

MEMORANDUM OF AGREEMENT  
BETWEEN  
MONTGOMERY COUNTY, OHIO  
AND THE OHIO STATE HISTORIC PRESERVATION OFFICE  
REGARDING  
REHABILITATION OF 210, 212, 213 AND 214 PENNSYLVANIA AVE  
CITY OF DAYTON, VA MEDICAL CENTER, MONTGOMERY COUNTY, OHIO  
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

Pursuant to 36 CFR Part 800.6(a)

WHEREAS, the Montgomery County Community Development Office (COUNTY) proposes to provide HOME Investment Partnership Grants (HOME) to assist in the rehabilitation of 210, 212, 213 and 214 Pennsylvania Ave. in the City of Dayton, Veterans Administration Medical Center Grounds, Montgomery County, Ohio (PROJECT); and

WHEREAS, the County has determined that the proposed project will have an adverse effect on the property, which is a contributing element located on the Veterans Administration Medical Center Grounds, a district eligible for the National Register of Historic Places, and has consulted with the Ohio State Historic Preservation Officer (SHPO) in accordance with Section 106 of the National Historic Preservation Act, 16 U.S.C. Part 470 and its implementing regulations (36 CFR Part 800); and

WHEREAS, the County and the SHPO and the Advisory Council on Historic Preservation (COUNCIL) executed a Programmatic Agreement for Community Development Block Grant (CDBG), HOME, Emergency Shelter Grant (ESG), and Lead Hazard Reduction Programs in January of 1997;

WHEREAS, in consultation with the Ohio SHPO, the County has determined that the project does not meet the standards and guidelines for rehabilitation in historic districts as established by Stipulation #4 (B) (1) of the Programmatic Agreement; and

WHEREAS, execution of this Memorandum of Agreement (MOA) evidences that the County has followed the procedures outlined in 36 CFR Part 800.5 (e) and Part 800.6 in compliance with Stipulation #4 (B) of the Programmatic Agreement;

NOW, THEREFORE, the Montgomery County Community Development Office and the Ohio SHPO agree that the undertaking shall be implemented in accordance with the following stipulations to take into account the effect of the Project on historic properties:

**Stipulations**

The Montgomery County Community Development Office will insure that the following stipulations are implemented:

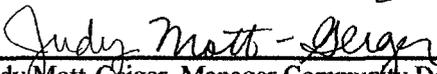
**LEAD PAINT ABATEMENT**

1. The County will insure that when possible, any paint to be removed will be stripped in such a manner as to not harm the substrate. New vinyl clad (exterior) and wood (interior) windows will be custom made to match the original windows, due to the cost effectiveness and adherence to Title X lead based paint regulations, as well as HUD's energy standards.
2. The original wood doors will be retained.

The replacing of the windows will offset the adverse effect in that they will be free of lead paint, energy efficient, and will greatly reduce the cost of the renovations.

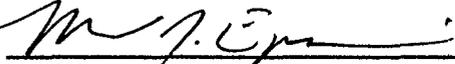
By action of this MOA by the County and the Ohio SHPO, and implementation of its terms, evidence that the County has afforded the Council an opportunity to comment on the undertaking and its effects on historic properties, and that the County has taken into account the effects of the undertaking on historic properties.

Montgomery County Community Development

  
\_\_\_\_\_  
Judy Mott-Geiger, Manager Community Development

1/29/2001  
Date

Ohio Historic Preservation Office

  
\_\_\_\_\_  
Mark Epstein, Department Head  
Resource Protection and Review

2/16/01  
Date