



**KENDALL COUNTY
HISTORIC PRESERVATION COMMISSION**
110 W. Madison Street • Court Room • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENDA

April 21, 2025 – 5:30 p.m.

CALL TO ORDER

ROLL CALL: Eric Bernacki, Elizabeth Flowers, Kristine Heiman (Secretary), Marty Shanahan (Vice-Chair), and Jeff Wehrli (Chair)

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes of March 17, 2025, Meeting (Pages 3-8)

CHAIRMAN'S REPORT:

PUBLIC COMMENT:

NEW BUSINESS:

1. Certified Local Government Grant Items
 - a. Approval of a Recommendation Authorizing the County Board Chairman to Execute a Certified Local Government Grant Agreement Between Kendall County and the State of Illinois, Department of Natural Resources to Conduct an Historic Structure Survey in Unincorporated Na-Au-Say and Seward Townships; Grant Award is \$28,000, Kendall County's Match is \$12,000, for a Total Project Cost of \$40,000 (Pages 9-42)
 - b. Approval of a Recommendation Authorizing the County Board Chairman to Execute a Contract with Wiss, Janney, Elstner Associates, Inc. to Complete Work Related to the Historic Structure Survey in Unincorporated Na-Au-Say and Seward Townships in an Amount Not to Exceed \$40,000; Related Invoices to Be Paid from Line Item 172019-63630 (Pages 43-52)

OLD BUSINESS:

1. Update on the Proclamation Declaring May Historic Preservation Month (Page 53)
2. Review of Historic Preservation Award Applications; Commission Could Select Winner(s) (Page 54)
 - a. 223 S. Bridge Street, Yorkville (Pages 55-60)
 - b. Johanna Byram (Page 61)
 - c. Thomas Milschewski (Pages 62-73)
3. Discussion of Summer Meeting with Historic Preservation Groups
4. Discussion of Having Commission Meetings at Historic Locations in the County; Commission Could Determine Meeting Locations and Times (Pages 74-75)
5. Discussion of Native American Tribes Associated with Kendall County
6. Discussion of 13860 Fox Road
7. Discussion of Amendments to the Kendall County Code Pertaining to Commission Review of Certain Building Permit Applications; Commission Could Recommend Amendments to the Kendall County Code and/or Approve a New Policy for Review of Certain Building Permit Applications (Page 76)

8. Discussion of Landmarking Cemeteries and Funding Sources for Cemeteries (Pages 77-116)

CORRESPONDENCE:

1. March 18, 2025, Email from Wiss, Janney, Elstner Associates, Inc. Regarding After the Fire: Damage Assessment for Repair of Mass Timber Building Elements (Pages 117-118)
2. April 2025 Edition of the Bell Tower (Pages 119-122)
3. April 10, 2025, Email from Wiss, Janney, Elstner Associates, Inc. Regarding Beyond the Routine (Inspection) (Pages 123-124)
4. April 11, 2025, Email from the Edith Farnsworth House Regarding Support Edith Farnsworth House (Pages 125-127)

PUBLIC COMMENT:

ADJOURNMENT: Next Meeting May 19, 2025

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

**KENDALL COUNTY
Historic Preservation Commission
Kendall County Historic Court House
110 W. Madison Street
Yorkville, IL 60560
5:30 p.m.
March 17, 2025-Unofficial Until Approved**

CALL TO ORDER

Chairman Jeff Wehrli called the meeting to order at 5:33 p.m.

ROLL CALL

Present: Eric Bernacki, Kristine Heiman (Secretary), and Jeff Wehrli (Chairman)

Absent: Elizabeth Flowers and Marty Shanahan

Also Present: Matt Asselmeier and Wanda A. Rolf

APPROVAL OF AGENDA

Member Bernacki made a motion, seconded by Member Heiman, to approve the agenda. With a voice vote of three (3) ayes, the motion carried.

APPROVAL OF MINUTES

Member Heiman made a motion, seconded by Member Bernacki, to approve the minutes from the January 16, 2025, meeting and the February 19, 2025, meeting. With a voice vote of three (3) ayes, the motion carried.

CHAIRMAN'S REPORT

Chairman Wehrli mentioned that he was pleased with the number of people who attended the Historic Presentation Organization Meeting at The Plano Stone Church on February 19, 2025. Chairman Wehrli also stated the presentation of The Tribune Experimental Farm was excellent. The speaker Benn Joseph had so much knowledge.

PUBLIC COMMENT

None

NEW BUSINESS

Approval of a Proclamation Declaring May Historic Preservation Month

Commissioners reviewed the proclamation and approved the proposal.

The proclamation goes to the County Board on May 6, 2025.

Review of Historic Preservation Award Applications; Commission Could Select Winner(s)

223 S. Bridge Street, Yorkville

Johanna Byram

Thomas Milschewski

Mr. Asselmeier stated that there was one (1) property nominated for an historic preservation award and two (2) individuals nominated for historic preservation awards. He said there was only enough funding to grant two (2) awards, based on the cost to prepare plaques.

The consensus of the Commission was to until all Commissioners were present on April 21, 2025, before voting on the applications.

OLD BUSINESS

Discussion of February 2025 Meeting with Historic Preservation Groups

Approval of Invoice for Food and Coffee in the Amount of \$95.54; Invoice to Be Paid from PBZ Department's Historical Preservation Line Item 11001902-63830

Follow-Up Discussion on the Meeting

Member Heiman made a motion, seconded by Member Bernacki, to approve the invoice.

The votes were as follows:

Ayes (3): Bernacki, Heiman, and Wehrli

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Shanahan

The motion carried.

Commissioners discussed the February 19, 2025, meeting. Chairman Wehrli stated there was a wonderful turnout at the meeting.

Member Heiman stated that she learned about The Gaylord House being for sale and shared the information with the Commission. Member Bernacki asked how long the current owners owned the Gaylord House. Chairman Wehrli stated that the owners of the Gaylord House owned it about three (3) years. Mr. Asselmeier mentioned that the current owners were sent an invitation to the February 19, 2025. Chairman Wehrli hoped that whoever purchased the Gaylord House would make it ADA compliant and allow the Historic Preservation Commission to have a meeting at the location.

Discussion of Having Commission Meetings at Historic Locations in the County; Commission Could Determine Meeting Locations and Times

Commissioners reviewed the list of properties on the National Register of Historic Places. Mr. Asselmeier discussed the properties in which the Historic Preservation Commission already had met. One (1) of the places that they did not meet was at the Sears House.

Chairman Wehrli stated that the Commission had a meeting at The LaSalle Manor Retreat Center and said it was amazing.

Discussion of Historic Structure Survey

Mr. Asselmeier stated he did not have any new information about the Historic Structure Survey.

Discussion of Native American Tribes Associated with Kendall County

Mr. Asselmeier spoke about Edith Farnsworth House having a Pow Wow this summer. He will reach out to the Edith Farnsworth House to ask if there was more information regarding this event.

Discussion of 13860 Fox Road

Mr. Asselmeier said that he has not received an update on the property.

Discussion of Amendments to the Kendall County Code Pertaining to Commission Review of Certain Building Permit Applications; Commission Could Recommend Amendments to the Kendall County Code and/or Approve a New Policy for Review of Certain Building Permit Applications

Mr. Asselmeier reported that the Planning Building and Zoning Committee was not in favor of voting for the amendments at this time. Chairman Wehrli asked Mr. Asselmeier if the Planning, Building and Zoning Committee could place this request on their agenda again. Mr. Asselmeier stated that Chairman Wehrli would have to contact Planning, Building and Zoning Committee Chairman Wormley.

Discussion of Landmarking Cemeteries and Funding Sources for Cemeteries

Commissioners discussed the possibility of having some of the cemeteries maintained. Member Bernacki stated that many townships perform their own maintenance on cemeteries.

Mr. Asselmeier communicated that each township must budget funds to be able to bury paupers.

CORRESPONDENCE

January 22, 2025, Email from Edith Farnsworth House Regarding Winter at EFH

Commissioners reviewed the email.

January 23, 2025, Email from Wiss, Janney, Elstner Associates, Inc. Regarding Fire Protection and Structural Impacts of Sustainable Designs and EV Technology in Parking Garages Training

Commissioners reviewed the email.

February 16, 2025, Email from Edith Farnsworth House Regarding Experience Edith Farnsworth House This Winter

Commissioners reviewed the email.

February 23, 2025, Email from Edith Farnsworth House Regarding Preview Party of Edith Farnsworth House Visitors Center

Commissioners reviewed the email.

March 4, 2025, Email from Wiss, Janney, Elstner Associates, Inc. Regarding Planning for Plaza Repairs and Renovations

Commissioners reviewed the email.

Member Heiman asked when the training would take place. Mr. Asselmeier stated that the training would be on March 18, 2025.

PUBLIC COMMENT

None

ADJOURNMENT

Member Heiman made a motion, seconded by Member Bernacki, to adjourn. With a voice vote of three (3) ayes, the motion carried. The Historic Preservation Commission adjourned at 5:59 p.m.

Respectfully Submitted,
Wanda A. Rolf
Part-Time Office Assistant

Enc.

Matt Asselmeier

From: Edith Farnsworth House <farnsworthhouse@savingplaces.org>
Sent: Saturday, March 15, 2025 8:03 AM
To: Matt Asselmeier
Subject: [External]Spring at Edith Farnsworth House

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

EDITH FARNSWORTH HOUSE

TWO GLASS HOUSES

March 16 | 1 PM CT



Final Winter Webinar

March 16 | 1 pm

[Register](#)

Two Glass Houses, One Entangled History. Discover the story behind Mies van der Rohe's Farnsworth House and Philip Johnson's Glass House. Two iconic pavilions, designed in the late 1940s, with a shared history that continues to captivate.

Opening Day



March 26, 2025

Opening Day 2025

March 26 | 9:30 am to 3:30 pm

[Tickets](#)

Join us Wednesday, March 26 for the start of our 2025 season, with tours at 10 AM, 12 PM, and 2 PM (Wed-Sun). Tickets are available for the entire 2025 season. All ticket holders will experience the *Movement: Water Into Wood* exhibition through August 31.



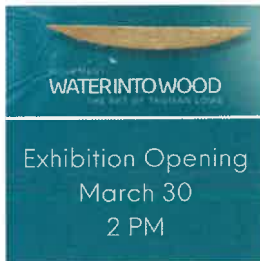
Women's History Month

March 2025 | Online

[Shop](#)

Celebrate Women's History Month with Insightful Reads! Discover the stories of Dr. Farnsworth, pioneering women in architecture,

and the influential women of the Bauhaus. Our Museum Store has curated a special collection to honor their legacies. Enjoy 10% off these inspiring publications!

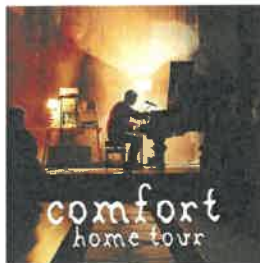


Movement: Water Into Wood

March 30 | 1 pm

RSVP

Movement: Water into Wood celebrates Truman Lowe's nature-inspired art and Ho-Chunk heritage. Join us Sunday, March 30, 2 PM, for the free opening at the Edith Farnsworth House Visitor Center and Barnsworth Gallery. Remarks, refreshments, and beverages from Dark Matter Coffee & Marz Brewery.



An Evening with Leon Guallart

April 5 | 7 pm

Tickets

Experience the soul-stirring *Comfort* project by Leon Diaz Guallart in an intimate candlelight concert at Edith Farnsworth House, April 5, 7 PM (doors 6:30 PM). Witness the magic as his deeply personal melodies transform the glass walls into a sanctuary of warmth and refuge.



Spring Wildflower Walk

April 26 | 8:30 am

Tickets

Explore the Edith Farnsworth House's spring landscape. See wildflowers, daffodil glades, and learn the site's history. Enjoy nature, birds, and architecture.



Modernist Homes Tour 2025

June 21 | 8:30 am or 1 pm

Save a Spot

Embark on a journey through architectural history with our third biennial Modernist Homes Tour. Explore five meticulously restored homes in Riverwoods. As a special bonus, tour Frank Lloyd Wright's Lloyd Lewis House. Tickets available soon!



Thank You Sponsors!

We extend our sincere gratitude to our valued in-kind sponsors: **Dark Matter Coffee, Diptyque Chicago, Hursthouse Landscape Architects & Contractors, Maglin Site Furniture, and Marz Community Brewing Company.** Their generous support makes our events and programs possible. We're always seeking new partnerships! If you're interested in becoming a donor or sponsor, please [contact](#) us today.

[Donate](#)



Edith Farnsworth House | 14520 River Rd | Plano, IL 60545 US

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**GRANT AGREEMENT
BETWEEN
THE STATE OF ILLINOIS, Department of Natural Resources
AND
Kendall County**

The parties to this Grant Agreement (Agreement) are the State of Illinois (State), acting through the undersigned agency (Grantor) and Kendall County (Grantee) (collectively, the "Parties" and individually, a "Party"). The Agreement, consisting of the signature page, the parts listed below, and any additional exhibits or attachments referenced in this Agreement, constitute the entire agreement between the Parties. No promises, terms, or conditions not recited, incorporated, or referenced herein, including prior agreements or oral discussions, are binding upon either Grantee or Grantor.

PART ONE – The Uniform Terms

Article I	Definitions
Article II	Award Information
Article III	Grantee Certifications and Representations
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Article XVII	Conflict of Interest
Article XVIII	Equipment or Property
Article XIX	Promotional Materials; Prior Notification
Article XX	Insurance
Article XXI	Lawsuits and Indemnification
Article XXII	Miscellaneous
Exhibit A	Project Description
Exhibit B	Deliverables or Milestones
Exhibit C	Contact Information
Exhibit D	Performance Measures and Standards
Exhibit E	Specific Conditions

PART TWO – Grantor-Specific Terms

PART THREE – Project-Specific Terms

The Parties or their duly authorized representatives hereby execute this Agreement.

Department of Natural Resources

By: _____

Signature of Natalie Finnie, Director

By: _____

Signature of Designee

Date: _____

Printed Name: _____

Printed Title: _____

Designee

Kendall County

By: _____

Signature of Authorized Representative

Date: _____

Printed Name: _____

Printed Title: _____

E-mail: _____

By: _____

Signature of Second Grantor Approver, if applicable

Date: _____

Printed Name: _____

Printed Title: _____

Second Grantor Approver

By: _____

Signature of Second Grantee Approver, if applicable

Date: _____

Printed Name: _____

Printed Title: _____

Second Grantee Approver
(Optional at Grantee's discretion)

By: _____

Signature of Third Grantor Approver, if applicable

Date: _____

Printed Name: _____

Printed Title: _____

Third Grantor Approver

PART ONE – THE UNIFORM TERMS

**ARTICLE I
DEFINITIONS**

1.1. Definitions. Capitalized words and phrases used in this Agreement have the meanings stated in 2 CFR 200.1 unless otherwise stated below.

“Allowable Costs” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Award” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Budget” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Catalog of State Financial Assistance” or “CSFA” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Close-out Report” means a report from the Grantee allowing Grantor to determine whether all applicable administrative actions and required work have been completed, and therefore closeout actions can commence.

“Conflict of Interest” has the same meaning as in 44 Ill. Admin. Code 7000.30.

"Cooperative Research and Development Agreement" has the same meaning as in 15 USC 3710a.

“Direct Costs” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Financial Assistance” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“GATU” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Grant Agreement” has the same meaning as in 44 Ill. Admin. Code 7000.30.

"Grantee Compliance Enforcement System" has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Grant Funds” means the Financial Assistance made available to Grantee through this Agreement.

“Grantee Portal” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Indirect Costs” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Indirect Cost Rate” means a device for determining in a reasonable manner the proportion of Indirect Costs each Program should bear. It is a ratio (expressed as a percentage) of the Indirect Costs to a Direct Cost base. If reimbursement of Indirect Costs is allowable under an Award, Grantor will not reimburse those Indirect Costs unless Grantee has established an Indirect Cost Rate covering the applicable activities and period of time, unless Indirect Costs are reimbursed at a fixed rate.

“Indirect Cost Rate Proposal” has the same meaning as in 44 Ill. Admin. Code 7000.30.

“Obligations” has the same meaning as in 44 Ill. Admin. Code 7000.30.

"Period of Performance" has the same meaning as in 44 Ill. Admin. Code 7000.30.

"Prior Approval" has the same meaning as in 44 Ill. Admin. Code 7000.30.

"Profit" means an entity's total revenue less its operating expenses, interest paid, depreciation, and taxes. "Profit" is synonymous with the term "net revenue."

"Program" means the services to be provided pursuant to this Agreement. "Program" is used interchangeably with "Project."

"Program Costs" means all Allowable Costs incurred by Grantee and the value of the contributions made by third parties in accomplishing the objectives of the Award during the Term of this Agreement.

"Related Parties" has the meaning set forth in Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 850-10-20.

"SAM" has the same meaning as in 44 Ill. Admin. Code 7000.30.

"State-issued Award" means the assistance that a grantee receives directly from a State Agency. The funding source of the State-issued Award can be federal pass-through, State or a combination thereof. "State-issued Award" does not include the following:

- contracts issued pursuant to the Illinois Procurement Code that a State Agency uses to buy goods or services from a contractor or a contract to operate State government-owned, contractor-operated facilities;
- agreements that meet the definition of "contract" under 2 CFR 200.1 and 2 CFR 200.331, which a State Agency uses to procure goods or services but are exempt from the Illinois Procurement Code due to an exemption listed under 30 ILCS 500/1-10, or pursuant to a disaster proclamation, executive order, or any other exemption permitted by law;
- amounts received for services rendered to an individual;
- Cooperative Research and Development Agreements;
- an agreement that provides only direct cash assistance to an individual;
- a subsidy;
- a loan;
- a loan guarantee; or
- insurance.

"Illinois Stop Payment List" has the same meaning as in 44 Ill. Admin. Code 7000.30.

"Unallowable Cost" has the same meaning as in 44 Ill. Admin. Code 7000.30.

"Unique Entity Identifier" or "UEI" has the same meaning as in 44 Ill. Admin. Code 7000.30.

**ARTICLE II
AWARD INFORMATION**

2.1. Term. This Agreement is effective upon execution and expires two years later (the Term), unless terminated pursuant to this Agreement.

2.2. Amount of Agreement. Grant Funds are \$28,000.00, of which all are federal funds. Grantee accepts Grantor's payment as specified in this ARTICLE.

2.3. Payment. Payment will be made as follows (see additional payment requirements in ARTICLE IV; additional payment provisions specific to this Award may be included in PART TWO or PART THREE):
Disbursements: The disbursement of funds will be made after the final execution of the grant, and upon submission by the grantee of a written request for payment on the Request for Reimbursement form provided by DNR. Requests for reimbursement can be made at the conclusion of the grant project. All payments shall be based upon documentation of project expenditures as submitted by the grantee, as provided below:

2.4. All billings shall be submitted within ninety (90) days following the end of project completion. Failure to do so may render the grantee ineligible to receive payments under the current award or make them ineligible for future awards.

2.5. Project costs for which reimbursement is sought cannot be incurred by the grantee prior to the effective date of the agreement, unless otherwise authorized by the DNR. Costs incurred prior to DNR approval are ineligible for grant assistance. If purchase is initiated and documented by a written purchase order or invoice prior to the end of the term of the grant agreement and payment is made within 30 - 60 days, the expense may be allowable.

2.6. Final payment will not be processed until the Final Report and Request for Reimbursement are received and approved by the DNR. All local match (if any) will be paid by the grantee who will provide documentation whenever making quarterly reports or requests for reimbursement.

2.7. Award Identification Numbers. If applicable, the Federal Award Identification Number (FAIN) is n/a, the federal awarding agency is n/a, and the Federal Award date is n/a. If applicable, the Assistance Listing Program Title is Historic Preservation Fund Grants In Aid and Assistance Listing Number is 15.904. The Catalog of State Financial Assistance (CSFA) Number is 422-50-1655 and the CSFA Name is CLG - Certified Local Government Grants Program (FY25). If applicable, the State Award Identification Number (SAIN) is CLG25009 Kendall County.

**ARTICLE III
GRANTEE CERTIFICATIONS AND REPRESENTATIONS**

3.1. Registration Certification. Grantee certifies that: (i) it is registered with SAM and [REDACTED] is Grantee's correct UEI; (ii) it is in good standing with the Illinois Secretary of State, if applicable; and (iii) Grantee has successfully completed the annual registration and prequalification through the Grantee Portal.

Grantee must remain current with these registrations and requirements. If Grantee's status with regard to any of these requirements change, or the certifications made in and information provided in the uniform grant application changes, Grantee must notify Grantor in accordance with ARTICLE XV.

3.2. Tax Identification Certification. Grantee certifies that [REDACTED] is Grantee's correct federal

employer identification number (FEIN) or Social Security Number. Grantee further certifies, if applicable: (a) that Grantee is not subject to backup withholding because (i) Grantee is exempt from backup withholding, or (ii) Grantee has not been notified by the Internal Revenue Service (IRS) that Grantee is subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified Grantee that Grantee is no longer subject to backup withholding; and (b) Grantee is a U.S. citizen or other U.S. person. Grantee is doing business as a government.

If Grantee has not received a payment from the State of Illinois in the last two years, Grantee must submit a W-9 tax form with this Agreement.

3.3. **Compliance with Uniform Grant Rules.** Grantee certifies that it must adhere to the applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, which are published in Title 2, Part 200 of the Code of Federal Regulations (2 CFR Part 200) and are incorporated herein by reference. 44 Ill. Admin. Code 7000.40(c)(1)(A). The requirements of 2 CFR Part 200 apply to the Grant Funds awarded through this Agreement, regardless of whether the original source of the funds is State or federal, unless an exception is noted in federal or State statutes or regulations. 30 ILCS 708/5(b).

3.4. **Representations and Use of Funds.** Grantee certifies under oath that (1) all representations made in this Agreement are true and correct and (2) all Grant Funds awarded pursuant to this Agreement must be used only for the purpose(s) described herein. Grantee acknowledges that the Award is made solely upon this certification and that any false statements, misrepresentations, or material omissions will be the basis for immediate termination of this Agreement and repayment of all Grant Funds.

3.5. **Specific Certifications.** Grantee is responsible for compliance with the enumerated certifications in this Paragraph to the extent that the certifications apply to Grantee.

(a) **Bribery.** Grantee certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor made an admission of guilt of such conduct which is a matter of record.

(b) **Bid Rigging.** Grantee certifies that it has not been barred from contracting with a unit of State or local government as a result of a violation of Paragraph 33E-3 or 33E-4 of the Criminal Code of 2012 (720 ILCS 5/33E-3 or 720 ILCS 5/33E-4, respectively).

(c) **Debt to State.** Grantee certifies that neither it, nor its affiliate(s), is/are barred from receiving an Award because Grantee, or its affiliate(s), is/are delinquent in the payment of any debt to the State, unless Grantee, or its affiliate(s), has/have entered into a deferred payment plan to pay off the debt.

(d) **International Boycott.** Grantee certifies that neither it nor any substantially owned affiliated company is participating or will participate in an international boycott in violation of the provision of the Anti-Boycott Act of 2018, Part II of the Export Control Reform Act of 2018 (50 USC 4841 through 4843), and the anti-boycott provisions set forth in Part 760 of the federal Export Administration Regulations (15 CFR Parts 730 through 774).

(e) **Discriminatory Club Dues or Fees.** Grantee certifies that it is not prohibited from receiving an Award because it pays dues or fees on behalf of its employees or agents or subsidizes or otherwise reimburses employees or agents for payment of their dues or fees to any club which unlawfully discriminates (775 ILCS 25/2).

(f) **Pro-Children Act.** Grantee certifies that it is in compliance with the Pro-Children Act of 2001 in that it prohibits smoking in any portion of its facility used for the provision of health, day care, early childhood development services, education or library services to children under the age of eighteen (18) (except such portions of the facilities which are used for inpatient substance abuse treatment) (20 USC 7181-7184).

(g) **Drug-Free Workplace.** If Grantee is not an individual, Grantee certifies it will provide a drug free workplace pursuant to the Drug Free Workplace Act. 30 ILCS 580/3. If Grantee is an individual and this Agreement is valued at more than \$5,000, Grantee certifies it will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the performance of the Agreement. 30 ILCS 580/4. Grantee further certifies that if it is a recipient of federal pass-through funds, it is in compliance with the government-wide requirements for a drug-free workplace as set forth in 41 USC 8103.

(h) **Motor Voter Law.** Grantee certifies that it is in full compliance with the terms and provisions of the National Voter Registration Act of 1993 (52 USC 20501 *et seq.*).

(i) **Clean Air Act and Clean Water Act.** Grantee certifies that it is in compliance with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 USC 7401 *et seq.*) and the Federal Water Pollution Control Act, as amended (33 USC 1251 *et seq.*).

(j) **Debarment.** Grantee certifies that it is not debarred, suspended, proposed for debarment or permanent inclusion on the Illinois Stop Payment List, declared ineligible, or voluntarily excluded from participation in this Agreement by any federal department or agency (2 CFR 200.205(a)), or by the State (30 ILCS 708/25(6)(G)).

(k) **Non-procurement Debarment and Suspension.** Grantee certifies that it is in compliance with Subpart C of 2 CFR Part 180 as supplemented by 2 CFR Part 376, Subpart C.

(l) **Health Insurance Portability and Accountability Act.** Grantee certifies that it is in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Public Law No. 104-191, 45 CFR Parts 160, 162 and 164, and the Social Security Act, 42 USC 1320d-2 through 1320d-7), in that it may not use or disclose protected health information other than as permitted or required by law and agrees to use appropriate safeguards to prevent use or disclosure of the protected health information. Grantee must maintain, for a minimum of six (6) years, all protected health information.

(m) **Criminal Convictions.** Grantee certifies that:

(i) Neither it nor a managerial agent of Grantee (for non-governmental grantees only, this includes any officer, director, or partner of Grantee) has been convicted of a felony under the Sarbanes-Oxley Act of 2002, nor a Class 3 or Class 2 felony under Illinois Securities Law of 1953, or that at least five (5) years have passed since the date of the conviction; and

(ii) It must disclose to Grantor all violations of criminal law involving fraud, bribery or gratuity violations potentially affecting this Award. Failure to disclose may result in remedial actions as stated in the Grant Accountability and Transparency Act. 30 ILCS 708/40. Additionally, if Grantee receives over \$10 million in total federal Financial Assistance, during the period of this Award, Grantee must maintain the currency of information reported to SAM regarding civil, criminal or administrative proceedings as required by 2 CFR 200.113 and Appendix XII of 2 CFR

Part 200, and 30 ILCS 708/40.

(n) **Federal Funding Accountability and Transparency Act of 2006 (FFATA).** Grantee certifies that it is in compliance with the terms and requirements of 31 USC 6101 with respect to Federal Awards greater than or equal to \$30,000. A FFATA subaward report must be filed by the end of the month following the month in which the award was made.

(o) **Illinois Works Review Panel.** For Awards made for public works projects, as defined in the Illinois Works Jobs Program Act, Grantee certifies that it and any contractor(s) or subcontractor(s) that performs work using funds from this Award, must, upon reasonable notice, appear before and respond to requests for information from the Illinois Works Review Panel. 30 ILCS 559/20-25(d).

(p) **Anti-Discrimination.** Grantee certifies that its employees and subcontractors under subcontract made pursuant to this Agreement, must comply with all applicable provisions of State and federal laws and regulations pertaining to nondiscrimination, sexual harassment and equal employment opportunity including, but not limited to: Illinois Human Rights Act (775 ILCS 5/1-101 *et seq.*), including, without limitation, 44 Ill. Admin. Code 750- Appendix A, which is incorporated herein; Public Works Employment Discrimination Act (775 ILCS 10/1 *et seq.*); Civil Rights Act of 1964 (as amended) (42 USC 2000a - 2000h-6); Section 504 of the Rehabilitation Act of 1973 (29 USC 794); Americans with Disabilities Act of 1990 (as amended) (42 USC 12101 *et seq.*); and the Age Discrimination Act of 1975 (42 USC 6101 *et seq.*).

(q) **Internal Revenue Code and Illinois Income Tax Act.** Grantee certifies that it complies with all provisions of the federal Internal Revenue Code (26 USC 1), the Illinois Income Tax Act (35 ILCS 5), and all regulations and rules promulgated thereunder, including withholding provisions and timely deposits of employee taxes and unemployment insurance taxes.

ARTICLE IV PAYMENT REQUIREMENTS

4.1. Availability of Appropriation; Sufficiency of Funds. This Agreement is contingent upon and subject to the availability of sufficient funds. Grantor may terminate or suspend this Agreement, in whole or in part, without penalty or further payment being required, if (i) sufficient funds for this Agreement have not been appropriated or otherwise made available to Grantor by the State or the federal funding source, (ii) the Governor or Grantor reserves funds, or (iii) the Governor or Grantor determines that funds will not or may not be available for payment. Grantor must provide notice, in writing, to Grantee of any such funding failure and its election to terminate or suspend this Agreement as soon as practicable. Any suspension or termination pursuant to this Paragraph will be effective upon the date of the written notice unless otherwise indicated.

4.2. Pre-Award Costs. Pre-award costs are not permitted unless specifically authorized by Grantor in **Exhibit A, PART TWO** or **PART THREE** of this Agreement. If they are authorized, pre-award costs must be charged to the initial Budget Period of the Award, unless otherwise specified by Grantor. 2 CFR 200.458.

4.3. Return of Grant Funds. Grantee must liquidate all Obligations incurred under the Award within forty-five (45) days of the end of the Period of Performance, or in the case of capital improvement Awards, within forty-five (45) days of the end of the time-period, the Grant Funds are available for expenditure or obligation, unless Grantor permits a longer period in **PART TWO** OR **PART THREE**. Grantee must return to Grantor within forty-five (45) days of the end of the applicable time-period as set forth in this Paragraph all remaining Grant Funds that are not expended or legally obligated.

4.4. Cash Management Improvement Act of 1990. Unless notified otherwise in **PART TWO** or **PART THREE**, Grantee must manage federal funds received under this Agreement in accordance with the Cash Management Improvement Act of 1990 (31 USC 6501 *et seq.*) and any other applicable federal laws or regulations. 2 CFR 200.305; 44 Ill. Admin. Code 7000.120.

4.5. Payments to Third Parties. Grantor will have no liability to Grantee when Grantor acts in good faith to redirect all or a portion of any Grantee payment to a third party. Grantor will be deemed to have acted in good faith when it is in possession of information that indicates Grantee authorized Grantor to intercept or redirect payments to a third party or when so ordered by a court of competent jurisdiction.

4.6. Modifications to Estimated Amount. If the Agreement amount is established on an estimated basis, then it may be increased by mutual agreement at any time during the Term. Grantor may decrease the estimated amount of this Agreement at any time during the Term if (i) Grantor believes Grantee will not use the funds during the Term, (ii) Grantor believes Grantee has used Grant Funds in a manner that was not authorized by this Agreement, (iii) sufficient funds for this Agreement have not been appropriated or otherwise made available to Grantor by the State or the federal funding source, (iv) the Governor or Grantor reserves funds, or (v) the Governor or Grantor determines that funds will or may not be available for payment. Grantee will be notified, in writing, of any adjustment of the estimated amount of this Agreement. In the event of such reduction, services provided by Grantee under **Exhibit A** may be reduced accordingly. Grantor must pay Grantee for work satisfactorily performed prior to the date of the notice regarding adjustment. 2 CFR 200.308.

4.7. Interest.

(a) All interest earned on Grant Funds held by a Grantee will be treated in accordance with 2 CFR 200.305(b)(9), unless otherwise provided in **PART TWO** or **PART THREE**. Grantee must remit annually any amount due in accordance with 2 CFR 200.305(b)(9) or to Grantor, as applicable.

(b) Grant Funds must be placed in an insured account, whenever possible, that bears interest, unless exempted under 2 CFR 200.305(b)(8).

4.8. Timely Billing Required. Grantee must submit any payment request to Grantor within fifteen (15) days of the end of the quarter, unless another billing schedule is specified in **ARTICLE II, PART TWO**, or **PART THREE**. Failure to submit such payment request timely will render the amounts billed Unallowable Costs which Grantor cannot reimburse. In the event that Grantee is unable, for good cause, to submit its payment request timely, Grantee shall timely notify Grantor and may request an extension of time to submit the payment request. Grantor's approval of Grantee's request for an extension shall not be unreasonably withheld.

4.9. Certification. Pursuant to 2 CFR 200.415, each invoice and report submitted by Grantee (or subrecipient) must contain the following certification by an official authorized to legally bind Grantee (or subrecipient):

By signing this report [or payment request or both], I certify to the best of my knowledge and belief that the report [or payment request] is true, complete, and accurate; that the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the State or federal pass-through award; and that supporting documentation has been submitted as required by the grant agreement. I acknowledge that approval for any other expenditure described herein is considered conditional subject to further review and verification in accordance with the monitoring and records

retention provisions of the grant agreement. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812; 30 ILCS 708/120).

ARTICLE V
SCOPE OF AWARD ACTIVITIES/PURPOSE OF AWARD

5.1. Scope of Award Activities/Purpose of Award. Grantee must perform as described in this Agreement, including as described in **Exhibit A** (Project Description), **Exhibit B** (Deliverables or Milestones), and **Exhibit D** (Performance Measures and Standards), as applicable. Grantee must further comply with all terms and conditions set forth in the Notice of State Award (44 Ill. Admin. Code 7000.360) which is incorporated herein by reference. All Grantor-specific provisions and programmatic reporting required under this Agreement are described in **PART TWO** (Grantor-Specific Terms). All Project-specific provisions and reporting required under this Agreement are described in **PART THREE** (Project-Specific Terms).

