

038-4222

# Advisory Council On Historic Preservation

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The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004

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## MEMORANDUM OF AGREEMENT BUTZOW BRIDGE COUNTY HIGHWAY 35 IROQUOIS COUNTY, ILLINOIS

WHEREAS, the Federal Highway Administration (FHWA), U.S. Department of Transportation has determined that assisting the Illinois Department of Transportation (IDOT) in approving plans by Iroquois County, Illinois (COUNTY), for the replacement of the Butzow Bridge (BRIDGE) carrying County Highway 35 over Spring Creek in Iroquois County, Illinois will have an adverse effect upon the BRIDGE, a property eligible for inclusion in the National Register of Historic Places (NRHP), and had consulted with the Illinois State Historic Preservation Office (SHPO) pursuant to the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f);

WHEREAS, the Illinois Department of Transportation (IDOT) and Iroquois County (COUNTY) participated in consultation and have been invited to concur in this Memorandum of Agreement;

NOW THEREFORE, the COUNTY, the IDOT, the FHWA, and the Illinois SHPO agree that if the Advisory Council on Historic Preservation (COUNCIL) accepts this Memorandum of Agreement in accordance with 36 CFR Section 800.6(a)(1)(i), the undertaking shall be implemented in accordance with the following stipulations to take into account the effect of the undertaking on historic properties.

### Stipulations

FHWA will ensure that the following measures are carried out.

1. The BRIDGE will be replaced with a new structure as developed in the plans prepared by the COUNTY and approved by the IDOT.
2. Prior to the beginning of construction activities, the COUNTY shall submit through the IDOT to the National Park Service (NPS) such documentation to the standards of the Historic American Engineering Record as the NPS requests. Upon acceptance of the documentation by the NPS, and prior to construction the FHWA shall notify the COUNCIL and the SHPO of the NPS acceptance.

3. The SHPO shall provide the FHWA with a list of the names and addresses of the appropriate local and state archives to receive copies of the final documentation reports to be prepared for compliance with Stipulation 2.
4. The IDOT shall locate an analogous bridge in Illinois and list it on the Illinois Historic Bridge Survey in place of the BRIDGE.
5. The COUNTY shall market the BRIDGE in accordance with the provisions of the Section 123(f)(4) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.
6. In consultation with the SHPO, the County shall develop a marketing plan for the BRIDGE which shall include the following elements:
  - a. An information package about the property, including but not limited to:
    - photographs of the property;
    - a parcel map;
    - information on the property's historic significance;
    - information on the property's cost; information on monetary assistance up to the estimated cost of demolition available for the bridge's relocation and rehabilitation;
    - notification that the purchaser will be required to maintain the property in accordance with the recommended approaches in the Secretary of Interior's Standards and Guidelines for rehabilitating Historic Buildings; and
    - notification of any requirement for inclusion of a restrictive covenant in the transfer document.
  - b. A distribution list of potential purchasers.
  - c. An advertising plan and schedule.
  - d. A schedule for receiving and reviewing offers.

Upon the SHPO's agreement with the marketing plan, the COUNTY shall implement the plan.

7. The COUNTY shall review all offers in consultation with the Illinois SHPO prior to acceptance. If there is no acceptable offer that will conform to rehabilitation and maintenance requirements, the COUNTY, with the approval of the SHPO, may transfer the Butzow Bridge without preservation restrictions. In that event, the property shall be recorded prior to transfer in accordance with stipulation 2.

Execution of the Memorandum of Agreement by FHWA and the Illinois SHPO, its subsequent acceptance by the Council, and the implementation of its terms, demonstrate that FHWA has afforded the COUNCIL an opportunity to comment on this undertaking and its effects on historic properties, and that FHWA has taken into account the effects of the undertaking on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

BY: Dean G. Mentges Date 12/20/94

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

BY: Chris E. Hoot Date 1/26/95

Concur:

ILLINOIS DEPARTMENT OF TRANSPORTATION

BY: Ralph E. Dalton Date 12/27/94

IROQUOIS COUNTY

BY: John C. Lunn Date 12/29/94

ACCEPTED for the Advisory Council on Historic Preservation

BY: Robert D. Bush Date 12/29/94