

**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-55E(918), "Gateway to the Capitol" Enhancement Project, construction of a landscaped bicycle and pedestrian trail system along NE 23rd Street in Oklahoma City, Oklahoma County, will have an adverse impact to eight buildings determined eligible for inclusion in the National Register of Historic Places as contributing resources to the proposed Ballacasa Terrace - Neff's Capitol Historic District, 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
"GATEWAY TO THE CAPITOL" ENHANCEMENT PROJECT IN OKLAHOMA CITY**

The Bellacasa Terrace-Neff's Capitol Historic District is being documented by the City of Oklahoma City under a separate project with the Oklahoma SHPO. Because the eight structures to be adversely affected by the referenced Enhancement project are eligible to the National Register of Historic Places only as contributing resources to the Bellacasa Terrace-Neff's Capitol District, and are not of individual distinction, the Oklahoma SHPO and the FHWA agree that existing documentation prepared by the Oklahoma Department of Transportation (ODOT) and on file at the Oklahoma SHPO constitutes an acceptable mitigation of adverse impacts to the Bellacasa Terrace-Neff's Capitol District. This documentation consists of the following elements:

1. Standard Oklahoma State Historic Preservation Office Inventory Forms containing general architectural and historical data for the eight affected standing structures .
2. Standard 35mm B/W photographs showing the existing appearance and condition of the eight properties.
- 3: Photocopies of appropriate Sanborn Fire Insurance Maps showing the historic context of these buildings within the adjacent historic district.

Execution of this Memorandum of Agreement and implementation of its terms evidence that FHWA has afforded the Council an opportunity to comment on the Gateway to the Capitol Enhancement Project 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 Heron DATE: 12/6/95

Oklahoma State Historic Preservation Officer

BY: Blake Wade DATE: Nov 15, 1995

ACCEPTED for the Advisory Council on Historic Preservation

BY: Robert W. Bush DATE: 1-16-94

**Advisory
Council On
Historic
Preservation**

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Reply to: 730 Simms Street, #401
Golden, Colorado 80401

January 23, 1996

James Erickson
Division Administrator
Federal Highway Administration
Oklahoma Division
715 S. Metropolitan, Suite 700
Oklahoma City, OK 73108

RE: *Memorandum of Agreement regarding the construction of a
bicycle and pedestrian trail system in the Bellacasa Terrace
- Neff's Capitol Historic District, Oklahoma City, Oklahoma*

Dear Mr. Erickson:

The enclosed Memorandum of Agreement regarding the above referenced undertaking has been accepted by the Council. This action constitutes the comments of the Council required by Section 106 of the National Historic Preservation Act and the Council's regulations. Please send copies of the signed Agreement to the Oklahoma State Historic Preservation Officer and your Federal Preservation Officer.

The Council appreciates your cooperation in reaching a satisfactory resolution of this matter.

Sincerely,



Claudia Nissley
Director, Western Office
of Review

Enclosure

RECEIVED

FEB 05 1996

BY SHPO