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:

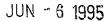
- 1) Bridge 139 will be offered for 30 days, in accordance with applicable Federal regulations, for relocation and salvage. In addition to agencies and organizations already contacted, the offer will be made to the public through notices in the *Indianapolis Star / News* and a widely circulated Vigo 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.

Ву:	Date:
INDIANA STATE HISTORIC PRESERVATION OFFICER	
By: Latel R. Katola	Date: 2/13/95
ILLINOIS STATE HISTORIC PRESERVATION OFFICER	
By: Anne E. Host Disher CONCUR:	Date: 2/28/95
VIGO COUNTY BOARD OF COMMISSION By: P. James Delf	
INDIANA DEPARTMENT OF TRANSPORTATION By: Stuply and Date: 166	
ACCEPTED FOR THE ADVISORY COUNC By: Dolutal. Beach	
Dy	Date

FEDERAL HIGHWAY ADMINISTRATION





Region 5 Indiana Division Procornation Services 575 North Pennsylvania Street, Room 254 Indianapolis, Indiana 46204

May 31, 1995 HPO-IN

HPA REVIEW

H/A _____

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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