



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3655**

June 5, 2008

Mr. E. Patrick McIntyre, Jr.,
State Historic Preservation Officer
Tennessee Historical Commission
Clover Bottom Mansion
2941 Lebanon Road
Nashville, TN 37214

SUBJECT: Architectural and Historical Assessment, Proposed Improvements to State Route 18
from State Route 100 to State Route 5 (U.S. 45), Hardeman and Madison Counties,
PIN #101599.00

Dear Mr. McIntyre:

My staff has prepared an architectural report, a copy of which is enclosed, for the above referenced project. In 1998 a consultant, Thomason and Associates surveyed the project area for Section 106 purposes. In the general project area the consultant identified the Swink House as eligible for the National Register of Historic Places. The consultant inventoried several properties, and it was his opinion that none of them were eligible for the National Register. TDOT concurred with this opinion.

The project was put on hold but has recently been proposed again in two phases with alternatives including the previously considered widening on existing location. Due to the passage of time TDOT resurveyed the area of potential effect along with the newly proposed alternative, reviewing the previously inventoried properties as well as several additional properties. After this reassessment, it remains the opinion of TDOT that there are no additional properties within the area of potential effect eligible for listing on the National Register of Historic Places.

Enclosed is an architectural assessment the above referenced project. If a line that uses Segment A-3 adjacent to the historic Swink House is chosen, it is the opinion of TDOT that the proposed project would not adversely affect the historic property contingent upon a landscaping plan that will be prepared in coordination with TDOT historians and the TN-SHPO. On behalf of the Federal Highway Administration, we request your review of this report pursuant to regulations contained within 36 CFR 800.

We look forward to your comments. Thank you for your help in this matter.

Sincerely,

Martha Carver
Historic Preservation Manager

Enclosure
cc: Mr. Joe Matlock



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SUBJECT: Architectural and Historical Assessment, Proposed Improvements to State Route 18 from State Route 100 to State Route 5 (U.S. 45), Hardeman and Madison Counties, PIN #101599.00

To Whom it May Concern:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is proposing to make improvements to State Route 18 from State Route 100 to State Route 5 (U.S. 45) in Hardeman and Madison Counties.

Pursuant to regulations set forth in "36 CFR 800: Protection of Historic Properties" cultural resource staff from TDOT surveyed the general project area in an attempt to identify National Register-included or eligible properties which could be impacted by the proposed project. Historians from TDOT inventoried one National Register eligible property that they believe the proposed project could impact, the Swink House in Medon.

The enclosed report discusses TDOT's survey findings. You are receiving this report because TDOT has identified you as a Hardeman or Madison County party or individual with historic preservation interests. The Advisory Council on Historic Preservation Regulations specify that members of the public with interests in an undertaking and its effects on historic properties should be given reasonable opportunity to have an active role in the Section 106 process. As such, TDOT would like to give you the opportunity to participate in that process. If you feel that commenting on such projects is outside the interests of your organization, please notify me and I will remove your name from our list.

If you have any comments on historic issues related to this project, please write me. Federal regulations provide that you have thirty days to respond from the receipt of this letter.

Sincerely,

Holly M. Barnett, Historic Preservation Specialist

Enclosure

cc: Mr. E. Patrick McIntyre, Jr., TN-SHPO

TENNESSEE DEPARTMENT OF TRANSPORTATION

HISTORICAL/ARCHITECTURAL ASSESSMENT

FOR

PROPOSED IMPROVEMENTS TO

STATE ROUTE 18

FROM STATE ROUTE 100

TO STATE ROUTE 5 (U.S. 45)



National Register Eligible Henry H. Swink House in Medon

HARDEMAN AND MADISON COUNTIES

August 2007

Prepared by
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Environmental Division
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**HISTORIC/ARCHITECTURAL ASSESSMENT
PURSUANT TO 36 CFR 800**

**PROPOSED IMPROVEMENTS TO STATE ROUTE 18 FROM STATE ROUTE
100 TO STATE ROUTE 5 (U.S. 45)**

HARDEMAN AND MADISON COUNTIES

MANAGEMENT SUMMARY

The Tennessee Department of Transportation with funding made available through the Federal Highway Administration is proposing improvements to the State Route 18 from State Route 100 to State Route 5 (U.S. 45) in Hardeman and Madison Counties.

A previous survey identified one property within the within the area of potential effect (APE) as eligible for listing in the National Register of Historic Places: the Swink House, a mid-nineteenth century house remodeled in the Queen Anne style in the 1890s. TDOT historians inventoried additional properties within the APE; in the opinion of TDOT these properties are not eligible for listing in the National Register of Historic Places.

If a line that uses Segment A-3 adjacent to the historic Swink House is chosen, it is the opinion of TDOT that the proposed project would not adversely affect the historic property contingent upon a landscaping plan that will be prepared in coordination with TDOT historians and the TN-SHPO. Therefore there will be no Section 4(f) involvement with a historic property.

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- A. Fact Sheet on Section 106
- B. National Register Criteria, 36 CFR 60.4
- C. Criteria of Effect, 36 CFR 800.5
- D. Fact Sheet on Section 4(f)
- E. Public Participation

HISTORIC/ARCHITECTURAL ASSESSMENT PURSUANT TO 36 CFR 800

PROPOSED IMPROVEMENTS SR 18 FROM SR 100 TO SR 5 (U.S. 45)

HARDEMAN AND MADISON COUNTIES

STATEMENT OF DETERMINATION

The Tennessee Department of Transportation (TDOT) with funding made available through the Federal Highway Administration (FHWA) is proposing to improve State Route 18 from State Route 100 to State Route 5 (U.S. 45) in Hardeman and Madison Counties.