5.2. Scope Revisions. Grantee must obtain Prior Approval from Grantor whenever a scope revision is necessary for one or more of the reasons enumerated in 44 Ill. Admin. Code 7000.370(b)(2). All requests for scope revisions that require Grantor approval must be signed by Grantee's authorized representative and submitted to Grantor for approval. Expenditure of funds under a requested revision is prohibited and will not be reimbursed if expended before Grantor gives written approval. 2 CFR 200.308.

5.3. Specific Conditions. If applicable, specific conditions required after a risk assessment are included in **Exhibit E**. Grantee must adhere to the specific conditions listed therein. 44 Ill. Admin. Code 7000.340(e).

ARTICLE VI
BUDGET

6.1. Budget. The Budget submitted by Grantee at application, or a revised Budget subsequently submitted and approved by Grantor, is considered final and is incorporated herein by reference.

6.2. Budget Revisions. Grantee must obtain Prior Approval, whether mandated or discretionary, from Grantor whenever a Budget revision is necessary for one or more of the reasons enumerated in 44 Ill. Admin. Code 7000.370(b). All requests for Budget revisions that require Grantor approval must be signed by Grantee's authorized representative and submitted to Grantor for approval. Expenditure of funds under a requested revision is prohibited and will not be reimbursed if expended before Grantor gives written approval.

6.3. Notification. Within thirty (30) calendar days from the date of receipt of the request for Budget revisions, Grantor will review the request and notify Grantee whether the Budget revision has been approved, denied, or the date upon which a decision will be reached. 44 Ill. Admin. Code 7000.370(b)(7).

ARTICLE VII
ALLOWABLE COSTS

7.1. Allowability of Costs; Cost Allocation Methods. The allowability of costs and cost allocation methods for work performed under this Agreement will be determined in accordance with 2 CFR Part 200

Subpart E and Appendices III, IV, V, and VII.

7.2. Indirect Cost Rate Submission.

(a) All grantees, except for Local Education Agencies (as defined in 34 CFR 77.1), must make an Indirect Cost Rate election in the Grantee Portal, even grantees that do not charge or expect to charge Indirect Costs. 44 Ill. Admin. Code 7000.420(e).

(i) Waived and de minimis Indirect Cost Rate elections will remain in effect until Grantee elects a different option.

(b) Grantee must submit an Indirect Cost Rate Proposal in accordance with federal and State regulations, in a format prescribed by Grantor. For grantees who have never negotiated an Indirect Cost Rate before, the Indirect Cost Rate Proposal must be submitted for approval no later than three months after the effective date of the Award. For grantees who have previously negotiated an Indirect Cost Rate, the Indirect Cost Rate Proposal must be submitted for approval within 180 days of Grantee's fiscal year end, as dictated in the applicable appendices, such as:

(i) Appendix VII to 2 CFR Part 200 governs Indirect Cost Rate Proposals for state and Local Governments and Indian Tribes,

(ii) Appendix III to 2 CFR Part 200 governs Indirect Cost Rate Proposals for public and private institutions of higher education,

(iii) Appendix IV to 2 CFR Part 200 governs Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Nonprofit Organizations, and

(iv) Appendix V to 2 CFR Part 200 governs state/Local Governmentwide Central Service Cost Allocation Plans.

(c) A grantee who has a current, applicable rate negotiated by a cognizant federal agency must provide to Grantor a copy of its Indirect Cost Rate acceptance letter from the federal government and a copy of all documentation regarding the allocation methodology for costs used to negotiate that rate, e.g., without limitation, the cost policy statement or disclosure narrative statement. Grantor will accept that Indirect Cost Rate, up to any statutory, rule-based or programmatic limit.

(d) A grantee who does not have a current negotiated rate, may elect to charge the *de minimis* rate as set forth in 2 CFR 200.414(f), which may be used indefinitely. No documentation is required to justify the *de minimis* Indirect Cost Rate. 2 CFR 200.414(f).

7.3. Transfer of Costs. Cost transfers between Grants, whether as a means to compensate for cost overruns or for other reasons, are unallowable. 2 CFR 200.451.

7.4. Commercial Organization Cost Principles. The federal cost principles and procedures for cost analysis and the determination, negotiation and allowance of costs that apply to commercial organizations are set forth in 48 CFR Part 31.

7.5. Financial Management Standards. The financial management systems of Grantee must meet the following standards:

(a) **Accounting System.** Grantee organizations must have an accounting system that provides accurate, current, and complete disclosure of all financial transactions related to each state- and federally funded Program. Accounting records must contain information pertaining to State and federal pass-through awards, authorizations, Obligations, unobligated balances, assets, outlays, and income.

These records must be maintained on a current basis and balanced at least quarterly. Cash contributions to the Program from third parties must be accounted for in the general ledger with other Grant Funds. Third party in-kind (non-cash) contributions are not required to be recorded in the general ledger, but must be under accounting control, possibly through the use of a memorandum ledger. To comply with 2 CFR 200.305(b)(7)(i) and 30 ILCS 708/97, Grantee must use reasonable efforts to ensure that funding streams are delineated within Grantee's accounting system. 2 CFR 200.302.

(b) **Source Documentation.** Accounting records must be supported by such source documentation as canceled checks, bank statements, invoices, paid bills, donor letters, time and attendance records, activity reports, travel reports, contractual and consultant agreements, and subaward documentation. All supporting documentation must be clearly identified with the Award and general ledger accounts which are to be charged or credited.

(i) The documentation standards for salary charges to Grants are prescribed by 2 CFR 200.430, and in the cost principles applicable to the Grantee's organization.

(ii) If records do not meet the standards in 2 CFR 200.430, then Grantor may notify Grantee in **PART TWO, PART THREE** or **Exhibit E** of the requirement to submit personnel activity reports. 2 CFR 200.430(i)(8). Personnel activity reports must account on an after-the-fact basis for one hundred percent (100%) of the employee's actual time, separately indicating the time spent on the Award, other grants or projects, vacation or sick leave, and administrative time, if applicable. The reports must be signed by the employee, approved by the appropriate official, and coincide with a pay period. These time records must be used to record the distribution of salary costs to the appropriate accounts no less frequently than quarterly.

(iii) Formal agreements with independent contractors, such as consultants, must include a description of the services to be performed, the period of performance, the fee and method of payment, an itemization of travel and other costs which are chargeable to the agreement, and the signatures of both the contractor and an appropriate official of Grantee.

(iv) If third party in-kind (non-cash) contributions are used for Award purposes, the valuation of these contributions must be supported with adequate documentation.

(c) **Internal Control.** Grantee must maintain effective control and accountability for all cash, real and personal property, and other assets. Grantee must adequately safeguard all such property and must provide assurance that it is used solely for authorized purposes. Grantee must also have systems in place that provide reasonable assurance that the information is accurate, allowable, and compliant with the terms and conditions of this Agreement. 2 CFR 200.303.

(d) **Budget Control.** Grantee must maintain records of expenditures for each Award by the cost categories of the approved Budget (including Indirect Costs that are charged to the Award), and actual expenditures are to be compared with budgeted amounts at least quarterly.

(e) **Cash Management.** Requests for advance payment must be limited to Grantee's immediate cash needs. Grantee must have written procedures to minimize the time elapsing between the receipt and the disbursement of Grant Funds to avoid having excess funds on hand. 2 CFR 200.305.

7.6. **Profits.** It is not permitted for any person or entity to earn a Profit from an Award. *See, e.g.,* 2 CFR 200.400(g); *see also* 30 ILCS 708/60(a)(7).

7.7. **Management of Program Income.** Grantee is encouraged to earn income to defray Program Costs where appropriate, subject to 2 CFR 200.307.

**ARTICLE VIII
LOBBYING**

8.1. Improper Influence. Grantee certifies that it will not use and has not used Grant Funds to influence or attempt to influence an officer or employee of any government agency or a member or employee of the State or federal legislature in connection with the awarding of any agreement, the making of any grant, the making of any loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment or modification of any agreement, grant, loan or cooperative agreement. Additionally, Grantee certifies that it has filed the required certification under the Byrd Anti-Lobbying Amendment (31 USC 1352), if applicable.

8.2. Federal Form LLL. If any federal funds, other than federally appropriated funds, were paid or will be paid to any person for influencing or attempting to influence any of the above persons in connection with this Agreement, the undersigned must also complete and submit Federal Form LLL, Disclosure of Lobbying Activities Form, in accordance with its instructions.

8.3. Lobbying Costs. Grantee certifies that it is in compliance with the restrictions on lobbying set forth in 2 CFR 200.450. For any Indirect Costs associated with this Agreement, total lobbying costs must be separately identified in the Program Budget, and thereafter treated as other Unallowable Costs.

8.4. Procurement Lobbying. Grantee warrants and certifies that it and, to the best of its knowledge, its subrecipients have complied and will comply with Illinois Executive Order No. 1 (2007) (EO 1-2007). EO 1-2007 generally prohibits grantees and subcontractors from hiring the then-serving Governor's family members to lobby procurement activities of the State, or any other unit of government in Illinois including local governments, if that procurement may result in a contract valued at over \$25,000. This prohibition also applies to hiring for that same purpose any former State employee who had procurement authority at any time during the one-year period preceding the procurement lobbying activity.

8.5. Subawards. Grantee must include the language of this ARTICLE in the award documents for any subawards made pursuant to this Award at all tiers. All subrecipients are also subject to certification and disclosure. Pursuant to Appendix II(I) to 2 CFR Part 200, Grantee must forward all disclosures by contractors regarding this certification to Grantor.

8.6. Certification. This certification is a material representation of fact upon which reliance was placed to enter into this transaction and is a prerequisite for this transaction, pursuant to 31 USC 1352. Any person who fails to file the required certifications will be subject to a civil penalty of not less than \$10,000, and not more than \$100,000, for each such failure.

**ARTICLE IX
MAINTENANCE AND ACCESSIBILITY OF RECORDS; MONITORING**

9.1. Records Retention. Grantee must maintain for three (3) years from the date of submission of the final expenditure report, adequate books, all financial records and, supporting documents, statistical records, and all other records pertinent to this Award, adequate to comply with 2 CFR 200.334, unless a different retention period is specified in 2 CFR 200.334, 44 Ill. Admin. Code 7000.430(a) and (b) or **PART TWO** or **PART THREE**. If any litigation, claim, or audit is started before the expiration of the retention period, the records must be retained until all litigation, claims or audit exceptions involving the records have been resolved and final action taken.

9.2. Accessibility of Records. Grantee, in compliance with 2 CFR 200.337 and 44 Ill. Admin. Code 7000.430(f), must make books, records, related papers, supporting documentation and personnel relevant to this Agreement available to authorized Grantor representatives, the Illinois Auditor General, Illinois Attorney General, any Executive Inspector General, Grantor's Inspector General, federal authorities, any person identified in 2 CFR 200.337, and any other person as may be authorized by Grantor (including auditors), by the State of Illinois or by federal statute. Grantee must cooperate fully in any such audit or inquiry.

9.3. Failure to Maintain Books and Records. Failure to maintain adequate books, records and supporting documentation, as described in this ARTICLE, will result in the disallowance of costs for which there is insufficient supporting documentation and also establishes a presumption in favor of the State for the recovery of any Grant Funds paid by the State under this Agreement for which adequate books, records and supporting documentation are not available to support disbursement.

9.4. Monitoring and Access to Information. Grantee must monitor its activities to assure compliance with applicable state and federal requirements and to assure its performance expectations are being achieved. Grantor will monitor the activities of Grantee to assure compliance with all requirements, including appropriate programmatic rules, regulations, and guidelines that the Grantor promulgates or implements, and performance expectations of the Award. Grantee must timely submit all financial and performance reports, and must supply, upon Grantor's request, documents, and information relevant to the Award. Grantor may make site visits as warranted by Program needs. 2 CFR 200.329; 200.332. Additional monitoring requirements may be in **PART TWO** or **PART THREE**.

ARTICLE X FINANCIAL REPORTING REQUIREMENTS

10.1. Required Periodic Financial Reports. Grantee must submit financial reports as requested and in the format required by Grantor no later than the dues date(s) specified in **PART TWO** or **PART THREE**. Grantee must submit quarterly reports with Grantor describing the expenditure(s) of the funds related thereto, unless more frequent reporting is required by the Grantee due to the funding source or pursuant to specific award conditions. 2 CFR 200.208. Any report required by 30 ILCS 708/125 may be detailed in **PART TWO** or **PART THREE**.

10.2. Financial Close-out Report.

(a) Grantee must submit a financial Close-out Report, in the format required by Grantor, by the due date specified in **PART TWO** or **PART THREE**, which must be no later than sixty (60) calendar days following the end of the Period of Performance for this Agreement or Agreement termination. The format of this financial Close-out Report must follow a format prescribed by Grantor. 2 CFR 200.344; 44 Ill. Admin. Code 7000.440(b).

(b) If an audit or review of Grantee occurs and results in adjustments after Grantee submits a Close-out Report, Grantee must submit a new financial Close-out Report based on audit adjustments, and immediately submit a refund to Grantor, if applicable. 2 CFR 200.345; 44 Ill. Admin. Code 7000.450.

10.3. Effect of Failure to Comply. Failure to comply with the reporting requirements in this Agreement may cause a delay or suspension of funding or require the return of improper payments or Unallowable Costs and will be considered a material breach of this Agreement. Grantee's failure to comply with ARTICLE X, ARTICLE XI, or ARTICLE XVII will be considered prima facie evidence of a breach and may be admitted as such, without further proof, into evidence in an administrative proceeding before Grantor, or in any other legal proceeding. Grantee

should refer to the State Grantee Compliance Enforcement System for policy and consequences for failure to comply. 44 Ill. Admin. Code 7000.80.

ARTICLE XI PERFORMANCE REPORTING REQUIREMENTS

11.1. Required Periodic Performance Reports. Grantee must submit performance reports as requested and, in the format required by Grantor no later than the due date(s) specified in **PART TWO** or **PART THREE**. 44 Ill. Admin. Code 7000.410. Grantee must report to Grantor on the performance measures listed in **Exhibit D**, **PART TWO** or **PART THREE** at the intervals specified by Grantor, which must be no less frequent than annually and no more frequent than quarterly, unless otherwise specified in **PART TWO**, **PART THREE**, or **Exhibit E** pursuant to specific award conditions. For certain construction-related Awards, such reports may be exempted as identified in **PART TWO** or **PART THREE**. 2 CFR 200.329.

11.2. Performance Close-out Report. Grantee must submit a performance Close-out Report, in the format required by Grantor by the due date specified in **PART TWO** or **PART THREE**, which must be no later than 60 calendar days following the end of the Period of Performance or Agreement termination. 2 CFR 200.344; 44 Ill. Admin. Code 7000.440(b).

11.3. Content of Performance Reports. Pursuant to 2 CFR 200.329(b) and (c), all performance reports must relate the financial data and accomplishments to the performance goals and objectives of this Award and also include the following: a comparison of actual accomplishments to the objectives of the Award established for the period; where the accomplishments can be quantified, a computation of the cost and demonstration of cost effective practices (e.g., through unit cost data); performance trend data and analysis if required; and reasons why established goals were not met, if appropriate. Additional content and format guidelines for the performance reports will be determined by Grantor contingent on the Award's statutory, regulatory, and administrative requirements, and are included in **PART TWO** or **PART THREE** of this Agreement.

ARTICLE XII AUDIT REQUIREMENTS

12.1. Audits. Grantee is subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 USC 7501-7507), Subpart F of 2 CFR Part 200, and the audit rules and policies set forth by the Governor's Office of Management and Budget. 30 ILCS 708/65(c); 44 Ill. Admin. Code 7000.90.

12.2. Consolidated Year-End Financial Reports (CYEFR). All grantees must complete and submit a CYEFR through the Grantee Portal, except those exempted by federal or State statute or regulation, as set forth in **PART TWO** or **PART THREE**. The CYEFR is a required schedule in Grantee's audit report if Grantee is required to complete and submit an audit report as set forth herein.

(a) Grantee's CYEFR must cover the same period as the audited financial statements, if required, and must be submitted in accordance with the audit schedule at 44 Ill. Admin. Code 7000.90. If Grantee is not required to complete audited financial statements, the CYEFR must cover Grantee's fiscal year and must be submitted within 6 months of the Grantee's fiscal year-end.

(b) The CYEFR must include an in relation to opinion from the auditor of the financial statements included in the audit.

- (c) The CYEFR must follow a format prescribed by Grantor.

12.3. Entities That Are Not “For-Profit”.

- (a) This Paragraph applies to Grantees that are not “for-profit” entities.

(b) Single and Program-Specific Audits. If, during its fiscal year, Grantee expends at least the threshold amount as set out in 2 CFR 200.501(a) in federal Awards (direct federal and federal pass-through awards combined), Grantee must have a single audit or program-specific audit conducted for that year as required by 2 CFR 200.501 and other applicable sections of Subpart F of 2 CFR Part 200. The audit report packet must be completed as described in 2 CFR 200.512 (single audit) or 2 CFR 200.507 (program-specific audit), 44 Ill. Admin. Code 7000.90(h)(1) and the current GATA audit manual and submitted to the Federal Audit Clearinghouse, as required by 2 CFR 200.512. The results of peer and external quality control reviews, management letters issued by the auditors and their respective corrective action plans if significant deficiencies or material weaknesses are identified, and the CYEFR(s) must be submitted to the Grantee Portal at the same time the audit report packet is submitted to the Federal Audit Clearinghouse. The due date of all required submissions set forth in this Paragraph is the earlier of (i) thirty (30) calendar days after receipt of the auditor’s report(s) or (ii) nine (9) months after the end of Grantee’s audit period.

(c) Financial Statement Audit. If, during its fiscal year, Grantee expends less than the threshold amount as set out in 2 CFR 200.501(a) in federal Awards, Grantee is subject to the following audit requirements:

(i) If, during its fiscal year, Grantee expends at least the threshold amount as set out in 44 Ill. Admin. Code 7000.90(c)(1) in State-issued Awards, Grantee must have a financial statement audit conducted in accordance with the Generally Accepted Government Auditing Standards (GAGAS). Grantee may be subject to additional requirements in **PART TWO, PART THREE** or **Exhibit E** based on Grantee’s risk profile.

(ii) If, during its fiscal year, Grantee expends less than the threshold amount as set out in 44 Ill. Admin. Code 7000.90(c)(1) in State-issued Awards but expends at least the threshold amount as set out in 44 Ill. Admin Code 7000.90(c)(2) in State-issued Awards, Grantee must have a financial statement audit conducted in accordance with the Generally Accepted Auditing Standards (GAAS).

(iii) If Grantee is a Local Education Agency (as defined in 34 CFR 77.1), Grantee must have a financial statement audit conducted in accordance with GAGAS, as required by 23 Ill. Admin. Code 100.110, regardless of the dollar amount of expenditures of State-issued Awards.

(iv) If Grantee does not meet the requirements in subsections 12.3(b) and 12.3(c)(i-iii) but is required to have a financial statement audit conducted based on other regulatory requirements, Grantee must submit those audits for review.

(v) Grantee must submit its financial statement audit report packet, as set forth in 44 Ill. Admin. Code 7000.90(h)(2) and the current GATA audit manual, to the Grantee Portal within the earlier of (i) thirty (30) calendar days after receipt of the auditor’s report(s) or (ii) six (6) months after the end of Grantee’s audit period.

12.4. “For-Profit” Entities.

- (a) This Paragraph applies to Grantees that are “for-profit” entities.

(b) Program-Specific Audit. If, during its fiscal year, Grantee expends at least the threshold amount as set out in 2 CFR 200.501(a) in federal pass-through funds from State-issued Awards, Grantee

must have a program-specific audit conducted in accordance with 2 CFR 200.507. The auditor must audit federal pass-through programs with federal pass-through Awards expended that, in the aggregate, cover at least 50 percent (0.50) of total federal pass-through Awards expended. The audit report packet must be completed as described in 2 CFR 200.507 (program-specific audit), 44 Ill. Admin. Code 7000.90 and the current GATA audit manual and must be submitted to the Grantee Portal. The due date of all required submissions set forth in this Paragraph is the earlier of (i) thirty (30) calendar days after receipt of the auditor's report(s) or (ii) nine (9) months after the end of Grantee's audit period.

(c) Financial Statement Audit. If, during its fiscal year, Grantee expends less than the threshold amount as set out in 2 CFR 200.501(a) in federal pass-through funds from State-issued Awards, Grantee must follow all of the audit requirements in Paragraphs 12.3(c)(i)-(v), above.

(d) Publicly Traded Entities. If Grantee is a publicly traded company, Grantee is not subject to the single audit or program-specific audit requirements but must submit its annual audit conducted in accordance with its regulatory requirements.

12.5. Performance of Audits. For those organizations required to submit an independent audit report, the audit must be conducted by the Illinois Auditor General (as required for certain governmental entities only), or a Certified Public Accountant or Certified Public Accounting Firm licensed in the State of Illinois or in accordance with Section 5.2 of the Illinois Public Accounting Act (225 ILCS 450/5.2). For all audits required to be performed subject to GAGAS or Generally Accepted Auditing Standards, Grantee must request and maintain on file a copy of the auditor's most recent peer review report and acceptance letter. Grantee must follow procedures prescribed by Grantor for the preparation and submission of audit reports and any related documents.

12.6. Delinquent Reports. When audit reports or financial statements required under this ARTICLE are prepared by the Illinois Auditor General, if they are not available by the above-specified due date, they must be provided to Grantor within thirty (30) days of becoming available. Grantee should refer to the State Grantee Compliance Enforcement System for the policy and consequences for late reporting. 44 Ill. Admin. Code 7000.80.

ARTICLE XIII TERMINATION; SUSPENSION; NON-COMPLIANCE

13.1. Termination.

(a) Either Party may terminate this Agreement, in whole or in part, upon thirty (30) calendar days' prior written notice to the other Party.

(b) If terminated by the Grantee, Grantee must include the reasons for such termination, the effective date, and, in the case of a partial termination, the portion to be terminated. If Grantor determines in the case of a partial termination that the reduced or modified portion of the Award will not accomplish the purposes for which the Award was made, Grantor may terminate the Agreement in its entirety. 2 CFR 200.340(a)(4).

(c) This Agreement may be terminated, in whole or in part, by Grantor:

(i) Pursuant to a funding failure under Paragraph 4.1;

(ii) If Grantee fails to comply with the terms and conditions of this or any Award,

application or proposal, including any applicable rules or regulations, or has made a false representation in connection with the receipt of this or any Award; or

(iii) If the Award no longer effectuates the Program goals or agency priorities as set forth in **Exhibit A, PART TWO** or **PART THREE**.

13.2. **Suspension.** Grantor may suspend this Agreement, in whole or in part, pursuant to a funding failure under Paragraph 4.1 or if the Grantee fails to comply with terms and conditions of this or any Award. If suspension is due to Grantee's failure to comply, Grantor may withhold further payment and prohibit Grantee from incurring additional Obligations pending corrective action by Grantee or a decision to terminate this Agreement by Grantor. Grantor may allow necessary and proper costs that Grantee could not reasonably avoid during the period of suspension.

13.3. **Non-compliance.** If Grantee fails to comply with the U.S. Constitution, applicable statutes, regulations or the terms and conditions of this or any Award, Grantor may impose additional conditions on Grantee, as described in 2 CFR 200.208. If Grantor determines that non-compliance cannot be remedied by imposing additional conditions, Grantor may take one or more of the actions described in 2 CFR 200.339. The Parties must follow all Grantor policies and procedures regarding non-compliance, including, but not limited to, the procedures set forth in the State Grantee Compliance Enforcement System. 44 Ill. Admin. Code 7000.80 and 7000.260.

13.4. **Objection.** If Grantor suspends or terminates this Agreement, in whole or in part, for cause, or takes any other action in response to Grantee's non-compliance, Grantee may avail itself of any opportunities to object and challenge such suspension, termination or other action by Grantor in accordance with any applicable processes and procedures, including, but not limited to, the procedures set forth in the State Grantee Compliance Enforcement System. 2 CFR 200.342; 44 Ill. Admin. Code 7000.80 and 7000.260.

13.5. **Effects of Suspension and Termination.**

(a) Grantor may credit Grantee for allowable expenditures incurred in the performance of authorized services under this Agreement prior to the effective date of a suspension or termination.

(b) Except as set forth in subparagraph (c), below, Grantee must not incur any costs or Obligations that require the use of Grant Funds after the effective date of a suspension or termination and must cancel as many outstanding Obligations as possible.

(c) Costs to Grantee resulting from Obligations incurred by Grantee during a suspension or after termination of the Agreement are not allowable unless Grantor expressly authorizes them in the notice of suspension or termination or subsequently. However, Grantor may allow costs during a suspension or after termination if:

(i) The costs result from Obligations properly incurred before the effective date of suspension or termination, are not in anticipation of the suspension or termination, and the costs would be allowable if the Agreement was not suspended or terminated prematurely. 2 CFR 200.343.

13.6. **Close-out of Terminated Agreements.** If this Agreement is terminated, in whole or in part, the Parties must comply with all close-out and post-termination requirements of this Agreement. 2 CFR 200.340(d).

**ARTICLE XIV
SUBCONTRACTS/SUBAWARDS**

14.1. Subcontracting/Subrecipients/Delegation. Grantee must not subcontract nor issue a subaward for any portion of this Agreement nor delegate any duties hereunder without Prior Approval of Grantor. The requirement for Prior Approval is satisfied if the subcontractor or subrecipient has been identified in the uniform grant application, such as, without limitation, a Project description, and Grantor has approved. Grantee must notify any potential subrecipient that the subrecipient must obtain and provide to the Grantee a Unique Entity Identifier prior to receiving a subaward. 2 CFR 25.300.

14.2. Application of Terms. If Grantee enters into a subaward agreement with a subrecipient, Grantee must notify the subrecipient of the applicable laws and regulations and terms and conditions of this Award by attaching this Agreement to the subaward agreement. The terms of this Agreement apply to all subawards authorized in accordance with Paragraph 14.1. 2 CFR 200.101(b)(2).

14.3. Liability as Guaranty. Grantee will be liable as guarantor for any Grant Funds it obligates to a subrecipient or subcontractor pursuant to this ARTICLE in the event Grantor determines the funds were either misspent or are being improperly held and the subrecipient or subcontractor is insolvent or otherwise fails to return the funds. 2 CFR 200.345; 30 ILCS 705/6; 44 Ill. Admin. Code 7000.450(a).

**ARTICLE XV
NOTICE OF CHANGE**

15.1. Notice of Change. Grantee must notify Grantor if there is a change in Grantee's legal status, FEIN, UEI, SAM registration status, Related Parties, senior management (for non-governmental grantees only) or address. If the change is anticipated, Grantee must give thirty (30) days' prior written notice to Grantor. If the change is unanticipated, Grantee must give notice as soon as practicable thereafter. Grantor reserves the right to take any and all appropriate action as a result of such change(s).

15.2. Failure to Provide Notification. To the extent permitted by Illinois law (see Paragraph 21.2), Grantee must hold harmless Grantor for any acts or omissions of Grantor resulting from Grantee's failure to notify Grantor as required by Paragraph 15.1.

15.3. Notice of Impact. Grantee must notify Grantor in writing of any event, including, by not limited to, becoming a party to litigation, an investigation, or transaction that may have a material impact on Grantee's ability to perform under this Agreement. Grantee must provide notice to Grantor as soon as possible, but no later than five (5) days after Grantee becomes aware that the event may have a material impact.

15.4. Effect of Failure to Provide Notice. Failure to provide the notice described in this ARTICLE is grounds for termination of this Agreement and any costs incurred after the date notice should have been given may be disallowed.

**ARTICLE XVI
STRUCTURAL REORGANIZATION AND RECONSTITUTION OF BOARD MEMBERSHIP**

16.1. Effect of Reorganization. This Agreement is made by and between Grantor and Grantee, as Grantee is currently organized and constituted. Grantor does not agree to continue this Agreement, or any license related thereto, should Grantee significantly reorganize or otherwise substantially change the character of its

corporate structure, business structure or governance structure. Grantee must give Grantor prior notice of any such action or changes significantly affecting its overall structure or, for non-governmental grantees only, management makeup (for example, a merger or a corporate restructuring), and must provide all reasonable documentation necessary for Grantor to review the proposed transaction including financial records and corporate and shareholder minutes of any corporation which may be involved. Grantor reserves the right to terminate the Agreement based on whether the newly organized entity is able to carry out the requirements of the Award. This ARTICLE does not require Grantee to report on minor changes in the makeup of its board membership or governance structure, as applicable. Nevertheless, **PART TWO** or **PART THREE** may impose further restrictions. Failure to comply with this ARTICLE constitutes a material breach of this Agreement.

ARTICLE XVII CONFLICT OF INTEREST

17.1. Required Disclosures. Grantee must immediately disclose in writing any potential or actual Conflict of Interest to Grantor. 2 CFR 200.113; 30 ILCS 708/35.

17.2. Prohibited Payments. Payments made by Grantor under this Agreement must not be used by Grantee to compensate, directly or indirectly, any person currently holding an elective office in this State including, but not limited to, a seat in the General Assembly. In addition, where Grantee is not an instrumentality of the State of Illinois, as described in this Paragraph, Grantee must request permission from Grantor to compensate, directly or indirectly, any officer or any person employed by an office or agency of the State of Illinois. An instrumentality of the State of Illinois includes, without limitation, State departments, agencies, boards, and State universities. An instrumentality of the State of Illinois does not include, without limitation, units of Local Government and related entities.

17.3. Request for Exemption. Grantee may request written approval from Grantor for an exemption from Paragraph 17.2. Grantee acknowledges that Grantor is under no obligation to provide such exemption and that Grantor may grant an such exemption subject to additional terms and conditions as Grantor may require.

ARTICLE XVIII EQUIPMENT OR PROPERTY

18.1. Purchase of Equipment. For any equipment purchased in whole or in part with Grant Funds, if Grantor determines that Grantee has not met the conditions of 2 CFR 200.439, the costs for such equipment will be disallowed. Grantor must notify Grantee in writing that the purchase of equipment is disallowed.

18.2. Prohibition against Disposition/Encumbrance. Any equipment, material, or real property that Grantee purchases or improves with Grant Funds must not be sold, transferred, encumbered (other than original financing) or otherwise disposed of during the Award Term without Prior Approval of Grantor unless a longer period is required in **PART TWO** or **PART THREE** and permitted by 2 CFR Part 200 Subpart D. Use or disposition of real property acquired or improved using Grant Funds must comply with the requirements of 2 CFR 200.311. Real property, equipment, and intangible property that are acquired or improved in whole or in part using Grant Funds are subject to the provisions of 2 CFR 200.316. Grantor may require the Grantee to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with this Award and that use and disposition conditions apply to the property.

18.3. Equipment and Procurement. Grantee must comply with the uniform standards set forth in 2 CFR 200.310–200.316 governing the management and disposition of property, the cost of which was supported by

Grant Funds. Any waiver from such compliance must be granted by either the President's Office of Management and Budget, the Governor's Office of Management and Budget, or both, depending on the source of the Grant Funds used. Additionally, Grantee must comply with the standards set forth in 2 CFR 200.317-200.326 to establish procedures to use Grant Funds for the procurement of supplies and other expendable property, equipment, real property and other services.

18.4. Equipment Instructions. Grantee must obtain disposition instructions from Grantor when equipment, purchased in whole or in part with Grant Funds, is no longer needed for their original purpose. Notwithstanding anything to the contrary contained in this Agreement, Grantor may require transfer of any equipment to Grantor or a third party for any reason, including, without limitation, if Grantor terminates the Award or Grantee no longer conducts Award activities. Grantee must properly maintain, track, use, store and insure the equipment according to applicable best practices, manufacturer's guidelines, federal and state laws or rules, and Grantor requirements stated herein.

18.5. Domestic Preferences for Procurements. In accordance with 2 CFR 200.322, as appropriate and to the extent consistent with law, Grantee must, to the greatest extent practicable under this Award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this Paragraph must be included in all subawards and in all contracts and purchase orders for work or products under this Award.

ARTICLE XIX PROMOTIONAL MATERIALS; PRIOR NOTIFICATION

19.1. Promotional and Written Materials. Use of Grant Funds for promotions is subject to the prohibitions for advertising or public relations costs in 2 CFR 200.421(e). In the event that Grant Funds are used in whole or in part to produce any written publications, announcements, reports, flyers, brochures or other written materials, Grantee must obtain Prior Approval for the use of those funds (2 CFR 200.467) and must include in these publications, announcements, reports, flyers, brochures and all other such material, the phrase "Funding provided in whole or in part by the [Grantor]." 2 CFR 200.467. Exceptions to this requirement must be requested, in writing, from Grantor and will be considered authorized only upon written notice thereof to Grantee.

19.2. Prior Notification/Release of Information. Grantee must notify Grantor ten (10) days prior to issuing public announcements or press releases concerning work performed pursuant to this Agreement or funded in whole or in part by this Agreement and must cooperate with Grantor in joint or coordinated releases of information.

