

**MEMORANDUM OF AGREEMENT**  
**BETWEEN THE CITY OF MUNCIE, MUNCIE HOUSING AUTHORITY,**  
**& THE INDIANA STATE HISTORIC PRESERVATION OFFICER,**  
**SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**  
**PURSUANT TO 36 CFR 800.6(b)(iv),**  
**REGARDING THE DEMOLITION AND REPLACEMENT OF**  
**MUNSYANA HOMES PUBLIC HOUSING COMPLEX**

**IN MUNCIE, INDIANA**

WHEREAS the U.S. Department of Housing and Urban Development ("HUD") has delegated all environmental review responsibility with regard to the demolition and reconstruction of the Munsyana Homes Public Housing Complex ("Munsyana Homes") to the City of Muncie, Indiana ("City") pursuant to 24 CFR Part 58; and

WHEREAS the Muncie Housing Authority ("MHA") proposes to provide funding from its HUD Capital Funds Program for Millennium Place I Phase I for demolition of blocks 7 and 8 and three buildings in block 5 of the Munsyana Homes Public Housing Complex in Muncie, Delaware County, Indiana to be replaced with single family and duplex structures; and

WHEREAS the MHA anticipates funding from the HUD HOPE VI Program to raze and redevelop the remainder of Munsyana Homes ("HOPE VI Phase I"); and

WHEREAS the City, in consultation with the Indiana State Historic Preservation Officer ("Indiana SHPO" , has defined the area of potential effects, as defined in 36 CFR 800.16(d), to be the Munsyana Homes site and the one block area surrounding it, to wit: starting at the intersection of S. Mulberry St. and the Norfolk and Southern Railroad tracks, extending east to the intersection of those same tracks and S. Madison St., south to the intersection of Madison St. and E. Kirby Ave., then east to the intersection of Kirby Ave. and Pershing Dr., then south to the intersection of S. Pershing Dr. and E. Willard St., then east to the intersection of E. Willard St and S. Jefferson St., north to the beginning point; and

WHEREAS the City, in consultation with the Indiana SHPO, has found that Munsyana Homes is within the area of potential effects; and

WHEREAS the City, in consultation with the Indiana SHPO, has determined Munsyana Homes to be eligible for the National Register of Historic Places as a historic district; and

WHEREAS the City, in consultation with the Indiana SHPO, has determined, pursuant to 36 CFR 800.5(a), that the demolition and replacement of Munsyana Homes will be an adverse effect on the eligible Munsyana Homes Historic District ("District").

WHEREAS the City has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (16 USC 470f) and its implementing regulations (36 CFR Part 800) to resolve the adverse effect; and

WHEREAS the City, in consultation with the Indiana SHPO, has invited the Muncie Housing Authority to become a signatory to this Memorandum of Agreement;

NOW, THEREFORE, the City 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 CFR 800.11(e) and (f), to the Advisory Council for Historic Preservation ("Council") pursuant to 36 CFR 800.6[b][1][iv] the city will ensure that the

following stipulations are implemented in order to take into account the effect of the Millennium Place I Phase I and HOPE VI Phase I projects on historic properties.

### Stipulations

#### 1. MUNCIE HOUSING AUTHORITY

The MHA will offer one residential building in Munsyana Homes block one, bounded by S. Jefferson St., E. Second St., S. Elm St. and E. First St. ("Building,") to the Muncie Chapter NAACP and the Social Status of Black Males ("Organizations") for use as a black history museum.

A. MHA will allow the Organizations one-year from May 22, 2001 (date of passage of resolution offering a building in block one of Munsyana Homes for use as a museum) to show:

i. Sufficient financial backing to improve the Building in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings as well as the sufficient ability to maintain and insure the Building.

a. The organizations shall provide a pro forma demonstrating the financial feasibility of such an undertaking.

b. The organization shall provide letters from sources listed in the pro forma confirming sufficient financial commitments to the rehabilitation and maintenance of the Building.

c. The organization shall provide preliminary drawings, prepared by an architect in accordance with the Secretary of the Interior's Standards, of the proposed rehabilitation of the Building.

ii. Sufficient ability to staff and operate a museum in the Building for a period of at least five years.

a. The organizations shall provide a pro forma demonstrating the sufficient financial feasibility of such an undertaking.

b. The organization shall provide letters from sources listed in the pro forma confirming sufficient financial commitments to the operation and staffing of a museum.

B. The above required evidence of financial ability to rehabilitate and operate the Building as a museum will be submitted to MHA as stipulated above. MHA will consult with the City and the Indiana SHPO to determine whether sufficient evidence of financial capability has been shown.

C. In the event that the above named Organizations cannot show sufficient evidence of financial capability as stipulated above the Building will be demolished.