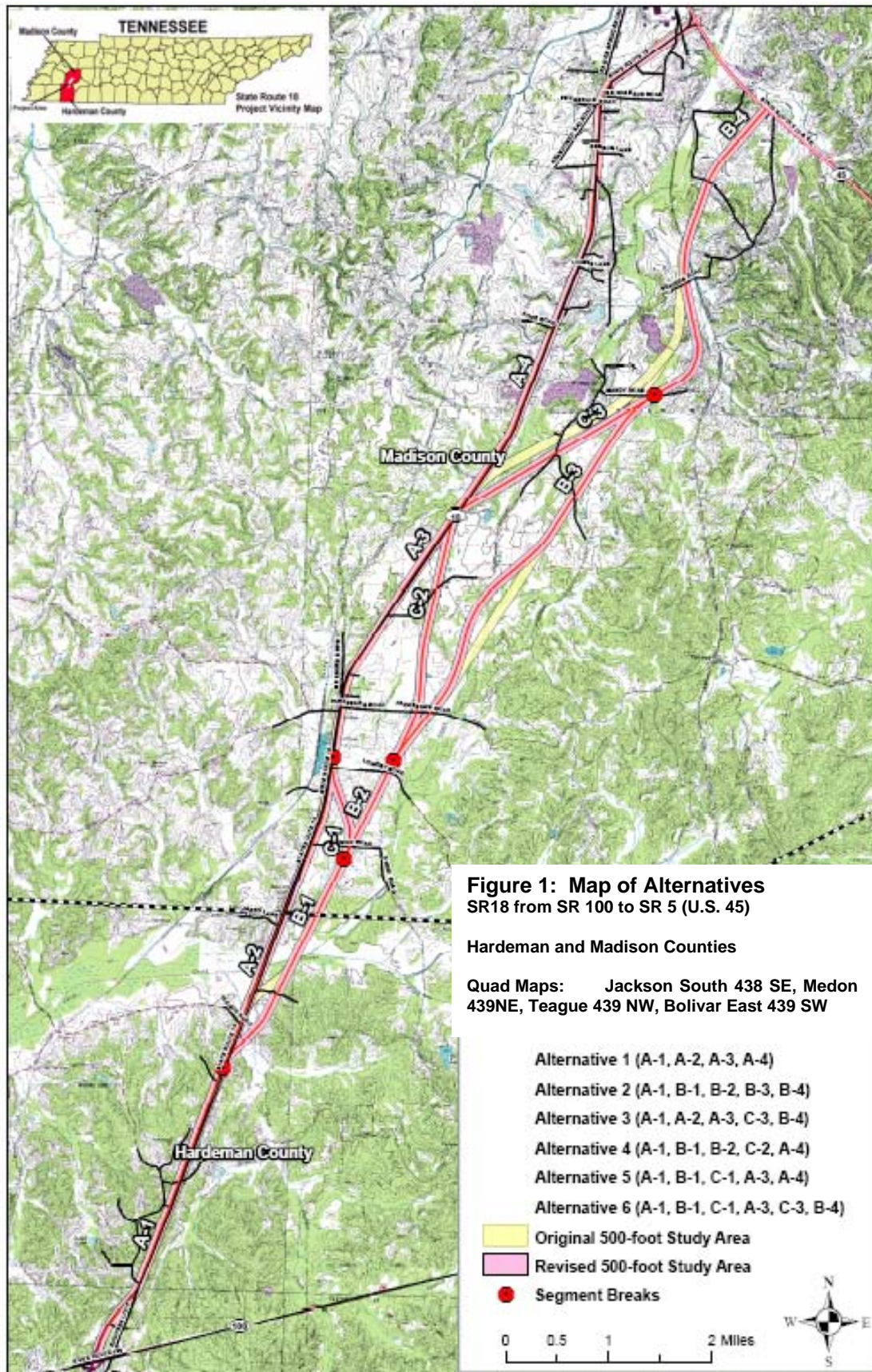
Federal laws require TDOT and FHWA to comply with Section 106 of the National Historic Preservation Act of 1966, as amended. Appendix A contains a fact sheet about Section 106. Regulations detailing the implementation of this act are codified at 36 CFR 800. This legislation requires TDOT and FHWA to identify any properties (either above-ground buildings, structures, objects, or historic sites or below ground archaeological sites) of historic significance. For the purposes of this legislation, historic significance is defined as those properties which are included in the National Register of Historic Places or which are eligible for inclusion in the National Register. Appendix B contains a copy of the National Register criteria, which are codified at 36 CFR 60.4. Once historic resources are identified, legislation requires these agencies to determine if the proposed project would affect the historic resource. Appendix C contains a copy of the Criteria of Effect as defined in 36 CFR 800.5. If the proposed project would have an adverse effect to a historic property, the legislation requires FHWA to provide the Advisory Council on Historic Preservation (an independent federal agency) an opportunity to comment on the effect.

The U.S. Department of Transportation Act of 1966, as amended, also requires FHWA to assess the applicability of Section 4(f). This law prohibits the Secretary of Transportation from approving any project which requires the "use" of a historic property unless there is no prudent and feasible alternative to that use and unless the project includes all possible planning to minimize harm to the historic resource. Appendix D contains a fact sheet about Section 4(f).

Pursuant to 36 CFR 800.4 which requires TDOT and FHWA to identify historic resources near its proposed projects, architectural historians from TDOT surveyed the area of potential environmental impact for the proposed project in an effort to identify any National Register included or eligible properties. A TDOT consultant surveyed the area of potential effect in 1998 for a proposed widening from Bolivar to State Route 5 (U.S. 45) in Jackson. The consultant identified one property that was determined eligible for the National Register of Historic Places, the Swink House, as representative of the Queen Anne style. For the assessment, the consultant surveyed an additional 41 properties and it was his opinion none were eligible for the National Register.

Recently historians from the Tennessee Department of Transportation (TDOT) surveyed a larger area of potential effect as well as the previously surveyed areas. The historians inventoried several additional properties. It is the opinion of TDOT none of the properties are eligible for the National Register. It is also the opinion of TDOT, pursuant to 36 CFR 800.5, that the project would have no adverse effect to the Swink House contingent upon a landscaping plan that will be prepared in coordination with TDOT historians and the TN-SHPO. Therefore there will be no Section 4(f) involvement with a historic property.

The archaeological assessment is contained in a separate document. This document has been prepared in consultation with the TN-SHPO and will be circulated to the TN-SHPO and local historians.



PROJECT DESCRIPTION

The Tennessee Department of Transportation (TDOT) proposes to improve State Route 18 from State Route 100 in Hardeman County to State Route 5 (U.S. 45) in Madison County. The total length of the proposed improvement is approximately 14.5 miles. TDOT will study a No-Build Alternative and six Build Alternatives. The No-Build Alternative entails making no improvements to the existing roadway. The Build Alternatives for the project are illustrated on the Project Location Map.