ARTICLE XX INSURANCE

20.1. Maintenance of Insurance. Grantee must maintain in full force and effect during the Term of this Agreement casualty and bodily injury insurance, as well as insurance sufficient to cover the replacement cost of any and all real or personal property, or both, purchased or otherwise acquired, or improved in whole or in part, with funds disbursed pursuant to this Agreement. 2 CFR 200.310. Additional insurance requirements may be detailed in **PART TWO** or **PART THREE**.

20.2. Claims. If a claim is submitted for real or personal property, or both, purchased in whole with

funds from this Agreement and such claim results in the recovery of money, such money recovered must be surrendered to Grantor.

**ARTICLE XXI
LAWSUITS AND INDEMNIFICATION**

21.1. Independent Contractor. Neither Grantee nor any employee or agent of Grantee acquires any employment rights with Grantor by virtue of this Agreement. Grantee must provide the agreed services and achieve the specified results free from the direction or control of Grantor as to the means and methods of performance. Grantee must provide its own equipment and supplies necessary to conduct its business; provided, however, that in the event, for its convenience or otherwise, Grantor makes any such equipment or supplies available to Grantee, Grantee's use of such equipment or supplies provided by Grantor pursuant to this Agreement is strictly limited to official Grantor or State of Illinois business and not for any other purpose, including any personal benefit or gain.

21.2. Indemnification and Liability.

(a) **Non-governmental entities**. This subparagraph applies only if Grantee is a non-governmental entity. Grantee must hold harmless Grantor against any and all liability, loss, damage, cost or expenses, including attorneys' fees, arising from the intentional torts, negligence or breach of contract of Grantee, with the exception of acts performed in conformance with an explicit, written directive of Grantor. Indemnification by Grantor is governed by the State Employee Indemnification Act (5 ILCS 350/.01 *et seq.*) as interpreted by the Illinois Attorney General. Grantor makes no representation that Grantee, an independent contractor, will qualify or be eligible for indemnification under said Act.

(b) **Governmental entities**. This subparagraph applies only if Grantee is a governmental unit as designated in Paragraph 3.2. Neither Party shall be liable for actions chargeable to the other Party under this Agreement including, but not limited to, the negligent acts and omissions of the other Party's agents, employees, or subcontractors in the performance of their duties as described under this Agreement, unless such liability is imposed by law. This Agreement is not construed as seeking to enlarge or diminish any obligation or duty owed by one Party against the other or against a third party.

**ARTICLE XXII
MISCELLANEOUS**

22.1. Gift Ban. Grantee is prohibited from giving gifts to State employees pursuant to the State Officials and Employees Ethics Act (5 ILCS 430/10-10) and Illinois Executive Order 15-09.

22.2. Assignment Prohibited. This Agreement must not be sold, assigned, or transferred in any manner by Grantee, to include an assignment of Grantee's rights to receive payment hereunder, and any actual or attempted sale, assignment, or transfer by Grantee without the Prior Approval of Grantor in writing renders this Agreement null, void and of no further effect.

22.3. Copies of Agreements upon Request. Grantee must, upon request by Grantor, provide Grantor with copies of contracts or other agreements to which Grantee is a party with any other State agency.

22.4. Amendments. This Agreement may be modified or amended at any time during its Term by mutual consent of the Parties, expressed in writing and signed by the Parties.

22.5. Severability. If any provision of this Agreement is declared invalid, its other provisions will remain in effect.

22.6. No Waiver. The failure of either Party to assert any right or remedy pursuant to this Agreement will not be construed as a waiver of either Party's right to assert such right or remedy at a later time or constitute a course of business upon which either Party may rely for the purpose of denial of such a right or remedy.

22.7. Applicable Law; Claims. This Agreement and all subsequent amendments thereto, if any, are governed and construed in accordance with the laws of the State of Illinois. Any claim against Grantor arising out of this Agreement must be filed exclusively with the Illinois Court of Claims. 705 ILCS 505/1 *et seq.* Grantor does not waive sovereign immunity by entering into this Agreement.

22.8. Compliance with Law. Grantee is responsible for ensuring that Grantee's Obligations and services hereunder are performed in compliance with all applicable federal and State laws, including, without limitation, federal regulations, State administrative rules, including but not limited to 44 Ill. Admin. Code Part 7000, laws and rules which govern disclosure of confidential records or other information obtained by Grantee concerning persons served under this Agreement, and any license requirements or professional certification provisions.

22.9. Compliance with Freedom of Information Act. Upon request, Grantee must make available to Grantor all documents in its possession that Grantor deems necessary to comply with requests made under the Freedom of Information Act. 5 ILCS 140/7(2).

22.10. Precedence.

(a) Except as set forth in subparagraph (b), below, the following rules of precedence are controlling for this Agreement: In the event there is a conflict between this Agreement and any of the exhibits or attachments hereto, this Agreement controls. In the event there is a conflict between PART ONE and PART TWO or PART THREE of this Agreement, PART ONE controls. In the event there is a conflict between PART TWO and PART THREE of this Agreement, PART TWO controls. In the event there is a conflict between this Agreement and relevant statute(s) or rule(s), the relevant statute(s) or rule(s) controls.

(b) Notwithstanding the provisions in subparagraph (a), above, if a relevant federal or state statute(s) or rule(s) requires an exception to this Agreement's provisions, or an exception to a requirement in this Agreement is granted by GATU, such exceptions must be noted in PART TWO or PART THREE, and in such cases, those requirements control.

22.11. Illinois Grant Funds Recovery Act. In the event of a conflict between the Illinois Grant Funds Recovery Act and the Grant Accountability and Transparency Act, the provisions of the Grant Accountability and Transparency Act control. 30 ILCS 708/80.

22.12. Headings. Articles and other headings contained in this Agreement are for reference purposes only and are not intended to define or limit the scope, extent or intent of this Agreement or any provision hereof.

22.13. Counterparts. This Agreement may be executed in one or more counterparts, each of which are considered to be one and the same agreement, binding on all Parties hereto, notwithstanding that all Parties are not signatories to the same counterpart. Duplicated signatures, signatures transmitted via facsimile, or signatures contained in a Portable Document Format (PDF) document are deemed original for all purposes.

22.14. Attorney Fees and Costs. Unless prohibited by law, if Grantor prevails in any proceeding to enforce the terms of this Agreement, including any administrative hearing pursuant to the Grant Funds Recovery Act or the Grant Accountability and Transparency Act, Grantor has the right to recover reasonable attorneys' fees, costs and expenses associated with such proceedings.

22.15. Continuing Responsibilities. The termination or expiration of this Agreement does not affect: (a) the right of Grantor to disallow costs and recover funds based on a later audit or other review; (b) the obligation of the Grantee to return any funds due as a result of later refunds, corrections or other transactions, including, without limitation, final Indirect Cost Rate adjustments and those funds obligated pursuant to ARTICLE XIV; (c) the CYEFR(s); (d) audit requirements established in 44 Ill. Admin. Code 7000.90 and ARTICLE XII ; (e) property management and disposition requirements established in 2 CFR 200.310 through 2 CFR 200.316 and ARTICLE XVIII; or (f) records related requirements pursuant to ARTICLE IX. 44 Ill. Admin. Code 7000.440.

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EXHIBIT A

PROJECT DESCRIPTION

The Kendall County Historic Preservation Commission seeks to conduct an intensive-level historical and architectural survey of Na-Au-Say and Seward Townships, two of the nine townships within Kendall County. By ordinance, the Commission has purview over the unincorporated portions of the county. Therefore, a survey of the areas within incorporated municipalities is not included. The proposed surveys will draw upon previous research and survey work in adjacent Bristol and Kendall Townships, which was completed in 2023.

The work of this survey project will be divided between an outside consulting firm engaged by the county and volunteers recruited by the commission. The survey project will be led and organized by Kenneth Itle of Wiss, Janney, Elstner Associates (WJE). The field survey work will be conducted by two-person teams, typically one WJE professional architectural history staff person and one volunteer. Historical research will mainly be conducted by volunteers. The data compilation and report writing will be performed by WJE.

The proposed survey project will include the following tasks:

- Historical research will be completed to develop a summary context history for Na-Au-Say and Seward Townships, building upon the county-level context history developed during the previous survey project.
- A database and GIS mapping will be developed for the survey, to allow for compilation and presentation of the survey data. The survey scope will be developed based upon a review of 1939 aerial photography and historic atlas and plat maps, to identify potential sites where structures more than fifty years old may exist.
- A field survey will be conducted. A survey team consisting of one consulting professional and one local volunteer will visit each potential site. Each existing structure on a potentially historic site will be documented with notes and photographs from the public right-of-way, or with the owner's permission at close range. The existing materials, condition, architectural style, and obvious alterations or additions will be noted.

Based on the field survey and historical research, the integrity and significance of each site will be assessed. The context history and survey results will be compiled in a summary report, accompanied by reference maps as well as survey forms and photographs for each property documented.

The survey results will be presented at a public meeting of the Kendall County Historic Preservation Commission.

EXHIBIT B

DELIVERABLES OR MILESTONES

The proposed survey project will include the following tasks:

- Historical research will be completed to develop a summary context history for Na-Au-Say and Seward Townships, building upon the county-level context history developed during the previous survey project.
- A database and GIS mapping will be developed for the survey, to allow for compilation and presentation of the survey data. The survey scope will be developed based upon a review of 1939 aerial photography and historic atlas and plat maps, to identify potential sites where structures more than fifty years old may exist.
- A field survey will be conducted. A survey team consisting of one consulting professional and one local volunteer will visit each potential site. Each existing structure on a potentially historic site will be documented with notes and photographs from the public right-of-way, or with the owner's permission at close range. The existing materials, condition, architectural style, and obvious alterations or additions will be noted.

The goals of the Kendall County Historic Preservation Commission are:

- To educate
- To promote the use of historic landmarks
- To protect and enhance the County's attractions for tourists and visitors
- To strengthen the economy of the County
- To foster civic pride in the beauty and noble accomplishments of the past
- To safeguard the County's historic, aesthetic, and cultural heritage

The proposed survey project will further these goals. The survey project will document the history of the county and these two townships, providing a reference that can be used in education and fostering civic pride. The survey will document and identify potentially significant properties, allowing the commission to meet its goal of safeguarding the County's cultural heritage. Once significant properties are identified, the commission will be able to promote preservation and adaptive reuse of the properties, strengthening the economy of the county and protecting and enhancing its appeal for tourists and visitors.

EXHIBIT C

CONTACT INFORMATION

CONTACTS FOR NOTIFICATION AND GRANT ADMINISTRATION:

Unless specified elsewhere, all notices required or desired to be sent by either Party must be sent to the persons listed below. Grantee must notify Grantor of any changes in its contact information listed below within five (5) business days from the effective date of the change, and Grantor must notify Grantee of any changes to its contact information as soon as practicable. The Party making a change must send any changes in writing to the contact for the other Party. No amendment to this Agreement is required if information in this Exhibit is changed.

FOR OFFICIAL GRANT NOTIFICATIONS

GRANTOR CONTACT

Name: Susan Duke

Title: Conservation Grant Administrator

Address: 1 Natural Resources Way, Springfield, IL 62702

GRANTEE CONTACT

Name: Matthew Asselmeier

Title: Director Planning Building Zoning

Address: 111 West Fox Street , Yorkville, IL 60560

GRANTEE PAYMENT ADDRESS

(If different than the address above)

Address:

FOR GRANT ADMINISTRATION

<u>GRANTOR CONTACT</u>	<u>GRANTEE CONTACT</u>
Name: Susan Duke	Name: Matthew Asselmeier
Title: Conservation Grant Administrator	Title: Director Planning Building Zoning
Address: 1 Natural Resources Way, Springfield, IL 62702	Address: 111 West Fox Street , Yorkville, IL 60560
Phone: 217-785-4416	Phone: 630-553-4139
TTY#:	TTY#:
E-mail Address: susan.duke@illinois.gov	E-mail Address: masselmeier@kendallcountyiil.gov

EXHIBIT D

PERFORMANCE MEASURES AND STANDARDS

At the completion of the Project, grantees must submit a copy of the updating Historic Preservation Plan (on one searchable PDF) with photographs, saved on a jump drive, CD or DVD.

This is a reimbursement grant. Terms for reimbursement are enumerated in the Certified Local Government Program Matching Grants and Application Guidelines (FFY2024) and include the submittal of the completed project, progress reports, fiscal forms, and Completion Report. The CLG Grant Completion Report has both a Narrative and a Financial Portion. Prior to the end of the Project Period (June 1, 2027), the Grantee shall email the report to DNR.Grants@illinois.gov.

The Narrative Portion is comprised of:

- Complete description of the Project and its components;
- Assessment of the degree of success achieved by the Project;
- Description of all promotional and publicity activities involved in the Project, if any. Include relevant newspaper articles, handouts, news releases, etc.;
- Resumes for the principal individuals engaged in the Project;
- Discussion of any problems encountered in the implementation of the Project and their resolutions;
- Digital files of Project publications, including brochures, guidebooks, newsletters, planning documents, video recordings, etc. For Survey Projects, follow the submission requirements in the Guidelines.

The Financial Portion consists of:

- Completed and signed Forms 1 through 5 (See grant manual attachment)
- Relevant documentation that supports each form, as required, such as payroll statements and donor valuations;

EXHIBIT E

SPECIFIC CONDITIONS

Grantor may remove (or reduce) a Specific Condition included in this Exhibit by providing written notice to the Grantee, in accordance with established procedures for removing a Specific Condition.

There are no specific conditions for this grantee.

PART TWO –GRANTOR-SPECIFIC TERMS

In addition to the uniform requirements in **PART ONE**, Grantor has the following additional requirements for its Grantee:

**ARTICLE XXIII
AUTHORIZED SIGNATORY**

23.1. Authorized Signatory. The signature of the Authorized Representative for the Grantor on the signature page of this Award is considered the Authorized Signatory for purposes of this Agreement. Any amendments or changes to this Agreement must be approved and signed by the Authorized Signatory.

**ARTICLE XXIV
ILLINOIS WORKS JOBS ACT**

24.1. Illinois Works Jobs Program Act (30 ILCS 559/20-1 et seq.). For grants with an estimated total project cost of \$500,000 or more, the grantee will be required to comply with the Illinois Works Apprenticeship Initiative (30 ILCS 559/20-20 to 20-25) and all applicable administrative rules. The “estimated total project cost” is a good faith approximation of the costs of an entire project being paid for in whole or in part by appropriated capital funds to construct a public work. The goal of the Illinois Apprenticeship Initiative is that apprentices will perform either 10% of the total labor hours actually worked in each prevailing wage classification or 10% of the estimated labor hours in each prevailing wage classification, whichever is less. Grantees will be permitted to seek from the Department a waiver or reduction of this goal in certain circumstances pursuant to 30 ILCS 559/20-20(b). The grantee must ensure compliance for the life of the entire project, including during the term of the grant and after the term ends, if applicable, and will be required to report on and certify its compliance.

24.2. Prevailing Wage Act (820 ILCS 130/0.01 et seq.) Grantee certifies that all Programs for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application. In the construction of the Program, Grantee shall comply with the requirements of the Prevailing Wage Act including, but not limited to, inserting into all contracts for such construction a stipulation to the effect that not less than the prevailing rate of wages as applicable to the Program shall be paid to all laborers, workers, and mechanics performing work under the Award and requiring all bonds of contractors to include a provision as will guarantee the faithful performance of such prevailing wage clause as provided by contract.

**ARTICLE XXV
ADDITIONAL BUDGET PROVISIONS**

25.1. Restrictions on Discretionary Line-Item Transfers. Unless prohibited from doing so in 2 CFR 200.308 or 44 Ill. Admin. Code 7000.370(b), transfers between approved line items may be made without Grantor’s approval only if the total amount transferred does not exceed the allowable variance of the greater of either (1) ten percent (10%) of the Budget line item, or (2) one thousand dollars (\$1,000) of the Budget line item. Discretionary line-item transfers may not result in an increase to the Budget Total. Transfers above 10% of a line item, or over \$1,000 must be requested in advance and be approved by the Grantor.

**ARTICLE XXVI
ADDITIONAL TERMINATION, SUSPENSION, BILLING SCHEDULE AND NON-COMPLIANCE PROVISIONS**

26.1. Remedies for Non-Compliance. If Grantor suspends or terminates this Agreement pursuant to Article XIII herein, Grantor may also elect any additional remedy allowed by law, including, but not limited to, one or more of the following remedies:

(a) Direct the Grantee to refund Grant Funds disbursed to it under this Agreement for costs determined ineligible,

(b) Direct the Grantee to remit an amount equivalent to the “Net Salvage Value” of all equipment or materials purchased with Grant Funds provided under this Agreement. For purposes of this Agreement, “Net Salvage Value” is defined as the amount realized, or that the Parties agree is likely to be realized from, the sale of equipment or materials purchased with Grant Funds provided under this Agreement at its current fair market value, less selling expenses; and,

(c) Direct the Grantee to transfer ownership of equipment or materials purchased with Grant Funds provided under this Agreement to the Grantor or its designee.

26.2. Grant Refunds. In accordance with the Illinois Grant Funds Recovery Act, 30 ILCS 705/1 et seq., the Grantee must, within forty-five (45) days of the effective date of a termination of this Agreement, refund to Grantor, any balance of Grant Funds not spent or not obligated as of said date.

ARTICLE XXVII ADDITIONAL MODIFICATION PROVISIONS

27.1. Unilateral Modifications. The Parties agree that Grantor may, in its sole discretion, unilaterally modify this Agreement without prior approval of the Grantee when the modification is initiated by Grantor for the sole purpose of increasing the Grantee’s funding allocation as additional funds become available for the Award during the program year covered by the Term of this Agreement. A unilateral modification may also be used to de-obligate funds without prior approval of the Grantee when, a) a project is completed and funds remain that are no longer needed for the grant project, b) to secure unobligated/unspent funds, c) termination of the Grant Agreement.

27.2. Term Extensions. The Grantee acknowledges that all Grant Funds must be expended or legally obligated, and all Grant Activities, Deliverables, Milestones and Performance Measures (Exhibits A, B and E) must be completed during the Grant Term set forth in paragraph 2.1 herein. Extensions of the Award Term will be granted only for good cause, subject to the Grantor’s discretion. Pursuant to the Grant Funds Recovery Act (30 ILCS 705/1 et seq.), no Award may be extended in total beyond a two (2)-year period unless the Grant Funds are expended or legally obligated during that initial two-year period, or unless Grant Funds are disbursed for reimbursement of costs previously incurred by the Grantee. If Grantee requires an extension of the Award Term, Grantee should submit a written request to the Grant Manager at least sixty (60) days prior to the end of the Award Term or extended Award Term, as applicable, stating the reason for the extension.

ARTICLE XXVIII ADDITIONAL EQUIPMENT OR PROPERTY PROVISIONS

28.1. Equipment Management. The Grantee is responsible for replacing or repairing equipment and materials purchased with Grant Funds that are lost, stolen, damaged, or destroyed. Any loss, damage or theft of

equipment and materials shall be investigated and fully documented, and immediately reported to the Grantor and, where appropriate, the appropriate authorities.

28.2. Grantee will be responsible for the maintenance of any equipment purchased with grant funds.

**ARTICLE XXIX
APPLICABLE STATUTES**

To the extent applicable, Grantor and Grantee shall comply with the following:

29.1. Grantee Responsibility. All applicable federal, State and local laws, rules and regulations governing the performance required by Grantee shall apply to this Agreement and will be deemed to be included in this Agreement the same as though written herein in full. Grantee is responsible for ensuring compliance with all applicable laws, rules and regulations, including, but not limited to those specifically referenced herein. Except where expressly required by applicable laws and regulations.

29.2. Land Trust/Beneficial Interest Disclosure Act (765 ILCS 405/2.1). No Grant Funds shall be paid to any trustee of a land trust, or any beneficiary or beneficiaries of a land trust, for any purpose relating to the land, which is the subject of such trust, any interest in such land, improvements to such land or use of such land unless an affidavit is first filed with the Grantor identifying each beneficiary of the land trust by name and address and defining such interest therein.

29.3. Historic Preservation Act (20 ILCS 3420/1 et seq.). The Grantee will not expend Grant Funds under this Agreement which result in the destruction, alteration, renovation, transfer or sale, or utilization of a historic property, structure or structures, or in the introduction of visual, audible or atmospheric elements to a historic property, structure or structures, which will result in the change in the character or use of any historic property, except as approved by the Illinois Department of Natural Resources, Historic Preservation Division. The Grantee shall not expend Grant Funds under this Agreement for any project, activity, or program that can result in changes in the character or use of historic property, if any historic property is located in the area of potential effects without the approval of the Illinois Department of Natural Resources, Historic Preservation Division. 20 ILCS 3420/3(f).

29.4. Steel Products Procurement Act (30 ILCS 565 et seq.). The Grantee, if applicable, hereby certifies that any steel products used or supplied in accordance with this Award for a public works project shall be manufactured or produced in the United States per the requirements of the Steel Products Procurement Act (30 ILCS 565 et seq).

**ARTICLE XXX
ADDITIONAL MISCELLANEOUS PROVISIONS**

30.1. Workers' Compensation Insurance, Social Security, Retirement and Health Insurance Benefits, and Taxes. The Grantee shall provide Workers' Compensation insurance where the same is required and shall accept full responsibility for the payment of unemployment insurance, premiums for Workers' Compensation, Social Security and retirement and health insurance benefits, as well as all income tax deduction and any other taxes or payroll deductions required by law for its employees who are performing services specified by this Agreement.

**ARTICLE XXXI
ADDITIONAL REQUIRED CERTIFICATIONS**

The Grantee makes the following certifications as a condition of this Agreement. These certifications are required by State statute and are in addition to any certifications required by any Federal funding source as set forth in this Agreement. Grantee's execution of this Agreement shall serve as its attestation that the certifications made herein are true and correct.

31.1. Applicable Taxes. The execution of this Agreement by the Grantee is its certification that (i) it is current as to the filing and payment of any federal, state and/or local taxes applicable to Grantee; and (ii) it is not delinquent in its payment of moneys owed to any federal, state, or local unit of government.

31.2. Lien Waivers. If applicable, the Grantee shall monitor construction to assure that necessary contractor's affidavits and waivers of mechanics liens are obtained prior to release of Grant Funds to contractors and subcontractors.

**ARTICLE XXXII
INCORPORATION**

32.1. Incorporation into Agreement. The full Uniform Application, Uniform Budget, Grant Manual, are hereby incorporated into this Agreement and therefore are a part of this Agreement.

PART THREE –PROJECT-SPECIFIC TERMS

In addition to the uniform requirements in **PART ONE** and Grantor-Specific Terms in **PART TWO**, Grantor has the following additional requirements for this Project:

The Grants manual, a copy of which the IDNR previously provided to the Grantee, is hereby incorporated herein by reference, and made a material and binding part of this Agreement. The undersigned acknowledges that he or she (1) has reviewed the Grants manual and (2) agrees to comply with the same. _____(initials of signator).



AIA® Document B102® – 2017

Standard Form of Agreement Between Owner and Architect without a Predefined Scope of Architect's Services

AGREEMENT made as of the day of May in the year Two Thousand Twenty-five
(In words, indicate day, month and year.)

BETWEEN the Architect's client identified as the Owner:
(Name, legal status, address and other information)

Kendall County, Illinois, a unit of local government
111 West Fox Street
Yorkville, IL 60560

and the Architect:
(Name, legal status, address and other information)

Wiss, Janney, Elstner Associates, Inc.
330 Pfingsten Road
Northbrook, IL 60062
847-272-7400

for the following (hereinafter referred to as "the Project"):
(Insert information related to types of services, location, facilities, or other descriptive information as appropriate.)

Survey of Na-Au-Say and Seward Townships
Kendall County, IL
A historical and architectural survey of Na-Au-Say and Seward Townships in Kendall County, Illinois. Kendall County Historic Survey Agreement No. CLG25009. WJE No. 2023.4502.0

The Owner and Architect agree as follows.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

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(1865773650)

TABLE OF ARTICLES

1	ARCHITECT'S RESPONSIBILITIES
2	OWNER'S RESPONSIBILITIES
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ARTICLE 1 ARCHITECT'S RESPONSIBILITIES

§ 1.1 The Architect shall provide the following professional services:

(Describe the scope of the Architect's services or identify an exhibit or scope of services document setting forth the Architect's services and incorporated into this document in Section 9.2.)

Refer to the attached WJE proposal, dated July 11, 2023.

§ 1.1.1 The Architect represents that it is properly licensed in the jurisdiction where the Project is located to provide the services required by this Agreement, or shall cause such services to be performed by appropriately licensed design professionals.

§ 1.2 The Architect shall perform its services consistent with the professional skill and care ordinarily provided by architects practicing in the same or similar locality under the same or similar circumstances. The Architect shall perform its services as expeditiously as is consistent with such professional skill and care and the orderly progress of the Project.

§ 1.3 The Architect identifies the following representative authorized to act on behalf of the Architect with respect to the Project.

(List name, address, and other contact information.)

Kenneth M. Itle
Wiss, Janney, Elstner Associates, Inc.
330 Pfingsten Road
Northbrook, IL 60062
kitle@wje.com
(847) 272-7400

§ 1.4 Except with the Owner's knowledge and consent, the Architect shall not engage in any activity, or accept any employment, interest or contribution that would reasonably appear to compromise the Architect's professional judgment with respect to this Project.

§ 1.5 The Architect shall maintain Commercial General Liability and Professional Liability insurance until termination of this Agreement.

(Paragraphs deleted)

§

ARTICLE 2 OWNER'S RESPONSIBILITIES

§ 2.1 Unless otherwise provided for under this Agreement, the Owner shall provide information in a timely manner regarding requirements for and limitations on the Project, including a written program, which shall set forth the Owner's objectives; schedule; constraints and criteria, including space requirements and relationships; flexibility; expandability; special equipment; systems; and site requirements.

§ 2.2 The Owner identifies the following representative authorized to act on the Owner's behalf with respect to the Project. The Owner shall render decisions and approve the Architect's submittals in a timely manner in order to avoid unreasonable delay in the orderly and sequential progress of the Architect's services.

(List name, address, and other contact information.)

Matthew H. Asselmeier, Director
Kendall County Planning, Building and Zoning
111 West Fox Street
Yorkville, IL 60560
(630) 553-4139

§ 2.3 The Owner shall coordinate the services of its own consultants with those services provided by the Architect. Upon the Architect's request, the Owner shall furnish copies of the scope of services in the contracts between the Owner and the Owner's consultants. The Owner shall furnish the services of consultants other than those designated as the responsibility of the Architect in this Agreement, or authorize the Architect to furnish them as an Additional Service, when the Architect requests such services and demonstrates that they are reasonably required by the scope of the Project. The Owner shall require that its consultants and contractors maintain insurance, including professional liability insurance, as appropriate to the services or work provided.

§ 2.4 The Owner shall furnish all legal, insurance and accounting services, including auditing services, that may be reasonably necessary at any time for the Project to meet the Owner's needs and interests.

§ 2.5 The Owner shall provide prompt written notice to the Architect if the Owner becomes aware of any fault or defect in the Project, including errors, omissions or inconsistencies in the Architect's Instruments of Service.

§ 2.6 Within 15 days after receipt of a written request from the Architect, the Owner shall furnish the requested information as necessary and relevant for the Architect to evaluate, give notice of, or enforce lien rights.

ARTICLE 3 COPYRIGHTS AND LICENSES

§ 3.1 The Architect and the Owner warrant that in transmitting Instruments of Service, or any other information, the transmitting party is the copyright owner of such information or has permission from the copyright owner to transmit such information for its use on the Project.

§ 3.2 The Architect and the Architect's consultants shall be deemed the authors and owners of their respective Instruments of Service, including the Drawings and Specifications, and shall retain all common law, statutory and other reserved rights, including copyrights. Submission or distribution of Instruments of Service to meet official regulatory requirements, including but not limited to Owner's compliance with its obligations under the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq., the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., or any other local, state or federal law that would require Owner's publication of the Instruments of Service, or for similar purposes in connection with the Project is not to be construed as publication in derogation of the reserved rights of the Architect and the Architect's consultants. Architect shall indemnify, defend and hold harmless Owner for any claims related to or arising out of Owner's publication of the Instruments of Service when such publication arises out of Owner's compliance with applicable law.

§ 3.3 The Architect grants to the Owner a nonexclusive license to use the Architect's Instruments of Service. Kendall County may use the documents prepared under this agreement as it determines, but Wiss, Janney, Elstner Associates, Inc. (WJE) shall be credited as the author and incur no liability for Kendall County's use of the documents after

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User Notes:

completion of the survey project, except if WJE breached any of its duties under this Agreement during the creation or transmission of the documents.

(Paragraph deleted)

§ 3.4 Except for the licenses granted in this Article 3, no other license or right shall be deemed granted or implied under this Agreement. The Owner shall not assign, delegate, sublicense, pledge or otherwise transfer any license granted herein to another party without the prior written agreement of the Architect. Any unauthorized use of the Instruments of Service shall be at the Owner's sole risk and without liability to the Architect and the Architect's consultants.

§ 3.5 The provisions of this Article 3 shall survive the termination of this Agreement.

ARTICLE 4 CLAIMS AND DISPUTES

§ 4.1 General

§ 4.1.1 The Owner and Architect shall commence all claims and causes of action against the other and arising out of or related to this Agreement, whether in contract, tort, or otherwise, in the Circuit Court of the Twenty-Third Judicial Circuit of Illinois, Kendall County. The Owner and Architect agree that venue is proper in said Circuit Court and hereby submit to the jurisdiction of said Circuit Court. Notwithstanding the foregoing, the Owner and Architect may, but shall not be required to, agree in writing to pursue alternative methods of binding dispute resolution including but not limited to mediation or arbitration.

(Paragraphs deleted)

ARTICLE 5 TERMINATION OR SUSPENSION

§ 5.1 If the Owner fails to make payments to the Architect in accordance with this Agreement, such failure shall be considered substantial nonperformance and cause for termination or, at the Architect's option, cause for suspension of performance of services under this Agreement. If the Architect elects to suspend services, the Architect shall give seven days' written notice to the Owner before suspending services. In the event of a suspension of services, the Architect shall have no liability to the Owner for delay or damage caused the Owner because of such suspension of services. Before resuming services, the Owner shall pay the Architect all sums due prior to suspension incurred in the interruption and resumption of the Architect's services. The Architect's fees for the remaining services and the time schedules may be equitably adjusted, if agreed to in writing by all parties.

§ 5.2 If the Owner suspends the Project, the Architect shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the Architect shall be compensated for expenses incurred in the interruption and resumption of the Architect's services. The Architect's fees for the remaining services and the time schedules shall be equitably adjusted.

§ 5.3 If the Owner suspends the Project for more than 90 cumulative days for reasons other than the fault of the Architect, the Architect may terminate this Agreement by giving not less than seven days' written notice. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

§ 5.4 Either party may terminate this Agreement upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

§ 5.5 The Owner may terminate this Agreement upon not less than seven days' written notice to the Architect for the Owner's convenience and without cause. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

§ 5.6 If the Owner terminates this Agreement for its convenience pursuant to Section 5.5, or the Architect terminates this Agreement pursuant to Section 5.3, the Owner shall compensate the Architect for services performed prior to termination. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

§ 5.7 In addition to any amounts paid under Section 5.6, if the Owner terminates this Agreement for its convenience pursuant to Section 5.5, or the Architect terminates this Agreement pursuant to Section 5.3, the Owner shall pay to the Architect the following fees:

(Set forth below the amount of any termination or licensing fee, or the method for determining any termination or licensing fee.)

.1 Termination Fee:

zero

.2 Licensing Fee, if the Owner intends to continue using the Architect's Instruments of Service:

zero

§ 5.8 Except as otherwise expressly provided herein, this Agreement shall terminate

(Check the appropriate box.)

☐ One year from the date of commencement of the Architect's services

☐ One year from the date of Substantial Completion

☒ Other

(Insert another termination date or refer to a termination provision in an attached document or scope of service.)

Three months after submission of the final document.

If the Owner and Architect do not select a termination date, this Agreement shall terminate one year from the date of commencement of the Architect's services.

§ 5.9 The Owner's rights to use the Architect's Instruments of Service in the event of a termination of this Agreement are set forth in Article 3 and Section 5.7.

ARTICLE 6 COMPENSATION

§ 6.1 The Owner shall compensate the Architect as set forth below for services described in Section 1.1, or in the attached exhibit or scope document incorporated into this Agreement in Section 9.2.

(Insert amount of, or basis for, compensation or indicate the exhibit or scope document in which compensation is provided for.)

\$40,000

§ 6.2 Compensation for Reimbursable Expenses

(Paragraphs deleted)

§ 6.2.3 **Architect's Insurance.** If the types and limits of coverage required in Section 1.5 are in addition to the types and limits the Architect normally maintains, the Owner shall pay the Architect for the additional costs incurred by the Architect for the additional coverages as set forth below:

(Insert the additional coverages the Architect is required to obtain in order to satisfy the requirements set forth in Section 1.5, and for which the Owner shall reimburse the Architect.)

N/A

§ 6.3 Payments to the Architect

§ 6.3.1 Initial Payments

§ 6.3.1.1 An initial payment of zero (\$ 0) shall be made upon execution of this Agreement and is the minimum payment under this Agreement. It shall be credited to the Owner's account in the final invoice.

§ 6.3.2 Progress Payments

Payment shall be made in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 et seq. (Insert rate of monthly or annual interest agreed upon.)

