MEMORANDUM OF AGREEMENT
AMONG
THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY,
THE STATE HISTORIC PRESERVATION OFFICER
of the
ILLINOIS DEPARTMENT OF NATURAL RESOURCES,
AND
NEW DIRECTIONS HOUSING CORPORATION
REGARDING THE REHABILITATION OF THE BUILDING
AT
3137 OAK PARK AVENUE, BERWYN, COOK COUNTY, ILLINOIS

WHEREAS, in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, the Illinois Housing Development Authority (IHDA) intends to provide federal funding to New Directions Housing Corporation (NDHC) for the rehabilitation of the Apartment Building at 3137 Oak Park Avenue, Berwyn, also known as Hotel Berwyn and Berwyn Apartments (Apartments); and

WHEREAS, as used herein, the term "SHPO" means the official appointed or designated pursuant to section 101(b)(1) of the NHPA, as amended (54 U.S. Code § 302301(1)), to administer the State historic preservation program or a representative designated to act for the State historic preservation officer (see 36 CFR § 800.16(v)); and

WHEREAS, the Illinois State historic preservation program presently resides within the Illinois Department of Natural Resources (IDNR), and the Director of IDNR, Wayne A. Rosenthal, is the duly designated State historic preservation officer; and

WHEREAS, IHDA and NDHC have consulted with the Illinois State Historic Preservation Officer (SHPO) concerning the rehabilitation of the Apartments as per Section 106 of the National Historic Preservation Act of 1966, as amended; and

WHEREAS, plans provided by NDHC for the rehabilitation of the Apartments do not meet the Secretary of the Interior's Standards for Rehabilitation (36 CFR 67); and

WHEREAS, IHDA and SHPO agree that the Apartments are eligible for listing, in the National Register of Historic Places, and that the rehabilitation plans of NDHC constitute an adverse effect to this eligible historic property pursuant to 36 CFR Part 800.5; and

WHEREAS, IHDA, NDHC, and SHPO have agreed to the preservation solutions enumerated in the Appendix to this Memorandum of Agreement; and

WHEREAS, IHDA and SHPO mutually agree that the rehabilitation of the Apartments is in the best interest of the City of Berwyn; and

WHEREAS, IHDA and SHPO mutually agree that there is not a prudent or feasible alternative to the rehabilitation plan of the Apartments

NOW, THEREFORE, the IHDA, the SHPO, and NDHC agree that the following measures shall be implemented to mitigate the adverse effect of this undertaking to the Apartment Building at 3137 Oak Park Avenue.

I. STIPULATIONS

Prior to the completion of the rehabilitation of the Apartments, the IHDA and NDHC will ensure that the following measures are carried out and completed:

1. Rehabilitation Standards Training

   A. The IHDA and NDHC will ensure that training on the Secretary of the Interior's Standards for Rehabilitation for the citizens and staff of the City of Berwyn shall be undertaken prior to the completion of the rehabilitation of the Apartments. The IHDA, NDHC, and or developer will be responsible for providing the meeting location, any necessary printed materials associated with the training, inviting all necessary parties, and posting notice to the general public.

   B. The SHPO will provide personnel to perform the training in Berwyn, Illinois

II. DURATION

This MOA will be null and void if its terms are not carried out prior to the completion of the rehabilitation of the Apartments. Prior to such time the IHDA and NDHC may consult with SHPO to reconsider the terms of the MOA and amend it in accordance with Section III below.

III. AMENDMENTS

This MOA may be amended when such an amendment is agreed to, in writing, by all signatories. Any necessary amendments will be executed in accordance with 36 CFR 800.

IV. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment. Upon satisfactory completion of the stipulations contained in Section I and the Appendix of this agreement, SHPO by way of IDNR shall issue a memorandum memorializing the satisfactory completion of all obligations under this Memorandum of Agreement.

Execution of this MOA by the IHDA, NDHC, and the SHPO IDNR, and the implementation of its terms, shall constitute evidence that the IHDA has afforded SHPO an opportunity to comment on the rehabilitation of the building at 3137 Oak Park Avenue, Berwyn, and has taken into

account the effects of the undertaking on historic properties, as required by Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

Execution and implementation of this MOA and carrying out its terms shall evidence that the IHDA and SHPO IDNR have satisfied their responsibilities under 36 CFR 800 and this MOA.

JB THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY

Andrea J. Jamerson

Name Date

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

_____Date_____

Wayne Rosenthal, Director of the Illinois Department of Natural Resources, in his capacity as Illinois State Historic Preservation Officer

Recommended by:

_____Date_____

Deputy State Historic Preservation Officer

NEW DIRECTION HOUSING CORPORATION

_____

Rodger Brown Date

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THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY

_____

Name Date

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

_____ Date 12/15/17

Wayne Rosenthal, Director of the Illinois Department of Natural Resources, in his capacity as Illinois State Historic Preservation Officer

Recommended by:

_____ Date 12/15/17

Deputy State Historic Preservation Officer

NEW DIRECTION HOUSING CORPORATION

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Rodger Brown Date

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THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY

_____

Name Date

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

_____Date_____

Wayne Rosenthal, Director of the Illinois Department of Natural Resources, in his capacity as Illinois State Historic Preservation Officer

Recommended by:

_____Date_____

Deputy State Historic Preservation Officer

NEW DIRECTION HOUSING CORPORATION

12.13.17

Rodger Brown Date

APPENDIX

Proposed rehabilitation project will be amended to include these conditions as agreed by all parties.

1. **The historic recessed entries with vaulted ceilings and spandrel panels will be retained at both retail storefronts. The flanking storefronts and doors are non-historic and may be replaced with a historically compatible storefront.**

2. **The view of the fourth floor addition is minimized as outlined in the revised plans and rendering received October 11th, 2017.**

3. **Interior historic fabric is retained and reused (or replicated) as outline in the revised plans received October 11th, 2017.**

4. **The new upper-floor windows on the primary façade (along Oak Park Avenue) will fill the entire opening, match the historic configuration, match the proportions of historic windows, and include a putty bevel.**