

**MEMORANDUM OF AGREEMENT BETWEEN
THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS,
AND THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER
CONCERNING THE SALE OR DEMOLITION OF COLONEL WOLFE SCHOOL LOCATED
AT 403 E. HEALEY STREET, CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS**

WHEREAS, the Board of Trustees of the University of Illinois at Urbana-Champaign (UIUC) intends to undertake the sale or demolition Colonel Wolfe School (UIUC Building #0167) in Champaign, Champaign County, Illinois; and

WHEREAS, both the sale or demolition of UIUC Building #0167 are considered an Undertaking pursuant to Section 3 of the Illinois State Agency Historic Resources Preservation Act ("Act"), 20 ILCS 3420/3; and

WHEREAS, as used herein, the term State Historic Preservation Officer ("SHPO") means the official appointed or designated pursuant to section 101(b)(1) of the NHPA, as amended (54 U.S. Code § 302301(1)), to administer the State historic preservation program or a representative designated to act for the State historic preservation officer (see 36 CFR § 800.16(v)); and

WHEREAS, the Illinois State Historic Preservation Office presently resides within the Illinois Department of Natural Resources ("IDNR"), and the Director of IDNR, Colleen Callahan, is the duly designated SHPO; and

WHEREAS, UIUC, pursuant to Section 4(c) of the Act, 20 ILCS 3420/4(c), consulted with the Illinois SHPO to determine if the Undertaking would adversely affect the UIUC Building #0167, and

WHEREAS, UIUC will first solicit the sale of UIUC Building #0167 subject to a recorded protective covenant that requires subsequent property owners to comply with historic preservation restrictions and requirements described in the covenant in order that an adverse effect would not be created by the sale of UIUC Building #0167 ("Sale"), and

WHEREAS, UIUC and SHPO mutually acknowledge and agree that should UIUC, in its sole determination, not be able to sell UIUC Building #0167 with a protective covenant as described above, the SHPO has determined the proposed Sale will adversely affect the UIUC Building #0167, which UIUC has determined, with SHPO's concurrence, to be eligible for listing on the National Register of Historic Places. If UIUC cannot sell UIUC Building #0617 with a protective covenant, UIUC will demolish it ("Demolition"). SHPO has determined that the Demolition will adversely affect the UIUC Building #0167.

WHEREAS, no other historic properties will be affected by the Sale or Demolition; and

WHEREAS, all parties mutually agree that should UIUC not be able to sell UIUC Building #0167 with a protective covenant, there is no other prudent or feasible alternative to eliminate or minimize the adverse effect of the Undertaking as originally proposed; and

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NOW, THEREFORE, all parties agree that the following measures shall be implemented to mitigate the adverse effect of this Sale, if done without the protective convent, or Demolition.

STIPULATIONS

I. MITIGATION FOR ADVERSE EFFECTS

UIUC shall retain a historical contractor(s) of its choice (Contractor) who meets the Secretary of the Interior's Qualifications (36 CFR Part 61, https://www.nps.gov/history/local-law/arch_stnds_9.htm) to complete the measures described below. Prior to the completion of the Undertaking or expiration of the Agreement, UIUC will ensure that the following Historic American Building Survey (HABS recordation (see: <https://www.nps.gov/hdp/standards/index.htm>) is completed by the Contractor. The Contractor must consult with the SHPO prior to the initiation of the work to ensure that expectations are understood.

A. Recordation

1. Fieldwork: Site Visit, Photography, Measurements

- a. The Contractor shall take site, interior, exterior, and detail digital images of the Buildings. These photos should be used for reference in developing the architectural description outlined in I.A.2.d. Field notes/sketches should be used to create the digital sketch plans outlined in I.A.2.a.
- b. The Contractor shall submit draft digital images of the same or very similar views that are proposed for HABS photography to the SHPO for comment. Selection of view and quantity of images shall be done in consultation with the SHPO. Images must include site, elevations, distinctive exterior and interior architectural features, primary interior spaces, and representative non-primary interior spaces. Upon SHPO concurrence in writing of the selected draft views, the Contractor may proceed with taking the final HABS photography as outlined in I.A.1.c.
- c. Final HABS photographs must be taken by a professional photographer and must include all the views agreed to in I.A.1.b.

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Photographs must be taken with a large-format film camera using 4" x 5" or larger black-and-white negatives, processed according to HABS guidelines, with in-camera perspective correction (as needed).