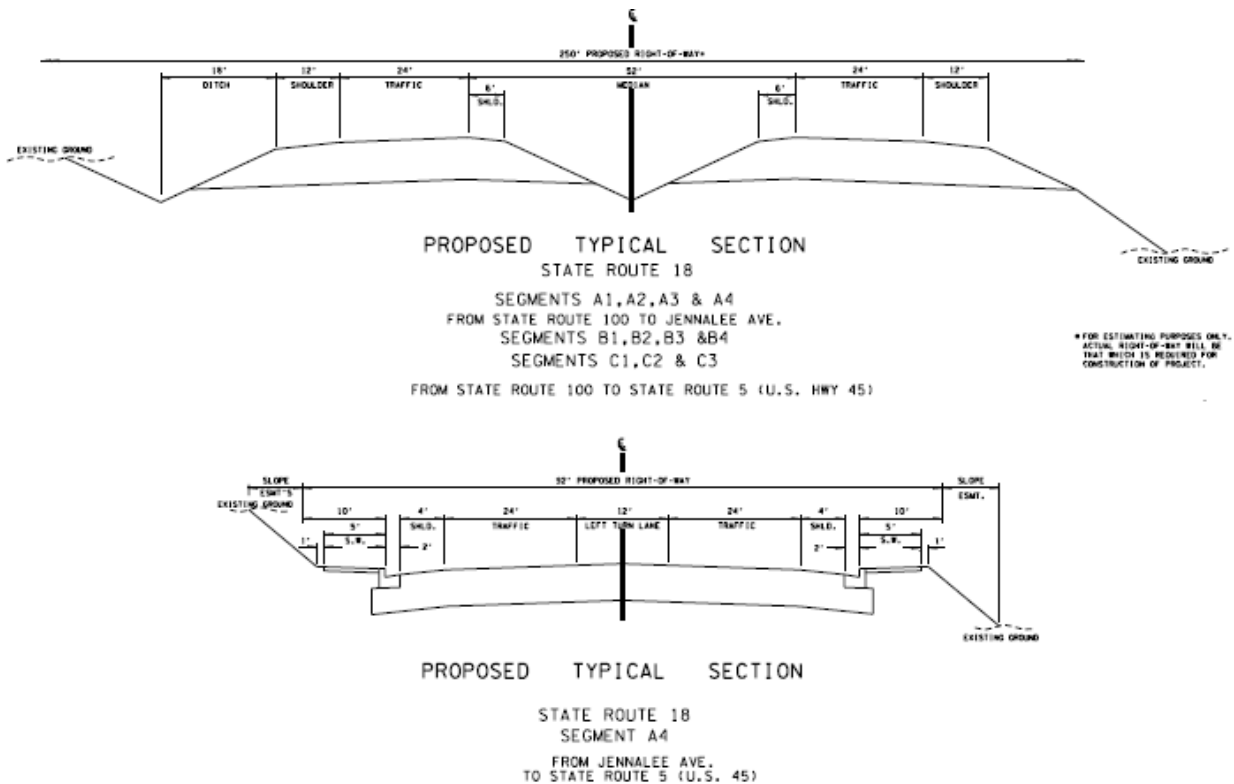
The purpose of the State Route 18 improvement project would be to provide an efficient and safe transportation facility that would yield maximum benefits to road users and be compatible with local and regional goals and objectives. Completion of a State Route 18 improvement project would relieve existing and future traffic congestion at the State Route 18 and State Route 5 (U.S. 45) intersection, correct sight distance and vertical design deficiencies, allow adequate shoulders and turn lanes, and provide an improved and more efficient transportation link between Bolivar and Jackson for the motoring public.

DESCRIPTION OF BUILD ALTERNATIVES

Six Build Alternatives and a No-Build Alternative will be considered in the environmental assessment. The No-Build Alternative will mean that no major improvements will be made to the existing State Route 18 from State Route 100 to State Route 5 (U.S. 45) and only routine maintenance activities will continue to be conducted. The proposed project consists of basically eleven segments that were combined to form six Build Alternatives. The table below lists the Alternatives and identifies the segments that compose each alternative. The six Build Alternatives are depicted on the Project Location Map (Figure 1).

Alternative	Segments
1	A-1, A-2, A-3, A-4
2	A-1, B-1, B-2, B-3, B-4
3	A-1, A-2, A-3, C-3, B-4
4	A-1, B-1, B-2, C-2, A-4
5	A-1, B-1, C-1, A-3, A-4
6	A-1, B-1, C-1, A-3, C-3, B-4

The typical section proposed for all rural segments consists of a four-lane divided roadway, with four 12-foot lanes separated by a 52-foot depressed median and two 12-foot shoulders within a 250-foot right-of-way. The typical section proposed for urban areas consists of a 92-foot right-of-way containing four 12-foot lanes with a 12-foot center left turn lane and two 4-foot outside shoulders including curb and gutter. See below for a layout of the proposed cross section of the roadway.



PUBLIC PARTICIPATION

On January 8, 2007, TDOT mailed letters to the Madison County Mayor, Mr. Jerry Gist, and the Hardeman County Mayor, Mr. Willie E. Spencer asking them to be consulting parties in the Section 106 process. Appendix E contains copies of this correspondence.

On May 1, 2000, TDOT mailed letters to seven groups or tribes representing Native American interests and asked them if they wished to participate in the historic review process as consulting parties (list below). To date, TDOT has not received any responses related to architectural resources. Appendix E contains a copy of the letter.

Mr. Jim Henson
United Keetowah Band of Cherokee

Mr. Bill Anoatubby
Chickasaw Nation

Charles D. Enyart
Eastern Shawnee Tribe

Mr. Chadwick Smith
Cherokee Nation of Oklahoma

Mr. Jerry G. Haney
Seminole Nation of Oklahoma

Mr. Leon Jones
Eastern Band of Cherokee Indians

Mr. R. Perry Beaver
Muscogee (Creek) Nation

Mr. Corky Allen
E.U.C.H.E.E.

Mr. Gregory E. Pyle
Choctaw Nation of Oklahoma

Mr. Toye Heape
Tennessee Commission of Indian Affairs

In the fall of 1986, the Environmental Planning Office of the Tennessee Department of Transportation prepared a list by counties of historic groups and other such organizations which might be interested in proposed projects. This list was compiled using the following sources:

- the State Historic Preservation Office's list of current county historians,
- the State Historic Preservation Office's list of Historic Sites and Museums,
- the State Preservation Office's list of Historical Societies,
- the National Trust for Historic Preservation's list of member organizations in Tennessee, the American Association for State and Local History *Directory of Historical Societies and Agencies in the United States and Canada* (Twelfth Edition, 1982),
- interested State Review Board members, and
- a questionnaire mailed to each of Tennessee's ninety-five County Mayors.

