

MEMORANDUM OF AGREEMENT
BETWEEN THE TOWN OF HOPE AND
THE INDIANA STATE HISTORIC PRESERVATION OFFICER
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 C.F.R. § 800.6(b)(iv)
REGARDING THE REORGANIZATION AND RENOVATION
OF THE OLD HOPE HIGH SCHOOL

**AT 543 WASHINGTON STREET IN HOPE, HAW CREEKTOWNSHIP, BARTHOLOMEW
COUNTY, INDIANA**

WHEREAS the Town of Hope (“Town”) proposes to use a Federal grant through the Indiana Department of Commerce (“IDOC”) for the reorganization and renovation of the old Hope High School in Hope, Haw Creek Township, Bartholomew County, Indiana; and

WHEREAS the Town, in consultation with the Indiana State Historic Preservation Officer (“Indiana SHPO”), has defined this reorganization and renovation of the old Hope High School’s area of potential effects, as the term is defined in 36 C.F.R. § 800.16(d), to be the area within the area defined by Harrison Street to the west, Walnut Street to the east, Washington Street to the north and Mill Street to the south; and

WHEREAS the Town, in consultation with the Indiana SHPO, has found that the Hope Historic District is within the area of potential effects; and

WHEREAS the Town and the Indiana SHPO both recognize that the old Hope High School is a contributing resource within the Hope Historic District, which is listed in the National Register of Historic Places; and

WHEREAS the Town, in consultation with the Indiana SHPO, has determined, pursuant to 36 C.F.R. § 800.5(a), that the reorganization and renovation of the old Hope High School will have an adverse effect on the Hope Historic District; and

WHEREAS the Town, has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and its implementing regulations (36 C.F.R. Part 800) to resolve the adverse effect on the old Hope High School; and

WHEREAS the Town, in consultation with the Indiana SHPO, has invited the Indiana Department of Commerce and the Community Center of Hope, Inc. to participate in the consultation and to concur in this memorandum of agreement;

WHEREAS the Town has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and its implementing regulations (36 C.F.R. Part 800) concerning the scope of work as presented in the materials and site plans dated October 16, 2003, and agreed to proceed with the project as proposed; and

NOW, THEREFORE, the Town and the Indiana SHPO agree that, upon the submission of a copy of this executed memorandum of agreement, as well as the documentation specified in 36 C.F.R. § 800.11(e) and (f), to the Advisory Council on Historic Preservation (“Council” pursuant to 36 C.F.R. § 800.6[b][1][iv]) and upon the Town’s approval of the reorganization and renovation of the old Hope High School, the Town

shall ensure that the following stipulations are implemented in order to take into account the effect of the reorganization and renovation of the old Hope High School on historic properties.

Stipulations

The former Old Hope High School will be documented prior to the commencement of demolition activities.

- A. A cover page with the history name or names (e.g., Hope High School), most recent name (if any), and street address of the historic property, typed or printed on 8 ½" by 11" paper.
- B. A typed or printed description of the historic property on 8 ½" by 11" paper, including at least the following:
 - A verbal description of the School's design including a description of materials and notable architectural/engineering features and a statement of the overall dimensions of the school;
 - ii. A map of Hope with the location of the historic property marked;
- C. A brief, typed or printed history of the School and a written statement of the School's significance to the Town of Hope on 8 ½" by 11" paper, focusing, in particular on its history.
- D. Black and white 35mm photographs showing multiple views the interior and exterior of the school from different angles,; photographs need not be mounted; the photographs shall be labeled on the reverse side to indicate the building name, address, direction and brief description of view, and name of the photographer (labels shall be typed and affixed onto the photographs).
- *E. Copy of the historical plans and elevations of the School. (*Only, if these records have been retained by the county.)

II. Two duplicate originals of the documentation specified in Stipulation No. 1 shall be distributed, prior to the commencement of the construction and demolition activities, as follows:

- A. One set (with the photographic negatives) to the Indiana SHPO for review and approval and for ultimate transmittal to the Indiana State Archives...
- B. One set to the Town of Hope or other organization that shall serve as a local repository and shall retain the documentation permanently in its files and make the documentation available for examination by the public.

