

MEMORANDUM OF AGREEMENT

WHEREAS, the Federal Highway Administration (FHWA) has determined that Project BR0-57(260)C, county bridge replacement over Hominy Creek in Osage County, will have an adverse impact upon the existing steel truss bridge, which has been assessed as eligible for inclusion in the National Register of Historic Places and has consulted with the Oklahoma State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act;

NOW, THEREFORE, FHWA, the Oklahoma SHPO, and the Council 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 HOMINY CREEK BRIDGE

FHWA will ensure that the following measures are carried out:

1. In consultation with the SHPO and Council, a marketing plan including the following will be developed.
 - a. An information packet will be prepared, containing a description of the bridge, photographs, a location map, information on its historic significance, requirements regarding relocation, rehabilitation, and maintenance, and the estimated cost for relocation. Relevant sections of The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings will be included.
 - b. The availability of the bridge for relocation will be advertised in the Tulsa, Bartlesville, and Ponca City daily papers. In addition, a press release advertising the bridge will be submitted for dissemination by regional news outlets. The Rails to Trails Conservancy will be notified of the structure's availability. Respondents will be allowed 45 days to indicate an interest in taking the structure.
 - c. Information packets will be mailed to all respondents. Respondents will then be required to submit a detailed relocation and reuse plan, describing the proposed site location, use(s) for the bridge, all rehabilitation or remodeling, and procedures for maintenance. Preference will be given those respondents willing to relocate and maintain the two trusses of the bridge in their current

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configuration. All offers will be reviewed over a 15-day period following the 45-day advertising period, in consultation with the SHPO.

- d. If there are no offers which will abide by the requirements of relocation, rehabilitation and maintenance of the entire structure, the FHWA may, with the approval of the SHPO, permit each truss to be transferred as a separate entity.
 - e. If a new owner is found to relocate the structure, the FHWA shall re-evaluate it on its new location and confer with the SHPO regarding its continued eligibility to the National Register of Historic Places. In consultation with SHPO, FHWA shall create a preservation agreement which will apply to the subsequent protection of the bridge.
 - f. A grant, equal to the estimated demolition costs, will be offered by FHWA to recipients who will abide by the preservation agreement. Any additional relocation and maintenance expenses shall be born by the recipient.
 - g. If no new owner is found to relocate the bridge, it shall remain the property of Osage County, and be disposed of as they see fit, following completion of the documentation measures specified in Item 2, below.
2. The Hominy Creek Bridge will be recorded prior to its demolition or removal so that there will be a permanent record of its present appearance and history. This will include the following:
- a. Complete photographic documentation following guidelines established by the Historic American Building Survey and the Historic American Engineering Record (HABS/HAER).
 - b. Photographic reproduction of selected original construction plans, if they exist, and
 - c. Preparation of a written narrative placing the structure within historical perspective on a State level.

All documentation will be edited, catalogued, and packaged according to appropriate HABS/HAER guidelines. All documentation must be completed and accepted by HABS/HAER prior to the removal of the Hominy Creek Bridge. Duplicate copies of the accepted documentation will be provided to the Oklahoma SHPO.

Execution of the Memorandum of Agreement and implementation of its terms evidence that FHWA has afforded the Council an opportunity to comment on the Hominy Creek Bridge replacement and its effects on historic properties, and that FHWA has taken into account the effects of the undertaking on historic properties.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

BY: *Robert D. Bush* DATE: *8/22/89*
Executive Director

FEDERAL HIGHWAY ADMINISTRATION

BY: *James A. Smith* DATE: *7/24/89*
Asst. Dir. Admin.

OKLAHOMA STATE HISTORIC PRESERVATION OFFICER

BY: *Dan Lefay* DATE: *9/27/89*
Executive Director