%

(Paragraphs deleted)

ARTICLE 7 MISCELLANEOUS PROVISIONS

§ 7.1 This Agreement shall be governed by the law of the place where the Project is located, excluding that jurisdiction's choice of law rules

§ 7.2 *[Intentionally Omitted]*

§ 7.3 The Owner and Architect, respectively, bind themselves, their agents, successors, assigns, and legal representatives to this Agreement. Neither the Owner nor the Architect shall assign this Agreement without the written consent of the other, except that the Owner may assign this Agreement to a lender providing financing for the Project if the lender agrees to assume the Owner's rights and obligations under this Agreement, including any payments due to the Architect by the Owner prior to the assignment.

§ 7.4 The parties shall agree upon written protocols governing the transmission and use of, and reliance on, Instruments of Service or any other information or documentation in digital form.

§ 7.4.1 *[Intentionally Omitted]*

§ 7.5 If the Owner requests the Architect to execute certificates, the proposed language of such certificates shall be submitted to the Architect for review at least 14 days prior to the requested dates of execution. If the Owner requests the Architect to execute consents reasonably required to facilitate assignment to a lender, the Architect shall execute all such consents that are consistent with this Agreement, provided the proposed consent is submitted to the Architect for review at least 14 days prior to execution. The Architect shall not be required to execute certificates or consents that would require knowledge, services, or responsibilities beyond the scope of this Agreement.

§ 7.6 Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or Architect.

§ 7.7 *[Intentionally Omitted]*

§ 7.8 The Architect shall have the right to include photographic or artistic representations of the design of the Project among the Architect's promotional and professional materials. The Architect may be given reasonable access to the completed Project to make such representations. However, the Architect's materials shall not include the Owner's confidential or proprietary information if the Owner has previously advised the Architect in writing of the specific information considered by the Owner to be confidential or proprietary. The Owner may provide professional credit for the Architect in the Owner's promotional materials for the Project. This Section 7.8 shall survive the termination of this Agreement unless the Owner terminates this Agreement for cause pursuant to Section 5.4.

§ 7.9 If the Architect or Owner receives information specifically designated as "confidential" or "business proprietary," the receiving party shall keep such information strictly confidential and shall not disclose it to any other person except as set forth in Section 7.9.1. This Section 7.9 shall survive the termination of this Agreement.

§ 7.9.1 The receiving party may disclose "confidential" or "business proprietary" information, when required by law, arbitrator's order, or court order, including a subpoena or other form of compulsory legal process issued by a court or governmental entity, including but not limited to the Owner's compliance with the Illinois Freedom of Information Act (5 ILCS 140/1, et seq.) or the Illinois Open Meetings Act (5 ILCS 120/1, et seq.) or to the extent such information is reasonably necessary for the receiving party to defend itself in any dispute. The receiving party may also disclose such information to its employees, consultants, or contractors in order to perform services or work solely and

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exclusively for the Project, provided those employees, consultants and contractors are subject to the restrictions on the disclosure and use of such information as set forth in this Section 7.9.

§ 7.10 The invalidity of any provision of the Agreement shall not invalidate the Agreement or its remaining provisions. If it is determined that any provision of the Agreement violates any law, or is otherwise invalid or unenforceable, then that provision shall be revised to the extent necessary to make that provision legal and enforceable. In such case the Agreement shall be construed, to the fullest extent permitted by law, to give effect to the parties' intentions and purposes in executing the Agreement.

ARTICLE 8 SPECIAL TERMS AND CONDITIONS

Special terms and conditions that modify this Agreement are as follows:
(Include other terms and conditions applicable to this Agreement.)

Refer to the attached WJE proposal, dated July 11, 2023. The Architect shall perform its services in accordance with the applicable provisions of the Grant Agreement between the State of Illinois, Department of Natural Resources and Kendall County, CLG No. CLG25009.

ARTICLE 9 SCOPE OF THE AGREEMENT

§ 9.1 This Agreement represents the entire and integrated agreement between the Owner and the Architect and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Owner and Architect.

§ 9.2 This Agreement is comprised of the following documents identified below:

.1 AIA Document B102™–2017, Standard Form Agreement Between Owner and Architect

.2

(Paragraphs deleted)

WJE proposal dated July 11, 2023

(Paragraphs deleted)

This Agreement entered into as of the day and year first written above.

OWNER (Signature)

(Printed name and title)

ARCHITECT (Signature)

Kenneth M. Itle, AIA Associate Principal

(Printed name, title, and license number, if required)

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User Notes:



Wiss, Janney, Elstner Associates, Inc.
330 Pfingsten Road
Northbrook, Illinois 60062
847.272.7400 tel
www.wje.com

July 11, 2023

Mr. Matthew H. Asselmeier
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, Illinois 60560

Survey of Na-Au-Say and Seward Townships

WJE No. 2023.4502

Dear Mr. Asselmeier:

As requested, Wiss, Janney, Elstner Associates, Inc. (WJE) is pleased to provide this proposal to conduct a historical and architectural survey of Na-Au-Say and Seward Townships, two of the nine townships within Kendall County. The townships were selected by the Kendall County Historic Preservation Commission (Commission). We understand that Kendall County intends to pursue a Certified Local Government (CLG) Grant from the Illinois State Historic Preservation Office to support the survey work. Additionally, local volunteers recruited by the Commission will be available to participate in the project work.

The intent of these surveys will be to identify historically and architecturally significant properties and/or sites over 50 years of age, which will result in recommendations of the most noteworthy properties for listing in the National Register of Historic Places or designation as a Local Landmark. As part of the survey, the present condition, integrity, architectural style and features, construction date, and any additions or alterations would be identified for the most significant properties. The proposed survey will build upon the work completed this year by WJE for the survey of Bristol and Kendall Townships. Also, we will refer to the relevant portions of a previous project completed by WJE in 2005 for the Village of Plainfield, which include a survey of the northeastern portion of Na-Au-Say Township.

SCOPE OF SERVICES

The Kendall County Historic Preservation Commission seeks to conduct an intensive-level historical and architectural survey of unincorporated areas of Na-Au-Say Township and Seward Township in Kendall County. Based on an initial review of 1939 aerial photography as compared to present-day aerial photography, we estimate that there are approximately 125 existing properties in each township that should be included in the survey.

To perform the tasks involved with the completion of an intensive-level survey, we understand that members of the Kendall County Historic Preservation Commission will volunteer their time to support the field survey work and historical research.

Based on our understanding of the project, we propose the following scope of services:

1. **Orientation Meeting.** Attend a meeting with the Kendall County Historic Preservation Commission to discuss the survey, clarify the scope of services and methodology, and establish plans for the implementation of the work.
 2. **Sample Report and Survey Form.** Provide a sample of the typical survey form to be used for the project.
 3. **Field Survey.** Perform a survey of farmsteads, cemeteries, and rural churches identified in Na-Au-Say and Seward Townships. Each survey team will typically include one WJE staff member and one Kendall County volunteer. Volunteers will be trained by WJE staff prior to commencement of the field survey.
 4. **Photographic Documentation.** Prepare documentary photographs using digital photography in accordance with the National Register Photo Policy Factsheet of May 2013.
 5. **Map.** Prepare a base map of the survey area, showing approximate location of survey sites. The map will be prepared using GIS software. We assume that Kendall County will provide baseline GIS data such as parcel boundaries.
 6. **Research.** Conduct research into the history and development of Na-Au-Say and Seward Townships in area historical societies as well as online sources.
 7. **Determinations of Eligibility.** Field survey information and research materials collected by volunteers will be reviewed, and landmark status eligibility evaluations will be made for all inventoried sites.
 8. **Database Development.** The survey data will be compiled using Microsoft Access.
 9. **Draft Report.** Prepare a summary draft report for Na-Au-Say and Seward Townships, with a discussion and evaluation of the Kendall County region, including the following:
 - Executive Summary
 - Survey methodology
 - A description and context history of the township and the surrounding region, including the growth of businesses, agriculture, and development
 - List of structures within the survey area, with approximate construction date, architectural style, and the level of significance of each structure
 - Tabulated results from the survey area, including the acres surveyed, total properties extant at time of survey, and number of properties meriting further historical research
 - Map of the survey area
 - Map of potential historic districts, if applicable
 - Map locating noteworthy properties considered eligible for individual landmark status
 - A brief description of significant and relevant surveys previously undertaken in the survey area
 - Identification of any difficulties or limitations in the survey
 - A discussion of recommended strategies for identifying and protecting significant historic properties in the survey area
 - Bibliography of previous surveys and sources referenced
- The draft report will be submitted electronically for review.

10. **Final Report and Deliverables.** Based on comments received on the draft report, revise and finalize the summary report. The final survey forms, photography, database, mapping, and report files will be provided electronically on CD-ROM. No printed hard copy deliverables are included at this time.
11. **Public Meetings.** Attend up to two scheduled meetings with the Kendall County Historic Preservation Commission during the project. Meetings are assumed to be held at the Kendall County office in Yorkville.

As noted above, we anticipate each survey team will typically include one WJE staff member and one Kendall County volunteer. Kendall County will coordinate volunteers to be available to accompany WJE staff during the field survey work.

SCHEDULE

Following contracting, WJE will develop a schedule with Kendall County to complete the tasks described in the Scope of Services to meet any submittal requirements indicated by the Illinois State Historic Preservation Office. We understand that the survey project is tentatively planned for 2024, if funding is available.

BUDGET

To perform the above described Scope of Services, we propose a budget of forty thousand dollars (\$40,000) to complete the survey of both townships and associated tasks, inclusive of all expenses. If each township is surveyed as a separate project, we recommend a budget of \$22,000 per township. All WJE services will be provided in accordance with an AIA B102 agreement, similar to the agreement previously used for the survey of Kendall and Bristol Townships.

The budget presented above is for WJE time and expenses only. The budget does not include time from volunteers coordinated by Kendall County to assist with the field survey work or other expenses incurred by Kendall County during the project (e.g., printing of hard copies of the final report). It is anticipated that funding from the county will provide the local match required as part of the grant program.

WJE is fully licensed to conduct business in the State of Illinois. Resumes of team members with prior experience conducting historic structure surveys in rural, unincorporated locations within Illinois are available upon request. If you have any questions, or would like to discuss anything regarding this proposal, please let us know.

Sincerely,

WISS, JANNEY, ELSTNER ASSOCIATES, INC.



Kenneth Itle
Associate Principal

A PROCLAMATION
Declaring Historic Preservation Month in Kendall County, Illinois

_____ - _____



WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, “*Harnessing the Power of Place*” is a theme adopted by the National Trust for Historic Preservation and embraced by Kendall County as we celebrate our historic built environment and work to preserve the places that matter to the citizens of our County; and

THEREFORE, the Board of Kendall County do proclaim May as National Preservation Month, and call upon the people of Kendall County to join their fellow citizens across the United States in recognizing and participating in this special observance.

ADOPTED BY THE COUNTY BOARD THIS 6TH DAY OF MAY, 2025.

Attest:

Matt Kellogg
County Board Chairman

Debbie Gillette
County Clerk

Past Award Nominees

1. Chapel on the Green (New Deck, Landscaping, Paint, Carpeting, and Wood Floor)
2. Naperville Preservation, Inc.
3. Dickson Building
4. Ferndell School
5. Kohlhammer Barn
6. Misner Blacksmith's Shop
7. Yorkville Historic Preservation Society

Annual Kendall County Historic Preservation Awards

A recognition of properties that have undergone recent exterior and/or interior preservation, restoration, rehabilitation, adaptive use, or sympathetic additions as well as for people or groups that exhibit dedication to the field of historic preservation or for sites that possess importance to the history of Kendall County, State of Illinois, or the United States.

MAIL NOMINATION FORM TO:

Kendall County Historic Preservation Commission
111 W. Fox Street
Yorkville, IL 60560

EMAIL NOMINATION FORM TO:

Matt Asselmeier,
masselmeier@kendallcountyil.gov

DEADLINE: February 28, 2025-4:00 pm

Street address:

223 S Bridge Street (The West Block)

Current property owner:

Jason Pesola

Historic name and/or original owner (if known):

Current use:

Commercial

Historic use:

Commercial

Year built (if known):

1870's

Year rehabilitated, renovated, restored (if known):

2024/2025

Architectural style / form (if known):

Reason for nomination: Please provide a short description, between 50 and 500 words, explaining the project or person being nominated. The statement should clearly identify the purpose and scope of work, unusual challenges or innovative approaches, sensitive treatment of historic fabric, long-term impact and any other information that supports the nomination as being exceptional.

I have leased space in this building for 3 years. When ownership to Jason switched, it was a night & day difference in his investment to improving the West Block. He sought out the mural on the Northside of the building, painted the entire block, landscaped the building & continues to make updates. He has prioritized maintaining historic components while simultaneously breathing new life into a building that desperately needed updating.

Images: Please provide a minimum of five photographs or quality digital photographs in .jpg format on a CD ROM, flash drive, or by email highlighting the project. Before and after pictures are encouraged.

Submitted by:

Katie Ash

Phone:

Email:

Address:

Matt Asselmeier

From: Katie Ash <[REDACTED]>
Sent: Monday, February 24, 2025 5:06 PM
To: Matt Asselmeier
Subject: Re: [External]Kendall County Historic Preservation Award
Attachments: IMG_4089.jpeg; IMG_4088.jpeg

Hey Matt! Here's some photos of the building prior to Jason's ownership. Below, please find the list of improvements he's made in just over a year of ownership.

- Fresh paint to brighten up the downtown area
- Added Historic Downtown Yorkville mural
- Added "The West Block" signs (with the historic building photo in the background) at both Hydraulic and Van Emmon.
- Cleaned up landscaping along railroad tracks on Hydraulic
- Cleaned up landscaping along Van Emmon
- Painted & striped both parking lots
- Added gooseneck lighting to front of buildings
- Creating 2nd level apartments and offices above FRET, Juicehead & Crusade

Let me know if you need any additional information! Thank you!

Katie Ash

On Mon, Feb 24, 2025 at 8:27 AM Matt Asselmeier <masselmeier@kendallcountyil.gov> wrote:

Thanks,

Matthew H. Asselmeier, AICP, CFM

Director









****Nomination for Historic Preservation 2025****

****Biography of Johanna Byram****

Johanna Byram is a resolute historian and community leader with a passion for preserving local history and heritage. She served as the president of the Old Kendall Court House Committee from 1998 to 2002, during which time she successfully authored the application that placed the historic courthouse on the National Register of Historic Places. This project not only recognized the courthouse's architectural and historical significance but also raised over \$3 million for its restoration.

In 2018, Johanna took on the role of Historian for the Old Kendall County Jail, serving until 2019, where she contributed significantly to the understanding and appreciation of this vital piece of local history. Her leadership skills were further demonstrated when she became the president of the American Association of University Women (AAUW) for the term 2024-2025.

Currently, Johanna serves as the Historian for the Amos Kendall Chapter of the daughters of the American Revolution (DAR), a position she embraces with enthusiasm and dedication. She previously held the role of Regent for the same chapter from 2007 to 2011, fostering growth and engagement within the organization.

In addition to her work with the DAR, she has been an active member of the Kendall County Historical Society since 2020, currently holding the position of Director. Her ongoing commitment to her community is also reflected in her active membership with the Chapel on the Green.

Through her various roles and contributions, Johanna Byram has made a lasting impact on the preservation of history and the promotion of education within her community.

Matt Asselmeier

From: Susan Kritzberg [REDACTED]
Sent: Wednesday, February 12, 2025 11:33 AM
To: Matt Asselmeier
Subject: [External]2025 Kendall County Historic Preservation Award Nomination: Thomas Milschewski
Attachments: Nomination for KC Hist Pres Award 2025- Thomas Milschewski.pdf; IMG_2853.pdf; IMG_0504.pdf; IMG_2850.pdf; IMG_2849.pdf; IMG_2851.pdf; IMG_9552.pdf; IMG_9534.pdf; IMG_9555.pdf; RNI-Films-IMG-666EB4D9-D505-4F9F-9956-57079461227F.pdf

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Matt,

Enclosed, please find my nomination of Thomas Milschewski for a 2025 Kendall County Historic Preservation Award. Thomas has been actively involved in many aspects of historical preservation in the Yorkville community for over a decade, and I believe that he has earned the recognition that this award signifies. Please let me know if any of the documents or attachments don't open, or if there is anything else that I can provide to make the nomination more complete!

Best Regards,

Susan Kritzberg
[REDACTED]

Nomination for 2025 Kendall County Historic Preservation Award: Thomas Milschewski

Most folks become interested in history, or in their family's genealogy, when they retire. Contrary to this norm, Thomas Milschewski, a Yorkville native in his late 20's, has been actively learning about his community's rich past for well over a decade. His interests range from exploring the unique histories of individual homes and businesses to creating a fascinating form of "living history" through his own photographic techniques.

Some years ago, Thomas began taking pictures that blend the past with the present in a single photographic image. His unique approach results in snapshots that are true "windows to the past." As he visits modern-day locations, he holds up old photos taken decades ago in the exact same location - lining up the minute details of buildings, streets, or other landmarks in the photos with what remains today. The resulting images offer a fresh and fascinating vision of the history that came before. Many of the photographs he employs are over a century old, including portraits of people, photos of homes and businesses, and other local landmarks.

As a way to share his fascination with local history and feature these timeless images, Thomas created the Facebook page, "*Yorkville Then and Now*," which, over time, has engaged a new generation of Yorkville residents in the history of their community, inviting interaction and conversation through comments included in his many posts. In turn, this has resulted in a heightened sense of "ownership" for many local residents as they contributed to his stories by sharing photos and bits of insight from their own memories or experiences as well as history of their families. The responses from young and old residents continue to provide valuable pieces of the ongoing puzzle that Thomas is carefully assembling regarding the history of Yorkville.

In 2017, Thomas's "Yorkville Then and Now" was featured on *WGN Morning News*, in Shaw Media's digital and paper formats of the *Kendall County Record*, in *Glancer Magazine*, and in the *Kendall Chronicle* newspaper.

In addition to this personal project, he has been active in many other aspects of local history. In 2014, he assisted Jillian Duchnowski with the organization and production of the local history book, "*Images of America: Yorkville*," part of the popular community heritage series by Arcadia Publishing, and also provided a number of photographs contained in that publication.

In 2017, with his mother, Jackie Milschewski, Thomas began the movement to save the historic county jail from demolition, and along with others, this community activism resulted in a successful outcome with the property being purchased and restored by a private buyer.

In 2019, the local Amos Kendall Chapter of the D.A.R. recognized him for his efforts in historical preservation and, most recently in September 2024, Thomas offered a well-attended presentation at the *Yorkville Public Library* on the history of his family home and others along Heustis Street. He hopes to give additional presentations on different homes and businesses

**Nomination for 2025 Kendall County Historic Preservation Award:
Thomas Milschewski**

around town in the future. On a regular basis, he continues to field many questions sent to him about the history of Yorkville.

With his recent revitalization of the “*Yorkville Then and Now* “ page, Thomas learned that the community is still eager to hear about its rich history, and this has renewed his dedication to continue the exploration and preservation of Yorkville’s past. It is his intention to eventually compile a book that will offer a lasting collection of memories and town history that is missing from other local history books. Much of the information contained in his archives was collected directly from primary and secondary sources, allowing him to weave together the rich and colorful fabric of the people who built this community in a very authentic manner.

The importance of historic preservation is vital to a community’s individual identity, whether it be through the preservation of landmark buildings or the preservation of written and verbal histories. I believe that it is Thomas’s continued passion for both that make him a worthy recipient of a Kendall County Historic Preservation Commission **Historic Preservation Award** in 2025.

Respectfully submitted 02/12/2025

Susan Kritzberg



Photo Attachments:

1. Screenshot: Shaw Local “*Yorkville man connects city’s past with its present through photos*” 07/2017
2. Screenshot: WGN Morning News feature with Marcus Leshock, 03/2017
3. Screenshot: WGN Morning News VIDEO/still: scene from interview with WGN Marcus Leshock, 03/2017
4. Screenshot: WGN Morning News VIDEO/still: scene from interview with WGN Marcus Leshock, 03/2017
5. Kendall Chronicle article - “*For love of hometown Then and Now,*” 12/2017
6. Yorkville Public Library presentation, 09/2024
7. Yorkville Public Library presentation, 09/2024
8. Yorkville Public Library presentation, 09/2024
9. Portrait, Thomas Milschewski, 01/2025



WGN⁹
65° 5:46 AM

Marcus Leshock
@MARCUSLESHOCK

 Tomorrow  Shower Possible Early **HI: 67°**

Video



Fullscreen

190

1.3K



Marcus Leshock [Follow](#)

A young man in Yorkville has found a way to bring the city's history back to life. My **WGN Morning News** story on **Yorkville Then and Now:**

Send
...



Yorkville man connects city's past with its present through photos

By TONY SCOTT



September 08, 2017 at 4:55 pm CDT

Expand

Autoplay

1 of 3



Thomas Milschewski of Yorkville poses in the city's Town Square Park showing off two of his mounted superimposed photos of old Yorkville. The photos are displayed on his Facebook page, Yorkville Then and Now. (Tony Scott)

Kendall CHRONICLE

A Weekly Newspaper Serving Kendall County

kendallchronicle.com



Vol: 5 No: 3 Wednesday, December 20, 2017

For love of hometown Then and Now

Popular Facebook page chronicles Yorkville history

By Erika Wurst
For Chronicle Media

With more than 700 historical snap shots in his dossier, Thomas Milschewski has amassed quite the collection of special moments in time since he began his mission to preserve them.

The lifetime Yorkville resident, and creator of the Yorkville Then and Now Facebook page (<https://www.facebook.com/yorkvillehistory/>) Milschewski uses his accumulated historical photos to paint a picture of what life was like for Yorkville residents 100 years ago, compared to present day.

Milschewski takes the historic photos and seeks out their exact location throughout the city. Then, he superimposes the old photos over sections of current photos to provide contrast.

The photos, along with the stories Milschewski tells about them, have since reached an audience of tens of thousands. "I think people like it be-



This home on Heustis Street was home to the McClelland and Marshall families. It was built as a gift for Dr. R. A. McClelland's wife. He was the coroner and it was used as a funeral home. This was taken when the Marshall family lived in there. (Photos courtesy of Thomas Milschewski)

cause they can relate to it," he said. "When I post a photo, they can really see how much has changed."

And, it's not just Yorkville residents who are enjoying Milschewski's nostalgic endeavor. His page has more than 5,000 active followers from many cities, villages and towns in the area.

In April, with still a modest following, Milschewski's mission caught the eye of WGN producers who did a segment

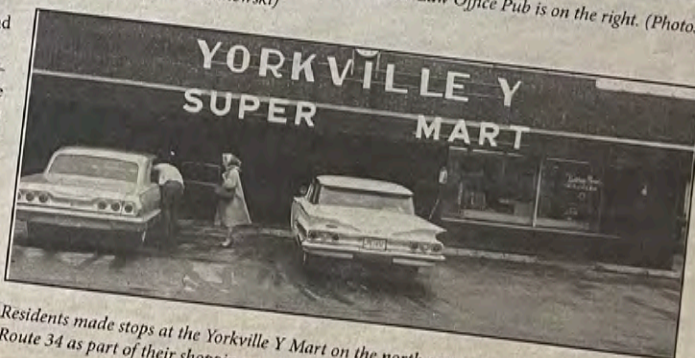
on the Yorkville Then and Now journey.

"I received so many messages and so much love," he said of the news spot. He was shocked by how well his pictures were capturing the attention of the public, just as they caught his own attention years ago when he began collecting them.

Milschewski lives in an old house on Heustis Street in



A view of downtown Yorkville from the 1870's. The Law Office Pub is on the right. (Photos courtesy of Thomas Milschewski)



Residents made stops at the Yorkville Y Mart on the north east corner of Route 47 and Route 34 as part of their shopping routine. (Photos courtesy of Thomas Milschewski)

Continued on Page 8

Video



Fullscreen

190



Marcus Leshock [Follow](#)

1.3K

A young man in Yorkville has found a way to bring the city's history back to life. My **WGN Morning News** story on **Yorkville Then and Now:**

Send
...





LE HOMES

Gift from Friends of the Yorkville Public Library 2006












71




















Current listings

[\[edit\]](#)

^[3]	Name on the Register	Image	Date listed ^[4]	Location
1	Bristol Congregational Church	 More images	September 6, 2016 (#16000580)	107 W. Center St.  41°38'51"N 88°26'50"W
2	Chicago, Burlington & Quincy Railroad Depot	 More images	November 12, 1993 (#93001238)	101 W. Main St.  41°39'44"N 88°32'17"W
3	Downtown Oswego Historic District		August 15, 2022 (#100007995)	Roughly bounded by one-half blk. north of Jackson St., the alleys immediately west and east of Main St., one-half block south of Washington St.  41°41'02"N 88°21'08"W
4	Evelyn Site	Upload image	December 19, 1978 (#78001159)	Midway between Newark and Lisbon Center Rds of Big Grove Rd. ^[5]  41°31'49"N 88°30'26"W
5	Farnsworth House	 More images	October 7, 2004 (#04000867)	14520 River Rd.  41°38'15"N 88°32'07"W
6	Kendall County Courthouse	 More images	November 12, 1998 (#98001354)	109 W. Ridge St.  41°38'25"N 88°26'53"W

[3]	Name on the Register	Image	Date listed ^[4]	Location
7	Plano Hotel	  More images	November 12, 1993 (#93001239)	120 W. Main St.  41°39'44"N 88°32'21"W
8	Reorganized Church of Jesus Christ of Latter Day Saints	  More images	November 2, 1990 (#90001724)	304 S. Center Ave.  41°39'33"N 88°32'09"W
9	Albert H. Sears House	  More images	January 29, 1987 (#86003720)	603 E. North St.  41°39'55"N 88°31'49"W
10	Lewis Steward House	  More images	November 28, 2003 (#03001200)	611 E. Main St.  41°39'54"N 88°31'47"W
11	Yorkville School	  More images	January 24, 1995 (#94001600)	201 W. Center St.  41°38'52"N 88°26'53"W



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

**POLICY FOR THE NOTIFICATION OF THE HISTORIC PRESERVATION
COMMISSION OF PERMIT APPLICATIONS FOR ALTERATIONS AND DEMOLITIONS
ON CERTAIN PROPERTIES**

1. Whenever a party applies for a permit for exterior alterations or demolition on properties identified as Contributing, Local Landmark Potential, or National Register Potential in an historic structure survey undertaken under the authority of Kendall County, the Planning, Building and Zoning Department shall notify the Kendall County Historic Preservation Commission of said application prior to the issuance of the applicable permit.
2. In notifying the Historic Preservation Commission, the Planning, Building and Zoning Department shall supply the Historic Preservation Commission with a description of the proposed alteration or demolition as supplied by the applicant and the contact information for the applicant.
3. Nothing in this policy shall be construed as requiring the Historic Preservation Commission to comment on the application.
4. This policy shall not supersede or amend any review requirements or procedures outlined in the Historical Preservation Chapter of the Kendall County Code.
5. Except as required by the Historical Preservation Chapter of the Kendall County Code, nothing in this policy shall be construed as requiring the Planning, Building and Zoning Department to delay the issuance of a permit due to lack of comment or requests to the applicant by the Historic Preservation Commission.

Approved by majority vote of the Planning Building and Zoning Committee on February 10, 2025.

Matt Asselmeier

From: Itle, Ken <kitle@wje.com>
Sent: Tuesday, November 19, 2024 11:29 AM
To: Matt Asselmeier
Subject: [External]RE: Landmarking Cemeteries Question

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Matt:

Short answer, yes, cemeteries are often landmarked.

This National Register bulletin (while a little old) provides some useful guidance (based on National Register criteria, though local criteria will be similar):

<https://www.nps.gov/subjects/nationalregister/upload/NRB41-Complete.pdf>

For cemeteries that are still active for new burials, there are a couple ways to approach it:

1. There may be a historic section that is mostly full or closed, and the landmark boundaries can be kept compact, excluding the section(s) where current and future burials typically are made.
2. The cemetery may be mostly full, in which case a few newer / future burials would not be likely to affect its historic integrity.
3. The cemetery may be mostly empty, in which case newer / future burials might overwhelm the few historic burials, in which case it may not be a candidate for landmark status. In this case, perhaps there are individual markers or mausoleums that are artistically significant and worthwhile to landmark individually.
4. Landmark commission review would not be expected for each new burial, new gravemarkers etc. Only overall design changes (e.g., a new maintenance building, new paved roadways, a new wall or fence around the cemetery, adding a flagpole and benches) would trigger any preservation review.

Kenneth M. Itle

Associate Principal

Wiss, Janney, Elstner Associates, Inc.

Engineers / Architects / Materials Scientists

330 Pfingsten Road, Northbrook, Illinois 60062

tel 847.272.7400 | direct 847.753.6465

www.wje.com

kitle@wje.com

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>

Sent: Tuesday, November 19, 2024 8:27 AM

To: Itle, Ken <kitle@wje.com>

Subject: Landmarking Cemeteries Question

Ken:

NATIONAL REGISTER BULLETIN

Technical information on comprehensive planning, survey of cultural resources, and registration in
the National Register of Historic Places



U.S. Department of the Interior
National Park Service
Cultural Resources
Interagency Resources Division

GUIDELINES FOR EVALUATING AND REGISTERING CEMETERIES AND BURIAL PLACES



Mission: As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally-owned public lands and natural and cultural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historic places; and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The Department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. Administration.

This publication is financed by the National Park Service, United States Department of the Interior. Under Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; and the Age Discrimination Act of 1975, as amended, the United States Department of the Interior prohibits discrimination on the basis of race, color, national origin, handicap, or age in its programs. If you believe you have been discriminated against in any program, activity, or facility, or if you desire further information please write: Office of Equal Opportunity, National Park Service, P.O. Box 37127, Washington, DC 20013-7127.

(Cover Photo). The East Parish Burying Ground in Newton, Massachusetts, is an important link to the city's 17th century origins and illustrates the characteristic features of a dense concentration of tablet-type markers bearing grim epitaphs and carved imagery. (Thelma Fleishman, 1981).

NATIONAL REGISTER BULLETIN 41

GUIDELINES FOR EVALUATING AND REGISTERING CEMETERIES AND BURIAL PLACES

by
Elisabeth Walton Potter
and
Beth M. Boland

**U.S. Department of the Interior
National Park Service
Interagency Resources Division
National Register of Historic Places**

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PREFACE

The creation of the National Register of Historic Places in 1966 provided the first national recognition for historic properties possessing State or local significance, and uniform standards for evaluating them. The National Register's Criteria for Evaluation established the threshold for defining the qualities that would make such a property worthy of preservation, but also needed to ensure credibility through adherence to standards acceptable to relevant professional disciplines. Through the special requirements of the Criteria Considerations, the criteria both caution against subjective enthusiasm for certain types of resources, and also reinforce the importance of objective historical analysis.

In the legislative history of the 1980 Amendments to the National Historic Preservation Act of 1966, Congress

indicated a desire that the Secretary of the Interior review National Register Criteria for Evaluation from time to time to ensure their effectiveness in carrying out the policies of the Act. In 1986, upon the occasion of the 20th anniversary of the National Historic Preservation Act, the National Park Service organized such a review. In their December 17, 1986, report, those who reviewed the criteria concluded that no revision of criteria wording was warranted, but recommended several issues that could benefit from clarification through additional published guidance. The application of National Register criteria to graves and cemeteries was one such issue.

A greater appreciation has evolved in both scholarship and public perception for the important historical themes that graves, cemeteries, and other types of

burial places and features can represent. The growing emphasis on the history of ordinary individuals, grass roots movements, cultural and designed landscapes, and various cultural groups has nurtured this evolution. At the same time, the identification, maintenance, and preservation of burial places is increasingly threatened through neglect, ignorance, and vandalism. This publication is intended to focus attention on these resources and provide detailed guidance on the qualities that render burial places significant representatives of our history worthy of preservation.

Lawrence E. Aten
Chief, Interagency Resources Division
National Park Service
Department of the Interior

ACKNOWLEDGMENTS

This bulletin was prepared by Elisabeth Walton Potter, coordinator of National Register nominations for the Oregon State Historic Preservation Office, and Beth M. Boland, historian with the National Register of Historic Places. The authors greatly acknowledge the assistance of those who consulted closely on, or contributed portions of, the text: Elizabeth Crowell, Chief of Archeological Studies, Engineering-Science, and Norman Mackie, National Conference of State Historic Preservation Officers; Leland Gilson, Oregon State Historic Preservation Office; Kenneth J. Guzowski, City of Eugene, Oregon, Planning Department; Ellen Lipsey, Boston Landmarks Commission; Patricia L. Parker, Interagency Resources Division, National Park Service; Bruce Piatek, Historic St. Augustine Preservation Board; Carol D. Shull, Chief of Registration, National Register Branch, Interagency Resources Division, National Park Service; Tim Smith, State of Alaska Office of History and Archeology; and Daniel Spohn, Historic Preservation Office, Department of Veterans Affairs. The authors also are indebted to Ruthann Knudson, Archeological Assistance Division, National Park Service; Kathleen D. Leslie, Mount Auburn Cemetery, Cambridge, Massachusetts; Richard E.