This list is regularly updated and refined.

From this list, TDOT identified a number of historical groups and individuals in the county in which the project is located. TDOT will mail a copy of this report to them. Appendix F contains a copy of related correspondence.

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Historic Preservation Planner
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City of Jackson
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Jackson, TN 38301

Madison County Mayor
Madison County Courthouse
Jackson, TN 38301

Hardeman County Mayor
Hardeman County Courthouse
P. O. Box 250
Bolivar, TN 38008

Jerry Flanagan
805 Medon-Malesus Rd
Medon, TN 38356

Homer and Joe Roark
53 Roberts Lane
Jackson, TN 38301

Keith Donaldson
City Planner
111 E. Main St, Suite 201
Jackson, TN 38301

Marlyce Harris, Mayor of Medon
25 College Street
P. O. Box 23, Medon 38356

Charles H. Farmer
Mayor of Jackson
101 East Main
P. O. Box 2508,
Jackson 38302

Fischer Frances
565 Medon Malesus Rd.
Medon, TN 38356

Jerry Lucas
336 Gobelet Rd
Medon, TN 38356

Watlington Bros. Enterprises
PO Box 2365
Jackson, TN 38301

George and Annie Lou Tims
310 Stewart Way
Toone, TN 38381

Clover Creek Baptist Church
2112 Highway 18
Medon, TN 38356

Clover Creek Missionary Baptist
Church
2280 Highway 18
Medon, TN 38356 4908 Riverside
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Medon, TN 38356

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ENVIRONMENT AND LAND USE

The study area is located just south of Jackson within West Tennessee, in the northeastern portion of Hardeman County and the southern party of Madison County. The topography consists of gently rolling to steep hills crossed by several creeks and small streams. The project area consists of a mixture of forested areas and open agricultural land, such as pastures, hayfields, and row crops. Low-density rural residential areas occur along most of the study area with somewhat higher density

residential use in the northern one-third of the project area. Commercial developments occur mainly at the northern terminus of the project area along State Route 5 (U.S. 45).

HISTORICAL OVERVIEW OF THE PROJECT AREA

Hardeman County

The General Assembly formed Hardeman County in 1823 from land joined to Hardin County and later Madison County that was part of the lands ceded by the Chickasaws. Early leaders named the county to honor Colonel Thomas Hardeman, a War of 1812 veteran, the first county court clerk, and Bolivar town commissioner. Originally the county seat was on the Hatchie River and thus named Hatchie Town. William Ramsey provided the land for the county seat and named the town Bolivar for South American loyalist Simon Bolivar.

Hardeman County has remained primarily agricultural throughout its history, with early planters using slave labor to establish large cotton plantations. The town of Saulsbury was incorporated in 1856 and served as a principal cotton market. Lumber later became a dominant part of the Hardeman County economy. The railroad helped towns such as Grand Junction and Hickory Valley develop. Like other Tennessee counties, the years after World War II brought industry to the rural county with plants that manufactured electrical components, elevator parts, pyrotechnics, and clay products.¹

Madison County

The first settlers to Madison County arrived in 1819 the year after the Chickasaws signed the treaty that opened the area in West Tennessee for settlement. First settling east of current day Jackson, pioneers established a community on the banks of the Forked Deer River they named Alexandria. In 1822 residents renamed their town Jackson in honor of Andrew Jackson, whose sister-in-law Jane Hayes lived in the town, because of the role he played in the early development of the county. Jackson was named the county seat in 1822 a year after the

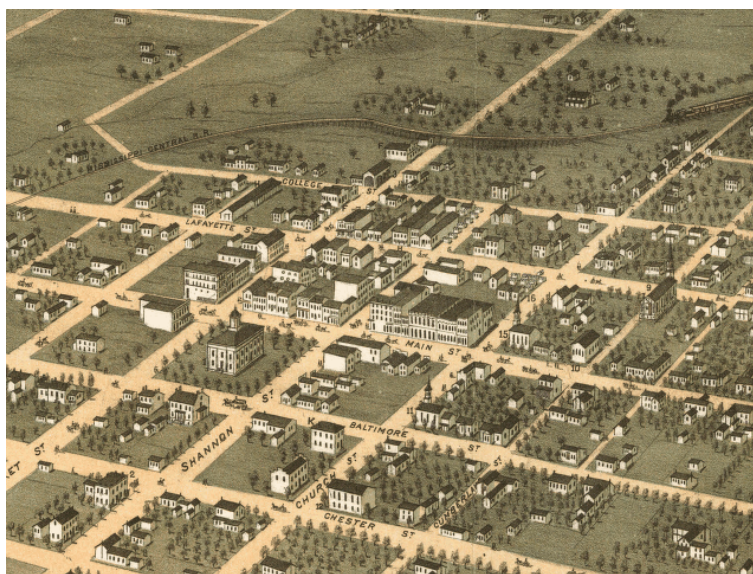


Figure 2: 1870 Map of Jackson Tennessee. Taken from <http://en.wikipedia.org/wiki/Image:Jackson1870.gif#file>

¹ Faye Tennyson Davidson, "Hardeman County," *Tennessee Encyclopedia of History and Culture*. Edited by Carroll Van West (Nashville: Rutledge Hill Press, 1998), 404-406.

Tennessee General Assembly established Madison County. During the period before the Civil War, the county was primarily agricultural, but Jackson was an important West Tennessee transportation center for the movements of agricultural goods along the Forked Deer River. Madison County's first railroad arrived in 1858 and helped move agricultural goods as well as provide early support for industry. Due to Jackson's location on the railroad, Federal troops occupied the city for most of the Civil War and ultimately burned most of downtown Jackson.

