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Preservation Services

IHPA REVIEW

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MEMORANDUM OF AGREEMENT
BETWEEN THE
DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS
CHICAGO DISTRICT,
AND

ILLINOIS HISTORIC PRESERVATION AGENCY
FOR THE
NEWELL'S RESERVE PARCEL, LAKE FOREST, ILLINOIS
(199400692/RICHARD KENDLER COMPANY)

SUBMITTED TO THE
ADVISORY COUNCIL ON HISTORIC PRESERVATION

MAILED TO
ACHP ON 1 FEB 95

WHEREAS, the Department of the Army, Corps of Engineers, Chicago District (COE) has determined that granting a permit for the Richard Kendler Company's 77-acre residential subdivision at Lake Forest, Lake County, Illinois is an undertaking that will have an adverse effect on a property eligible for listing on the National Register of Historic Places and has consulted with the Illinois Historic Preservation Agency (IHPA) and Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations 36 CFR Part 800 "Protection of Historic Properties" and;

WHEREAS, Richard Kendler Company (developer) and Lake Forest Open Lands Association (LFOL) have participated in the consultation and have been invited to concur in this Memorandum of Agreement (MOA);

NOW, THEREFORE, COE and IHPA agree that the undertaking shall be implemented in accordance with the following stipulations to take into account the effect of the undertaking on this historic property.

STIPULATIONS

The COE shall condition any permit issued in connection with 199400692 to ensure that the following measures are carried out:

1. DEVELOPMENT PLAN

A. The developer shall develop Newell's Reserve (199400692) in accordance with a plan dated 19 May 1994.

2. HABS/HAER DOCUMENTATION

A. The developer shall document the project area (about 77 acres) in accordance with Historic American Buildings Survey/Historic American Engineering (HABS/HAER) standards within 180 calendar days of signing this MOA.

1) The level of documentation will be determined by the IHPA. The developer may award the recordation contract to a consultant of his choice, provided the consultant is qualified to perform the work and agrees to meet Illinois HABS/HAER standards.

2) The developer may proceed with work on lots and homes already under construction along the new extension of Lexington Drive as soon as this agreement is signed by all parties. However, the HABS/HAER documentation must be submitted to and accepted by the IHPA prior to any other alteration, demolition, or disposition of the property.

3) The developer shall also deposit a copy of the IHPA-approved documentation with the Lake County Historical Museum at Lakewood Forest Preserve in Wauconda, IL.

3. REHABILITATION

A. The developer shall rehabilitate two existing structures and fence at the main gate to the Reserve in accordance with "Secretary of the Interior's Standards for Rehabilitation" (Standards).

B. The developer shall plan and execute the landscape design for the two ponds on the reserve in consultation with the IHPA to ensure adherence to the aforementioned Standards.

C. The developer shall investigate the date of construction of the bridge over the Middle Fork of the North Branch of the Chicago River; the bridge shall be rehabilitated according to Standards. The existing easement and agreement bond (Appendix A) between the City of Lake Forest and LFOL stipulates that the developer shall rehabilitate the bridge at the developer's expense.

4. PRESERVATION COVENANT (AMENDMENT OF EASEMENT AND AGREEMENT BOND)

A. The LFOL shall endeavor to amend the existing easement and agreement bond ("AN EASEMENT AND AGREEMENT BY AND BETWEEN THE CITY OF LAKE FOREST, ILLINOIS, AND LAKE FOREST OPEN LANDS ASSOCIATION, RELATING TO THE RESTORATION, DEVELOPMENT, USE AND MANAGEMENT OF LOT 27 IN NEWELL'S RESERVE SUBDIVISION AND RELATED MATTERS", dated 15 September 1994 and attached as Appendix A) to incorporate the amendments attached as Appendix B. The amendments stipulate:

1) rehabilitation of two existing structures and fence at the main gate in accordance with Standards, and

2) future use of the LFOL property appropriate to its National Register significance

B. Any landscaping or other construction undertaken by LFOL shall be planned and executed in consultation with the IHPA to ensure adherence to Standards.

6. DISPUTE RESOLUTION

A. Should any signatory object within 30 days to plans, contracts, or any other actions provided for in this agreement,

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which this agreement is being implemented, consult with the objecting party to resolve the dispute. Within 15 working days, the COE determines that the dispute cannot be resolved, the COE shall forward all relevant information to the Council. Within 30 days of receipt of all pertinent documentation, the Council shall submit to the COE with recommendations that the COE will consider in making a final decision regarding the dispute. Any recommendation provided by the Council pursuant to this stipulation shall be understood to pertain only to the subject of the dispute; all responsibilities stipulated under the remainder of the MOA will be unchanged.

Execution of the Memorandum of Agreement and implementation of its terms demonstrate that the COE has afforded the Council a reasonable opportunity to comment on this proposed undertaking as it affects historic properties, and that the COE has taken into account the effects of its undertaking on historic properties.

CORPS OF ENGINEERS, CHICAGO DISTRICT

BY:

Robert E. Slockbower
Robert E. Slockbower, P.E.
Lieutenant Colonel, U.S. Army
District Engineer

Date:

25 Jan 95

ILLINOIS STATE HISTORIC PRESERVATION OFFICER:

BY:

James E. Hays

Date:

1-31-95

ACCEPT: Advisory Council on Historic Preservation

BY:

Robert D. Buck

Date:

3/3/95

CONCUR: Lake Forest Open Lands

BY:

R. D. Lef

Date:

1/27/95

CONCUR: Richard Kandler Company

BY:

Richard Kandler

Date:

1/27/95

199400692

NEWELL'S RESERVE PROJECT AREA

LAKE FOREST, LAKE COUNTY, ILLINOIS