Meyer, American Culture Association and Western Oregon State College; Dean Suagee of Hobbes, Strauss, Dean, and Wilder; and Nicole Warren, Interagency Resources Division, National Park Service, for their invaluable assistance. Other colleagues in the National Park Service who provided helpful comments or assistance include Lawrence E. Aten, Chief, Interagency Resources Division; Edwin Bearss, Chief Historian; Charles A. Birnbaum, Preservation Assistance Division; Gary J. Candelaria, Fort Laramie National Historic Site; Sue Henry, Planning Branch, Interagency Resources Division; H. Ward Jandl, Preservation Assistance Division; Cecil McKithan, Southeast Regional Office; Diane Miller, Information Management Unit, Interagency Resources Division; Douglas H. Scovill, Chief Anthropologist; and National Register archeologists, architectural historians, and historians, especially Patrick Andrus, Patty Chrisman, Antoinette Lee, Linda McClelland, Donna Seifert, and Jan Townsend. Significant contributions also were made by Dan Deibler, Pennsylvania Historical and Museum Commission; James C. Gutman, Fish and Wildlife Service; Chere Jiusto, Montana Historical Society; Glen Leiner, Government of the District of Columbia; Robert Z.

Melnick, University of Oregon; Ken P'Pool, Mississippi Department of Archives and History; Maxwell D. Ramsey, Tennessee Valley Authority; Barbara Rotundo, historic cemetery consultant, Laconia, New Hampshire; Brona Simon, Massachusetts Historical Commission; Frank W. Snell, Bureau of Land Management; Elizabeth A. Straw, Tennessee Historical Commission; Ann Swallow, Illinois Historic Preservation Agency; and Jay C. Ziemann, Arizona State Parks.

This publication has been prepared pursuant to the National Historic Preservation Act of 1966, as amended, which directs the Secretary of the Interior to develop and make available information concerning historic properties. National Register Bulletin 41 was developed under the general editorship of Carol D. Shull, Chief of Registration, National Register of Historic Places. Antoinette J. Lee, historian, is responsible for publications coordination, and Patty Sackett Chrisman, historian, provides technical support. Comments on this publication may be directed to Chief of Registration, National Register of Historic Places, Interagency Resources Division, National Park Service, P. O. Box 37127, Washington, D.C. 20013-7127.

I. INTRODUCTION

Individual and collective burial places can reflect and represent in important ways the cultural values and practices of the past that help instruct us about who we are as a people. Yet for profoundly personal reasons, familial and cultural descendants of the interred often view graves and cemeteries with a sense of reverence and devout sentiment that can overshadow objective evaluation. Therefore, cemeteries and graves are among those properties that ordinarily are not considered eligible for inclusion in the National Register of Historic Places unless they meet special requirements. The National Register Criteria for Evaluation include considerations by which burial places may be eligible for inclusion in the National Register. To qualify for listing under Criteria A (association with events), B (association with people), or C (design), a cemetery or grave must meet not only the basic criteria, but also the special requirements of Criteria Considerations C or D, relating to graves and cemeteries.¹

Burial places evaluated under Criterion D for the importance of the information they may impart do not have to meet the requirements for the Criteria Considerations. These sites generally have been considered as archeological sites. It is important to remember that although cemeteries and other burial places may be evaluated for their potential to yield information, they also may possess great value to those who are related culturally to the people buried there.

Roughly 1,700 cemeteries and burial places in all parts of the country have been entered in the National Register since 1966, either as individual listings

or because they are part of historic districts.² These numbers reflect the essential presence of burial places in the cultural landscape. Various factors have contributed to the continuing trend of registration. Clearly important is the growing literature on funerary art and architecture, and on landscapes. With greater frequency since the 1960s, studies in American culture have treated not only the form and symbolism of gravemarkers, but also the social and spiritual values expressed in burial placements and the organization of burying grounds — including the different attitudes about death held by the various cultural groups that make up our society.

Though the tradition of cleaning up and beautifying old cemeteries is a long one, the current interest in these subjects partly owes to widespread incidents of abandonment, theft, vandalism, real estate development, and environmental hazards such as acid rain, which have pushed cemeteries to the forefront of preservation issues. National Register listing is an important step in preserving cemeteries because such recognition often sparks community interest in the importance of these sites in conveying the story of its past. Listing also gives credibility to State and local efforts to preserve these resources for their continuing contribution to the community's identity. The documentation contained in surveys and nominations of these historic burying places — especially those cemeteries that are neglected or threatened — is the key to their better protection and management. This information has a variety of uses, including public education; planning by local, State, or Federal agencies; or

publication. The purpose of this bulletin is to guide Federal agencies, State historic preservation offices, Certified Local Governments, preservation professionals, and interested groups and individuals in evaluating, documenting, and nominating cemeteries, burial places and related types of property to the National Register.

The resources or types of properties relating to mortuary customs in the United States and its associated territories vary from region to region and age to age according to prevailing spiritual beliefs and methods of caring for the dead. The burial mound of prehistoric populations in the Mississippi River Valley, the tablet-filled graveyard of the Colonial period, the park-like "rural" cemetery of the early-to-mid 19th century, and the Art Deco mausoleum and crematorium of the modern industrial age — all are distinct manifestations of the cultures and environments in which they were created. These places are capable of providing insight to the cultural values of preceding generations unless they have been looted, severely vandalized, or compromised by development or natural forces. To measure the significance of burial places in American culture, we must know something of their geographic extent, the historic events affecting their creation, the span of time in which they evolved, their ceremonial functions, their aesthetic value, the reasons for the location and orientation of graves, and the underlying meaning of their embellishments.

This bulletin defines the term "burial place" broadly as a location where the dead are prepared for burial or cremation, or where the remains of the dead are placed. A burial place may be a

¹ The discussion of the criteria begins on page 9, and the requirements of the considerations on page 14. For a list of the National Register Criteria for Evaluation and the Criteria Considerations, see p. 33.

² For information on the National Register, contact the State Historic Preservation Officer in your State, or The National Register of Historic Places, Interagency Resources Division, National Park Service, P. O. Box 37127, Washington, D.C. 20013-7127.

single feature, ranging from the grandly monumented tomb of a national leader to an isolated grave expediently prepared alongside a battlefield or emigrant route. Other burial places are more complex, such as compound burial sites and cemeteries developed after deliberate selection and arrangement of the landscape. In Native American and Pacific Island cultures, certain burial places were ephemeral because they took place above ground. However, where evidence remains of cremation areas and sites traditionally used for scaffold and other encasement burials, such places would be encompassed by the general classification, burial place.

Cemeteries and burial places traditionally have been regarded as sacred and inviolate, especially by those whose ancestors are buried there. Recently, the concern of Native Americans about appropriate and respectful disposition of burial remains and objects of their

descendants has resulted in greater sensitivity toward those for whom a burial place has familial or cultural importance. The Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601) sets out the rights of Indian Tribes and Native Hawaiian organizations regarding human remains, funerary and sacred objects, and other culturally significant objects for which they can demonstrate lineal descent or cultural affiliation. One of the main purposes of the legislation is to protect Native American graves and related items, and to control their removal. The Act encourages the avoidance of archeological sites that contain burials and also makes Federal agencies responsible for consulting Indian Tribes or Native Hawaiian groups when they encounter such sites, either in the course of planned excavations, or through inadvertent discovery. Consultation is required to determine

the appropriate treatment of human remains and cultural objects. Many States, also, have passed legislation that addresses the discovery and disposition of graves.

Several factors resulted in a decision to omit detailed guidance on identifying, evaluating, and documenting archeological sites that contain burials, and on appropriate methods for studying them, from this bulletin. These factors include the specialized nature of investigating these burials, ongoing debates over the appropriate treatment of such sites, and evolving policies and procedures relating to the Native American Graves Protection and Repatriation Act. Nevertheless, references, examples, and brief discussions of prehistoric burials appear throughout this bulletin in recognition that they may be eligible for National Register listing.

II. BURIAL CUSTOMS AND CEMETERIES IN AMERICAN HISTORY

The types of cemeteries and burial places that might qualify for National Register listing are many and varied. They include:

- town cemeteries and burial grounds whose creation and continuity reflect the broad spectrum of the community's history and culture;
- family burial plots that contribute to the significance of a farmstead;
- beautifully designed garden cemeteries that served as places of rest and recreation;
- graveyards that form an important part of the historic setting for a church or other religious building being nominated;
- formal cemeteries whose collections of tombs, sculptures, and markers possess artistic and architectural significance;
- single or grouped grave-stones that represent a distinctive folk tradition;
- graves or graveyards whose survival is a significant or the only reminder of an important person, culture, settlement, or event; and
- burial places whose location, grave markers, landscaping, or other

physical attributes tell us something important about the people who created them.

Examples of these and many other types of burial places appear throughout this bulletin, especially in the section on applying the criteria. Some types of burial places represent events, customs, or beliefs common to many cultures, locations, or time periods. Others are unique representatives of specific people or events. Background information on some of the traditions in American burials that are so common that numerous examples have been, or are likely to be, identified and nominated is discussed briefly in this section; the omission of other traditions or historical developments should not be interpreted as precluding cemeteries or graves that do not fit into the topics that are included. For example, community cemeteries that reflect early settlement or various aspects of an area's long history

may not fall into one of the traditions described in this section. Yet they frequently are nominated and listed in the National Register.

NATIVE AMERICAN BURIAL CUSTOMS

Native American burial customs have varied widely, not only geographically, but also through time, having been shaped by differing environments, social structure, and spiritual beliefs. Prehistoric civilizations evolved methods of caring for the dead that reflected either the seasonal movements of nomadic societies or the lifeways of settled communities organized around fixed locations. As they evolved, burial practices included various forms of encasement, sub-surface interment, cremation, and exposure. Custom

The Crawford-Dorsey House and Cemetery near Lovejoy, Clayton County, Georgia, represent a historic Southern plantation; the earliest graves are covered by seashells. (James R. Lockhart, 1983)



usually dictated some type of purification ritual at the time of burial. Certain ceremonies called for secondary interments following incineration or exposure of the body, and in such cases, the rites might extend over some time period. Where the distinctions in social status were marked, the rites were more elaborate.

The Plains Indians and certain Indians of the Pacific Northwest commonly practiced above-ground burials using trees, scaffolds, canoes, and boxes on stilts, which decayed over time. More permanent were earthen constructions, such as the chambered mounds and crematory mounds of the Indians of the Mississippi River drainage. In some areas of the Southeast and Southwest, cemeteries for urn burials, using earthenware jars, were common.

After contact with European Americans, Native American cultures adopted other practices brought about by religious proselytizing, intermarriage, edict, and enforcement of regulations. The Hopi, Zuni, and other Pueblo peoples of Arizona and New Mexico were among the first to experience Hispanic contact in the 16th century, and subsequently, their ancestral lands were colonized. At the pueblos — stone and adobe villages — where Roman Catholic missions were established, burials within church grounds or graveyards consecrated in accordance with Christian doctrine were encouraged for those who had been converted to the faith. However, Native Americans also continued their traditional burial practices, when necessary in secret.

Throughout the period of the fur trade in the North Pacific, beginning in the late 18th century, Russian Orthodox missions were established among the native populations settled along the coastline and mainland interior of Russian-occupied Alaska. At Eklutna, a village at the head of Cook Inlet, north of Anchorage, an Athabascan cemetery adjacent to the 19th century Church of St. Nicholas (Anchorage Borough - Census Area), illustrates continuity of a burial custom widely recorded in historic times, that of constructing gable-roofed wooden shelters over graves to house the spirit of the dead. In the cemetery at Eklutna, the spirit houses are arranged in regular rows, have brightly-painted exteriors fronted by Greek crosses, and are surmounted by comb-like ridge crests. In this particular example, variation in the size of the shelters is an indication of social status, while clan affiliations are identified by color and by the styling of the crest.

COLONIAL AND EARLY AMERICAN BURIAL CUSTOMS

The earliest episodes of Spanish, French, and English settlement on the eastern shore of North America followed voyages of exploration in the 16th century. The original attempts at colonizing were made in Florida, the Carolinas, and Virginia. In 1565, the first lasting European community was established by the Spanish on the east coast of Florida, at St. Augustine, which survived attack from competing forces in colonization of the New World. An essential feature of the fortified settlement was the Roman Catholic mission church with its associated burial ground. Where they are uncovered in the course of modern day improvement projects, unmarked burials of the 16th and 17th centuries provide evidence for identifying the historic locations of successors to the founding church — sites that gradually disappeared in the layerings of later town development. The archeological record shows shroud-wrapped interments were customary in the city's Spanish Colonial period. Traces of coffins or coffin hardware do not appear in Colonial burials before the beginning of English immigration to the area in the 18th century. Graves of the Spanish colonists occurred in consecrated ground within or adjacent to a church. They followed a pattern of regular, compact spacing and east-facing orientation. These characteristics, together with arms crossed over the chest and the presence of brass shroud pins are a means of distinguishing Christian burials from precolonial Native American burials sometimes associated with the same site.

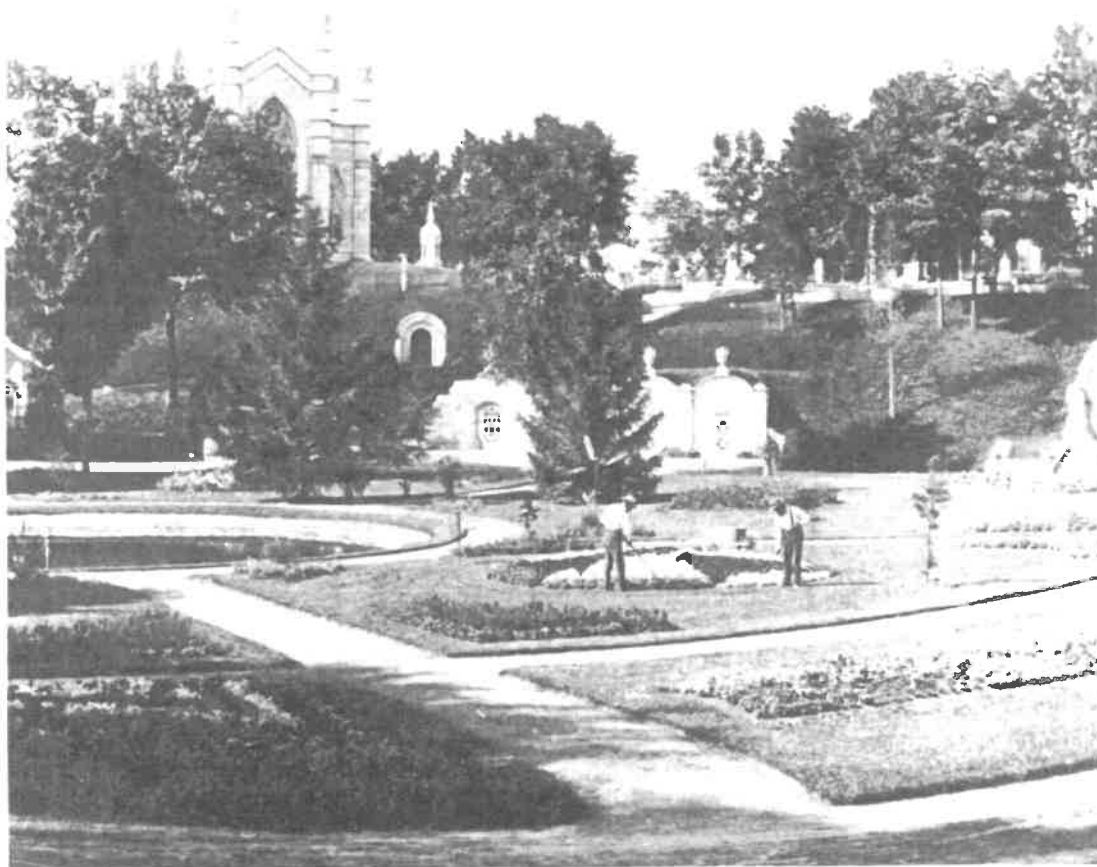
With the notable exception of the secular graveyards of Puritan New England, the ideal during the Colonial period in English colonies was to bury the dead in churchyards located in close proximity to churches. Churchyard burials have remained standard practice into the 20th century for European Americans and other cultures in the Judeo-Christian tradition. Early Puritans rejected churchyard burials as they rebelled against other "papist" practices, as heretical and idolatrous. Instead, many 17th century New England towns set aside land as common community burial grounds. Headstone images from this period also reflect the rejection of formal Christian

iconography in favor of more secular figures, such as skulls representing fate common to all men.

In areas such as the Middle Atlantic region and the South, settlement patterns tended to be more dispersed than in New England. Although early towns such as Jamestown established church cemeteries, eventually burial in churchyards became impractical for all but those living close to churches. As extensive plantations were established to facilitate the production of large scale cash crops, such as tobacco, several factors often made burial in a churchyard problematical: towns were located far apart, geographically large parishes were often served by only a single church, and transportation was difficult, the major mode being by ship. The distance of family plantations from churches necessitated alternative locations for cemeteries, which took the form of family cemeteries on the plantation grounds. They usually were established on a high, well-drained point of land, and often were enclosed by a fence or wall. Although initially dictated by settlement patterns, plantation burials became a tradition once the precedent was set. Along with the variety of dependencies, agricultural lands, and other features, family cemeteries help illustrate the degree of self-sufficiency sustained by many of these plantations. Pruitt Oaks, Colbert County, Alabama, is one of many National Register examples of such a plantation complex.

ORIGINS OF THE "RURAL" CEMETERY MOVEMENT

In the young republic of the United States, the "rural" cemetery movement was inspired by romantic perceptions of nature, art, national identity, and the melancholy theme of death. It drew upon innovations in burial ground design in England and France, most particularly Père Lachaise Cemetery in Paris, established in 1804 and developed according to an 1815 plan. Based on the model of Mount Auburn Cemetery, founded at Cambridge, near Boston by leaders of the Massachusetts Horticultural Society in 1831, America's "rural" cemeteries typically were established around elevated viewsites at the city outskirts. Mount Auburn was followed



Mount Auburn Cemetery in Cambridge, Massachusetts, was a model for suburban landscaped cemeteries popular in the 19th century. Mount Auburn and other "rural" cemeteries of its kind inspired a movement for public parks. (Photographer unknown; ca. 1870. From the collection of the Mount Auburn Cemetery Archives)

by the formation of Laurel Hill Cemetery in Philadelphia in 1836; Green Mount in Baltimore, 1838; Green-Wood Cemetery in Brooklyn and Mount Hope Cemetery in Rochester, New York, in 1839; and ultimately many others.³

After the Civil War, reformers concerned about land conservation and public health agitated for revival of the practice of incineration and urn burial. The cremation movement gathered momentum rapidly around the turn of the century, particularly on the west coast, and resulted in construction of crematories in many major cities. Columbariums and community mausoleums were erected in cemeteries to expand the number of burials which could be accommodated with the least sacrifice of ground space.

Perpetual care lawn cemeteries or memorial parks of the 20th century

represent a transformation of the "rural" cemetery ideal that began in the last half of the 19th century. At Spring Grove Cemetery in Cincinnati (Hamilton County), Ohio, superintendent Adolph Strauch introduced the lawn plan system, which deemphasized monuments in favor of unbroken lawn scenery, or common open space. Writing in support of this concept and the value of unified design, fellow landscape architect and cemetery engineer Jacob Weidenmann brought out *Modern Cemeteries: An Essay on the Improvement and Proper Management of Rural Cemeteries* in 1888. To illustrate his essay, Weidenmann diagrammed a variety of plot arrangements showing how areas could be reserved exclusively for landscaping for the enhancement of adjacent lots.

"Modern" cemetery planning was based on the keynotes of natural beauty

and economy. Whereas 19th century community cemeteries typically were organized and operated by voluntary associations which sold individual plots to be marked and maintained by private owners according to individual taste, the memorial park was comprehensively designed and managed by full-time professionals. Whether the sponsoring institution was a business venture or non-profit corporation, the ideal was to extend perpetual care to every lot and grave. The natural beauty of cemetery sites continued to be enhanced through landscaping, but rolling terrain was smoothed of picturesque roughness and hilly features. The mechanized equipment required to maintain grounds efficiently on a broad scale prompted standardization of markers flush with the ground level and the elimination of plot-defining barriers.

³ Mount Auburn (Middlesex County), Laurel Hill (Philadelphia County), and Green Mount (Baltimore Independent City) are listed individually in the National Register. Because National Register files and published lists are organized by State and county, the name of the county is provided for each individually listed burial place cited in this bulletin. Other referenced cemeteries and burial places may be included in the National Register as part of larger historic properties, especially historic districts.

THE "RURAL" CEMETERY MOVEMENT AND ITS IMPACT ON AMERICAN LANDSCAPE DESIGN

The "rural" cemetery movement, influenced by European trends in gardening and landscape design, in turn had a major impact on American landscape design. Early in the 19th century, the prevailing tradition was the romantic style of landscape gardening which in the previous century the English nobility and their gardeners had invented using classical landscape paintings as their models. English garden designers such as Lancelot "Capability" Brown, William Kent, Sir Uvedale Price, Humphrey Repton and John Claudius Loudon artfully improved vast country estates according to varying aesthetic theories. To achieve naturalistic effects, gracefully curving pathways and watercourses were adapted to rolling land forms. Contrast and variation were employed in the massing of trees and plants as well as the arrangement of ornamental features. The "picturesque" mode of 18th century landscaping was characterized by open meadows of irregular outline, uneven stands of trees, naturalistic lakes, accents of specimen plants and, here and there, incidental objects such as an antique statue or urn on a pedestal to lend interest and variety to the scene.

The "rural" cemeteries laid out by horticulturists in Boston, Philadelphia, Baltimore, and New York in the 1830s were romantic pastoral landscapes of the picturesque type. Planned as serene and spacious grounds where the combination of nature and monuments would be spiritually uplifting, they came to be looked on as public parks, places of respite and recreation acclaimed for their beauty and usefulness to society. In the early "rural" cemeteries and in those which followed their pattern, hilly, wooded sites were enhanced by grading, selective thinning of trees, and massing of plant materials which directed views opening onto broad vistas. The cemetery gateway established separation from the workaday world, and a winding drive of gradual

ascent slowed progress to a stately pace. Such settings stirred an appreciation of nature and a sense of the continuity of life. By their example, the popular new cemeteries started a movement for urban parks that was encouraged by the writings of Andrew Jackson Downing and the pioneering work of other advocates of "picturesque" landscaping, most particularly Calvert Vaux and Frederick Law Olmsted, who collaborated in the design of New York City's Central Park.

With the rapid growth of urban centers later in the 19th century, landscape design and city planning merged in the work of Frederick Law Olmsted, the country's leading designer of urban parks. Olmsted and his partners were influential in reviving planning on a grand scale in the parkways they created to connect units of municipal park systems. Although Olmsted was more closely tied to the naturalistic style of landscape planning, his firm's work with Daniel H. Burnham in laying out grounds for the World's Columbian Exposition of 1893 in Chicago conformed to the classical principles of strong axial organization and bilateral symmetry. The central unifying element of the imposing exposition building group was a lengthy concourse, a lagoon, terminated by sculptural focal points at either end. Following the Chicago World's Fair, civic planning was based for some time on a formal, monumental vision of "the City Beautiful."

The historic relationship of cemetery and municipal park planning in America is well documented in *Park and Cemetery*, one of the earliest professional journals in the field of landscape architecture. Inaugurated in Chicago in 1891 and briefly published as *The Modern Cemetery*, a title that was resumed in 1933, the journal chronicles the growth of an industry and indicates the developing professionalism within related fields. For example, the Association of American Cemetery Superintendents was organized in 1887. Cemetery superintendents and urban park officials held a common interest in matters of design as well as horticulture and practical groundskeeping.

The tradition of naturalistic landscape design that was developed by Olmsted and his followers continued into the 20th century. Widely influential was the work of John C. Olmsted and Frederick Law Olmsted, Jr., successors of the elder Olmsted and principals of the Olmsted Brothers firm which was consulted throughout the country on

matters of civic landscape design. But after 1900, parks and cemeteries took on aspects of formal landscape planning made fashionable by the "City Beautiful" movement and renewed interest in formal gardens of the Italian style. Typically, classical formality was introduced to early 20th century cemetery landscapes in the axial alignment of principal avenues of approach centered on building fronts, and also in cross axes terminated by rostrums, exedras, and other focal features drawn from various traditions in classical architecture. By the 1930s, newer cemeteries and memorial parks showed the influence of modernism in a general preference for buildings and monuments that were stripped of excessive decoration. Greek architecture, admired for its purity and simplicity, was the approved model for monumentation in the early modern age.

MILITARY CEMETERIES

Military cemeteries, created for the burial of war casualties, veterans, and their dependents are located in nearly every State, as well as in foreign countries, and constitute an important type of American cemetery. There are over 200 cemeteries established by the Federal government for the burial of war casualties and veterans. These include national cemeteries, post cemeteries, soldiers' lots, Confederate and Union plots, American cemeteries overseas, and other burial grounds. Many States also have established veterans cemeteries. The majority of veterans, however, likely are buried in private and community cemeteries, sometimes in separate sections reserved for veterans.

During the American Revolution, soldiers were buried in existing burial grounds near the place of battle. One of the earliest types of organized American military cemetery was the post cemetery. Commanders at frontier forts of the early-to-mid 19th century buried their dead in cemetery plots marked off within the post reservations. Post cemetery registers reveal a fairly uniform system of recording burials, sometimes even including assigned grave numbers. Management of burial grounds fell to quartermaster officers. In 1850, the U.S. Congress called for the establishment of a cemetery outside Mexico City for Americans who died in the Mexican War. This was a precedent for the creation of permanent military cemeter-

ies over a decade before the creation of a national cemetery system.

During the Civil War, there was a critical shortage of cemetery space for large concentrations of troops. At first, this need was addressed through the acquisition of lots near general hospitals, where more soldiers died than in battle. As the war continued, however, it was clear that this was not an adequate solution. In 1862, Congress passed legislation authorizing the creation of a national cemetery system. Within the year, 14 national cemeteries were established. Most were located near troop concentrations, two were former post cemeteries, one was for the burial of Confederate prisoners and guards who died in a train accident, and several were transformed battlefield burial grounds. By the end of 1864, 13 more had been added. Two of the best known of the national cemeteries from the Civil War period are Arlington National Cemetery, established in 1864, and Andersonville, established in 1865. Arlington, the home of Confederate General Robert E. Lee at the beginning of the Civil War, was confiscated by the Union army in May of 1861. In 1864, on the recommendation of Brig. Gen. Montgomery C. Meigs, Quartermaster General of the Army, the grounds officially became a national cemetery. Andersonville became the final resting place of almost 13,000 soldiers who died there at the Confederate prisoner of war camp.

The establishment of Civil War-era military cemeteries often resulted from decisions by local commanders or by State civil authorities in conjunction with private associations. Burial grounds were established near battlefields, military posts, hospitals, and, later, veterans homes. Before the creation of the National Cemetery System, these burial grounds were referred to variously as national cemeteries, soldiers' lots, Confederate plots, Union plots, and post cemeteries. Many later were absorbed into the National Cemetery System.

Immediately after the Civil War, an ambitious search and recovery program initiated the formidable task of locating and reburying soldiers from thousands of scattered battlefield burial sites. By 1870, over 90 percent of the Union casualties — 45 percent of whose identity were unknown — were interred in national cemeteries, private plots, and post cemeteries. In 1867, Congress directed every national cemetery to be enclosed with a stone or iron fence, each gravesite marked with a headstone, and

superintendent quarters to be constructed. Although many national cemeteries contain Confederate sections, it was not until 1906 that Congress authorized marking the graves of Confederates who had died in Federal prisons and military hospitals. The post-Civil War reburial program also removed burials from abandoned military post cemeteries, particularly those in the western frontier, for interment into newly-created national cemeteries.

Following World War I, only 13 percent of the deceased returned to the United States were placed in national cemeteries; 40 percent of those who died were buried in eight permanent American cemeteries in Europe. Similarly, after World War II, 14 permanent cemeteries were created in foreign countries. Today, there are 24 American cemeteries located outside the United States, which are administered by the American Battle Monuments Commission.

Until 1933, the War Department administered most military cemeteries. That year an executive order transferred 11 national cemeteries near national military parks or battlefield sites already under the jurisdiction of the National Park Service to that agency. Today, the National Park Service administers 14 national cemeteries.

Originally, hospital military cemeteries associated with former National Homes for Disabled Volunteer Soldiers and former Veterans Bureau (later Veterans Administration) hospital reservations were not part of the national cemetery system. In 1973, the Department of the Army transferred 82 of the 84 remaining national cemeteries to the Veterans Administration — today the Department of Veterans Affairs — which had been created in 1930 from the merging of the National Homes and Veterans Bureau. Also in 1973, the 21 existing "VA" hospital cemeteries were recognized as part of the National Cemetery System. The system has continued to expand, and there now are 114 national cemeteries managed by the Department of Veterans Affairs, where more than two million Americans — including veterans from all of the country's wars and conflicts from the Revolutionary War to the Persian Gulf — are buried.

The total number of military and veterans burial places in the United States is unknown because there are numerous veterans plots in private and non-Federal public cemeteries. In 1991, 70 percent of the markers provided by the Federal government to mark new gravesites were delivered to private or State cemeteries, and the remainder to national cemeteries.



The National Cemetery Section of Lexington Cemetery, Lexington, Fayette County, Kentucky, includes burials of Union and Confederate soldiers, and veterans of the Spanish-American War. (Lexington Herald-Leader Newspaper, 1958)

III. TYPES OF BURIAL PLACES AND ASSOCIATED FEATURES

Distinctive mortuary features and burial places may be eligible for inclusion in the National Register as free-standing buildings and sites nominated individually. Others are eligible because they are significant in a larger context, as, for example, a mausoleum located in a cemetery or a family burial plot on a farmstead or plantation. Cemeteries have been included in the National Register as component elements of historic districts encompassing entire villages, military reservations, or industrial complexes, as well as in association with churches. When a cemetery is included in a larger historic district, it is evaluated like other resources in the district: it contributes to the district's historic significance if it dates from the historic period, relates to the district's significance, and retains integrity; or if it possesses significance independent of the district's. Cemeteries also may be historic districts in their own right.

A cemetery that is evaluated on an individual basis is treated either as a historic site or as a district made up of individual graves, their markers, and plot-defining characteristics. A cemetery that is a site may or may not possess above-ground features that convey their significant historic associations, but still must retain historic integrity. A cemetery district, like other historic districts, is more than an area composed of a collection of separate elements; it is a cohesive landscape

whose overall character is defined by the relationship of the features within it. More elaborate cemeteries may have, in addition to the basic cemetery features, ornamental plantings, boundary fences, road systems, gateways, and substantial architectural features such as mausoleums, chapels, and residences of sexton or superintendent — all requiring description and evaluation of significance.

Opposite are some of the types of properties or features that might be encountered in documenting and evaluating burial places. The list covers places for preparation and interment of the dead, commemorative objects, and a number of buildings and structures commonly associated with larger cemeteries (for definitions, see the Glossary, p. 28).

amphitheater
bench
burial cache
burial mound
burial mound complex
burial site
cairn
cemetery
chapel
columbarium
cremation area
crematorium
crypt
fountain
gatehouse
grave
gravemarker
graveyard
grave shelter
greenhouse
lych gate
mausoleum
memorial park
monument
mortuary
office building
ossuary
pumphouse
receiving tomb
rostrum
service building
sexton's residence
shelter house
superintendent's residence
tomb
vault

IV. EVALUATING CEMETERIES AND BURIAL PLACES

It is not essential that those evaluating cemeteries for potential National Register eligibility hold credentials in scholarly disciplines, but it is important that they be able to place the resource type in as broad a context as possible and to describe and analyze its components. Those not trained in the disciplines discussed below are encouraged to refer to the recommended sources listed at the end of the guidance, and to consult their local historical commission and State historic preservation office. They may wish to consult professionals who have had training or experience in archeology, anthropology, art history, architectural history, history of landscape architecture, horticulture, history American studies, cultural geography, or historic preservation. Within a number of these disciplines, the study of funerary art and custom is a specialized area. Appropriate expertise may extend to the fields of iconology, ethnology and folklore. Familiar with the terminology used to describe characteristic elements of prehistoric and historic burial sites, cemetery landscapes, buildings, and monuments, individuals in these fields may more easily be able to identify those elements in historic photographs, in plans, and upon inspection of a site.

Archeologists and anthropologists are qualified to evaluate the potential of burials to yield significant information about the past, and often are able to do so without disturbing the remains. Anthropologists and cultural geographers glean information from gravemarkers, inscriptions, and epitaphs, which reveal changing attitudes about death and afterlife, about demographics (the migration patterns of population groups), and about the prevalence of disease. The folklorist and anthropologist perceive meaning in the commonplace, traditional ways of treating graves that are untouched by the currents of high style monumentation.

Art and architectural historians are prepared to assess the visual qualities of

the resource, the elements of artistic and architectural style embodied in sculptural monument, gatehouse, and mausoleum. Landscape architectural historians can evaluate and document elements of historic landscape design. Those who specialize in the study of material culture are knowledgeable about the evolving techniques of manufacture and the icons (forms and symbols holding special meaning) used by monument makers in various historic periods. Historians are qualified to relate cemetery development to changing attitudes about death and burial, trends in community planning, aesthetic taste and choices, and historic events such as episodes of settlement and military actions.