Currently the county is home to several private colleges: Lambuth University, Union University, Lane College, and the public Jackson State Community College. The county's economy is now based on industrial and commercial operations with companies like Proctor and Gamble, Porter Cable Corporation, Bevilbriss Air Power, and Pringles. Transportation is still important with three railroads, a regional airport, and Interstate 40 serving the county.²

SURVEY METHODOLOGY

Pursuant to regulations set forth in 36 CFR 800 guidelines, TDOT historians field reviewed this project in 2005. The purpose of this survey was to determine if any properties in the project impact area were either eligible for inclusion or are included in the National Register of Historic Places. A project's area of potential effects (APE) is defined in 36 CFR 800.16 (d) as

the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

The proposed improvements would be located on one of the proposed alternatives beginning at State Route 100 in rural Hardeman County extending to State Route 5 (U.S. 45) in suburban Jackson. Much of the work will be either within the existing right-of-way or along corridors that cross existing right-of-way, and additional right-of-way takes will vary.

The area of potential effect for this project includes the following:

- A corridor approximately 1,500 feet from the proposed alternatives that require additional right-of-way and subsequent transition work;
- Areas within the nearby viewshed of the proposed project;
- Areas within the potential noise impact area (up to 500 feet from the proposed improvements);

²Harbert Alexander, "Madison County," *Tennessee Encyclopedia of History and Culture*. Edited by Carroll Van West (Nashville: Rutledge Hill Press, 1998), 566.

In 1998 a TDOT consultant surveyed the existing State Route 18 corridor for a proposed project from State Route 5 (U.S. 45) in Jackson to Bolivar. In the *Architectural and Historical Survey Proposed Improvements to State Route 18 from Bolivar to State Route 5, Hardeman and Madison Counties, Tennessee* prepared by Thomason and Associates, the consultant inventoried several properties and it was his opinion that the Henry H. Swink House in Medon, was eligible for Criterion C as an notable example of the Queen Anne style.³ None of the other properties were found to be eligible for the National Register. The TN-SHPO agreed in a 21 April 1999 letter.

When the project was revived with multiple segments, not just on existing location, TDOT checked the survey records of the Tennessee State Historic Preservation Office (TN-SHPO) to determine if additional surveys had identified any historic properties in the area. This area of Madison County has not been surveyed by the TN-SHPO and the project area of Hardeman County has not been surveyed since the 1998 Thomason survey.

The 1998 project did not proceed past the environmental process and is now currently proposed with multiple segments, with the segments both on and off existing location. For the currently proposed project, TDOT historians surveyed the previous survey area along with the new corridor in January 2005.

TDOT historians surveyed a wide corridor much larger than the consultants' original survey. This survey identified two large farms, the Gobelet Farm and the Lucas Farm as potentially eligible for the National Register (see Figure 3-Map 3 and Figure 4). However due to severe wetland issues, the possibly historic farms, and considering comments from resource agencies, the alternative that would have been near these two properties was dropped and will not be carried forward in the environmental process. The other proposed alternatives are between 1-2 miles away from the two farms and are separated by rolling topography and residential development. For these reasons it is the opinion of TDOT that the Lucas and Gobelet farms are outside the area of potential effect for the proposed project (See Figure 3-Map 3 and Figure 4).

The Bemis Historic District is located on the west side of State Route 5 (U.S. 45). The property is separated by several hundred feet and several local roads from the beginning point of the proposed project. At one point a segment had been proposed that would have extended to the west closer to the district but for a variety of reasons (historic issues, wetland impacts) this segment was eliminated from further study. The closest alternative is approximately one mile to the south of the district, separated by dense mid-to-late twentieth century residential and commercial development. Currently it is the opinion of TDOT that the Bemis Historic District is outside the area of potential effect for the proposed project (See Figure 3-Map 3 and Figure 5).

The 2005 field survey identified changes to previously surveyed architectural/historical resources and gathered additional information on the setting, structural condition, history and integrity of the surveyed resources. Staff also sought to identify any

³On file at TDOT, Nashville.

previously unidentified resources that merited further evaluation. The survey was also intended to determine the potential for National Register eligibility of any individual resources or historic districts in the area. Figure 3 illustrates the coverage (roads driven) of the architectural field survey and the locations of surveyed resources.

Each previously surveyed resource was evaluated in the field and if it appeared to be in the same condition as the previous survey in the original report it was not reevaluated. The field survey found that several the properties listed in the table below are no longer extant. Additional properties that had not been surveyed in 1998 were also examined. The properties were photographed with a digital camera and are included in the table on pages 18-22. It is the opinion of TDOT that these properties did not appear to be National Register eligible and did not merit further evaluation for NRHP eligibility. This included resources that were clearly not eligible due to reasons such as:

- alterations and deterioration that damaged the architectural integrity of the resource
- lack of architectural significance; and/or
- lack of known historical significance.

If properties were felt to warrant no further investigation, it is the opinion of TDOT that they are clearly not eligible for the National Register.

