

**AMENDMENT #1
TO THE MEMORANDUM OF AGREEMENT
AMONG THE FEDERAL TRANSIT ADMINISTRATION,
CHICAGO TRANSIT AUTHORITY,
AND THE
ILLINOIS STATE HISTORIC PRESERVATION OFFICER
REGARDING THE WILSON TRANSFER STATION
CITY OF CHICAGO, COOK COUNTY, ILLINOIS
SHPO LOG #007072211**

WHEREAS, the Federal Transit Administration (FTA), the Illinois State Historic Preservation Office in the Illinois Historic Preservation Agency, and the Chicago Transit Authority (CTA) entered into a Memorandum of Agreement for the Wilson Transfer Station executed on June 10, 2014 (the "Agreement"); and

WHEREAS, in accordance with 36 C.F.R. § 800.6(c)(5) Duration, Stipulation II of the Agreement provides for reconsideration of the terms if the undertaking has not been implemented within a specified time; and

WHEREAS, the CTA's Wilson Transfer Station Project has advanced through construction, but has not yet completed tenant fit-out in accordance with the *Secretary of the Interior Standards for the Treatment of Historic Properties*, as required in Stipulation I.1.G of the Agreement; and

WHEREAS, FTA and CTA shall now consider Stipulation I.2.B of the Agreement complete, as design did not exclude the future inclusion of community billboards and/or advertisements at the Majestic Building and no formal proposals for such items have been received as of the signing of this Amendment; and

WHEREAS, as of July 1, 2017, the Illinois State Historic Preservation Office resides within the Illinois Department of Natural Resources (IDNR), and the Director of IDNR is the duly designated Illinois State Historic Preservation Officer (SHPO); and

WHEREAS, the FTA, SHPO, and the CTA have been implementing the terms of the Agreement and agree that the duration of the Agreement should be extended in order to satisfy the FTA's Section 106 responsibilities to take into account the effects of the undertaking on historic properties and to allow the signatories adequate time to fully implement the terms of the Agreement consistent with the timeframes associated with the tenant fit-out; and

WHEREAS, the FTA will send a copy of this executed amendment to the ACHP.

NOW, THEREFORE, in accordance with Stipulation VI of the Agreement, the FTA, SHPO, and CTA agree to amend Stipulation II and Stipulation VII of the Agreement as follows:

1. Section II (Duration) of the Stipulations is deleted in its entirety and the following is inserted in lieu thereof:

II. DURATION

This Agreement will remain in effect until such time as the completion of the requirements of Stipulation I.1.G of this Agreement have been reported by the FTA and CTA, as required in Stipulation III and agreed to in writing by the SHPO. Prior to such time, FTA may consult with the

other signatories to reconsider the terms of the Agreement and amend it in accordance with Stipulation VI Amendments.

2. Section VII (Termination) of the Stipulations is deleted in its entirety and the following is inserted in lieu thereof:

VII. TERMINATION

If either the FTA, SHPO, or CTA determines that the terms of this MOA will not or cannot be carried out, then the party making such determination will provide the other party with written notice of the same (an email notice will suffice), and the parties will thereafter immediately consult each other to develop an amendment per Stipulation VI, above. If an amendment cannot be reached within thirty (30) days of the date of the written notice (and the parties have not agreed in writing to extend the time to reach an agreement about the amendment), then any signatory may terminate the MOA upon written notification to the other signatories. If the MOA is terminated, then all obligations of the Undertaking will terminate. If any party desires the continuation of any obligations of the Undertaking, then a new MOA will be entered into by all relevant parties.


Except as set forth herein, all other terms and conditions of the MOA shall remain in full force and effect.

[Signatory pages to follow]

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SIGNATORY

FEDERAL TRANSIT ADMINISTRATION (FTA)

By:  Date: November 29, 2019
Kelley Brookins, Regional Administrator, Region V
Federal Transit Administration

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SIGNATORY

ILLINOIS STATE HISTORIC PRESERVATION OFFICER (SHPO)

By: Colleen Callahan Date: 12-2-19
Colleen Callahan, Director and State Historic Preservation Officer
Illinois Department of Natural Resources

APPROVED FOR EXECUTION

Date: 11/20/2019
Legal Counsel: [Signature]

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SIGNATORY

CHICAGO TRANSIT AUTHORITY (CTA)

By: 

Date: 12-10-19

Dorval R. Carter, Jr., President
Chicago Transit Authority