APPLYING THE NATIONAL REGISTER CRITERIA FOR EVALUATION

To be eligible for the National Register, a cemetery or burial place must be shown to be significant under one or more of the four basic Criteria for Evaluation. Criteria A, B, C, and D indicate the several ways in which a property may be significant in American history, architecture (including the disciplines of landscape architecture and planning), archeology, engineering, and culture. Decisions about the relative significance of cemeteries and burial places can be made only with knowledge of the events, trends, and technologies that influenced practices of caring for and commemorating the dead, and with some concept of the quality and quantity of similar resources in the community, region, State, or nation. Such background provides the context for evaluating significance.

The term "context," as applied to the process of evaluation, may be described simply as the relevant social, political, economic, and environmental circumstances of the historic period in which a property was developed. By studying a burial place in its broadest possible context, and by applying the basic criteria, the researcher is able to recognize those resources which are significant in representing a given period and historic theme.

Within the broad patterns of American history, the National Register defines a number of "areas of significance." Areas of significance are equivalent to the historical or cultural themes that the property best represents. Some of the areas of significance relevant to burial places are art and architecture, landscape architecture, community planning and development, archeology, ethnic heritage, exploration and settlement, health/medicine, military history, religion, and social history. It is important when applying National Register criteria to keep in mind that, except for archeological sites and cemeteries nominated under Criterion D, burial places also must meet the special requirements of Criteria Considerations C or D, which refer to graves and cemeteries, and possibly to A (religious properties) or other Criteria Considerations.

Criterion A: Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Under Criterion A, the events or trends with which the burial place is associated must be clearly important, and the connection between the burial place and its associated context must be unmistakable. There are many ways in which a cemetery might represent an important aspect of a community's or a culture's history through association with a specific event or by representing broader patterns of attitudes or behavior. For example, our legacy of community

cemeteries began in Colonial times. In Boston, when "Brother Johnson" died in 1630, his burial was soon followed by others close by. This property then became the first burial ground for the Massachusetts Bay Colony, and was the only Colonial burial ground in Boston for 30 years. Ultimately, it assumed the name of a later church constructed there, becoming King's Chapel Burying Ground (Suffolk County). Depending on the history of an area, the age required of a cemetery to represent early exploration, settlement, and development will vary. In Colorado, the Doyle Settlement (Pueblo County), established by early pioneer Joseph Doyle in 1859, was one of the earliest non-mining communities in the State. Once a self-contained unit consisting of residences, dining facility, store, flour mill, blacksmith shop, school, and granaries, its importance in the early development of southern Colorado is now represented by only the school, the cemetery, and building foundations.

A cemetery may represent a variety of important aspects of an area's early settlement and evolving sense of community. Union Cemetery, in Redwood City (San Mateo County), California, was the subject of the State's first cemetery legislation in 1859. Early in its history, it became the focal point

for an annual Memorial Day celebration, which grew over the years into one of the town's most important communal traditions. In addition, a study of the birthplaces of those buried there found at least 17 foreign countries and 26 States, demonstrating the ethnic and cultural diversity characteristic of early northern California communities.

Cemeteries may be significant for associations with specific events as well as long-term trends. The Kuamo'o Burials, Hawaii County, Hawaii, is the burial ground for warriors killed in a major battle in Hawaiian history. The Hawaiian ruling class traditionally had exercised power through a system of sacred rules, or *kapu*. After the death of Kamehameha I in 1819, authority was divided so that Kamehameha I's son Liholiho (Kamehameha II) controlled the secular government, and his nephew Kekuaokalani maintained the *kapu* system. When the new king acted to abolish the *kapu*, Kekuaokalani led an army in rebellion to protect the sacred traditions. Liholiho's forces prevailed, and the abolition of the *kapu* system, occurring the same year as the arrival of Christian missionaries, accelerated the assimilation of western culture. In contrast, Magnolia Cemetery, East Baton Rouge Parish, Louisiana, already was a cemetery when the Battle of Baton

Rouge took place there in 1862. Although the Confederates failed to expel the Union forces occupying the city, the ferocity of their attack helped persuade Federal leaders to evacuate. As a result, the Confederates were able to secure a stronghold for transporting supplies on the Mississippi River. Much of the rest of the battlefield has succumbed to urban development, but the cemetery retains its integrity from the Civil War period.

Battles are a common, but not the only type of, event associated with cemeteries and other burial places. The Mass Grave of the Mexican Miners, within Mount Calvary Cemetery, McAlester (Pittsburg County), Oklahoma, is the only site representing a major 1929 mining disaster. Mexicans played a major role in the area's mining industry and made up almost half of the casualties from the 1929 explosion. The creation of a mass grave for 24 of the Mexican victims, dug by State prisoners and initially marked with only a single wooden cross (ten stone family markers were added later), also is evocative of a time in mining history when terms of employment did not include survivors benefits.

The evolution of burial customs and memorializations also can be an important context for understanding our history. In the 19th century, romantic appreciation of nature and changing

One of the few reminders of the vanished Doyle Settlement near Pueblo, Colorado, this cemetery also includes one of the state's best collections of carved Spanish headstones and represents the dual cultural influences on the community. (James Munch, 1979)



attitudes about death and memorialization led to gradual abandonment of overcrowded urban graveyards and church cemeteries in favor of spacious, landscaped burial grounds on the city outskirts. The great "rural" cemeteries outlying major cities in the eastern United States and the Midwest were founded by voluntary associations in the 1830s and 1840s. Their popularity inspired a benevolent movement, led to the development of urban parks, and was the foundation of an entire industry. Although most of the Register-listed community cemeteries across the country that were established in their image before 1900 are documented under Criterion C only — for landscape architecture, and sometimes art or architecture — many also may meet National Register Criterion A in the areas of social history or community planning.

In the late 19th and early 20th centuries, American mortuary practices were greatly influenced by the cremation movement spurred by advocates in the medical and scientific community and a general awareness of the world's mounting population. The first national convention leading to formation of the Cremation Association of America was held at Detroit in 1913. In areas of the world where it was not in conflict with religious doctrine, the movement was well developed by the 1920s and 1930s. Public health laws were revised to allow hygienic disposal of the dead by incineration, and cremation societies were organized to promote and maintain private facilities. Some crematories were municipally owned. Typically, crematory design incorporated, in addition to the retort, a chapel and mausoleum, or columbarium. Frequently, the combination facility was sited in a conventional cemetery or memorial park. The spread of the movement related, in part, to the ideals of economy and efficiency that marked the early 20th century. The nation's early crematories and those representing later benchmarks in the broad reform movement would be eligible, in all likelihood, under Criterion A.

Criterion B: Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Under Criterion B, the person or group of persons with which the burial place is associated must be of *outstanding* importance to the community, State, or nation, as required by Criteria Consideration C (see page 16). As an

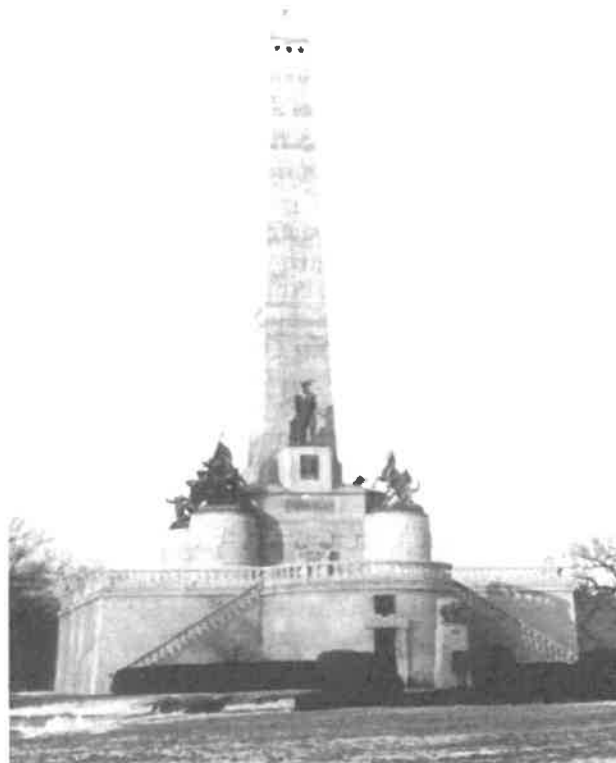
example, Abraham Lincoln's tomb in Springfield (Sangamon County), Illinois is significant as the final resting place of the martyred figure who, as the nation's 16th president, successfully defended the Union of States in the Civil War and drafted the Emancipation Proclamation of 1862-1863. While not all other properties directly associated with President Lincoln's productive life are lost, the tomb also is important, in part, under Criterion A as the focal point of a broad-based commemorative effort begun shortly after he was slain in 1865.

Graves of persons significant to a particular State, region of the country, or cultural group also may qualify for listing. The Free Frank McWorter Grave Site, also in Illinois (Pike County), is listed in the National Register for its significance in representing the accomplishments of a former slave. Free Frank McWorter purchased his own freedom and that of his wife with the profits of his business before moving to Illinois in 1830. In Illinois, he established a farm, engaged in land speculation, founded a prosperous frontier community, and secured the freedom of 13 additional family members. The gravesite is the only property that survives to represent his achievements

and his impact on this area of the State. In Utah, the Martin Harris Gravesite (Cache County) is listed as the State's only property associated with Martin Harris, one of three witnesses to the Book of Mormon, who also served as the first scribe to Mormon prophet Joseph Smith.

Cemeteries, as well as graves, may be eligible under Criterion B. Forestvale Cemetery, on the outskirts of Helena (Lewis and Clark County), Montana, is one of many National Register cemeteries that contain the graves of numerous persons who made outstanding contributions to the history of the State or area in which their graves are located. Among those buried in Forestvale are James Fergus, first commissioner of the territory, also credited with spearheading the formation of Fergus County; Cornelius Hedges, who played a prominent role in the development of the State's public education system and in the formation of Yellowstone National Park; J. Scott Harrison, the chief geological engineer who mapped all of Montana, including boundaries, mountains, principal rivers and streams, and some county borders; Albert Kleinschmidt, credited with the construction of the three largest irrigation

The Lincoln Tomb, Springfield, Illinois, is the final resting place for Abraham Lincoln, his wife Mary Todd Lincoln, and three of his sons. Built between 1869 and 1874, it was the culmination of a broad-based community effort to memorialize the slain president. (Stephen Lissandrello, 1975)



canals in the State; and W. A. Chessman, who constructed the Chessman Reservoir, ensuring a stable water supply for the city of Helena.⁴

Criterion C: *Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.*

Under Criterion C, funerary monuments and their associated art works, buildings, and landscapes associated with burial places must be good representatives of their stylistic type or period and methods of construction or fabrication. Alternatively, such property types may represent the work of master artists, designers and craftsmen, or the highest artistic values of the period. Appropriate areas of significance would be architecture, art, or landscape architecture.

In the Colonial period, tablet-style gravemarkers typically were inscribed and embellished in low relief with the imagery first of death, and later also of resurrection, with various decorative symbols. Much of the work was done by stone carvers whose craftsmanship was of outstanding quality, recognizable in one burial ground after another by distinguishing motifs, craft techniques, or other signature marks. A 17th or 18th century graveyard containing a good representation of gravemarkers of the period and region would be eligible under Criterion C if the body of work is documented sufficiently to provide a basis for comparison. Attribution of particular works to a specific master carver, family, or group of artisans would be helpful, but is not essential to the documentation. Quality craftsmanship or distinctive folk art may be eligible even if the identity of the artisan is unknown. For example, the Hebron Church, Cemetery, and Academy, Banks County, Georgia, is eligible, in part, because of an unusual form of folk art found in northern Georgia. Early 19th century discoid markers there are believed to be made of hand-carved

rock from a nearby outcropping by an early settler who learned the craft from ancestors in the British Isles.

In the closing years of the 19th century, the arts in America achieved a high point of integration based on the ideals of Renaissance classicism. The nation's leading architects and sculptors, most notably Richard Morris Hunt, Stanford White, Daniel Chester French, and Augustus Saint-Gaudens, collaborated in the design of important civic and cemetery monuments. There are many examples of high artistic achievement in funerary monumentation of the period eligible under Criterion C in urban centers. Among the best-known

gravemarkers and monuments representing the common artistic values of a historic period. For example, the elaborate monumentation characteristic of cemeteries of the Victorian era was derived from the influence of the romantic movement in literature and art, which revered nature and sentiment. Grief and devotion could be expressed nobly in artistic terms by means of code-like imagery. Pyramid-capped mausoleums and tapering shafts on pedestals were among the popular monument forms drawn from the ancient world. Because of their association with Egyptian sepulchral monuments signifying eternal life beyond the



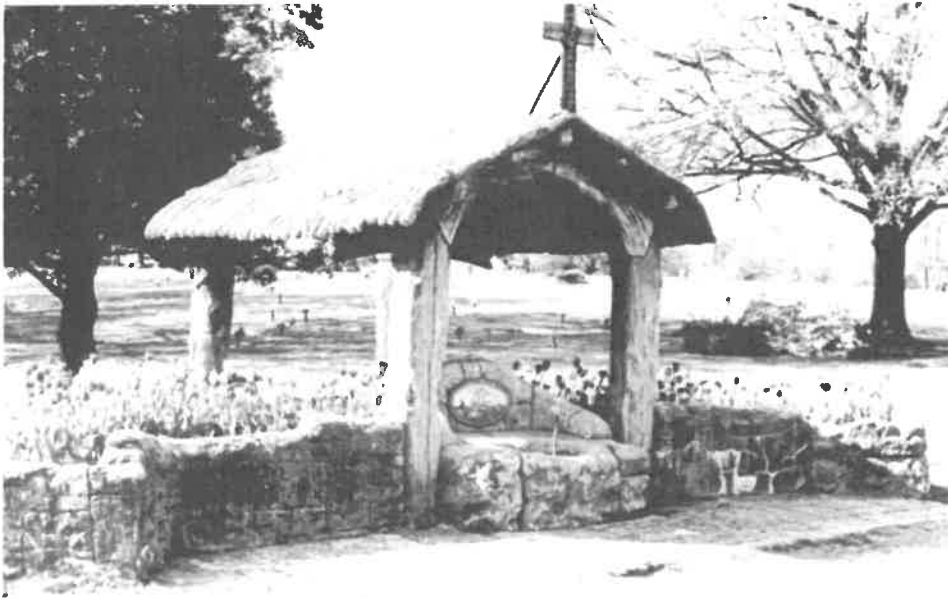
The Mount Pleasant Cemetery in Newark, Essex County, New Jersey, illustrates characteristic features and attitudes toward death in the Victorian period in the profusion of attenuated, vertical forms, such as columns and obelisks, imagery expressing confidence in spiritual after-life. (Anna Sanchez, 1985)

of these is the Adams Memorial in Rock Creek Cemetery in Washington, D.C., where Stanford White provided an architectural setting for the sublime bronze figure of transcendent peace completed by Saint-Gaudens in 1891. Historian-writer Henry Brooks Adams commissioned the monument in memory of his wife, the former Marian Hooper.

A cemetery that does not contain "high style" master works of funerary art nonetheless may be eligible under Criterion C as a distinguishable entity made up of a significant array of

earthly realm, the pyramid and obelisk became symbols for Christian belief in the eternity of the spirit. Indeed, obelisks were so widely used as gravemarkers that they, along with classical columns, account for much of the bristling quality of cemetery landscapes of the period. Some of the imagery was figural, encompassing effigies and idealized figures as well as lambs, cherubs, and other orders of angels. Among the many cemeteries listed for their notable collection of Victorian funerary art are Oakwood Cemetery, Onondaga County, New

⁴ Refer to *National Register Bulletin 32: Guidelines for Evaluating and Documenting Properties Associated with Significant Persons* for additional guidance on applying Criterion B.



The Sculptures of Dionicio Rodriguez at Memorial Park Cemetery in Memphis, Tennessee, illustrate the work of a master artist. (Tennessee Historical Commission, 1990)

Four of the dozens of individually designed styles found in the German-Russian Wrought Iron Cross Sites in Central North Dakota represent an Old World folk tradition, which enjoyed its greatest period of popularity in this region from the 1880s until about 1925. (Timothy J. Klobardanz, 1988)

York; Oakland Cemetery, Fulton County, Georgia; Elmwood Cemetery, Jackson County, Missouri; and Cave Hill Cemetery, Jefferson County, Kentucky. Not surprisingly, all are significant in the area of landscape architecture as well.

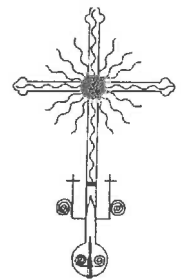
In part, the richness and variety of monuments in Victorian cemeteries was derived from the introduction of mechanized manufacturing processes. A broad range of patterns was available to monument makers in printed handbooks, a notable example of which was *Palliser's Memorials and Headstones*, published in 1851 by Palliser, Palliser, and Company, New York architects and designers. A great many markers were mass marketed through marble works and manufacturers' catalogs. Monuments of cast zinc marketed as "white bronze" were popular throughout the country after a fabrication process was developed in the 1870s. Metal gravemarkers generally were cheaper than marble and granite markers and, depending on the number and variety of casting molds used, could surpass in elaboration the carved stone monuments they emulated. City Cemetery, Washington County, Georgia, contains a significant collection of mass-produced designs. Cast iron fences, also readily available at this time, became extremely popular for fencing of both individual plots and entire cemeteries. The cast iron fences in Rapides Cemetery, Rapides Parish, Louisiana, are among the most important examples of Victorian ornamental cast iron in the State outside of New Orleans.

Less commonplace, but highly distinctive, examples of funerary art or

The rural setting and these six crosses, the only objects remaining from the old Mt. Carmel settlement in Pierce County, North Dakota, are evocative of the State's early period of German-Russian immigration. (Timothy J. Klobardanz, 1988)



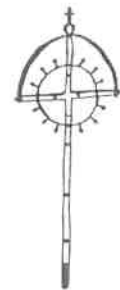
Wrought iron with scrollwork



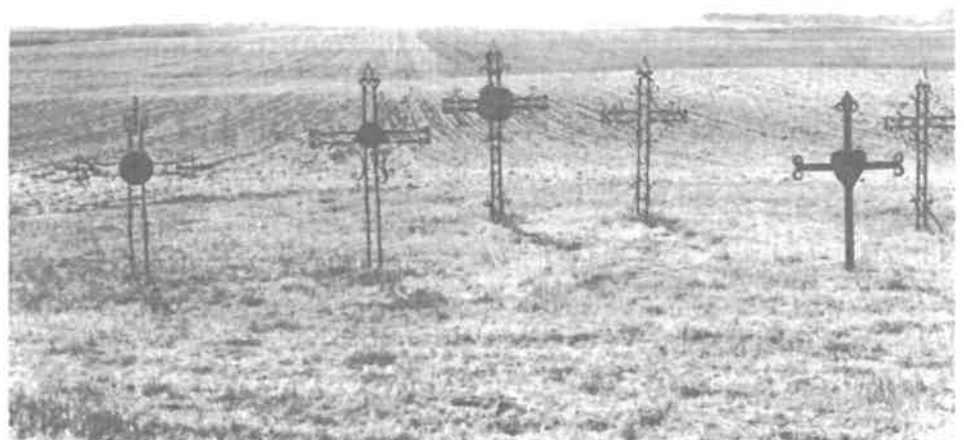
Wrought iron with pattern



Wrought iron with heart



Wrought iron with circular design



craftsmanship also may qualify for National Register listing. The Sculptures of Dionicio Rodriguez at Memorial Park Cemetery, Shelby County, Tennessee, constitute one of the finest collections of sculptures executed by this Mexican artist. His rustic works in tinted reinforced concrete imitate natural forms such as trees and stone masses. Mountain View Cemetery, Stillwater County, Montana, is known for its concentration of hand-carved sandstone tree stump and log tombstones, most believed to be the work of two local Italian carvers. In central North Dakota, German-Russian Wrought Iron Cross Sites contain a dazzling array of intricately embellished hand-crafted iron grave crosses, a long-established Old World folk tradition brought to the United States by German-Russian immigrants. The crosses, some by highly-skilled blacksmiths whose names are known, and others by unknown artisans, display a balance of cultural tradition and individual creativity.

Criterion D: *Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.*

Burial places may be eligible for their potential to yield information about cultural and ethnic groups. Under Criterion D, the common requirements are that the property have information to contribute and the information is considered important. The importance of the information to be yielded usually is determined by considering a research design or a set of questions that could be resolved by controlled investigation of the site. While commonly understood to apply to archeological research, Criterion D also encompasses information important in the study of material culture and social history. Except for the graves of significant historic individuals, burial places nominated under Criterion D need not meet the special requirements of the Criteria Considerations.

Information collected on Native Americans in all parts of the country reveals a great range and variation of burial ritual. The placement and orientation of burial remains and the objects associated with burials, such as implements, vessels for food offerings and personal adornment, reveal a people's spiritual beliefs, their view of afterlife, and distinctions in social, economic, and political status. Some aspects of burials, such as the lining or

closing of graves with stones and the plugging of burial chambers with debris, indicate methods of protecting the remains. The similarity of burial practices in different regions could indicate links through trade and migration.

Present Federal, State, and local laws protecting Native American burial remains, burial goods, and sacred objects may constrain physical anthropological studies. However, where disturbance of burials is accidental or unavoidable, legally authorized scientific analysis of skeletal remains can disclose important information about environmental conditions of prehistoric times, including the prevalence of disease and trauma inflicted in combat. Sometimes these properties may be eligible without having been excavated; Hodgen's Cemetery Mound in Ohio, revealed as a burial mound by erosion, has never been excavated and was seeded to prevent further erosion; its significance is enhanced by its relatively undisturbed integrity. Also, it is not uncommon to find burying places associated with other archeological features, and such burial places may be eligible for National Register listing as part of a larger area of occupation for which testing or partial excavation has been carried out. Whether burial places are identified individually, or as part of a larger site, one should always consult representatives of any group for whom the burials or site have historic or cultural meaning, and also the State historic preservation office.

Anthropologists and historical archeologists can gain information significant in American culture from burial places. For example, West Africans carried in the slave trade to the east coast of America, and their descendants, adapted traditional burial rites to plantation and community life. Studies of African American cemeteries in the South reveal a variety of gravesite treatments based on a view of the spirit world that can be traced to the Bakongo culture of West Africa. Light-reflecting objects and personal possessions used to define and decorate graves are intended to attract and contain the spirit. The spiralled conch shell seen on graves in the coastal areas is an emblem of the eternal cycle of life and death, and inverted objects are oriented to the spirit world, which in traditional culture is a shimmering mirror of the living world beneath the earthly plane. Cemeteries having the potential to illustrate the practice of such beliefs may be eligible under Criterion D₇

In cases where written documentation is not available, studies of a cemetery may reveal important information about an area. The site of Old Greenville is the location of a frontier town and county seat important in the early settlement of the Missouri Ozarks. Because a series of courthouse fires destroyed early records, information that can be obtained from cemetery features can enlighten various aspects of the area's past. Features documented as having information potential include location and grouping of graves; use and quantity of commercial markers, fieldstone, impermanent markers, or no markers; funerary art; and inscriptions indicating identity, cultural affiliation, birth and death dates, and cause of death.

SPECIAL REQUIREMENTS: CRITERIA CONSIDERATIONS

Certain types of properties, including cemeteries and graves, do not qualify for the National Register unless they meet certain special conditions. This category also includes birthplaces of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years. However, cemeteries and graves may qualify under Criteria A, B, or C if they are integral parts of larger properties that do meet the criteria, or if they meet the conditions known as Criteria Considerations. In some instances, a burial place nomination will need to be justified under more than one of the special conditions in addition to the basic criteria. Except for the graves of historical figures, burial places nominated under Criterion D are exempt from the Criteria Consideration requirements.

In the discussion below, examples that must be justified under the Criteria Considerations are those for which an explicit justification must be included in the nomination documentation. Following these are examples of properties likely to be accepted for National Register listing if the nomination documentation included an adequate explanation. Each discussion also includes at least one example of a type of cemetery or burial place that may be nominated, or included

in a larger nominated property, without the necessity of checking a Criteria Consideration blank on the form or providing a special justification in the nomination.

Criteria Consideration A: A religious property is eligible if it derives its primary significance from architectural or artistic distinction or historical importance.

Examples of religious burial places that *must* be justified under Criteria Consideration A requirements:

- A graveyard maintained as property of a church or synagogue.
- A crypt or crypts of a historic church or synagogue.
- A cemetery containing burials of members of a religious order or group, if the religious affiliation is a major part of the cemetery's significance.

Examples of religious burial grounds that likely would meet Criteria Consideration A requirements with adequate documentation:

- A graveyard of a church or synagogue distinguished by the artistic quality of its gravemarkers or by relatively early historical associations.
- A crypt significant for its artistic embellishment or associations with a person of outstanding importance.

Example of religious burial places that *do not* need to be justified under Criteria Consideration A:

- A graveyard or cemetery that is nominated along with the church or synagogue with which it is associated when the church or synagogue is the main resource nominated.

Criteria Consideration B: A property removed from its original or historically significant location can be eligible if it is significant primarily for architectural value or if it is the surviving structure most importantly associated with a historic person or event.

Examples of relocated burial places that *must* be justified under Criteria Consideration B requirements:

- A grave of a historic figure that has been moved from its original or earlier historic location to a place that became the focus of commemorative monumentation.

- A mausoleum, columbarium, or other building that has been relocated.

- A cemetery or section of a cemetery that became the location of reinterments of a group of historic figures.

- A graveyard or cemetery relocated in its entirety.

Examples of relocated burial places that likely would meet Criteria Consideration B requirements with adequate documentation:

- A mausoleum or other building relocated within the bounds of its historic setting without loss to its significant architectural character and without destroying the character of a historic district.

- A cemetery or section of a cemetery where a group of historic persons of outstanding importance were reinterred fifty or more years ago.

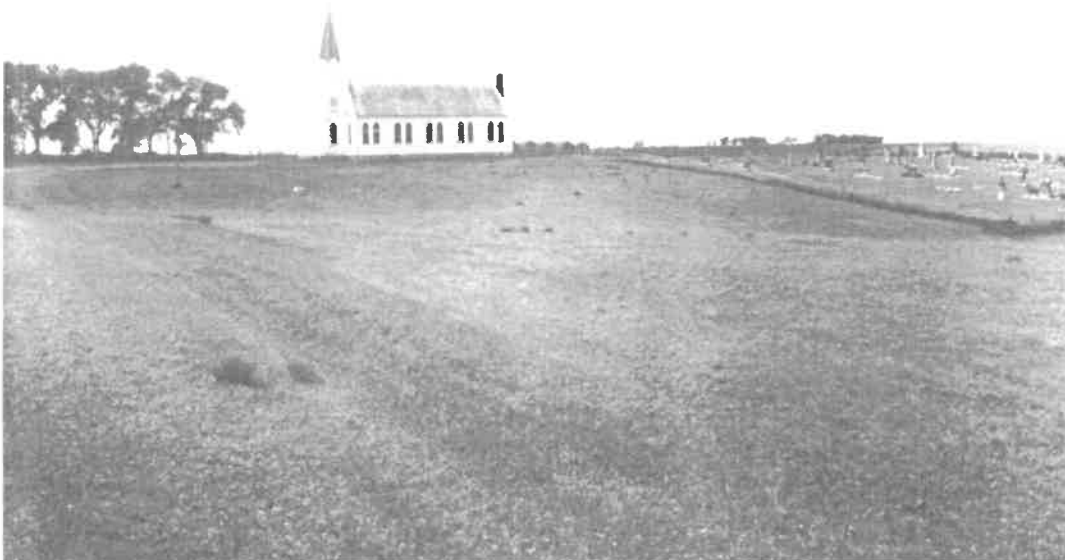
- A graveyard moved in its entirety if it represents a historic relocation and the artistic qualities and social significance of its historic gravemarkers are preserved.

- An ossuary or other burial place that represents reinterment as a traditional cultural practice.

Example of relocated burial places that *do not* need to be justified under Criteria Consideration B:

- A graveyard or cemetery in which a few reinterments have taken place; in which a small number of gravemarkers original to the grounds are missing or separated from their historic positions; or for which the age or historical associations are of overriding rarity and significance.

As part of a church nomination, the cemetery next to Our Lady of Perpetual Help Catholic Church in Colfax County, Nebraska, need not meet the requirements of Criteria Considerations A or D. (D. Murphy, 1980)



Criteria Consideration C: A birthplace or grave of a historical figure is eligible if the person is of outstanding importance and if there is no other appropriate site or building directly associated with his or her productive life.

Historical figures of outstanding importance in local, State or national history usually are more vividly associated with the places relating to their productive lives than with their graves. Gravesites may be far removed, geographically, from the setting of the individual's momentous activities. But if residences and business or professional headquarters are not preserved, the final resting place sometimes may be significant as the most substantial link to that person. A historical figure of outstanding importance is one whose contributions to local, State or national history were truly extraordinary. The accomplishments of such a person must stand out in kind and degree from those of others active at a comparable level in the same field and during the same period of time.

Prehistoric graves do not fall under this Criteria Consideration.

Examples of graves that *must* be justified under Criteria Consideration C requirements:

- A grave nominated for its associations with the person buried there.
- The grave of a historical figure that is nominated for its potential to yield information significant in local, State or national history.

Examples of graves that likely would meet Criteria Consideration C requirements if adequately documented:

- A grave that is the only substantial intact link to a historical figure of outstanding importance.
- The grave of a historical figure nominated under Criterion D for significant information about the past that is not available from other sources.

Example of graves that *do not* need to be justified under Criteria Consideration C:

- A grave located on the grounds of the house, farm, ranch, or plantation where the outstanding historical figure spent his or her productive years, and the property is being nominated as a whole.

Criteria Consideration D: A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

As collective burial places, cemeteries are the focus of many individual expressions commemorating family members and spiritual beliefs. In and of itself, this characteristic does not qualify a burial place for listing in the National Register. However, when a burying ground is of sufficient age and scope to represent more, such as patterns of early

The St. Matthew's Church cemetery contributes to the significance of East Plymouth Historic District in Plymouth, Litchfield County, Connecticut, a community that was settled by a historically significant religious minority, and which developed as a center for surrounding farm families. (Connecticut Historical Commission, 1984)



settlement or the values of a society generally, National Register Criteria Consideration D provides for its eligibility. Cemeteries nominated for the importance of the information they may impart may be eligible for listing without application of Criteria Consideration D.

To be considered a person of transcendent importance, an individual would have to meet the same test as that for a grave. To qualify for its age, a cemetery must date from an early period within its geographic and cultural context. The age of a burial place might be considered early relative to the period for which we have information about human activity, or relative to the exploration, settlement, and

development of an area by a particular group. As with any other type of property, a cemetery may be eligible for the quality of design represented in its funerary art, construction or engineering techniques, landscape architecture, or other values recognized under National Register Criterion C. Likewise, under Criterion A, a cemetery may possess significant associations with historic events, including general events that reflect important broad patterns in our history.

Examples of cemeteries that *must* be justified under Criteria Consideration D requirements:

- Any cemetery nominated individually under National Register Criteria A, B, or C.
- A cemetery that constitutes a substantial or pivotal portion of a historic district nominated under Criteria A, B, or C.

Examples of cemeteries that likely would meet Criteria Consideration D requirements if adequately documented:

- A historic cemetery containing the graves of a number of persons of outstanding importance — those whose activities determined the course of events in local, State, or national history; or those whose

activities were especially important in reflecting significant cultural currents of the time.

- A cemetery possessing important historic associations from a community's early period of settlement, or which reflects important aspects of community history.
- A cemetery that embodies the principles of an aesthetic movement or tradition of design and monumentation through its overall plan and landscaping, its gravemarkers and funerary sculpture, or its buildings and structures.
- A cemetery that is associated through its burials with a single important historical event such as a pivotal military battle.
- A cemetery that embodies the folkways, burial customs, or artistic traditions of an ethnic or cultural group whose impact on the community or region was significant but is not well documented in other resources.

Examples of cemeteries that *do not* need to be justified under Criteria Consideration D:

- A cemetery associated with a distinguishable cultural group that has the potential to yield important information such as migration patterns, subsistence levels, and prevalence of disease in historic or prehistoric times.
- A cemetery that is nominated along with the church or synagogue with which it is associated when the church or synagogue is the main resource nominated.
- A cemetery that is nominated as part of a historic district but is not the focal point of the district.

Criteria Consideration E: A reconstructed property is eligible when it is accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.

Examples of reconstructed burial places that *must* be justified under Criteria Consideration E requirements:

- A burial mound or other surface burial place reconstructed largely of fabric that is not original.
- A cemetery in which a significant number of character-defining features, such as mausoleums and gravemarkers, are reconstructed of fabric that is not original.

Example of reconstructed burial places that likely would meet Criteria Consideration E requirements if adequately documented:

- A cemetery in which landscape plantings, road systems, mausoleums, and/or gravemarkers have been repaired and restored largely with original fabric in accordance with a well documented preservation plan.

Criteria Consideration F: A property primarily commemorative in intent can be eligible if design, age, tradition, or symbolic value has invested it with its own historical significance.

Most burial places, ranging from gravemarkers and grave shelters to substantial mausoleums and cemeteries as a whole, are commemorative in intent. Unlike many commemorative properties, however, the significance of a burial place often includes direct association with events that occurred on or near the site, or with the person or persons buried there. Other burial places may be significant for their artistic quality or their capacity to evoke widely-shared emotions.