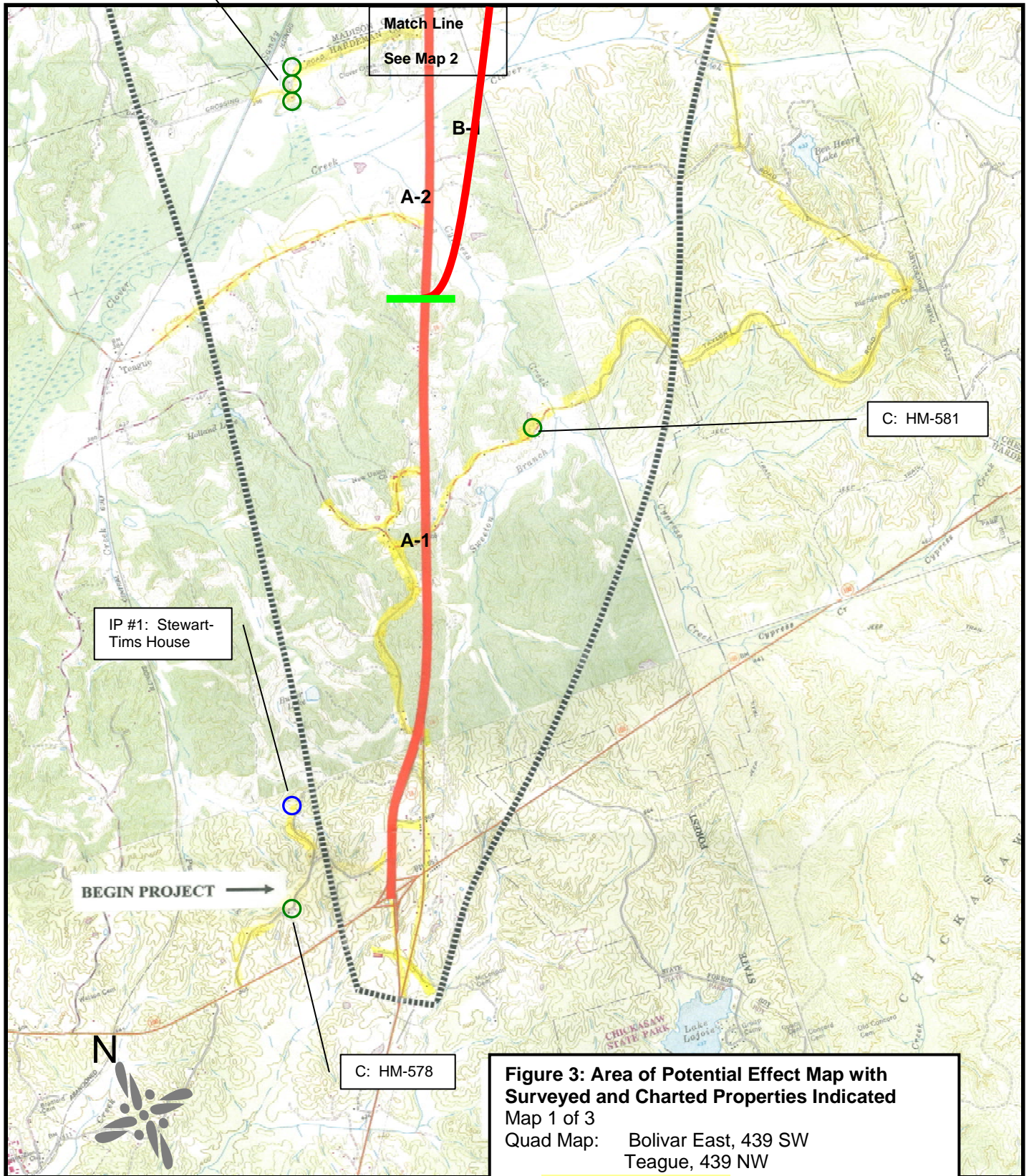
TDOT historians also inventoried eight additional properties for National Register eligibility. The location of the each of the inventoried resources in relation to the proposed project is shown in Figure 3. Information about these inventoried resources begins on page 23. It is the opinion of TDOT that none of these properties are eligible for the National Register.

The project area contains commercial, residential, and agricultural architecture dating from the mid-nineteenth century to the present. Part of the impetus for this project is to remove traffic congestion from the route from Bolivar to Jackson. There is no known architectural or historic significance that would make the road between the two towns (east and west along State Route 18 and the communities of Medon and Malesus) eligible for listing on the National Register of Historic Places under Criterion A, B, or C.

The Henry H. Swink House, the only property identified as eligible for the National Register within the project area of potential effect, is located on the east side of State Route 18 on a large lot. If the alternative along State Route 18 is chosen, the eastern edge of pavement would be held along the Swink parcel and several adjoining parcels. The house is set far back on the 13.6 acres along with rolling topography and landscaping that limits views of the road from the house. If a line that uses Segment A-3 adjacent to the historic Swink House is chosen, it is the opinion of TDOT that the proposed project would not adversely affect the historic property contingent upon a landscaping plan that will be prepared in coordination with TDOT historians and the TN-SHPO. Therefore there will be no Section 4(f) use of a historic property. The assessment of effects of this property begins on page 48.

The archaeological assessment is included in a separate document.

C: HM-511, HM-12,
HM-13



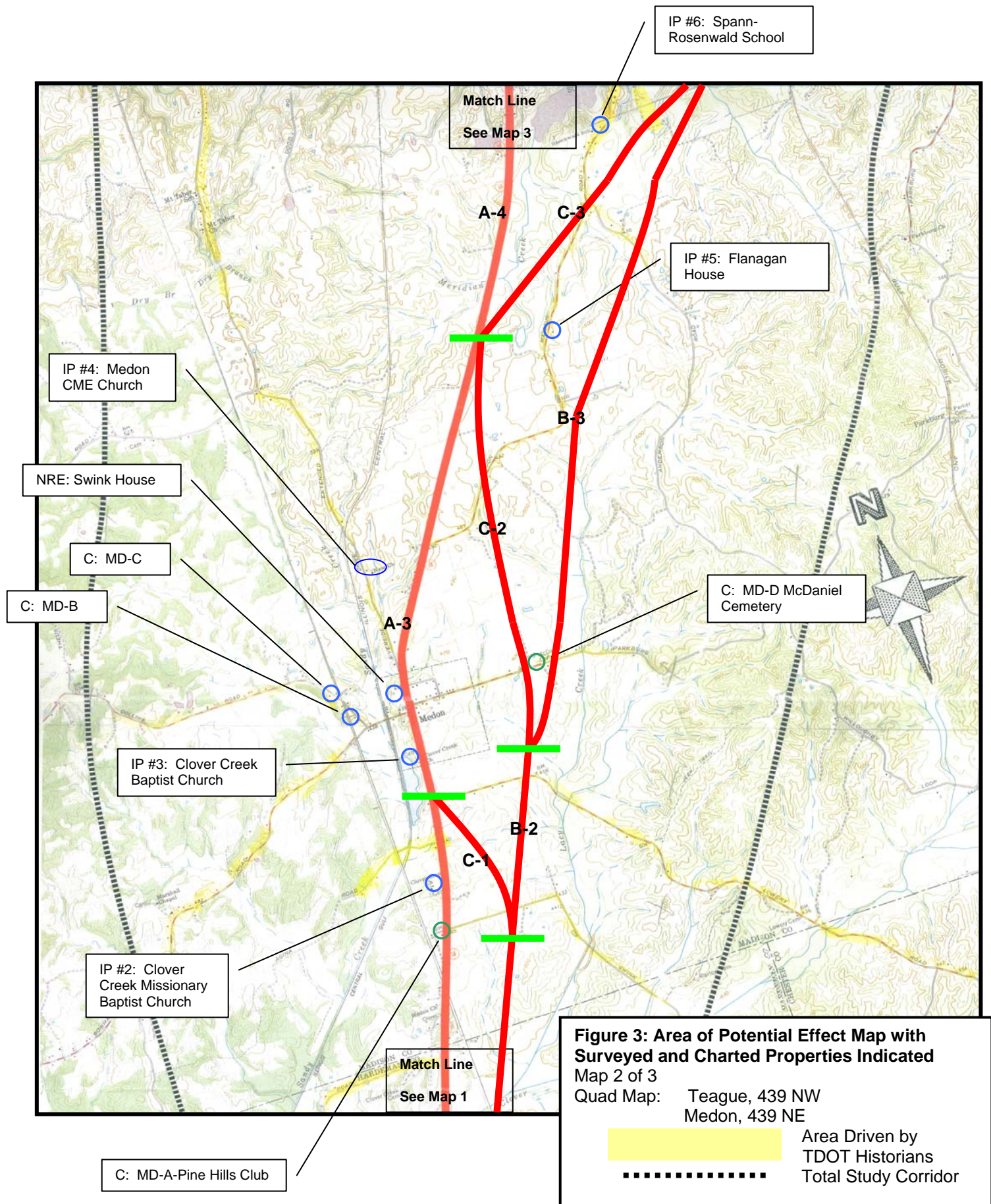
C-Charted Property (pg. 18 -22)
IP-Inventoried Property (pg. 23-44)