III. OBJECTION RESOLUTION PROVISION

Disagreements and misunderstanding about how this memorandum of agreement is or is not being implemented shall be resolved in the following manner:

- A. If the Indiana SHPO or any invited signatory to this memorandum of agreement should object in writing to the Town regarding any action carried out or proposed with respect to the reorganization and renovation of the old Hope High School or implementation of this memorandum of agreement, then the Town shall consult with the objecting party to resolve the objection. If after initiating such consultation the Town determines that the objection cannot be resolved through consultation, then the Town shall forward all documentation relevant to the objection to the Council, including the Town's proposed response to the objection. Within 45 days after receipt of all pertinent documentation, the Council shall exercise one of the following options:

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Provide the Town with a staff-level recommendation, which the Town shall take into account in reaching a final decision regarding its response to the objection; or

- ii. Notify the Town that the objection will be referred for formal comment pursuant to 36 C.F.R. § 800.7(c), and proceed to refer the object and comment. The Town shall take into account the Council's comments in reaching a final decision regarding its response to the objection.

- B. If comments from the Council are provided in accordance with stipulation **** (A)** of this memorandum of agreement, then the Town shall take into account any Council comment provided in accordance with 36 C.F.R. § 800.7(a)(4) with reference only to the subject of the objection. The Town's responsibility to carry out all actions under this memorandum of agreement that are not the subjects of the objection shall remain unchanged.

POST REVIEW DISCOVERY

In the event that one or more historic properties--other than the Hope Historic District--are discovered or that unanticipated effects on historic properties are found during the implementation of this memorandum of agreement, the Town shall follow the procedure specified in 36 C.F.R. § 800.13.

V AMENDMENT

Any signatory to this memorandum of agreement may request that it be amended, whereupon the parties shall consult to consider the proposed amendment. 36 C.F.R. § 800.6(c)(7) shall govern the execution of any such amendment.

VI. TERMINATION

- A. If the terms of this memorandum of agreement have not been implemented by December 31, 2009, then this memorandum of agreement shall be considered null and void. In such an event, the Town shall so notify the parties to this memorandum of agreement and, if it chooses to continue with the reorganization and renovation of the old Hope High School, then it shall reinitiate review of the reorganization and renovation of the old Hope High School in accordance with 36 C.F.R. §§ 800.3 through 800.7.
- B. Any signatory to the memorandum of agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the Town shall comply with 36 C.F.R. §§ 800.3 through 800.7 with regard to the review of the reorganization and renovation of the old Hope High School.
- C. In the event that the Town does not carry out the terms of this memorandum of agreement, the Town shall comply with 36 C.F.R. §§ 800.3 through 800.7 with regard to the review of the reorganization and renovation of the old Hope High School.

The execution of this memorandum of agreement by the Town, Indiana Department of Commerce, Community Center of Hope, Inc., and the Indiana SHPO, the submission of a copy of it to the Council with the appropriate documentation specified in 36 C.F.R. § 800.11(e) and (f), and the implementation of its terms evidence that the Town has afforded the Council an opportunity to comment on the reorganization and renovation of the old Hope High School and its effects on historic properties and that the Town has taken into account the effects of the reorganization and renovation of the old Hope High School on historic properties.

SIGNATORIES (Required):

TOWN OF HOPE

Signed by: Jon E. Ross

Date: 3-4-2004

Name and title: Jon E. Ross, Town Council President
(Typed or printed)

INDIANA STATE HISTORIC PRESERVATION OFFICER

Signed by: Jon C. Smith

Date: 3-16-04

Name and title: Jon C. Smith, Deputy SHPO, on behalf of John R. Goss
(Typed or printed)

CONCURRING PARTIES:

INDIANA DEPARTMENT OF COMMERCE

Signed by: _____

Date: _____

Name and title: _____

COMMUNITY CENTER OF HOPE, INC.

Signed by: Steve Blair

Date: 03-05-04

Name and title: Steve Blair, President