

MEMORANDUM OF AGREEMENT

SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

PURSUANT TO 36 CFR SECTION 800.6 (A)

WHEREAS, the Federal Highway Administration (FHWA) has determined that the replacement of Vigo County Bridge 139 over Sugar Creek will have an adverse effect on the existing bridge which is eligible for inclusion in the National Register of Historic Places based on its engineering significance at the local level, and has consulted with the Indiana State Historic Preservation Officer (Indiana SHPO) and Illinois Historic Preservation Officer (Illinois SHPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of National Historic Preservation Act (16 USC Section 470f); and "Protection of Historic and Cultural Properties"; and

WHEREAS, Indiana Department of Transportation (INDOT) and the Vigo County Commissioners participated in the consultation and have been invited to concur in this Memorandum of Agreement;

NOW, THEREFORE, FHWA, INDOT and the VIGO COUNTY BOARD OF COMMISSIONERS and the Indiana SHPO and Illinois SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect the undertaking on the historic bridge.

STIPULATIONS

FHWA will ensure that the following measures are carried out:

- 1) Bridge 139 will be offered for 30 days, in accordance with applicable Federal regulations, for relocation and salvage. In addition to agencies and organizations already contacted, the offer will be made to the public through notices in the *Indianapolis Star / News* and a widely circulated Vigo County Newspaper.
- 2) If there is one or more valid offer for the historic bridge, FHWA, INDOT, the Vigo County Board of Commissioners and the Indiana & Illinois SHPO's shall consult to ensure that the bridge shall be moved and preserved in accordance with acceptable procedures. Prior to the dismantling and relocation of the bridge, the FHWA shall through the INDOT, ensure that the bridge will be recorded according to Historic American Engineering Record (HAER) standards for bridges of Local significance.
- 3) If no bona fide agencies, groups, or individuals come forward during the 30 day advertising period, the bridge will be demolished. The FHWA shall, through INDOT, ensure that the bridge will be recorded according to HAER standards for bridges of Local significance.

- 4) The FHWA shall ensure that all documentation is completed and accepted by HAER prior to the demolition, and that copies of this documentation are also sent to the Indiana & Illinois SHPO's for transmittal to the Indiana State Archives and Illinois State Archives.

Execution of the Memorandum of Agreement by the FHWA, INDOT, Vigo County Board of Commissioners, the Indiana & Illinois SHPO's, its acceptance by the Council and the implementation of its terms evidence that the FHWA has afforded the Council a reasonable opportunity to comment on the bridge replacement and its effects on historic properties and that the FHWA has taken into account the effects of the undertaking on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: _____

INDIANA STATE HISTORIC PRESERVATION OFFICER

By: Patrick R. Katata Date: 2/13/95

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

By: Anne E. Host Date: 2/28/95
DSHPO

CONCUR:

VIGO COUNTY BOARD OF COMMISSIONERS

By: P. James Deely Date: 12-7-94

INDIANA DEPARTMENT OF TRANSPORTATION

By: Stanley Smith Date: 1/16/95

ACCEPTED FOR THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: Robert W. Beech Date: 5/23/90



U.S. Department
of Transportation
**Federal Highway
Administration**

Region 5
Indiana Division

RECEIVED
JUN - 6 1995
Preservation Services
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

May 31, 1995
HPO-IN

IHPA REVIEW

H/A _____
AC _____
AR _____
Fre _____ IDot

Ms. Anne Haaker
Illinois Historic Preservation Agency
Old State Capital Building
Springfield, IL 62701

Dear Ms. Haaker:

Subject: Indiana Project BRO-9984()
Vigo County Bridge 139
74th Place over Sugar Creek
Indiana/Illinois State Line
Memorandum of Agreement (MOA)

Enclosed is a copy of the Memorandum of Agreement (MOA) for
Bridge 139 in Vigo County. The MOA was accepted by the Advisory
Council on Historic Preservation May 23, 1995.

Sincerely yours,

Arthur A. Fendrick
Division Administrator

By Merritt E. Hoffman
Field Operations Engineer

Enclosure