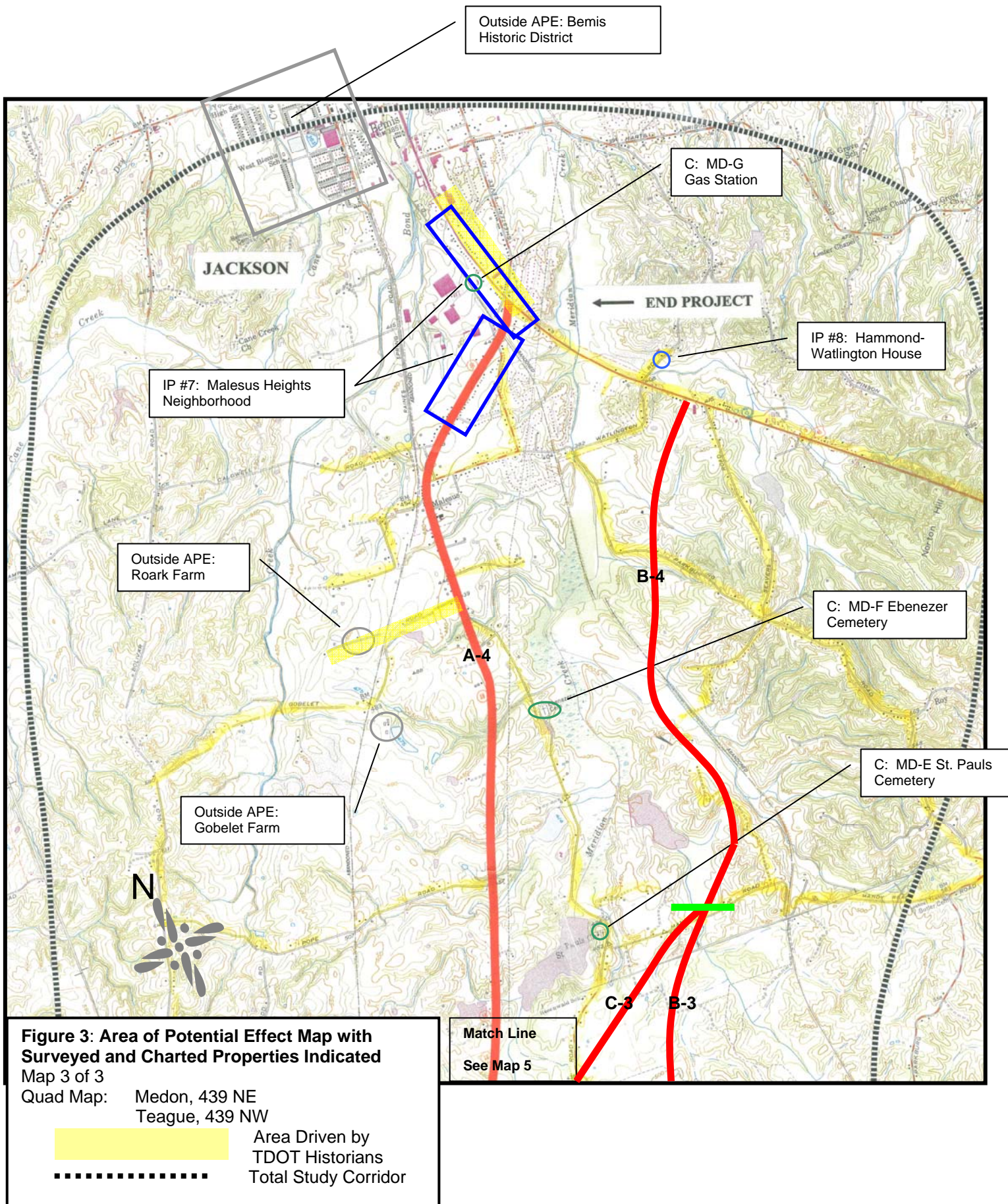
**Figure 3: Area of Potential Effect Map with
Surveyed and Charted Properties Indicated**

