

**MEMORANDUM OF AGREEMENT
AMONG THE CITY OF OKLAHOMA CITY, THE OKLAHOMA STATE HISTORIC
PRESERVATION OFFICER, AND THE ADVISORY COUNCIL ON HISTORIC
PRESERVATION REGARDING THE REHABILITATION OF THE FIRST NATIONAL
CENTER, 120 N. ROBINSON, CITY OF OKLAHOMA CITY**

WHEREAS, the City of Oklahoma City (the "City") has determined that the rehabilitation of the First National Center, 120 N. Robinson, Oklahoma City, a project to be funded from the City's Community Development Block Grant Fund (the "Project"), will have an effect upon this property which has been determined eligible for inclusion in the National Register of Historic Places, and has consulted with the Oklahoma State Historic Preservation Officer ("SHPO") and the Advisory Council on Historic Preservation (the "Council"), pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f), and

NOW, THEREFORE, the City, the SHPO, and the Council 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 will ensure that the following measures are carried out:

1. The City will ensure that the plans and specifications to be developed for rehabilitation of the First National Center and associated new construction are compatible with the historic and architectural quality of this property and are consistent with the standards and the recommended approaches to rehabilitation set forth in The Secretary of

the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1983 amended 1990) [Secretary's standards] and that the design and specifications for the Project are developed in consultation with the SHPO and submitted to the SHPO for approval prior to construction. For the 1957 addition and renovation (Block 22, Lots 27-31, Original Plat of Oklahoma City, Oklahoma County, Oklahoma) and the 1972 addition (described by the attached Exhibit "A"), the SHPO's review will apply to the exteriors only except where any new penetrations through walls into the West Building (Block 22, Lots 21-26, Original Plat of Oklahoma City, Oklahoma County, Oklahoma) may be necessary.

2. To ensure that development of the Project plans and specifications is consistent with the Secretary's standards, the City will submit to the SHPO for review and approval Project documentation at the program phase (scope documents), schematic phase, design development phase, 50% construction document phase, and 100% construction document phase.

3. If the SHPO or the City determine that the proposed rehabilitation or new construction does not conform to the standards, they shall consult further to identify project alternatives that will meet these standards. If the SHPO and the City agree that the adverse effect cannot be avoided, they will consult to determine the appropriate mitigation strategy. The City shall notify the Council of the agreed upon mitigation strategy, and the Council shall have fifteen (15) days within which to object.

4. Should the SHPO object within fifteen (15) days to any plans, specifications, or other documentation provided pursuant to this Agreement, the City shall consult further with the SHPO 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 Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either: 1) provide the City with recommendations, which the City will take into account in reaching a final decision regarding the dispute; or 2) notify the City that it will

comment pursuant to 36 CFR 800.5(e) and proceed to comment. Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute, and the City's responsibility to carry out all actions under this Agreement that are not the subject of the dispute will remain unchanged.

5. Any party to this Agreement may request that it be amended or modified whereupon the parties will consult in accordance with 36 CFR 800.5(e)(5) to consider such revisions.

EXECUTION OF THIS MEMORANDUM OF AGREEMENT and implementation of its terms evidences that the City has afforded the Council an opportunity to comment on the rehabilitation of the First National Center and its effects on historic properties, and that the City has taken into account the effects of the undertaking on historic properties.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By Robert D. Bush Date 9/22/93
Executive Director

CITY OF OKLAHOMA CITY

By Donald S. Neal Date _____
Mayor

OKLAHOMA STATE HISTORIC PRESERVATION OFFICE

By Shirley Wade Date _____
State Historic Preservation Officer

EXHIBIT "A"

Legal Description

Lots Thirty-Two (32), Thirty-Three (33), Thirty-Four (34), Thirty-Five (35) and Thirty-Six (36) in Block Twenty-Two (22), ORIGINAL PLAT OF OKLAHOMA CITY, Oklahoma County, Oklahoma, as shown by the plat recorded in Book 1, page 2, and part of the vacated alley East of Lot Thirty-Four (34) and West of Lots Thirty-Five (35) through Thirty-Nine (39) in Block Twenty-Two (22), ORIGINAL PLAT OF OKLAHOMA CITY, being more particularly described as follows:

BEGINNING at the Northeast corner of said Lot Thirty-Four (34); THENCE North 90°00'00" East 10.00 feet to the centerline of the vacated alley; THENCE South 00°00'00" West and parallel to the East line of said Lot Thirty-Four (34) and on the centerline of said alley a distance of 75.00 feet; THENCE North 90°00'00" East a distance of 10 feet to the Northwest corner of said Lot Thirty-Six (36); THENCE South 00°00'00" West on the West line of said Lot Thirty-Six (36) and Lot Thirty-Five (35) a distance of 65.00 feet to the Southwest corner of said Lot Thirty-Five (35); THENCE North 90°00'00" West a distance of 20.00 feet to the Southeast corner of said Lot Thirty-Four (34); THENCE North 00°00'00" East on the East line of said Lot Thirty-Four (34) a distance of 140.00 feet to the point of BEGINNING;

AND

BEGINNING at the Southwest corner of Lot Thirty-Two (32), Block Twenty-Two (22), ORIGINAL PLAT OF OKLAHOMA CITY, Oklahoma County, Oklahoma; THENCE South 00°00'00" East 10.00 feet to the centerline of the East-West alley running through said Block Twenty-Two (22); THENCE South 90°00'00" East on the centerline of said alley 235.00 feet to the West line of Broadway Avenue; THENCE North 00°00'00" West on the West line of Broadway Avenue 10.00 feet to the Southeast corner of Lot Thirty-Five (35) in said Block Twenty-Two (22); THENCE North 90°00'00" West on the North line of said alley 235.00 feet to the Southwest corner of Lot Twenty-One (21) in said Block Twenty-Two (22), and the point of BEGINNING;

AND

BEGINNING at the Northwest corner of Lot Nine (9), Block Twenty-Two (22), ORIGINAL PLAT OF OKLAHOMA CITY, Oklahoma County, Oklahoma; THENCE North 00°00'00" East 10.00 feet to the centerline of the East-West alley running through said Block Twenty-Two (22); THENCE North 90°00'00" East on the centerline of said alley 150.00 feet to a point that is 10.00 feet due North of the Northeast corner of Lot Four (4) in said Block Twenty-Two (22); THENCE South 00°00'00" West 10.00 feet to the Northeast corner of said Lot Four (4); THENCE South 90°00'00" West on the South line of said alley 150.00 feet to the Northwest corner of Lot Nine (9) in said Block Twenty-Two (22), and the point of BEGINNING;

AND

The North 2.45 feet of Lots Four (4), Five (5), Six (6), Seven (7) & Eight (8) in Block Twenty-Two (22) in the ORIGINAL PLAT OF OKLAHOMA CITY, Oklahoma County, Oklahoma, as shown by the recorded plat thereof, together with all space occupied by the so-called First National Center-East Building and all piers, columns and other support for such East Building.