

## MEMORANDUM OF AGREEMENT

WHEREAS, the County of York, (County), has consulted with the Pennsylvania State Historic Preservation Officer (SHPO) pursuant to 36 CFR 800 implementing Section 106 of the National Historic Preservation Act, as amended, regarding the proposed demolition of two structures located on property numbered 70-72 East High Street in the Borough of Red Lion, York County, Pennsylvania, which are determined to be contributing resources to the Red Lion Historic District listed on the National Register of Historic Places, through the federally funded Community Development Block Grant Program (CDBG); and

WHEREAS, the County, in consultation with the SHPO, has determined that this undertaking is an adverse effect; and

WHEREAS, in accordance with 36 CFR 800.6, the County has notified the Advisory Council on Historic Properties (ACHP) and afforded them with the opportunity to comment on the undertaking and its effects on historic properties; and

WHEREAS, in accordance with 36 CFR 800, the County has notified the public through notice in local newspapers and by posting the affected structures described above and will continue to inform the public through HUD's request for release of funds public notice procedures.

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

### STIPULATIONS

Prior to demolition, the County will ensure that the following measures are carried out:

#### I. STATE LEVEL OF RECORDATION

- A. Building Description: The County must submit updated Pennsylvania Historic Resource forms including descriptions and histories of the buildings. The dates of construction and historic uses of the buildings should be documented by reference to historic maps, deeds, or other appropriate sources listed in the Bureau of Historic Preservation Biographical References.

The County has contracted with Historic York, Inc. to prepare updates to the existing Pennsylvania Historic Resource Forms for each property.

- B. Photography: Photographs must show all exterior elevations of the buildings as well as any significant interior features. Photographs should be labeled with the name and address (including county) of the property, date and view shown in the photograph (i.e. east elevation). Photographs must be taken with 35mm or larger format camera, with black and white print film. Prints may be 3 ½ by 5 inches or larger. Negatives must be housed in polypropylene sleeves, labeled with the same information as the photographs, and submitted to PHMC/Bureau of Historic Preservation.

The County has contracted with Historic York, Inc. to prepare prints and negatives of all properties showing exterior elevations and interior features where accessible views are possible. Photographs and negatives are labeled with and housed in all acid free, archivally stable pages, envelopes and sleeves.

- C. Map location: Submit a U.S.G.S. quadrangle, 7.5 minute map showing the outline of the property associated with the buildings. A site map must also be submitted which includes property boundaries and the location of buildings outlining the walls at ground level (buildings footprint), noting the dimensions and indicating porches with dashed lines.

II GRADING:

The property will be graded in accordance with specifications provided by the Red Lion Borough Engineer.

III NEW CONSTRUCTION

No new construction is proposed as part of this project. However, the Pennsylvania SHPO reserves the right of review should new construction be proposed at a later date.

IV DISPUTE RESOLUTION

Should the Pennsylvania SHPO object within 30 days to any plans or specifications provided pursuant to this Memorandum of Agreement, the County shall consult with the Pennsylvania SHPO to resolve the objection. If the County determines that the objection cannot be resolved, the County shall request comments of the Advisory Council of Historic Preservation pursuant to 36 CFR Section 800, as amended.

Execution of this Memorandum of Agreement by the County and implementation of its terms evidence that the County and the Pennsylvania SHPO each has fulfilled its responsibilities under Section 106 of the National Historic Preservation Act, as amended.

PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER

By: Jean H. Cutler  
Title: DSHPO

Date: 4-19-05

COUNTY OF YORK, PENNSYLVANIA

By: Lee Oltk  
Title: President Commissioner

Date: 4/6/05