

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF THREE RIVERS AND
THE MICHIGAN STATE HISTORIC PRESERVATION OFFICER
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR § 800.6(b)(1)
REGARDING THE EAST PARKING LOT PROJECT
IN THE CITY OF THREE RIVERS, ST. JOSEPH COUNTY, MICHIGAN**

WHEREAS, pursuant to 24 CFR § 58, the United States Department of Housing and Urban Development (HUD) has delegated the responsibility for compliance with the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470f) to recipient State agencies and local Participating Jurisdictions receiving funds from the Community Development Block Grant (CDBG) Program; and

WHEREAS, the Michigan Economic Development Corporation (MEDC), a State agency, proposes to grant CDBG funds (Title 1 of the Housing and Community Development Act of 1964, as amended) to the City of Three Rivers (City) to provide funds for the East Parking Lot Project (Project); and

WHEREAS, the City has determined that the Project will have an effect upon the Downtown Three Rivers Commercial Historic District, which is listed in the National Register of Historic Places; and

WHEREAS, the City has consulted with the Michigan State Historic Preservation Officer (SHPO) pursuant to 36 CFR § 800, regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended; and

WHEREAS, the Three Rivers Downtown Development Authority (DDA), has participated in the consultation, and has been invited to concur in this Memorandum of Agreement (MOA);

NOW THEREFORE, the City and the SHPO agree that the Project shall be implemented in accordance with the following stipulations in order to take into account the effect of the Project on historic properties.

STIPULATIONS

The City shall ensure that the following measures are carried out:

I. RECORDATION

Prior to the construction of the East Parking Lot, the City will document the Downtown Three Rivers Commercial Historic District, in the form of photographs, a descriptive narrative, and a historical narrative, to create a permanent record of its existence. The City shall follow the SHPO *Documentation Guidelines* outlined in **Appendix A** of this MOA. The City shall submit the photographs of Property A and Property B to the SHPO for review and approval prior any physical changes to the Historic District. A final documentation package shall be submitted to the SHPO for review and approval within three (3) months from the date of this agreement. The City shall provide a complete original copy of the approved documentation package to the SHPO for placement in the State Archives of Michigan. The City shall also provide a complete original copy of the approved documentation package to an appropriate local repository to be determined in consultation with the SHPO. These copies shall be made available to the SHPO and the local repository within four (4) months from the date of this agreement.

II. NATIONAL REGISTER NOMINATION

- A. The City shall expand the 1982 National Register listing for the historic downtown commercial area. The City may choose to hire a consultant or other qualified professional to undertake this measure. Specifically, the City shall improve the following portions of the National Register listing:
- Update the photographic documentation of the district;
 - Provide expanded physical descriptions of the historic resources;
 - Submit an updated map that meets current National Register nomination standards;

- Consider whether the boundaries of the existing district could be expanded.
- B. The preparation of the additional information for the National Register listing shall begin within six (6) months from the date of execution of this MOA. The City shall initiate consultation with the SHPO regarding work to be done for the National Register listing prior to commencing work on the listing. The final improvements to the National Register listing shall be submitted to the SHPO for review and approval within twelve (12) months from the date of execution of this MOA.

II. AMENDMENT

Any party to this Memorandum of Agreement (MOA) may propose to the other parties that it be amended whereupon the parties will consult in accordance with 36 CFR § 800.6(c)(7) to consider such an amendment.

III. DISPUTE RESOLUTION

Should the SHPO object within thirty (30) days to any plans, specifications, or actions proposed pursuant to this MOA, the City, as a federally-delegated authority, shall consult with the objecting party to resolve the objection. If the City determines that the objection cannot be resolved, the City shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within forty-five (45) days after the receipt of all pertinent documentation, the Council will either:

- A. Provide the City with recommendations, which the City will take into account in reaching a final decision regarding the dispute; or
- B. Notify the City that it will comment pursuant to 36 CFR § 800.7(c), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the City in accordance with 36 CFR § 800.7(c)(4) with reference to the subject of the dispute. The responsibilities of the City and the SHPO to carry out all actions of this agreement that are not the subjects of the dispute will remain unchanged.

Execution of this Memorandum of Agreement (MOA) by the City and the SHPO, and implementation of its terms, evidence that the City has afforded the Council an opportunity to comment on the East Parking Lot Project and its effects on historic properties, and that the City has taken into account the effects of the Project on historic properties.

CITY OF THREE RIVERS

By: Joe Bippus
Joe Bippus, City Manager

Date: 8-9-05

MICHIGAN STATE HISTORIC PRESERVATION OFFICER

By: Brian D. Conway
Brian D. Conway, Michigan SHPO

Date: 8/25/04

CONCURRING PARTY:

THE THREE RIVERS DOWNTOWN DEVELOPMENT AUTHORITY

By: Tom Meyer
Tom Meyer, Chairperson

Date: 8/9/05

MICHIGAN STATE HISTORIC PRESERVATION OFFICE DOCUMENTATION GUIDELINES

The following guidelines provide instruction for producing permanent documentation of historic properties. Following submittal to the State Historic Preservation Office, the photos produced will be transferred to the State Archives, where they will be maintained and made available to the public for research purposes. In many cases, this documentation will constitute the only visual public record of a resource. It is therefore important that reports, drawings and photographs adequately depict the salient visual characteristics of the resource, and that they be produced using archivally-stable materials and procedures.

