

**MEMORANDUM OF AGREEMENT (MOA)
AMONG THE DELAWARE COUNTY HOUSING AUTHORITY (DCHA),
THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), AND
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
FOR THE DEMOLITION OF
HIGHLAND HOMES LOCATED AT 225 HIGHLAND AVENUE
IN WAYNE, RADNOR TOWNSHIP, PENNSYLVANIA**

WHEREAS, the DCHA has provided HUD with a proposal to demolish its Highland Homes development (the Undertaking) in Radnor Township, Pennsylvania; and

WHEREAS, HUD and the SHPO have determined that the Highland Homes development is eligible for listing on the National Register of Historic Places (Register); and

WHEREAS, HUD and the SHPO have agreed that the area of potential effect for this Undertaking is limited to the development itself; and

WHEREAS, HUD, the SHPO and the Advisory Council on Historic Preservation (the Council) have determined that the Undertaking shall have an *Adverse Effect* on the Register-eligible property; and

WHEREAS, the DCHA has determined in its Demolition proposal submission to HUD that the rehabilitation of the development is not a feasible alternative; and

WHEREAS, the DCHA has evidenced in its Demolition proposal submission that it has involved, and has a strategy for the continuing involvement of residents of Radnor Township in the decision-making process concerning this Undertaking and its implementation; and

WHEREAS, the DCHA has participated in the consultation process and has been invited to concur in the Memorandum of Agreement (MOA); and

WHEREAS, the Council has decided not to participate in the consultations to resolve adverse effects; and

NOW, THEREFORE, HUD, the SHPO, and the DCHA agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking.

STIPULATIONS

HUD will ensure that the following measures are carried out.

I. RECORDATION

HUD shall require DCHA to prepare Recordation documentation in accordance with requirements established by the SHPO, and obtain SHPO approval of that documentation prior to initiating activities related to this Undertaking. DCHA shall submit a complete copy of the above-referenced Recordation documentation to both the SHPO and the Delaware County Planning Commission.

II. PUBLIC PARTICIPATION

The DCHA shall continue to implement its strategy for involvement of residents of Radnor Township in the decision-making process concerning this Undertaking.

III. PUBLIC OBJECTIONS

Should a timely and substantive objection pertaining to this MOA be raised by any member of the public at any time during the implementation of the measures set forth in this MOA, the DCHA shall take the objection into account by consulting with the objector and SHPO, and should the objector request, HUD and the Council, to resolve the objection. When only the DCHA and SHPO respond to an objection, the DCHA shall notify HUD of the objection and the manner in which it was resolved.

IV. AMENDMENT

At the request of any of the parties, this MOA may be reviewed for possible modification at any time. Any amendment shall be executed in accordance with 36 CFR Part 800 of the Council's regulations.

v. TERMINATION

Any party to this MOA may terminate it by providing thirty days notice to the other parties provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, HUD will comply with 36 CFR Part 800 with regard to Undertaking-related activities covered by this MOA.

Execution of this MOA evidences that HUD has afforded the SHPO an opportunity to comment on the Undertaking and its effect on historic properties, that HUD has taken into account the effects of this Undertaking on historic properties, and that HUD has satisfied its Section 106 responsibilities for this Undertaking.

BY: Marilyn Roberts DATE: 9/20/01

HUD PENNSYLVANIA STATE OFFICE

BY: Christ D. Shors DATE: 10/19/01

PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER

CONCUR

BY: W. Gordon [Signature] DATE: 9/21/01

DELAWARE COUNTY HOUSING AUTHORITY

DOCNAME:HighlandHomesMOA