Gettysburg National Cemetery, which now contains approximately 6,000 burials from the Civil War through the Viet Nam conflict, was established as a cemetery for the Union casualties from one of the decisive battles of the Civil War. The number of killed, wounded, and captured in the fighting of July 1-3, 1863, reached 51,000 and was unsurpassed in any other engagement of the Civil War. In addition to its direct association with the battlefield, the cemetery shares significance with the adjacent battlefield because of their long history as a place where the pathos of a nation was expressed, beginning with President Abraham Lincoln's immortal address at the cemetery's dedication little more than four and half months after the battle ended.

In general, national cemeteries meet Criteria Consideration F because they have been designated by Congress as primary memorials to the country's military history. Many of these also are directly associated with the battles in which the interred lost their lives.

Examples of commemorative burial places that *must* be justified under Criteria Consideration F requirements:

- A funerary monument of a heroic or martyred figure, or a tribal or national leader, if it is the commemorative function that is of primary significance.

Example of commemorative burial places that likely would meet Criteria Consideration F requirements if adequately justified:

- A national cemetery.

Examples of commemorative burial places that *do not* need to be justified under Criteria Consideration F:

- A gravemarker or monument significant primarily for its age or its distinction as an example of craftsmanship or architecture of a historic period or school.
- A gravemarker significant primarily as a document of the traditions of an ethnic or cultural group.
- A cemetery significant chiefly because it embodies the distinctive characteristics of a historic period or school of landscape design or of an important tradition of vernacular or folk design.

Criteria Consideration G: A property achieving significance within the last fifty years is eligible if it is of exceptional importance.

National cemeteries, collectively, possess inherent exceptional significance from associations with important events in our history. Because the cemeteries include the graves of military personnel associated with every war and branch of service, and draw their essential significance from the presence of the remains of those who have served their country throughout its history, the age of each cemetery is not necessarily the determining factor. To qualify, however, each cemetery must be used or prepared for the burials of veterans and their dependents, and must possess historic integrity.

Examples of burial places less than fifty years old that *must* be justified under Criteria Consideration G requirements:

- A grave that is less than fifty years old.
- A cemetery established less than fifty years ago.

- A new national cemetery or tracts of recently acquired land not yet developed for cemetery purposes, even if added to existing cemeteries.

- A mausoleum, mortuary, or crematorium that is less than fifty years old.

Examples of burial places less than fifty years old that likely would meet Criteria Consideration G requirements if adequately documented:

- A grave of a national or tribal leader that is exceptionally important because the leader's death had a galvanic effect on broad social movements and the gravesite is the focal point of reverence for the leader's achievements.

- A mausoleum, mortuary, or crematorium that is exceptionally significant as a pivotal design in the development of new technologies for care of the dead.

- A developed national cemetery that contains interments of veterans and their dependents, or one that has been clearly prepared for that purpose.

Examples of burial places less than fifty years old that *do not* need to be justified under Criteria Consideration G:

- A historic cemetery established more than fifty years ago, where the vast majority of burials, markers, and monuments are over fifty years old, but which is still active, and in which a number of burials occurred less than fifty years ago. (The period of significance in such a case would end either at the end of the cemetery's period of historical importance, or fifty years prior to the evaluation and documentation if the continuing use is perceived as significant but not exceptionally significant.)

- A cemetery significant for its plan or design which, although commenced over fifty years ago, was fully executed at a date that overlaps the most recent fifty year period by a few years.

INTEGRITY

To qualify for National Register listing, properties must retain historic integrity. The Criteria for Evaluation recognize seven factors which define historic integrity: location, design, setting, materials, workmanship, feeling, and association. All must be considered in determining whether a burial place retains enough of its characteristic features to represent the associations, function, and appearance it had during its period of significance. The natural

and developed landscape features that are associated with complex burial places such as cemeteries must be considered as part of the evaluation of integrity.

In essence, the researcher should ask the following questions in evaluating integrity: 1) To what degree does the burial place and its overall setting convey the most important period(s) of use? 2) To what degree have the original design and materials of construction, decoration, and landscaping been retained? 3) Has the property's potential to yield significant information in American culture been compromised by ground-disturbance or previous investigation?

To assess the completeness and condition of a burial place, it is helpful to begin by identifying the characteristic features of the type of property under study, especially those that give the property significance. For a cemetery, such features would include gravesites, gravemarkers, boundary enclosures, walkways, gateways, road systems, natural and planted vegetation, buildings, structures, and the spatial relationship among all of these. By their constant exposure, certain gravemarker materials, such as wood and marble, are especially vulnerable to natural cycles of weathering and deterioration, just as vegetation is subject to growth and decay. Damage to, or modification and loss of, characteristic features do not necessarily render a burial place ineligible. It is a question of degree. A burial place which meets National Register standards for integrity should retain enough of its significant features from its period of significance to make clear its distinction as an important representative of its physical type, or of its historic associations.

Since the 19th century, American cemeteries commonly have been planned as "eternal" resting places of the dead. Even so, occasionally they are moved, obliterated, or adapted for new uses. Frequently, they are enlarged and their landscape altered or "improved" in keeping with changing tastes. It is important, therefore, both to distinguish nonhistoric development from that which reflects the historic period(s) of significance, and also to discern which changes occurred historically and may have acquired significance, and which help maintain the significant historic appearance — landscape restoration, for example. Nevertheless, to meet National Register standards for integrity, development of the historic period should predominate. The National Register defines as "historic" those elements, qualities, and associations that are at least fifty years old.

The Common Burying Ground & Island Cemetery in Newport County, Rhode Island, retains historic integrity. (Edwin W. Connelly, 1974)



The amount, distribution, and kind of nonhistoric features should all be considered in evaluating integrity. In some cases, an entire cemetery may not qualify for the National Register. If the original area has remained essentially intact while modern expansion occurred beyond or around it, then the historic portion likely will qualify because it is easy to draw boundaries that exclude the nonhistoric areas. For example, Providence Cemetery is a two-acre rural cemetery located about 11 miles from the county seat, and has been used for burials from the 1840s until the present. The northeast 3/4-acre, which contains inscribed tombstones from 1840 to 1870, was nominated and listed in the National Register for its associations with the earliest period of white settlement (1830s-1870) in what is now Grenada County, Mississippi. This portion of Providence Cemetery is one of the few identifiable properties to survive from that period.

When a large historic cemetery with scattered gravesites has had modern infill, the entire cemetery still may be eligible if the proportional number, size, and scale of new features are not so imposing as to overwhelm the overall historic appearance. Once the nonhistoric features begin to dominate, and one's impression is of a modern cemetery with isolated historic burials or clusters of historic gravesites, then the overall historic character of the cemetery has been lost, and it would not meet National Register standards.

"Improvements" also can affect historic integrity. Replacing a simple post and wire fence with a brick wall, modest slate headstones with elaborate monuments, and natural growth with nursery plantings all reduce integrity, however well-intentioned. Although beautification efforts may make a cemetery more attractive, replacing the original features diminishes the cemetery's authentic historic character. Changes that occurred during the historic period, however, may reflect cultural beliefs and practices and contribute to a cemetery's significance. In order to appropriately evaluate the impact of changes, one must determine not only which features are crucial components of historic character, but also why they are important. For example, is a fence or wall important because it provides a sense of solid enclosure, or because of its materials and design, or both? The answer will help determine the physical attributes a cemetery must retain to possess historic integrity.

In some cases, age or the rarity of resources representing a person, events, or historic period, may allow a greater tolerance for change, damage, or loss of historic features. The Vermillion Creek Crossing (Pottawatomie County, Kansas) was one of the early major crossings, and a well-known campsite for travellers along the Oregon Trail. Here Louis Vieux, a Pottawatomie chief for whom the town of Louisville is named, built a cabin and operated a toll bridge, blacksmith shop, stable, and general store. In 1849, approximately 50 people died of Asiatic cholera and were buried here. Louis Vieux, who served in many important capacities for his tribe and became quite wealthy, also was buried here in 1872, along with some of his family. The crossing site and the two cemeteries are important as the only remaining signs of this once-busy crossing, and retain integrity despite some vandalism and the loss of most of the stones that once marked each of the graves of the cholera victims. In New England, at least two major campaigns to move headstones within 17th and 18th century burying grounds have resulted in the arrangement of gravemarkers in neat rows, which were not present in the original layouts: one in the mid-1800s related to the Victorian aesthetic and the introduction of the lawnmower, and one during the era of Works Progress Administration projects of the 1930s. Yet, the major legacy of these cemeteries remains, in that the early markers, with their inscriptions and funerary designs, still remain to convey their important age, associations, and information.

Removal of graves may or may not diminish historic integrity. Many Chinese who were active in the settlement and development of Hawaii and the Mainland in the late 19th century observed Confucian doctrine which called for properly placed graves in their homeland. As the burial remains of these sojourners were returned to China, whole sections of American cemeteries were disinterred. Sometimes the emptied gravesites were reused on a cyclical basis. If evidence of the historic use of a disinterred cemetery subdivision remains in the form of gravemarkers, monuments, or depressions in the ground, the subdivision need not be excluded from the nominated area on the basis of integrity if it is culturally significant. Such areas were not intended to be permanent, and removal of burials is part of the cultural story; if visible traces make it distinguishable, the subdivision's relative

position and function in the overall cemetery landscape still can be appreciated. A cemetery that has been *substantially* disinterred, and where removal of graves is not an authentic part of the cemetery's history, however, would not meet the standards of integrity, nor would most disinterred gravesites outside the cemetery setting.

Vistas external to a cemetery's grounds may have contributed to the feeling of the place in the historic period. If view corridors within the cemetery were purposely developed to incorporate broad vistas, and if the broad vistas have been eliminated or obscured by incompatible development on adjacent property, the cemetery has lost an important aspect of its character. If the grounds have remained intact internally, however, the cemetery would likely meet the essential requirement of integrity.

Isolated gravesites and small burying grounds occasionally are found in remote locations where they may have been established in the course of overland trail migration or in the aftermath of a massacre or military engagement. While it was not uncommon for survivors to have erected permanent gravemarkers in later years, the initial marking of such graves usually was ephemeral. Over time, the precise locations of many burial places of this kind have been lost. Oral tradition may be all that remains to mark the general vicinity of a gravesite. In assessing sites such as these, the standards of integrity require that the gravesite be verifiable by archeological testing or by visual traces, even if the traces are natural markers, such as a solitary stand of trees preserved in a cultivated field.

The eligibility of an isolated grave depends upon the grave's unmistakable relationship to the associated context or theme significant in local, State, or national history or culture. Few such graves would be eligible as individual sites, since they must be the only remaining property associated with a person of outstanding importance. More commonly, they would be evaluated as sites contributing to the significance of a historic district encompassing a larger cultural landscape, such as a homestead area or an intact segment of the Oregon Trail. A single gravesite or small group of graves that has been disinterred normally would not meet the standards of integrity. If a historic gravemarker remains at an empty grave, the marker could be evaluated as an object of artistic merit, but the associative significance of the grave is lost.

V. DOCUMENTING AND REGISTERING CEMETERIES AND BURIAL PLACES

GENERAL APPROACH

Determining the significance of a burial place requires a systematic investigation of the property and its historic context. Once assembled, the information is used to establish whether or not the burial place is a significant representative of its type, reflecting an important aspect of American history or prehistory.

Documentation begins with compiling information on the background of the site and its development over time. Such information would include the date the burial place was established, the period in which it was active, the circumstances under which it was established and maintained, and the cultural groups, individuals, organizations, agencies, or corporations responsible for initial and subsequent development. For a burial place with design distinction, such as a large, comprehensively designed cemetery, information should be provided about those who designed the overall landscape and its architectural features, and those who carved or fabricated individual monuments and grave markers. An analysis of components of the burial place would include identification of methods of construction and manufacturing techniques, as described in stone cutters' handbooks, fabricators' catalogs, and professional publications. Characteristic plant materials, layout of burial plots and circulation features, acreage encompassed, and the purpose or function of areas and features within the site boundaries also are important. The researcher should determine when

newer tracts were added to the site and describe the site in relation to its surrounding landscape.⁵

Siting of burial places normally was carefully considered in both historic and prehistoric times. Chinese workers who came to Hawaii at the turn of the century founded fraternal societies that enabled them to maintain strong cultural, political, religious, and family ties with China. One of the chief concerns of these societies was care of the elderly and disabled and burial of the dead. It was important that the

society's building and the adjacent cemetery be located in a beautiful, spacious area, on sloping ground, with a good view, so that spirits could roam freely. The Chee Ying Society, Hawaii County, Hawaii, is an example of such a society building, dependencies, and affiliated cemeteries.

Researchers should study the immediate setting; while the growth of a town, changing agricultural patterns, or other factors may have altered the surrounding landscape over time, often the basis for burial site selection is evident in local



Cultural and environmental factors can be important in understanding cemeteries. In southern Louisiana, cemeteries such as the Metairie Cemetery in New Orleans, Orleans Parish, reflect high-style French funerary architecture. At the same time, the tradition of building burial vaults above ground was well-suited to the high water table of the delta region. (Donna Fricker, 1991)

⁵ Refer to *National Register Bulletin 18: How To Evaluate and Nominate Designed Historic Landscapes*, and *National Register Bulletin 30: Guidelines for Evaluating and Documenting Rural Historic Landscapes* for additional information on historic landscape issues.

landforms — in the relationship of site to topographic features or traditional routes of travel. Researchers also should consult records of land use for verification of the reason a burial place developed at a particular location, and not make assumptions. For example, in the communities of Colonial New England settled by Puritans, graveyards were perceived as secular, in conformance with Calvinist doctrine. In that region, the mere proximity of an early graveyard to a church property does not necessarily signify a historical relationship between church and burying place.

The arrangement of graves within a burial ground is a significant aspect of character also. In vernacular burial grounds, the relation of one grave to another may be irregular — not in compact rows. Such informal placement may be a sign of haphazard development over time, but it could also relate to the customs of a particular cultural group. The Christian belief in resurrection of the body after death prescribed earth burials for the faithful. Lot arrangement frequently was influenced by the scripturally-based tradition of orienting the foot of the grave toward the east to place the dead in appropriate position for arising at the day of final judgement.

The researcher should learn as much as possible about the character of the site as it was first developed or appropriated for burial purposes based on

documentary views, photographs, plats, plans and specifications, business and organization records, local histories, and oral tradition. The researcher then is prepared to describe the present condition of the site and determine how well it reflects the period in which it was developed.

The landscape and developed features of a burial place should be described in narrative form and represented graphically by means of a site plan or map. When it is known that significant historic features are missing or modified, as for example in the realignment of road or driveway, such missing features should be described and their former placement indicated graphically in dashed or dotted outline. Not all of the features listed below will appear in all burial places; however, the narrative description and site plan would include, but not necessarily be limited to the following, where applicable:

- general topography, including indication of the gradient (or slope) and elevation of the site in relation to the larger setting in which it is located;
- natural features such as streams, gullies, hills, and indigenous trees; naturalistic developed features such as ponds, lakes, or landforms;

- plat, or layout of cemetery plots, whether a rigid gridiron imposed on the site or an organization of plots conforming to natural contours;

- circulation system of roads, driveways, pathways, noting whether such features have axial alignment or are winding or curving; structural features of the system, such as bridges and drainage systems; and distinctive materials, such as cobble gutters or stone paths;

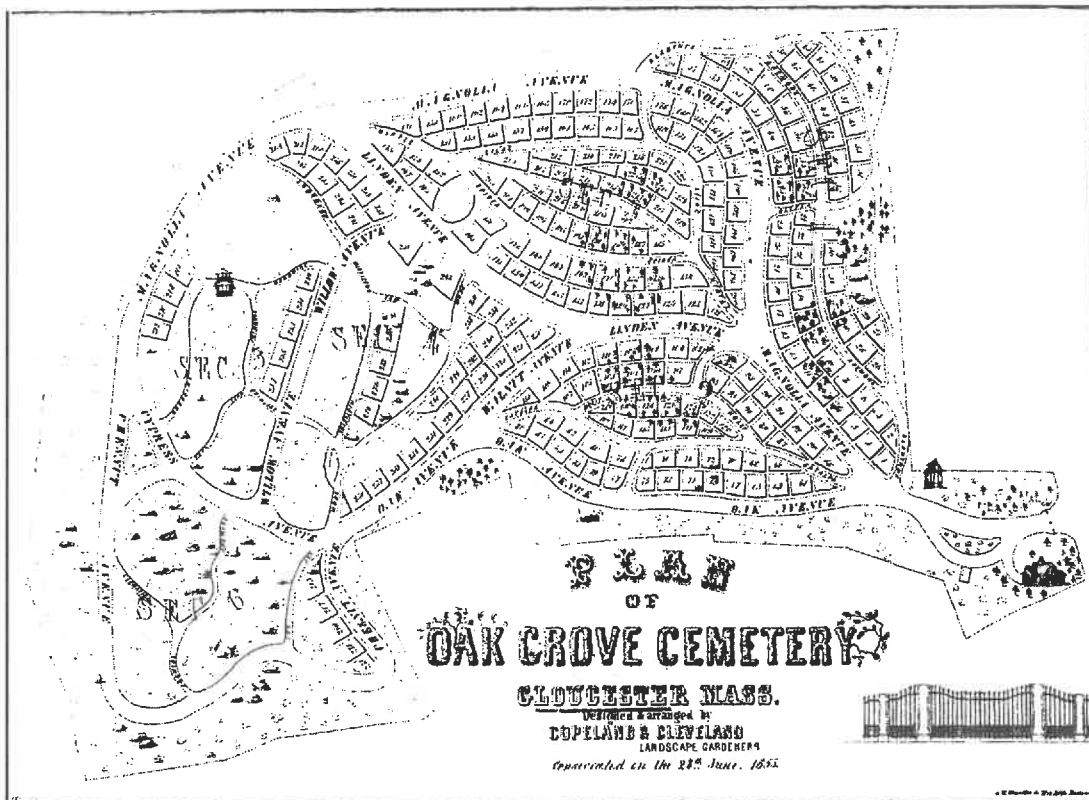
- views and vistas within the site from principal access points; views and vistas external to the site;

- characteristic vegetation, including the overstory of trees, understory of shrubs and grasses, exotic plant materials used as filler in burial plots, ornamental flower beds, and specimen plantings;

- gateways, fences, and hedges used for boundary and spatial definition;

- typical plot defining features such as wooden palings, iron fencing, and concrete curbing;

- prevalence of individual plot mausoleums, vaults, or above-surface tombs, and indication of the range and variety of individual grave markers;



The 1855 plan of the Oak Grove Cemetery in Gloucester, Essex County, Massachusetts, is an important source of cemetery documentation. (James O'Gorman, 1975)

- entrance signs, directional markers, outdoor lighting fixtures, and small-scale site furnishings such as benches, planters, ornamental sculpture, and fountains;

- maintenance and service features such as soil disposal and waste storage areas, greenhouses, tool sheds, and pumphouses; and

- buildings such as churches, memorial chapels, gatehouses, offices, residences, crematories, mausoleums, and columbariums.

RESEARCH AND FIELD INVESTIGATION

The object of the research phase is twofold: 1) to establish the contexts, or historical and cultural themes for documenting the property's significance, and 2) to determine the property's physical character and appearance during the important period(s) of its use or development.

Toward the first end, general reference works on American burial customs, historical development of cemeteries and mortuary art and architecture; professional and trade journals, community histories, and ethnographic studies may be consulted to place the property in an overall cultural and historical framework.

Next, all available primary source material on the property under study should be assembled from church and municipal records, fraternal organizations, and cemetery corporations, as may be appropriate. Land records, maps and plats, census records, court documents, local histories, family and business papers, genealogies, newspapers, and other sources can provide information on settlement patterns, community development, and the lives of important people. Detailed information on the development of a particular burial place will be found in cemetery plats, architectural plans and drawings, landscape plans and planting keys, manufacturers' catalog orders, monument makers' statements of account, and gardeners' and sextons' diary

entries. Library collections may provide documentary views and descriptions in the form of prints, early photographs, newspaper accounts, and advertisements. Interviews with church sextons, cemetery superintendents, and descendants of original owners of family plots may be useful. Archeologists also will review reports and other documentation on related or comparable sites to frame appropriate research questions that could be illuminated by a burial site investigation. It also is important to consult with any cultural group with which a burial place or cemetery is affiliated or for which it has special meaning.⁶

The object of field work is to analyze the property's present physical character in comparison with the property's appearance during the period of significance as documented through research. Field investigation may help establish the period of significance; in any case, it produces a record of the characteristic features remaining from the period of significance, and changes through time. It establishes the present extent and integrity of the property.

SITE PLANS

The essential aid to conducting field work is a site plan on which the distribution of physical elements is recorded graphically. A cemetery plat may be used effectively as a complement to a site plan, but it is not interchangeable. If a base map of the site is not available from the local planning agency, the cemetery plat may become the model from which to produce a sketch plan of the site. Planning base maps showing contour intervals as well as building ground plans are most useful because they portray with precision the siting of particular features on level ground and at prominent elevations. If a complex burial place underwent distinct episodes of development over a long period of use, a series of maps of comparable scale overlaying a base map may be useful in recording the evolutionary changes, either for the sake of analysis or as an exhibit to accompany the nomination. Whenever possible, all graphic information should be reduced to 8 1/2" x 11" format, or folded to that size, when submitted to the National Register.

PHOTOGRAPHS

Photographs are indispensable as records of the present condition of the burial place and its characteristic features. When compared with historic views — which are not required, but which can be helpful when available — contemporary photographs assist the researcher in gaining an understanding of the phases of surface development over time. For purposes of preparing the National Register nomination for a graveyard or cemetery, it may not be practical in every case to photograph each gravemarker. It is important, however, to provide a number of general views to illustrate the overall character of the landform and its developed features. These should be supplemented by a variety of close views of individual monuments and markers to convey the range and quality of materials and workmanship. Care should be taken to photograph gravemarkers from near surface level and at times and under conditions when the high contrast of light and shadow will give sharpness and clarity to inscriptions and sculptural relief. In addition to the form, embellishment, and position of gravemarkers in relationship to other markers, epitaphs and vital inscriptions are an important aspect of the cultural content of cemeteries. If landscape design is significant, photographs of plantings, circulation patterns, and other features may be necessary to adequately represent the site.

As a practical matter, good photographic and transcription records for a historic graveyard or cemetery are highly desirable. Such records, keyed to a plat, produce scholarly archives and preserve some information should the cemetery suffer loss as a result of theft, vandalism, or damage from natural causes. Moreover, comprehensive documentation may form the basis of a cemetery maintenance and conservation master plan. Such work is labor intensive, but genealogical societies and other volunteers may be enlisted to a duly authorized and properly supervised effort.

ARCHEOLOGY

Archeological field work and documentation involves scientific techniques

⁶ Refer to *National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Properties*, and the Native American Graves Protection and Repatriation Act of 1990 for additional guidance.

that invariably call for qualified professional supervision. Legal clearances normally are required. Where archeological investigations have been authorized in accordance with Federal, State, and local laws; aerial infrared photography; ground-penetrating radar, and proton magnetometers are among the remote sensing techniques and devices that may be used to locate below-grade ground disturbances and gauge the density and state of preservation of burial deposits without invading the site. Dense materials, such as stone, metal, and ceramic are revealed in sharp contrast against the background of soils. Bone and other organic matter also register in these sensing techniques, to varying degrees. These techniques can be expensive.

Surface investigation to determine the extent of a burial site is most effective when combined with carefully controlled testing which allow skeletal remains to be preserved intact, and minimizes impact to the site generally. Site plans, stratigraphic profiles, scale drawings, and photographs make up the graphic record of an archeological site. They illustrate the geographic bounds of the area investigated, the depth of testing, and the concentration and relative position of the artifacts and site features. Documentation also includes a report describing the range and variety of burial objects; their age as determined by laboratory radiocarbon dating or other means, as appropriate and comparative analysis of other dated materials. The functions of the artifacts, inferred from form and placement, the identification of the cultural group that performed the burial, and architectural and associated features of the site — such as vaults, chambers, cairns, and landscaping — are essential parts of the archeological record accumulated for analysis and evaluation.

BOUNDARIES AND PERIODS OF SIGNIFICANCE

Using the information collected from research and systematic investigation of the site, the researcher should begin to establish the scope and extent of the area to be proposed for nomination and the period of time during which the nominated area was significant in American prehistory, history, or culture. Only after determining the geographical bounds of the nominated area and that



The traditional gravehouses, Christian crosses, and other features at LaPointe Indian Cemetery in Ashland County, Wisconsin, possess important associations with the Chippewa Indians in northern Wisconsin. (Michael M. Weburg, 1976)

period of time in which the property achieved the qualities which make it eligible for the National Register, is it possible to enumerate the features which contribute to the significance of the property.

OWNERSHIP

Determining ownership of burial places sometimes is complex. In some cases, family cemeteries on private land have been exempted from deeds and do not belong to the property owner on whose land they are located, but to the descendants of the family. When small private cemeteries in rural areas have been abandoned and are no longer maintained, they become the domain of the current landowner. For the volunteer group or family descendants trying to establish clear title and access to an abandoned cemetery, legal research and negotiation may be required. For documentation and assessment purposes, however, researchers may refer to deed records to establish the most likely owner. Sometimes the corporate body or trust fund that once provided care for a country cemetery, though

inactive for many years, was never legally dissolved. The rights of Indian tribes, Native Hawaiians, or other groups — as established by the Native American Graves Protection and Repatriation Act of 1990, other Federal laws, and State legislation — also must be considered in determining ownership.

Typically, in early community cemeteries founded by voluntary associations, the cemetery land remained under ownership of the founding organization while the individual plots were separately held by the original proprietors and their heirs. In the West, where the earliest established community cemeteries often were founded by fraternal societies such as the Independent Order of Odd Fellows, burial grounds today are being deeded to local governments whose agencies — commonly parks and recreation departments — are looked to for stable long-term stewardship of the community's "pioneer" cemeteries. In such cases, when it comes time to complete the National Register of Historic Places Registration Form, "public-local" or both "public-local" and "private," whichever is appropriate, should be checked.

COMPLETING THE NATIONAL REGISTER REGISTRATION FORM

Nominations are processed according to the regulations set forth in 36 CFR 60, and are submitted to the National Park Service by the appropriate State or Federal Historic Preservation Officer. The following guidance supplements the instructions found in *National Register Bulletin 16A: How to Complete the National Register Registration Form*.

CLASSIFICATION

A burial place may be classified as a "site," "district," "building," "structure," or "object." A single or compound burial of limited scope, such as trailside graves or small family plots, would be classified appropriately as a "site." Also, when a cemetery is nominated as a significant or "contributing" feature within a larger historic district, such as a village or company town, it is counted as a "site."

A complex burial site, such as a cemetery encompassing a multitude of burials, developed landscape features, and buildings, is a "district." Its component parts are enumerated and described, and those which contribute to the significance of the nominated area are distinguished from nonhistoric features which are unrelated to the period of significance. Individual monumental tombs may be classified as "structures," and gravemarkers having artistic merit or cultural significance may be counted as significant "objects." The overall landscape design — including roadways, ponds, and plantings — may be counted as a "site" within the district if the design is a significant feature.

Because the term "burial place" is broadly interpreted in this guidance to encompass individual buildings, such as crematory and mausoleum facilities, the category of "building" would be an appropriate classification when such buildings are nominated individually or when counting the number of contributing features in a cemetery district. Also, since a property consisting of two or more resource types should be classified under the major resource, if there is one,



A principal contributing feature of the Masonic Cemetery in Eugene, Lane County, Oregon, is the Hope Abbey Mausoleum, which meets Criterion C as the State's only truly monumental example of the Egyptian style. (Richard Roblyer, 1980)

a property consisting of, for example, a significant church and an associated graveyard would be nominated as a "building."

CONTRIBUTING FEATURES

The number and combination of features counted as contributing to the significance of the property will vary according to property type and will depend on the criteria under which the burial place is proposed for nomination. It is not expected that individual gravesites or markers in a cemetery would be counted as separately contributing or noncontributing features in most cases. However, buildings, structures, and objects of substantial size and scale, and those specifically discussed in the nomination text for their importance in understanding the burial place — including gravemarkers, should be counted. Plantings and other natural features should not be counted separately, but are included as part of a counted site.

In a cemetery district, individual gravemarkers would be counted as separately contributing features in those cases where gravemarkers have been comprehensively inventoried and

evaluated and those of outstanding rank can be identified. When a cemetery is significant primarily because of the examples it contains of the distinctive work of regional stone carvers and other craftsmen, the important markers should be enumerated by an inventory and each one counted as a separately contributing feature. Others may be counted collectively as a contributing object. Taking the example of a national cemetery, markers by regulation usually do not vary; the amassed number of, say, stone crosses of uniform size spreading across the landscape is one of the distinguishing characteristics of a national cemetery. The gravemarkers in such a case may be counted in the aggregate as a single undifferentiated object contributing to the character of the nominated area.

FUNCTIONS

The funerary functions of all contributing resources of the burial place, must be identified, and both historic and current functions classified on the form using the instructions provided in *National Register Bulletin 16A*.

DESCRIPTION AND ANALYSIS OF FEATURES AND SIGNIFICANCE

The purpose of the narrative portions of the National Register form is twofold: 1) to describe and analyze the characteristic features of the burial place, and 2) to present a coherent argument that explains why the property meets the Criteria for Evaluation, including the Criteria Considerations for graves, cemeteries, and other kinds of properties marked for special conditions.

Description

To prepare the descriptive narrative, the researcher needs to determine the characteristic features the burial place must have to be a good representative of its period, style or design, and method of construction or fabrication. Through systematic description, the researcher will show that the property possesses those characteristics. The features that date from the period of significance should be identified and described in Section 7 of the registration form, along with a discussion of any changes that might affect historic integrity. The completed description will provide an accurate image of the current appearance and condition of the cemetery, within which both significant historic

features and nonhistoric changes and additions can be ascertained easily. It is especially important in cases where individual features within a cemetery are not inventoried and described that the description, in conjunction with maps and photographs, provide clear information on the general topography and the distribution of developed features that give the cemetery its historic character.

Consider the original cemetery in a community settled in the period of westward expansion, 1840-1890. The researcher may expect to find that it was established by a fraternal organization, platted around the nucleus of an earlier burial plot, and situated on high ground affording good drainage above the flood plain or on marginal land unsuitable for cultivation. Moreover, the gravemarkers, whether grand or modest, would reflect the vertical density and the variegation and embellishment of material characteristic of Victorian design. A community cemetery of this era that lacked well defined plots and an array of monuments ornamented in high relief likely would not be a good representative of the type; therefore, it likely would not be individually eligible for the National Register under Criterion C. This same cemetery, however, could be a contributing site in a historic district, or it might possess significant associations with the community's historic development that would make it individually eligible under Criterion A. For example, the cemetery might be the only remaining evidence of an extremely important trading, communication, and outfitting settlement along a westward migration route. In this case, the researcher would have to reconsider what physical characteristics were important in conveying the cemetery's important historic associations.

Significance

The first step in preparing the statement of significance is to identify the National Register criteria, considerations, and "areas of significance" in which the property should be evaluated. A cemetery could be evaluated in the areas of social history, ethnic heritage, art, architecture, landscape architecture, community planning, archeology, and

others areas. In order to understand the property within an appropriate historic context, the researcher will have consulted reference works for information on the events, trends, and technologies which influenced development of resource types included in the area proposed for nomination. Based on information gathered in the statewide historic preservation planning process, the State historic preservation office may be able to provide data for a comparative analysis so the researcher can determine the appropriate level of significance — whether the property proposed for nomination is distinctive locally or in the State or nation. Guidebooks, conference proceedings, exhibits, and exhibit catalogs also may help the researcher place the nominated property into a larger perspective.

Periods of significance also must be specified. The period of significance cannot predate the extant features that compose the burial place. For example, the period of significance for the grave of a significant person would not include that individual's lifetime, but would be the year of burial. There may be several distinct periods of significance if the burial place remained active over a long span of time. If this is the case, all periods of significance should be noted. Ordinarily, the period of significance would not extend to the most recent period of 50 years unless specially justified under Criteria Consideration G on the basis of exceptional artistic values, historical associations, or potential to yield information.

It is desirable to keep the statement of significance as concise as possible while at the same time covering adequately the property's development and use during the period of significance. Those who shaped the burial place and its setting should be identified by name, if such information is available, or by cultural affiliation, if the property is a traditional cultural site or prehistoric burial place. It is important to focus on those aspects of the property's development and use which illustrate the property's significance under National Register Criteria A, B, C, or D.

Certain burial places may have potential for designation as a National Historic Landmark. If the property appears to have national significance and has been evaluated in a national context,

the supportive argument should be presented in the nomination. Designation as a National Historic Landmark may be dependent upon the National Park Service evaluating the property in the course of a theme study. A well-documented National Register nomination for a burial place of potential National Historic Landmark quality will facilitate the property's review by National Park Service professionals.⁷

BOUNDARY DESCRIPTION AND JUSTIFICATION

Determining and justifying the boundaries of a burial place are important steps in completing the registration form. Boundaries should be drawn to encompass, but not to exceed, the full extent of resources which contribute to the significance of the property. External vistas from a suburban landscaped cemetery or a vernacular cemetery spectacularly sited in the countryside may be important to the overall feeling of the place. Nevertheless, boundaries should not be drawn to include scenic buffer areas or other acreage not directly related to the property's historical development. Encompassing a broad vista in the bounds of a nominated area normally is impractical. The bounds of burial sites should be based on the extent of the features associated with the burials. In some cases, site limits for archeological sites may be determined by remote sensing techniques or surface examination combined with controlled sub-surface testing.