#### 2. RECORDATION

If the buildings which have been determined to be eligible for the National Register of Historic Places as the Munsyana Homes Historic District are to be demolished or removed, then, prior to their demolition, the eligible District will be recorded in the following manner, based on the "State of Indiana Minimum Architectural Documentation Standards, adopted by the Indiana State Professional Review Board on Historic Preservation on January 22, 1986:

A. A cover page with the historic name and street addresses of each property in the District.

B. A typed or printed description of the District on 8½" x 11" paper, including at least the following:

i. A site plan and verbal description of the site including landscape features and overall site design;

ii. A verbal description of the exterior of each of the different types of residential buildings and both community center buildings, including a description of materials and noteworthy architectural

features including any changes made to features and site design since 1939, and a statement of the dimensions of each building (length, width, height to top of fascia, and height to top of rooftop),

- iii. A verbal description of the interior of each different type of residential unit including all features, finishes, and materials, a description of alterations since 1939, and a floor plan of each;
  - iv. A map of Central Muncie with the location of the historic property marked;
  - v. Selected sheets from the original Gerrard & Keely architectural drawings of Munsyana Homes showing at a minimum, plans for each type of building, each type of apartment configuration, a site plan and landscape plan..
- C. A brief typed or printed history of the District and a written statement of the District's significance on 8½" x 11" paper, focusing, in particular, on its history prior to 1952.
- D. Black and white 35mm photographs of all visible facades of each of the different building types, including the community centers, keyed to a site map and interior photos of each different type of residential units, keyed to a floor plan. Photographs need not be mounted; the photographs shall be labeled on the reverse side to indicate the building name, address, direction of view and name of the photographer. Copies of any historic photos of the complex will also be included. (Labels shall be typed and affixed to the reverse sides of the photographs).
- E. One duplicate original of the recordation materials (including the photographic negatives) shall be provided to the Indiana SHPO, and another duplicate original shall be provided to Ball State University Department of Archives and Special Collections where it will be made available permanently to the public for research or display.

### 3. LIMIT ON DEMOLITION OR REMOVAL

- A. The buildings which will be demolished as part of the Millennium Place I, Phase I project shall be photographed as soon as possible. When photo documentation has been completed the buildings may be demolished and new construction may proceed.
- B. The building selected for use by the Organizations will not be demolished, if at all, prior to May 22, 2002.

### 4. POST REVIEW DISCOVERY

In the event that one or more historic properties--other than the proposed Munsyana Homes Historic District--are discovered or that unanticipated effects on historic properties are found during the implementation of this memorandum of agreement, the City shall follow the procedure specified in 36 CFR 800.13.

### 5. 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 CFR 800.6(c)(7) shall govern the execution of any such amendment.

### 6. TERMINATION

- A. If the terms of agreement have not been implemented by December 31, 2006, then this memorandum of agreement shall be considered null and void. In such an event, the City shall notify the parties to this memorandum of agreement and, if it chooses to continue with the Millennium Place I Phase I and HOPE VI Phase I projects, then it shall reinitiate review of the Millennium Place I Phase I and HOPE VI Phase I projects in accordance with 36 CFR 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 City shall comply with 36 CFR 800.3 through 800.7 with regard to the review of the Millennium Place I Phase I and HOPE VI Phase I projects.
- C. In the event that the City does not carry out the terms of this memorandum of agreement, the City shall comply with 36 CFR 800.3 through 800.7 with regard to review of the Millennium Place I Phase I and HOPE VI Phase I projects.

7. DISPUTE RESOLUTION

Objections 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 City regarding any action carried out or proposed with respect to the demolition and reconstruction of the Munsyana Homes or implementation of this memorandum of agreement, then the City shall consult with the objecting party to resolve the objection. If after initiating such consultation the City determines that the objection cannot be resolved through consultation, then the City shall forward all documentation relevant to the objection to the Council, including the City's proposed response to the objection. Within 45 days After receipt of all pertinent documentation, the Council shall exercise one of the following options:
  - i. Provide the City with a recommendation, which the City shall take into account in reaching a final decision regarding its response to the objection; or
  - ii. Notify the City that the objection will be referred for comment pursuant to 36 CFR 800.7(b), and proceed to refer the objection and comment.
- B. The City shall take into account any council comment provided in accordance with 36 CFR 800.7(a)(4) with reference to the subject of the objection; the City's responsibility to carry out all actions under this memorandum of agreement that are not the subjects of the objection shall remain unchanged.

The execution of this memorandum of agreement by the City of Muncie, Muncie Housing Authority, and the Indiana SHPO, the submission of a copy of it to the Council with the appropriate documentation, specified in 36 CFR 800.11, and the implementation of its terms evidence that the City has afforded the Council an opportunity to comment on the Millennium Place I Phase I and HOPE VI Phase I projects and their effects on historic properties and that the City has taken into account the effects of the Millennium Place I Phase I and HOPE VI Phase I projects on historic properties.

**REQUIRED SIGNATORIES:**

CITY OF MUNCIE, INDIANA

Signed by:

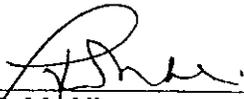
  
\_\_\_\_\_  
Dan C. Canan  
Mayor

Date:

6/7/01

INDIANA STATE HISTORIC PRESERVATION OFFICER

Signed by:

  
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Larry D. Macklin  
State Historic Preservation Officer

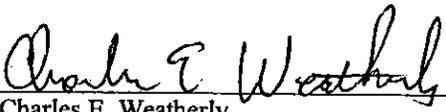
Date:

6-26-01

**INVITED SIGNATORIES:**

MUNCIE HOUSING AUTHORITY:

Signed by:

  
\_\_\_\_\_  
Charles E. Weatherly  
Executive Director

Date:

6/7/2001