The specifications outlined in this memorandum are intended to ensure that the material will be of high quality and remain in usable condition for many years to come. The guidelines were adapted from those used for submitting nominations to the National Register of Historic Places, as described in *National Register Bulletin 16: Guidelines for Completing National Register of Historic Places Forms*. The complete text of this and other National Register Bulletins may be found on the web at <http://www.cr.nps.gov/nr/publications/bulletins.htm>.

I. REPORTS - GENERAL INSTRUCTIONS

Reports should be printed on archival paper and be 8 1/2 by 11 inches in size.

II. DESCRIPTIVE AND HISTORICAL NARRATIVES

The report should contain a descriptive and historical narrative about the resource(s). The descriptive overview should concisely but thoroughly describe the resource, including discussion of its site and setting; overall design and form, dimensions, structural character, materials, decorative or other details, and alterations. The historical narrative should provide an account of the resource's history and explain its significance in terms of the national register criteria (information about the criteria for listing a resource in the national register may be found on the web at <http://www.cr.nps.gov/nr/listing.htm>). Published and unpublished sources should be used as needed to document the resource's significance. For bridges and public structures, public records and newspapers should be used for information concerning the historical background and construction of the resource and to identify those involved in its design and construction. All sources of information (including author, title, publisher, date of publication, volume and page number) should be listed in a bibliography.

III. DRAWINGS - GENERAL INSTRUCTIONS

Drawings should be drawn or printed on archival paper and folded to fit an archival folder approximately 8 1/2 by 11 inches. Use coding, crosshatching, numbering, transparent overlays, or other standard graphic techniques to indicate the information. Do not use color because it can not be reproduced by microfilming or photocopying. Drawings should be used to document the

- If they are relevant to the site's significance, include drawings or photographs that illustrate artifacts that have been removed from the site;
- At least one photograph should show the physical environment and configuration of the land making up the site.

BASIC REQUIREMENTS

Photographs must be:

- at least 5 x 7 inches, preferably 8 x 10 inches, unmounted (do not affix the photographs to paper, cards, or any other material); photographs with borders are preferred;
- printed on double or medium-weight black-and-white paper having a matte, glossy, or satin finish; fiber-based papers are preferred; resin-coated papers that have been processed automatically will be accepted provided they have been properly processed and thoroughly washed; we recommend the use of a hypo-clearing or neutralizing agent, and toning in selenium or sepia to extend the useful life of the photographs;
- submitted in acid free envelopes; the envelopes should be labeled in pencil (see labeling instructions below).

ENVELOPE LABELING INSTRUCTIONS

Neatly print the following information on the upper right corner of the envelope in soft lead pencil:

1. Name of the resource;
2. Street Address, township, county, and state where the resource is located;
3. Name of photographer;
4. Date of photograph;
5. Description of view indicating direction of camera;
6. Photograph number.

Do not use adhesive labels for this information.

ARCHIVAL SUPPLIERS

Known suppliers of acceptable archival photographic envelopes are listed below:

Conservation Resources
International, Inc.
8000 H Forbes Place
Springfield, VA 22151
(703) 321-7730

Franklin Distributors
P.O. Box 320
Denville, NJ 07834
(201) 267-2710

Gaylord Brothers, Inc.
Box 4901 *www.gaylord.com*
Syracuse, NY 13221
Outside Area Code 315:
TOLL FREE (800) 448-6160
Within Area Code 315:
(315) 457-5070

The Hollinger Corporation
P.O. Box 6185
3810 South Four Mile Run Drive
Arlington, VA 22206
(703) 671-6600

Light Impressions Corporation
439 Monroe Avenue
P.O. Box 940
Rochester, NY 14603
Outside Area Code 716:
TOLL FREE (800) 828-6216
Within Area Code 716:
(716) 271-8960

Photofile
P.O. Box 123
Zion, IL 60099
(312) 872-7557

Pohlig Bros., Inc.
P.O. Box 8069
Richmond, VA 23223
(804) 644-7824

Printfile, Inc.
Box 100
3909 State Street
Schenectady, NY 12304
(518) 374-2334

TALAS
Technical Library
Services, Inc.
213 West 35th Street
New York, NY 10001-1996
(212) 736-7744

University Products
P.O. Box 101
South Canal Street
Holyoke, MA 10141
(413) 532-9431

*PB57 Env Negative & Print
5.5W X 7 3/8" Buffered
pkg 100*

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