

**MEMORANDUM OF AGREEMENT
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR 800**

Whereas, the Department of Housing and Urban Development (HUD) has determined that the Westmoreland School Rehabilitation will have an adverse effect upon the Westmoreland School which is considered eligible to be listed in the National Register of Historic Places, and has consulted with the West Virginia State Historic Preservation Officer (WVSHPO) pursuant to 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f); and

Whereas, the Wayne County Community Services Organization, Inc. has participated in the consultation regarding this project and,

Whereas, partial funding will be provided by the West Virginia Housing Development Fund and has been invited to consult regarding this project,

Now, therefore, HUD and the WVSHPO agree that the undertaking will be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

HUD will insure that the following measures are carried out regarding the rehabilitation of:

Westmoreland School

1. Plans have been developed in consultation with the WVSHPO and submitted to the WVSHPO for approval. Attached is a brief summary of items that were addressed.

- A.) The window sills on the first floor are to be lowered to meet building code regulations. Replacement windows are to be installed having the same appearance as those taken out.
- B.) The rear chimney is to be removed. This chimney is a non character defining feature.
- C.) An arcaway is to be dug out around the basement and new windows are to be installed in the enlarged openings.
- D.) The West stairway is to be removed and two apartments to be constructed. The West entrance doors are to be cut lengthwise through the middle to create a building code regulation egress.
- E.) One row of bricks will be taken from the top of the building to be used in repairs to other parts of the building.
- F.) The existing ceilings will be dropped to promote energy efficiency.
- G.) WVSHPO is to be consulted in any future development of the gymnasium.

2. The project sponsor will complete development of plans and specifications in consultation with WVSHPO.

3. Prior to demolition, HUD shall ensure that the Westmoreland School is documented under the supervision of the WVSHPO. and according to the following standards. The WV State Historic Inventory Form will be completed for the building with additional information prepared in outline form to be attached to the Form. All documentation must be approved by the WVSHPO prior to the initiation of the rehabilitation.

4. A series of black and white photographs will be taken of all exterior facades and any significant interior spaces of the buildings. The use of a 35mm camera is acceptable. Negatives will be included in the documentation package. Any available historic image will be reproduced for inclusion or referenced by source per agreement with the WVSHPO.

5. Should the SHPO object in writing to the documents submitted for review, HUD will consult with the SHPO to resolve the dispute. If HUD determines that the objection cannot be resolved, HUD will seek the recommendations of the Advisory Council with reference only to the subject of the dispute; all other stipulations shall remain in full effect.

Execution of this Memorandum of Agreement evidences that HUD has afforded the Advisory Council an opportunity to comment on the rehabilitation project and its effects on historic properties, and that HUD has taken into account the effects of the undertaking on historic properties.

Susan M. Pierce
West Virginia State Historic Preservation Office

1/25/02
Date

Department of Housing & Urban Development

Date

Concur:
[Signature]
Wayne Co. Community Services Org. Inc.

1-31-02
Date

Concur:
[Signature]
West Virginia Housing Development Fund

2/5/02
Date

[Signature]

2-1-02