

MEMORANDUM OF AGREEMENT
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR PART 800.6(a)

WHEREAS the Veterans Administration (VA) has determined that the installation of a fence in front of Building# 7, Alvin C. York Medical Center located in Murfreesboro, Rutherford County, Tennessee will have an effect upon this property which has been determined to be eligible for listing in the National Register of Historic Places and has consulted with the Tennessee Historical Commission (SHPO) pursuant to 36 CFR Part 800 regulations implementing Section 106 of the National Historic Preservation Act (16 U. S. C. Part 470f):

NOW, THEREFORE, the Veterans Administration and the Tennessee 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 upon historic properties.

STIPULATIONS:

The Veterans Administration will ensure that the following measures are carried out in accord with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Standards) and that these measures are reflected in attached project plans dated September 7, 1990, which have become a part of this Memorandum by reference as "Attachment A":

A. The following mitigative measures shall be incorporated into the project plans:

1. All wooden portions of the fence shall be painted to match existing stone trim on Building# 7.
2. All brick portions of the fence shall match existing brick on Building# 7.

3. All landscaping will be executed in conformance with the Courtyard and Fence Site Plan dated August 29, 1990.
4. A full set of black and white 35 mm photographs in 3" X 5" format appropriately labeled documenting the exterior of Building# 7 shall be submitted to the Tennessee Historical Commission.
5. A full set of these photographs shall be retained in the administrative office of the Medical Center for inspection by any person as documentation of the original appearance of the building.

B. Once the construction phase of this project has begun, should the Tennessee SHPO or the Advisory Council on Historic Preservation (Council) object to the interpretation of any plans provided for review relative to this project and pursuant to this Memorandum, the Veterans Administration shall consult with the objecting party to resolve the objection.

If the Veterans Administration determine that the objection cannot be resolved, VA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within 30 days of receipt of this documentation, the Council will either:

1. provide VA with recommendations which VA will take into account when reaching a final decision regarding the dispute; or
2. notify VA that it will comment pursuant to 36 CFR Part 800.6(b), and proceed to comment. Any such comment will be taken into account by VA in accordance with 36 CFR Part 800.6(c)(2) when reaching a final decision regarding the dispute.

Execution of this Memorandum of Agreement by the Veterans Administration and the Tennessee Historical Commission (SHPO), its subsequent acceptance by the Council, and implementation of its terms, evidence that VA has afforded the Council an opportunity to comment on the installation of a fence in front of Building# 7, Alvin C. York Medical Center, Murfreesboro, Tennessee, and its effects upon historic properties, and that VA has taken into account the effects of the undertaking on historic properties.

Veterans Administration

BY: Brian Herbert Medical Center Director Date: MAR 18 1991
(Name and title of signer)

Tennessee Historical Commission

BY: Michael L. Hayes Date: 11/14/90
Deputy State Historic Preservation Officer

ACCEPTED for the Advisory Council on Historic Preservation

BY: John M. Fowlkes Secretary Date: 4/25/91
(Name and title of signer)