

**MEMORANDUM OF AGREEMENT**  
**SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**  
**PURSUANT TO CFR 800.6(A)**

WHEREAS, the Federal Highway Administration (FHWA) has determined that Federal-Aid Project STP-329(63) (State Job No. 10615(04)) will have an adverse impact to the Stilwell Overpass over the Kansas City Southern Railway in Adair County, Oklahoma, a property determined eligible for inclusion in the National Register of Historic Places, and has consulted with the Oklahoma 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);

NOW, THEREFORE, FHWA and the Oklahoma 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**  
**STILWELL OVERPASS**

FHWA will ensure that the following measures are carried out:

1. Construction of the new overpass on improved alignment may begin following execution of this MOA and approval of all appropriate environmental documentation, with the existing historic Stilwell Overpass being temporarily retained in service as a construction detour. The old facility does not meet current clearances required by the Kansas City Southern Railway Company, and therefore must be removed once the new overpass is open to traffic. Marketing the structure has been considered, but the existing overpass is an open spandrel concrete arch construction that cannot feasibly be relocated to another site.
2. The Stilwell Overpass 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 general guidelines established by the Historic American Building Survey and the Historic American Engineering Record (HABS/HAER) and utilized in the Oklahoma Historic Bridge Preservation and Management Plan.
  - b. Photographic reproduction of selected original construction plans, if they exist.

- c. Preparation of a brief written narrative placing the structure in perspective within the history of bridge-building in Oklahoma.

All documentation will be edited, catalogued, and packaged in a manner acceptable to the Oklahoma SHPO prior to demolition or removal of the Stilwell Overpass. The Oklahoma SHPO will be the repository for the documentation.

Execution of this Memorandum of Agreement and implementation of its terms evidence that FHWA has afforded the Council an opportunity to comment on the replacement of the Stilwell Overpass in Adair County and its effects on historic properties, and that FHWA has taken into account the effects of the undertaking on historic properties.

Federal Highway Administration

BY: Mike Heuron DATE: 1/27/94

Oklahoma State Historic Preservation Officer

BY: Baker Wade DATE: 1-19-94

ACCEPTED for the Advisory Council on Historic Preservation

BY: Robert A. Bush DATE: 2-15-94