

**MEMORANDUM OF AGREEMENT
BETWEEN
CITY OF RAEFORD AND
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
SUBMITTED TO
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
FOR
THE RAEFORD DOWNTOWN FAÇADE IMPROVEMENT GRANT PROGRAM
RAEFORD, HOKE COUNTY, NORTH CAROLINA**

WHEREAS, the City of Raeford (City) has been awarded an Economic Development Initiative-Special Project grant by the Department of Housing and Urban Development to carry out the Raeford Downtown Façade Improvement Grant Program (the Undertaking); and

WHEREAS, the City has determined that the Undertaking has the potential to adversely affect the Raeford Historic District, a property listed in the National Register of Historic Places, and has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470F); and

WHEREAS, in accordance with 24 CFR Part 58, the City has assumed responsibility for compliance with applicable Federal laws and requirements, including the National Historic Preservation Act (16 U.S.C. 470f) (NHPA); and

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

Stipulations

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

- I. **Public education and notification:** the City will notify the public of the availability of Downtown Façade Improvement funds, the process for applying for the funds, and the need for the proposed façade improvements to not adversely affect the Raeford Historic District. To this end the City will:
 - A. Ensure that the Downtown Façade Improvement Grant Program is advertised in the local media outlets and
 - B. Host an educational program for potential applicants at which staff of the State Historic Preservation Office (HPO) will present information on the:
 1. National Register of Historic Places and what it means for the Raeford Historic District,
 2. *Secretary of the Interior's Standards for Rehabilitation (Standards)* and how they will be applied to façade improvement projects, and

3. Benefits of the federal and state Historic Preservation Tax Credits for the rehabilitation of qualifying projects.

II. Review of individual façade improvement projects/applications

- A. The City shall forward all Downtown Façade Grant Improvement applications to the HPO as they are received from the applicants. The project applications shall include the following information for review by HPO staff:
 1. A map clearly showing the project location within the City of Raeford
 2. Photographs of the façade(s) to be improved
 3. A detailed description or plans showing the proposed improvements
- B. The HPO shall review the applications and provide written comments on the proposed improvements within thirty (30) days of receipt of a complete application package.
 1. If the project meets the *Standards*, the project may proceed.
 2. If the project does not meet the *Standards* and will adversely affect the historic property, HPO staff will work with the applicant to revise the plans to meet the *Standards*. If the *Standards* cannot be met, the City will not provide funding for the project from the Downtown Façade Improvement Grant program.

III. Dispute Resolution

Should the North Carolina SHPO object within thirty (30) days to any plans or documentation provided for review pursuant to this Agreement, the City shall consult with the North Carolina SHPO to resolve the objection. If the City or the North Carolina SHPO determines that the objection cannot be resolved, the City will forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within thirty (30) days after 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 SHPO that it will comment pursuant to 36 CFR Section 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 Section 800.7 (c) (4) with reference to the subject of the dispute.

Execution of this Memorandum of Agreement by the City and the North Carolina SHPO, its subsequent acceptance by the Council, and implementation of its terms evidence that the City has

afforded the Council an opportunity to comment on the Raeford Downtown Façade Improvement Grant Program and its effects on the Raeford Historic District, and that City has taken into account the effects of the Undertaking on the historic properties.

AGREED:

NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER

By: Jeffrey Brown Date: 9/2/08

CITY OF RAEFORD

By: John K. McNeill Date: August 4, 2008

FILED BY:

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: _____