Boundary definition is simplified when the current legal property description of a graveyard or cemetery is the same as the property's historic boundaries. However, if portions of the burial place under investigation have been irreversibly altered or eroded, it may be necessary to deviate from the current legal description in drawing the boundary in order to exclude areas which are plainly lacking in integrity and no longer contribute to the significance of the property. Similarly, large tracts of fallow acreage known as "reserve ground" within the bounds of a cemetery plat should not be included in the nominated area unless they contain development such as road systems or service buildings relating to the historic period. In any

⁷ Further information concerning the National Historic Landmark Program may be obtained by writing to the Chief Historian, Ifistory Division, National Park Service, U.S. Department of the Interior, P.O. Box 37127, Washington, D.C. 20013—7127.

case, the boundary must be justified in a short narrative statement which explains why the boundaries were selected.

The delineation of boundaries may be documented in various ways. If appropriate, the current legal property description may be used. Where historic and current boundaries differ, the documentation may describe the area to be included from point to point, such as "from the northeast intersection of Rte. 5 and Cemetery Drive, north approximately 200 feet, . . . , then west fifty feet to the point of beginning." Although a fence may be located along the boundary, it should not be cited as defining the boundary because it may not be permanent. Features that are permanent, such as contour lines may be used to define boundaries when they constitute appropriate edges. Site plans, also called "sketch maps," may be used to indicate boundaries, if the map includes a scale indicator. For some large areas without obvious features to cite as edges, such as a rural site or a large cemetery, UTM points may define the boundaries, if the lines connecting the cited UTM points constitute the actual boundary lines of the area nominated.

Under the authorization of the National Historic Preservation Act of 1966 and the Archeological Resources Protection Act of 1979, the National Park Service will restrict information on the location or character of a historic resource if revealing this information would expose the property to vandalism, destruction, or other harm. The information must be included on the National Register Registration Form, but checking the "Not for Publication" box on the form ensures that sensitive information will not be reproduced or distributed.⁸

MAPS AND PHOTOGRAPHS

Each registration form must be accompanied by a United States Geological Survey (USGS) map with marked Universal Transverse Mercator (UTM) reference points for the purposes of locating the property geographically and illustrating its position in relation to prominent topographic features. In addition, for complex burial sites and cemetery districts, the nomination should include at least one site plan



Photographs should capture the essence of a cemetery's character. The Laurel Grove - North Cemetery in Savannah, Chatham County, Georgia, is significant, in part, for its large number of Victorian statues and monuments. (James R. Lockhart, 1982)

(sketch map). The site plan should locate the bounds of the property; give contour intervals, if relevant; and show the placement of major features, including nonconforming, nonhistoric development. Each feature identified as contributing or noncontributing in the form should be numbered on the site plan to correspond to a numbered inventory in the narrative discussion. Although, as stated above, it is not necessary to count and describe every gravemarker and other feature, all those specifically identified and counted must be shown on the map accompanying the nomination, either individually or collectively by area.

Copies of historic plats and building plans, if they are available, are helpful in documenting the original design intent and the integrity of some burial place property types.

A number of unmounted black and white photographs of high quality must accompany each nomination. There is no requisite number of photographs to be submitted. Requirements are that there should be as many photographs as necessary to depict the property clearly. Representative views of all characteristic features, as well as altered features and development outside the period of significance, should be included. Each photograph must identify the photographer, date, subject, and direction of the view. Prints of historic photographs are recommended as a means of documenting the integrity of the property. Photographs should be keyed to the inventory of contributing features in the narrative discussion, where appropriate. Numbered directional arrows may be placed on the site plan to indicate the direction of views shown in the photographs.

⁸ Refer to *National Register Bulletin 29: Guidelines for Restricting Information about Historic and Prehistoric Resources* for additional information.

VI. CONCLUSION

Discussion of burial practices in this bulletin is general rather than comprehensive in scope. Its purpose is to suggest the broad range of burial places from various periods that hold potential for listing in the National Register of Historic Places. In selecting examples for sake of illustration, it was not possible to touch on all regions of the

United States and its associated territories, nor all cultural groups and traditions. No value judgement is implied in these omissions. Neither should it be inferred that there is greater value in the high style cemetery than in vernacular examples. Users of this guidance should be encouraged that the criteria for evaluating significance and integrity

are applicable equally to urban graveyards, folk cemeteries, and small burial grounds in a rural setting. Above all, those wishing to pursue the registration process should know from this guidance that their efforts will be supported by ample precedent, a growing volume of reference literature, and organizations ready to assist.

VII. GLOSSARY

Altar tomb — A solid, rectangular, raised tomb or gravemarker resembling ceremonial altars of classical antiquity and Judeo-Christian ritual.

Bevel marker — A rectangular gravemarker, set low to the ground, having straight sides and uppermost inscribed surface raked at a low angle.

Burial ground — Also "burying ground;" same as "graveyard" (see below).

Burial cache — A place of concealment for burial remains and objects.

Burial mound — A mass of earth, and sometimes stone or timber, erected to protect burial chambers for the dead.

Burial site — A place for disposal of burial remains, including various forms of encasement and platform burials that are not excavated in the ground or enclosed by mounded earth.

Cairn — A mound of stones marking a burial place.

Cemetery — An area set aside for burial of the dead; in Latin American culture known as "campo santo," or holy field.

Cenotaph — A monument, usually of imposing scale, erected to commemorate one whose burial remains are at a separate location; literally "empty tomb."

Chapel — A place of worship or meditation in a cemetery or mausoleum, either a freestanding building or a room set apart for commemorative services.

Chest marker — A solid, rectangular, raised gravemarker resembling a chest or box-like sarcophagus.

Cinerary urn — A receptacle for cremation remains, or ashes, in the shape of a vase.

Columbarium — A vault or structure for storage of cinerary urns.

Crematorium — A furnace for incineration of the dead; also crematory.

Cremation area — An area where ashes of the cremated dead are scattered or contained.

Crypt — An enclosure for a casket in a mausoleum or underground chamber, as beneath a church.

Epitaph — An inscription on a gravemarker identifying and/or commemorating the dead.

Exedra — A permanent open air masonry bench with high back, usually semicircular in plan, patterned after the porches or alcoves of classical antiquity where philosophical discussions were held; in cemeteries, used as an element of landscape design and as a type of tomb monument.

Family cemetery — A small, private burial place for members of the immediate or extended family; typically found in rural areas, and often, but not always, near a residence; different from a family plot, which is an area reserved for family members within a larger cemetery.

Flush marker — A flat, rectangular gravemarker set flush with the lawn or surface of the ground.

Gatehouse — A building at the main entrance to a cemetery that is controlled by a gate; a shelter or habitation for the gate keeper.

Grave — A place or receptacle for burial.

Gravemarker — A sign or marker of a burial place, variously inscribed and decorated in commemoration of the dead.

Graveyard — An area set aside for burial of the dead; a common burying ground of a church or community.

Grave shelter — A rectangular, roofed structure usually of wood, covering a gravesite, enclosed by boards or slats or supported by poles; in tribal custom used to contain burial offerings and shelter the spirit of the dead; also grave house.

Headstone — An upright stone marker placed at the head of the deceased; usually inscribed with demographic information, epitaphs, or both; sometimes decorated with a carved motif.

Interment — A burial; the act of committing the dead to a grave.

Ledger — A large rectangular gravemarker usually of stone, set parallel with the ground to cover the grave opening or grave surface.

Lych gate — Traditionally, a roofed gateway to a church graveyard under which a funeral casket was placed before burial; also lich gate; commonly, an ornamental cemetery gateway.

Mausoleum — A monumental building or structure for burial of the dead above ground; a "community" mausoleum is one that accommodates a great number of burials.

Memorial park — A cemetery of the 20th century cared for in perpetuity by a business or nonprofit corporation; generally characterized by open expanses of greensward with either flush or other regulated gravemarkers; in the last half of the 19th century, those with flush markers were called "lawn" cemeteries.

Military cemetery — A burial ground established for war casualties, veterans, and eligible dependents. Those established by the Federal government include national cemeteries, post cemeteries, soldiers' lots, Confederate and Union plots, and American cemeteries in foreign countries. Many States also have established cemeteries for veterans.

Monument — A structure or substantial gravemarker erected as a memorial at a place of burial.

Monolith — A large, vertical stone gravemarker having no base or cap.

Mortuary — A place for preparation of the dead prior to burial or cremation.

National cemetery — One of 130 burial grounds established by the Congress of the United States since 1862 for interment of armed forces servicemen and women whose last service ended honorably. Presently, the Department of Veterans Affairs maintains 114, the National Park Service (Department of the Interior) administers 14, and the Department of the Army has responsibility for two.

Obelisk — A four-sided, tapering shaft having a pyramidal point; a gravemarker type popularized by romantic taste for classical imagery.

Ossuary — A receptacle for the bones of the dead.

Peristyle — A colonnade surrounding the exterior of a building, such as a mausoleum, or a range of columns supporting an entablature (a beam) that stands free to define an outdoor alcove or open space.

Pet cemetery — An area set aside for burial of cherished animals.

Potter's field — A place for the burial of indigent or anonymous persons. The term comes from a Biblical reference: Matthew 27.7.

Receiving tomb — A vault where the dead may be held until a final burial place is prepared; also receiving vault.

Rostrum — A permanent open air masonry stage used for memorial services in cemeteries of the modern period, patterned after the platform for public orators used in ancient Rome.

"Rural" cemetery — A burial place characterized by spacious landscaped grounds and romantic commemorative monuments established in a rural setting in the period of the young republic and at the dawn of the Victoria era; so called for the movement inspired by the American model, Mount Auburn Cemetery (1831) in the environs of Boston; a cemetery developed in this tradition. The term is used with quotation marks throughout the guidance to distinguish this distinctive landscaped type from other kinds of burying grounds occurring in the countryside.

Sarcophagus — A stone coffin or monumental chamber for a casket.

Screen memorial — A vertically-set gravemarker consisting of a tablet with wing elements resting on a continuous base.

Sepulcher — A burial vault or crypt.

Sexton — Traditionally, a digger of graves and supervisor of burials in the churchyard; commonly, a cemetery superintendent.

Shelter house — A pavilion or roofed structure, frequently open at the sides, containing seats or benches for the convenience of those seeking a place to rest; erected in rustic and classical styles to beautify a cemetery landscape.

Slant marker — A rectangular gravemarker having straight sides and inscribed surface raked at an acute angle.

Stele — An upright stone or commemorative slab, commonly inscribed or embellished on one of the broader vertical surfaces; a gravemarker type revived from classical antiquity.

Table marker — A rectangular grave covering consisting of a horizontal stone slab raised on legs, which sometimes are highly elaborate; also "table stone."

Tablet — A rectangular gravemarker set at a right angle to the ground, having inscriptions, raised lettering or carved decoration predominantly on vertical planes, and top surface finished in straight, pedimented, round, oval, or serpentine fashion.

Tomb — A burial place for the dead.

Tomb recess — A niche or hollow in a wall that shelters a tomb.

Tumulus — A mound of earth protecting a tomb chamber; in the ancient world, important tumuli were encircled by drum-like constructions of stone.

Vault — A burial chamber, commonly underground.

VIII. SOME RECOMMENDED SOURCES

Cemetery researchers will be aided by innumerable regional studies, cemetery guidebooks, conference proceedings, exhibit catalogs, and even a growing body of videotaped material. Current publications of the cemetery and monuments industries also can be helpful. *American Cemetery, Stone in America*, and *MB News* (trade journal of the Monument Builders of North America), for example, frequently contain articles on historic cemeteries and the manufacture of traditional gravemarkers.

Bibliographic searches in the local library are recommended, as is consultation with State cemetery associations, genealogical societies, and the State historic preservation office. Many States have published guides to research and legislation affecting cemeteries and burial places. An extensive bibliography for the general study of cemeteries and gravemarkers compiled along disciplinary lines is found in *Cemeteries and Gravemarkers: Voices of American Culture*, edited by Richard E. Meyer, one of the recommended sources listed below.

The Association for Gravestone Studies (AGS), a non-profit organization, publishes an annual journal, *Markers*, as well as a quarterly newsletter, and serves as an information network for cemetery scholars and preservationists nationwide. AGS maintains an archive and a limited mail-order lending library service for members. AGS can be reached at the following address: 30 Elm Street, Worcester MA 01609.

In 1985 the City of Boston, steward of as many as 16 historic cemeteries ranging in date from 1630 to 1841, launched its "Historic Burying Ground Initiative," an ambitious, long-term program encompassing comprehensive inventories and treatment of gravemarkers, landscape rehabilitation, and improved maintenance and security procedures. The Boston initiative involves a number of city

agencies and community groups and is believed to be the largest cemetery recordation and restoration project undertaken by local government in the country. Further information may be obtained from the Boston Parks and Recreation Department, 1010 Massachusetts Ave., Boston MA 02118.

The following is a list of some of the sources available, and is designed to lead the researcher to more sources. Many of these works contain extensive bibliographies.

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NATIONAL REGISTER BULLETINS

National Register bulletins may be obtained by writing to the National Register of Historic Places, National Park Service, U. S. Department of the Interior, P.O. Box 37127, Washington, D.C. 20013-7127.

No. 15 *How to Apply the National Register Criteria for Evaluation*

No. 16A *How to Complete the National Register Registration Form*

No. 16B *How to Complete the National Register Multiple Property Documentation Form*

No. 18 *How to Evaluate and Nominate Designed Historic Landscapes*

No. 22 *Guidelines for Evaluating and Nominating Properties that have Achieved Significance Within the Last Fifty Years*

No. 24 *Guidelines for Local Surveys: A Basis for Preservation Planning*

No. 29 *Guidelines for Restricting Information about Historic and Prehistoric Resources*

No. 30 *Guidelines for Evaluating and Documenting Rural Historic Landscapes*

No. 32 *Guidelines for Evaluating and Documenting Properties Associated with Significant Persons*

No. 36 *Evaluating and Registering Historic Archeological Sites and Districts (in draft)*

No. 38 *Guidelines for Evaluating and Documenting Traditional Cultural Properties*

No. 39 *Researching a Historic Property*

No. 40 *Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields*

IX. NATIONAL REGISTER CRITERIA FOR EVALUATION

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack distinction; or
- D. that have yielded or may be likely to yield information important in prehistory or history.

NATIONAL REGISTER CRITERIA CONSIDERATIONS

Ordinarily, cemeteries, birthplaces or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the last fifty years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. a religious property deriving significance from architectural or historical importance; or
- b. a building or structure removed from its original location, but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a particular person or event; or

c. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or

d. a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

e. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

f. a property commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or

g. a property achieving significance within the past fifty years if it is of exceptional importance.

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After the Fire: **Damage** Assessment for Repair of Mass Timber Building Elements



The 2021 edition of the International Building Code includes comprehensive language for the design and construction of taller and larger buildings of mass timber construction. Owners, designers, and insurers of these buildings have raised questions and concerns about repairing them following a fire or other damage.

In this complimentary, one-hour webinar, **Carl Baldassarra**, **Richard Kristie**, and **Timothy Costello** will provide an overview of the methods used to assess structural damage and potential structural repair options associated with the impacts of fire and firefighting water on engineered mass timber construction. The presenters will review recent research on this topic, typical water demand used for firefighting, and case studies of mass timber repair projects.

By the end of the webinar, you will be able to:

- Explain new criteria allowing taller and larger buildings of mass timber construction
- Identify typical types of fire damage historically reported in mass timber buildings
- Determine methods typically used to assess damage in mass timber buildings

- Describe various methods of repairing mass timber buildings resulting from fire and water damage

There will be plenty of time for your questions during the presentation. Attendees are eligible for one American Institute of Architects (AIA) HSW Learning Unit.

DETAILS

Wednesday, April 2, 2025

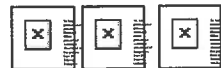
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The Bell Tower

The newsletter of the Oswegoland Heritage Association...

April 2025

www.littlewhiteschoolmuseum.org

Roger Matile, editor

**The Oswegoland
Heritage Association's**

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In this issue...

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**New donations assure
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**Museum a busy place
this spring with diverse
programming for all
ages...Page 3**

Moving?

*Don't forget to add us to your
change-of-address list!*

www.littlewhiteschoolmuseum.org

Little White School Museum's 175th anniversary gets wide recognition



On Feb. 3, a crew from WGN-TV's "Spotlight Chicago" visited Oswego and stopped by the Little White School Museum for a tour of the building. Above, the Oswegoland Park District's Zack Donati chats with the program's host, Sarah Jindra.

Out on her farm on today's Simons Road southeast of Oswego, Elvirah Walker Shumway sat down to write a letter to her parents on Feb. 16, 1850. Writing about the Oswego Methodist congregation's efforts to build a new church in the village, she wrote: "The church is to be finished soon. They are at

work on it now. I expect there will be a supper and fair in a few weeks to trim it or put with what is now on hand to trim and furnish."

It's unlikely she thought area residents would be celebrating the building's birthday 175 years later, but that is indeed what the Oswegoland Heritage Association and the Oswegoland Park District are doing this year.

And the community is celebrating right along with everyone else. On Jan. 21, the Oswego Village Board approved a proclamation issued by Village President Ryan Kauffman commending the grassroots effort that led, during a 25-year period, to the restoration of the landmark building and its transition into a community museum, archives, and meeting space.

On Monday, Feb. 3, Sarah Jindra, host of WGN-TV's "Spotlight Chicago" program, visited the museum and chatted with the park district's Zack Donati and Laura Finch about the building's long community history and the story of its restoration. The episode ran on Feb. 19. Readers can access

...see "Museum's 175th..." page 2

Annual meeting set for May 29

Notice is hereby given that the Annual Meeting of the members of the Oswegoland Heritage Association, an Illinois not-for-profit Corporation, is tentatively scheduled to be held at the Little White School Museum, 72 Polk Street, Oswego, Illinois, on the 29th day of May at the hour of 7:00 p.m. for the purpose of electing three (3) directors and for the transaction of such business as may come before the meeting.

The eligible members voting will be called upon to elect three (3) directors. To be eligible to be a director, a person must be an active member of the Association, at least 18 years of age, and a United States Citizen. A nominating committee appointed by the President will present nominees. Nominations from the floor shall be entertained. All directors shall be elected by a plurality of votes cast by secret ballot. ♡

**Dated: April 1, 2025
Ted Clauser, Secretary**

Museum's 175th...



On Jan. 21, Oswego Village President Ryan Kauffman (far right) honored the museum with a special proclamation. Attending were (back) museum coordinator Joe Noce and OHA President Judy Wheeler and in front, museum director Roger Matile.

the program at wgntv.com/video/little-white-school-museum/10470939.

Then on Feb. 19, WSPY in Plano ran a special story about the museum's 175th birthday celebration. And that same day,

the Beacon-News in Aurora ran a front page story on the museum's long and interesting history.

The celebration is continuing with a special exhibit mounted by museum coordinator Joe Noce recounting the effort to save and then restore the building. The exhibit in the museum's large Roger Matile Room, will run through the end of May.

And in recognition of National Historic Preservation Month, museum director Roger Matile will present a special program on the community's 25-year grassroots effort to save and then faithfully restore the classic Greek Revival-style structure on Saturday, May 17, at the museum beginning at noon. Admission will be \$5 in advance or at the door.

Built, as a Methodist-Episcopal Church, the building served Oswego's Methodists until the congregation merged with today's Church of the Good Shepherd in 1913. In 1915, the Oswego School

District acquired the building, which housed students through many upgrades and remodeling until it was finally closed in 1964, after which it was allowed to deteriorate.

Restoration efforts began in 1976 when the Oswegoland Heritage Association was established to coordinate the project in partnership with the Oswegoland Park District and Oswego School District 308. Restoration was completed in 2002 and in 2011, the school district transferred ownership of the building and site—Heritage Park—to the park district.

Today, the museum annually welcomes thousands of visitors. Regular museum hours are Thursdays and Fridays, 2 to 6:30 p.m.; Saturday and Sunday 9 a.m. to 2 p.m.; and Mondays, 4 to 9 p.m. Admission is free.

For more museum information call 639-554-2999 or visit their web page at www.littlewhiteschoolmuseum.org. ♥

Memorials create lasting tributes for friends and family

A memorial gift to the Oswegoland Heritage Association is an especially meaningful way to recognize friends, family, business associates, and special occasions, while at the same time supporting the mission of the only organization dedicated to protecting and preserving Oswegoland's rich heritage and history.

Since our last newsletter, the following memorials were received in memory of Janis Hoch: Jim Mayer, Robert Nelson, Mark & Lori Koskie, Omer & Wanda Horton, Ralph & Sally Smith, Sons of the

American Legion, and Teresa Hoch.

Note that our bank will no longer accept checks made out to the Little White School Museum for deposit. Memorial checks must be made out to the Oswegoland Heritage Association and mailed to Memorial Chair, Oswegoland Heritage Association, Box 23, Oswego, IL 60543.

Memorials are deposited in the heritage association's Endowment Fund, which is designed to maintain the organization's fiscal health and protect the museum's collections for decades to come.

Contributions are acknowledged with thank-you notes, and the names of those remembered are recorded in a permanent Memorial Book. Finally, the names of the individuals honored are listed in the next available issue of *The Bell Tower*. Memorials are the perfect way to preserve the memories of both those friends and relatives who have passed away as well as Oswegoland's rich history and heritage. ♥

Find the Little White School Museum on Facebook at <https://www.facebook.com/LittleWhiteSchoolMuseum>

Even more Oswegoland history preserved! *Thanks, donors!*

As of March 20, there were a total of 38,746 items in the museum's collections database, 2,409 more than last year at this time.

Items received since the end of November included: Oswego memorabilia, Bob Stekl; Wormley family dresses from the 1970s, Jean Wormley Rothfuz; a large framed 1954 photo of Bohn's Super Market at 60 Main Street, Oswego, Maria Jovanovic; a 1912 geological map of Illinois, Anna Notation-Rhoades; an invitation to the grand opening of the Oswego Community Bank on Aug. 30, 1958 signed by

the bank's board of directors and cashier; and an Oswego High School cheerleading uniform of uncertain vintage, probably 1980s or 1990s; an Oswego Community Bank grand opening invitation and commemorative golf divot repair tool, Linda Burnell Durham; Oswego High School cheerleader's uniform, Jen Blair; Oswego High School Marching Band uniform, Oswego Band Boosters; 1941 Philco floor model console radio, Beth Hafenrichter; a Little White School Museum banner from 1997, Magdalena Emmert; 1975 OHS letter jacket and collection of 1970s OHS

sports photos, Gary Harvala.

Purchased on eBay were matchbook covers from the Waubensee Inn at Fox Bend Golf Course, the Wheel Inn Restaurant at Routes 34 and 71, and the Oswego Community Bank dating to the 1960s and 1970s; a photo of the Oswego Fire Protection District's 1936 Ford pumper fire truck; and a color picture postcard of Terry Peshia's 1929 Cord V-8 sedan.

Want more information? Contact us via email at info@littlewhiteschoolmuseum.org or give us a call at 630-554-2999 during museum hours and we'll chat. ♥

Historical Notes...

A full slate of Oswegoland Heritage Association (OHA) and Oswegoland Park District (OPD) programming has been scheduled for the Little White School Museum's spring program series, according to program chair Tina Beaird and museum coordinator Joe Noce. To register for all programs, call the OPD at 630-554-1010. If you wish to register online, go to bit.ly/LWSMPrograms and check out the program listing.

To check for program availability, additional upcoming programming, or more information on the museum, check the museum web site, www.littlewhiteschool-museum.org.

Community Cookbook: You have until April 30 to submit entries for the Little White School Museum Community Cookbook. Do you have a personal or family recipe and want to share it with the community? Now through April 30, email your recipe to jnoce@oswegolandpd.org or drop it off at the museum, 72 Polk Street, Oswego, during regular hours with a description of what it means to you, or the community and we will include it in our community cookbook. At the end of April, we will post the cookbook to our website for free download, and will host an event to showcase some of the recipes. The cookbook will also be distributed at the Oswegoland Park District's Country Market.

Studded Star & Mirror String Art on Canvas: April 6, 10 - 11:30 a.m. at the Little White School Museum. During this OPD-hosted program, participants will use hammers and nails to create a beautiful studded string art star on canvas that will go with any decor! Grab your friends and get ready for some artistic fun! Pre-registration, which is required, is \$29 per person.

Do Art's Comic Book Creation Class: Tuesdays, April 8 - 29, 5 - 7 p.m. at the museum. Explore the many different angles and tools of not only comics, but self-expression in this program hosted by the OPD. Each week participants will explore a different aspect of comics from paneling to character, to plot, as well as learn about the different aspects of inspi-

ration and expressing themselves. By the end participants will have created many of their own comics. Preregistration, which is required, is \$140 per person.

"The Legend of the Fox": Saturday, April 12, starting at noon at the museum. Start the 2025 Earth Day observance early with the OHA's presentation of this video recounting the exploits of the Fox Valley's own home-grown ecological activist, Jim Phillips, who became a national-known environmental crusader under his alias, The Fox. A discussion on Phillips' accomplishments during his activist career will follow. Pre-registration is \$5, but walk-ins the day of the program are welcome.

History Book Club: Sunday, April 13, 11 a.m. - 1 p.m. at the museum. History comes alive through the pages of captivating books! History enthusiasts are invited to connect and discuss *Endurance: Shackleton's Incredible Voyage* by Alfred Lansing during this OPD-sponsored program. Join us for a journey through time and together, we'll explore the stories that shape our world. Those planning on participating must reserve or procure their own copy of the book. Preregistration, which is required, is \$5 per person.

Oswego History Tour - Industrial Sector: Saturday, April 26, 12 noon at the museum. Where do you think the "industrial section" of Oswego existed from about 1840 - 1910? Join members of the OHA and the OPD on a splendid bus tour of the industrial section "way back then" designed to inform and entertain participants. The tour will begin and end at the Little White School Museum and last for about an hour. Join us and find answers for Yesteryear! Preregistration, which is required, is \$7 for park district residents and \$10 for non-residents.

Jewelry Making - Wire Wrapping Pendant: Sunday, April 27, 11 a.m. to 12 p.m. at the museum: Learn the basics of jewelry making in this one-hour beginner-friendly class hosted by the OPD. Your instructor will guide you step by step through wire wrapping techniques to create a custom pendant and ring. All materials are provided. Preregistration, which is required, is \$25 per person.

Capturing Oswego Photo Contest:

May 1 - 31. Capture what you believe makes Oswego great through photography! The museum will accept submissions of one photograph per person about anything non-explicit within the borders of the Oswego School District or an Oswegoland Park District property that photographers believe capture the essence and beauty of the community. Entry is free. Email submission to jnoce@oswegolandpd.org or drop your photograph off during regular museum hours to have your submission displayed. Submissions accepted from May 1 - 15 will be displayed in the museum's gallery from May 16 - 31. During the display, patrons may vote on their favorite photograph. The photograph receiving the most votes will be framed and hung in the museum. Submissions will be accepted through May 15. Voting will take place from May 15 - 30 in the museum during regular hours.

Community Cookbook Unveiling: Saturday, May 3, 11 a.m. to 1 p.m. at the museum. Join museum staffers for the unveiling of the Little White School Museum Community Cookbook! Several of the recipes submitted will be available for a community tasting. Whether you submitted a cookbook recipe or just want to check them out, the museum looks forward to seeing you there! Preregistration is \$7, but walk-ins the day of the program are welcome.

Oswego History Tour- Evergreen Cemetery: Saturday, May 10, 12 noon at the Little White School Museum. With historical roots dating back to 1850, Evergreen Cemetery, located on Roth Road a few miles southeast of Oswego, may be small, but it is one of the most storied in the area. Join members of the Oswegoland Heritage Association and the Oswegoland Park District on a fascinating bus tour that will highlight the German immigrant roots of the families buried in the historic graveyard. The tour will begin and end at the Little White School Museum and last for about an hour. Transportation from the Little White School Museum to the site will be provided. Preregistration, which is required, is \$7 for park district residents and \$10 for non-residents.

Continued on Page 4...

Free!
Please Take One

Oswegoland Heritage Association
Box 23
Oswego, Illinois 60543

Historical Notes, *cont'd* from page 3...



Happy 175th Birthday to the Little White School Museum!

Saturday, May 17, 12 noon at the museum. Help celebrate both Historic Preservation Month and the Little White School Museum's 175th birthday during this special presentation on how a grassroots campaign saved and restored this historic community landmark during a 25-year effort. Along the way, the Oswegoland Heritage Association was created; an innovative public-private partnership was created between the heritage association, the Oswegoland Park District and the Oswego School District to save the building; hundreds of individuals and dozens of community organizations volunteered to help with the project; and a beloved community landmark was saved from the wrecker's ball. Admission is \$5 per person, either by preregistration or at the door. ♡

✂ Clip and mail

Give a gift membership?

The Oswegoland Heritage Association has some exciting plans for the future. Why not take out a membership for a friend or relative who has an interest in Oswego's fascinating history and heritage? Benefits include museum store discounts, three newsletters a year, and more. Just fill out this form and mail.

Name: _____

Address 1: _____

Address 2: _____

City: _____ St. _____ Zip: _____

Email: _____

I prefer to receive my newsletters electronically: _____

Membership type:

Friend, \$20 per person: _____

Sponsor, \$75 per person: _____

Business/Institution, \$150: _____

Lifetime Gold, \$1,000: _____

Make checks payable to the
Oswegoland Heritage Association and mail to:

Membership
Oswegoland Heritage Association
Box 23
Oswego, IL 60543

Check out our web site at www.littlewhiteschoolmuseum.org

From: Wiss, Janney, Elstner Associates, Inc. <webinars@wje.com>
Sent: Thursday, April 10, 2025 7:05 AM
To: Matt Asselmeier
Subject: [External]You're Invited to a WJE Webinar

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YOU'RE INVITED

Beyond the Routine (Inspection)



Regular inspections of maritime assets like wharves and docks are a key component of an asset management program for port owners and operators of maritime facilities. These assessments are largely visual and provide a general indication of current conditions, including maintenance needs. However, routine inspections may not provide enough information to answer critical asset management questions like: What is the remaining service life? Is the structure safe in its current condition? Can it be left as-is, and if so, for how long?

In this complimentary one-hour webinar, structural engineers **Jeremiah Fasl** and **Jeff West** will discuss the in-depth and special field investigations and engineering analyses that are often required to answer these questions for asset management and capital expenditure planning. The presentation, illustrated by project case studies, will cover investigating corrosion in steel and concrete, predicting remaining service life, instrumentation and monitoring of shiploaders to evaluate fatigue life, and dynamic testing of a nearly 100-year-old timber pile wharf substructure for load rating and repair design.

By the end of the webinar, you will be able to:

- Describe the different inspection types for maritime assets
- Explain the role that inspection has in asset management decisions
- Identify parameters that affect the corrosion service life of maritime assets
- Summarize techniques for performing detailed assessment of maritime assets

There will be plenty of time for your questions during the presentation. Attendees are eligible for one American Institute of Architects (AIA) HSW Learning Unit.

DETAILS

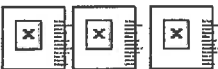
Wednesday, April 23, 2025
1:00 PM - 2:00 PM Eastern Time

REGISTER

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Matt Asselmeier

From: Edith Farnsworth House <farnsworthhouse@savingplaces.org>
Sent: Friday, April 11, 2025 1:29 PM
To: Matt Asselmeier
Subject: [External]Be Part of the Journey — Support Edith Farnsworth House

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EDITH
FARNSWORTH  HOUSE



Thank you for your continued friendship and support of Edith Farnsworth House. As we embark on an exciting journey of transformation at our historic site, we're thrilled to have you with us!

Expanding Our Story

We've evolved from focusing solely on Mies van der Rohe to embracing a more inclusive and dynamic narrative. Today, we celebrate history, architecture, the arts, and nature, making this iconic site more accessible than ever.

What's New?

- A Broader Perspective – Aligning with the National Trust's Telling the Full American Story initiative, we're uncovering diverse histories and deeper connections.
- Community Engagement – Expanding programs and partnerships to welcome working families and underserved communities.

- Nature & Culture – Enjoy a new introductory video, interpretive wall, and experience guide in 2025, plus tours that reveal more site history.
- Farnsworth Forward (2026-27) – In honor of our 75th birthday, we'll feature reinterpretations by artists and creatives of color.
- Landscape Restoration – Enhancing trails, restoring historic landscapes, and creating a new events lawn.

Your Support Makes a Difference!

With economic uncertainties and funding cuts, your generosity is more important than ever.

Donate Today: Click [HERE](#) to make a donation

We can't wait to welcome you back to Edith Farnsworth House! Thank you for being part of our journey.

Warmest regards,

Scott Mehaffey

Scott Mehaffey
Executive Director
Edith Farnsworth House

<https://edithfarnsworthhouse.org/donate/>

Donate Now



Save the Date!

Mark your calendars for our Fall Fundraiser on Saturday, October 11. This special fall gathering will feature seasonal fare, local flavors, and great company all in support of our mission to preserve and share this iconic site.

The Farnsworth Fall Festival will take place the next day, October 12. Join us for a day of seasonal fun and more at the Edith Farnsworth House. Stay tuned—details and vendor sign-up coming soon!



Edith Farnsworth House | 14520 River Rd | Plano, IL 60545 US

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