and

WHEREAS, the Owner has consulted with the Illinois State Historic Preservation Office (SHPO), a Division of the Illinois Department of Natural Resources (IDNR), pursuant to the Act; and

WHEREAS, the SHPO currently resides within IDNR (Office), and the Director of IDNR is the duly designated State Historic Preservation Officer (Officer); and

WHEREAS, on April 19, 2024, the Officer determined that the Building is eligible to be listed on the National Register of Historic Places (NRHP) under Criterion C, for Architecture, with a local level of significance; and

WHEREAS, the Officer has determined that the Undertaking will have an adverse effect on the Building that is eligible for the NRHP due to 1) alterations to the primary west elevation with the introduction of new and large window openings and replacement of the original signage lettering; and 2) replacement of the partial-height, angled storefront/window system at the north wall, adjacent to the entrance, with a full-height storefront.

NOW, THEREFORE, the Owner, the Agency, and the Officer agree that the Undertaking shall be implemented in accordance with the following stipulations in this Memorandum of Agreement (Agreement) in order to mitigate the adverse effects of this Undertaking to the NRHP-eligible property (see Attachment A).

STIPULATIONS

I. MITIGATION

The Owner shall honor the history and original design of the Building by carrying out the following actions:

- A. Retain the original windows on the south end of the primary west elevation and repeat the grid pattern from the original windows in the additional same-sized windows on the west

elevation of the building using similar materials in order to recognize and retain the original design.

B. Create a historical acknowledgement wall in the stairwell of the Building to include the items listed below:

1. Salvage and reuse original letters from the signs that identify the "Library" and "Algonquin Area Public Library District" to display the acronym for the Algonquin Area Public Library District (AAPLD).
2. Create a new metal plaque noting the significant renovation completed in 2024 with an acknowledgement of the historical architectural significance of the Building and funding from the Agency to perform the project.
3. Display historical photographs of the original building, procured from the Algonquin Historic Commission or the Owner's photographic collection of the existing design of the Building.
4. Offer meeting space at the Building to the historical preservation community for meetings and/or educational programs about history, preservation, or tax incentives programs.
5. Submit historical photographs documenting the original Building to the Algonquin Historic Commission to be included in their collection.

C. Once the Agreement is ratified, the Undertaking may proceed.

II. DURATION

This Agreement shall be effective until such time as all of its terms are satisfied or it is amended or terminated and replaced. Prior to such time, the Owner may consult with the other signatories to reconsider the terms of the Agreement and amend it in accordance with Stipulation VI AMENDMENTS below. The Owner shall notify the signatories as to the course of action it will pursue.

III. POST-REVIEW ENCOUNTERS

If potential historic properties are encountered or unanticipated effects on historic properties found, the Owner shall consult with the Officer immediately and make reasonable efforts to avoid, minimize, or mitigate adverse effects to such properties. In the event of an unanticipated encounter of human remains or burials, the Owner understands and agrees that it must immediately stop work within the area of encounter, consult with the Officer, and comply with the Human Remains Protection Act (20 ILCS 3440) and its implementing rules (17 IAC 4170) as administered by IDNR, which provides that no human remains shall be disturbed without a permit issued by IDNR.

IV. MONITORING AND REPORTING

Each year following the execution of this Agreement until it expires or is terminated, Owner shall provide all parties to this Agreement a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in Owner's efforts to carry out the terms of this Agreement.

V. DISPUTE RESOLUTION

Should any signatory to this Agreement object at any time to any actions proposed or the manner in

which the terms of this Agreement are implemented, the Owner shall consult with the signatories to resolve the objection. If the signatories cannot agree regarding a dispute, the signatories shall utilize the procedures provided in 20 ILCS 3420/4e.

- A. The Owner's responsibility to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This Agreement 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 is signed by all of the signatories.

VII. TERMINATION

If any signatory to this Agreement determines that its terms become impossible to carry out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulations V and VI above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the Agreement upon written notification to the other signatories.

VIII. COUNTERPARTS; FACSIMILE OR .PDF SIGNATURES

This Agreement may be executed in counterparts, each of which shall be considered an original and together shall be one and the same Agreement. A facsimile or .pdf copy of this Agreement and any signatures thereon will be considered for all purposes as an original.


EXECUTION of this Agreement by signatories, and the implementation of its terms evidence that the signatories have afforded the Officer an opportunity to comment on the effects of the Undertaking in compliance with the Act.

[Signature Pages to follow]

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AT 115 EASTGATE DRIVE IN ALGONQUIN, ILLINOIS
(SHPO LOG #010041124)**

SIGNATORY

ALGONQUIN AREA PUBLIC LIBRARY DISTRICT (OWNER)

Signature:  Date: 7/17/24
(approved by Board on 6/26/24)

Name: Lindsay Taylor

Title: President, Board of Trustees

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SIGNATORY

ILLINOIS DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY (AGENCY)

Signature:  By 
Garrett C. Carter
General Counsel Date: 8/12/2024

Name: Kristin A. Richards

Title: Director

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SIGNATORY

ILLINOIS DEPUTY STATE HISTORIC PRESERVATION OFFICER (OFFICER)

By: Carey L. Mayer Date: 8/8/2024
Carey L. Mayer, AIA
Deputy State Historic Preservation Officer
Illinois Department of Natural Resources