- d. Upon completion of I.A.1.a, b, and c, the Contractor shall digitally submit the images and copies of field notes to the SHPO for review and comment. Upon SHPO confirmation in writing that all of the information necessary to complete HABS recordation has been collected, the demolition of the Building may commence.
2. Recordation components shall consist of the following items.
- a. Sketch plans/elevations, as defined by HABS and digitally drawn, of the Building in current condition printed drawing-size on archival acid-free stable sheets with either a large-format inkjet printer using a HABS-designated ink set or with a large-format laser printer (i.e., photocopier).
 - b. HABS photographs. Prints from the negatives taken in I.A.1.c must be either wet processed on regular (not resin-coated) photo paper or inkjet-printed, according to HABS guidelines. The size of the final prints shall be the size of the negatives, and their mounting and labeling shall be done in accordance with guidance provided by the NPS. Final recordation package must contain the photo prints, original negatives, and a contact sheet, per HABS standards.
 - c. Archival digital photography. This set of labeled photos are those taken as a part of the reconnaissance and agreed to as stated in I.A.1.a. They should be printed as directed by HABS staff.
 - d. Narrative and description. A written historic narrative and an architectural description of the Building using HABS-designated outline format printed single sided on regular-weight, archival (non-recycled, with 25% cotton fiber content) bond paper.

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- e. Original and/or historic drawings. Any original and/or historic drawings of the Buildings scanned at a minimum of 400 dpi, dropped full-size onto HABS title blocks, and printed on vellum with either a large-format inkjet printer using a HABS-designated ink set or with a large-format laser printer (i.e., photocopier). The Contractor must consult with the SHPO to determine which extant plans warrant scanning and inclusion in the recordation package.
 - f. Original field notes, if applicable (i.e., field sketches, laser-scan info, photogrammetric data info.)
 - g. Historic images and maps. Photographic copies of illustrative historic images and maps must be scanned, and printed, and labeled according to HABS guidelines. The Contractor must consult with the SHPO to determine which historic images and maps warrant inclusion in the recordation package.
 - h. CD/DVD. Digital versions of items I.A.2.a through I.A.2.g must be saved onto an archival CD/DVD.
3. Draft submission. The Contractor shall email in pdf format and mail a hardcopy of the 95% draft of the items in I.A.2.a through g to the SHPO for review and comment. When the SHPO accepts in writing the 95% draft submission, the Contractor shall incorporate into the recordation any comments that the SHPO provides and complete the final documentation as directed in I.A.4.
4. Final submission. Upon completion of the final documentation, the Contractor shall submit the following to the SHPO:
- a. One (1) HABS recordation package containing items I.A.2.a, b, c, d, e, f, g, and h.
 - b. One (1) recordation package containing items I.A.2.a, c, d, e, g, and h in an archival clamshell.

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Upon final approval, the SHPO will submit the HABS recordation package to the Heritage Documentation Programs in the National Park Service for eventual deposit in the Library of Congress, and the SHPO will deposit the recordation package with the Abraham Lincoln Presidential Library in Springfield, Illinois.

- II. DISCOVERY OF HUMAN REMAINS.** In the event of an unanticipated discovery of human remains or burials, UIUC understands and agrees it must immediately stop work within the area of discovery, notify the SHPO, and comply with the Human Skeletal Remains Protection Act (20 ILCS 3440) as administered by the SHPO, which provides that no human skeletal remains shall be disturbed without a permit issued by the SHPO.
- III. MODIFICATION, AMENDMENT, OR TERMINATION.** Modification, amendment, or termination of this agreement as necessary shall be accomplished by the signatories in the same manner as the original agreement.
- IV. DISPUTES.** Disputes regarding the completion of the terms of this Agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, either one of the signatories may request the participation of the Mediation Committee as per the Act.
- V. DURATION OF AGREEMENT.** This Agreement shall remain in effect until the earlier of the date of the sale with a protective covenant as described above or the demolition of UIUC Building #0167 or the end of a thirty-six (36) month period from the date the last signatory executes the Agreement.
- VI. EXECUTION** of this Agreement by UIUC and SHPO and implementation of its terms shall constitute evidence that UIUC has afforded SHPO an opportunity to comment on the proposed Sale or Demolition, has taken into account the effect of this Sale or Demolition on historic properties and satisfied its compliance responsibilities in accordance with the Act. The undersigned represent and certify that they are authorized to execute this Memorandum of Agreement on behalf of their respective parties and that all requisite action has been taken to grant such authorization.

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SIGNATORIES

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS

 _____ Date 8/16/2020

Avijit Ghosh, Ph.D., Vice President and
Chief Financial Officer/Comptroller

Approved:

 _____ Date 08/13/2020
Robert Jones (Aug 13, 2020 12:13 EDT)

Robert J. Jones, Ph.D., Vice President and Chancellor

 _____ Date 08/12/2020
Mohamed Attalla (Aug 12, 2020 16:20 CDT)

Mohamed Attalla, Ph.D., MBA, P.Eng, Executive Director, Facilities & Services

Approved as to form and content:

 _____ Date 8/12/2020

Office of the University Counsel

Name: Benjamin C. Ford

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ILLINOIS DEPUTY STATE HISTORIC PRESERVATION OFFICER

Approved for Execution, IDNR Legal Counsel

_____ Date _____

 _____ Date 7/9/20

Bob Appleman, Illinois Deputy State Historic Preservation Officer
Illinois Department of Natural Resources