Map 1 of 3

Quad Map: Bolivar East, 439 SW
Teague, 439 NW

Area Driven by
TDOT Historians
Total Study Corridor





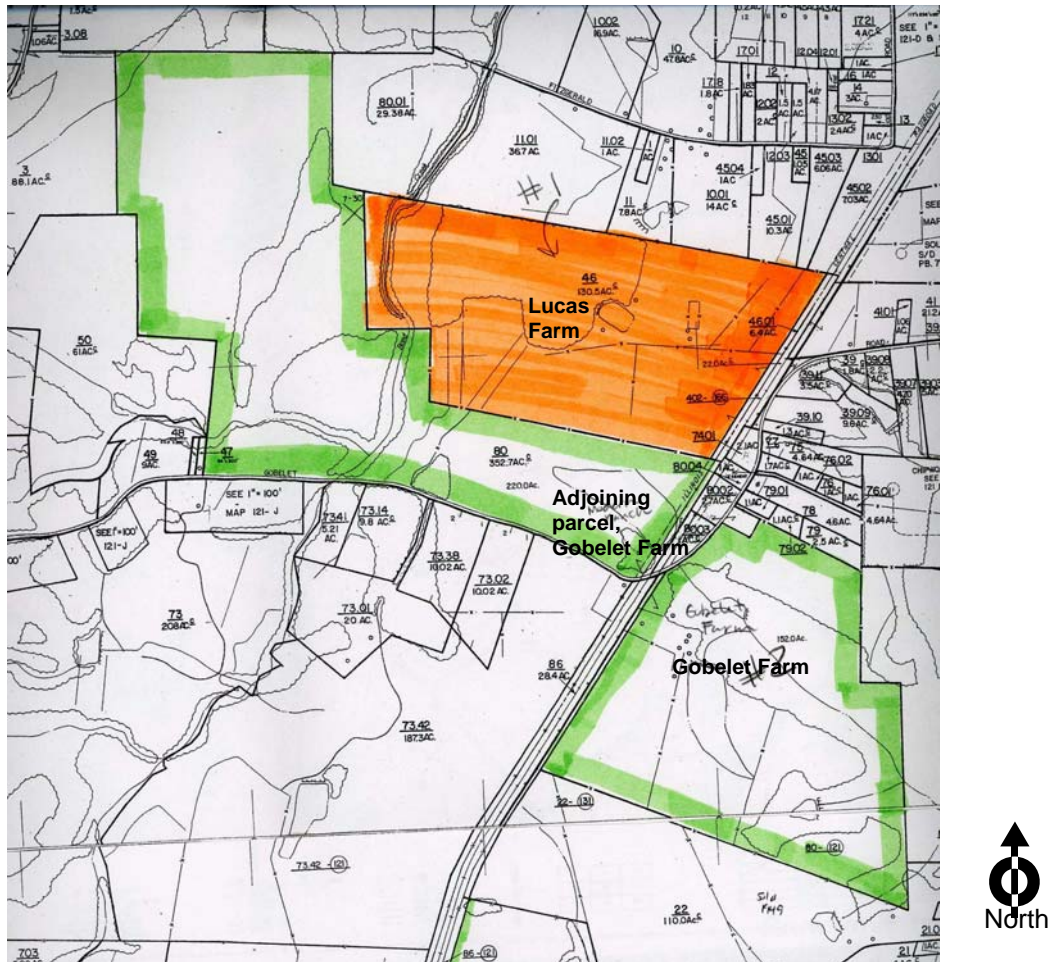


Figure 4: Location Map: Lucas and Gobelet Farms, east of State Route 18 along the abandoned Central Railroad line

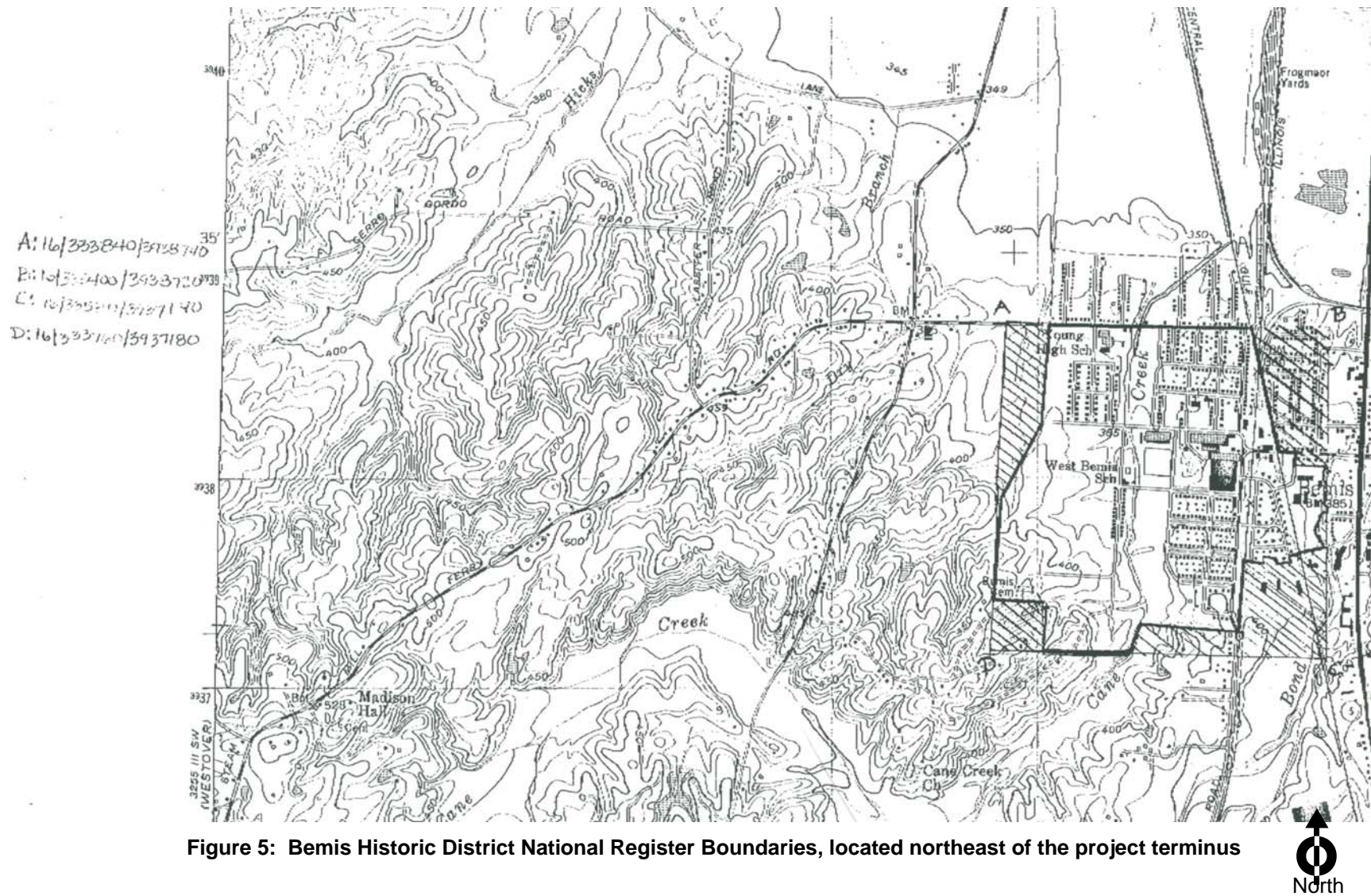
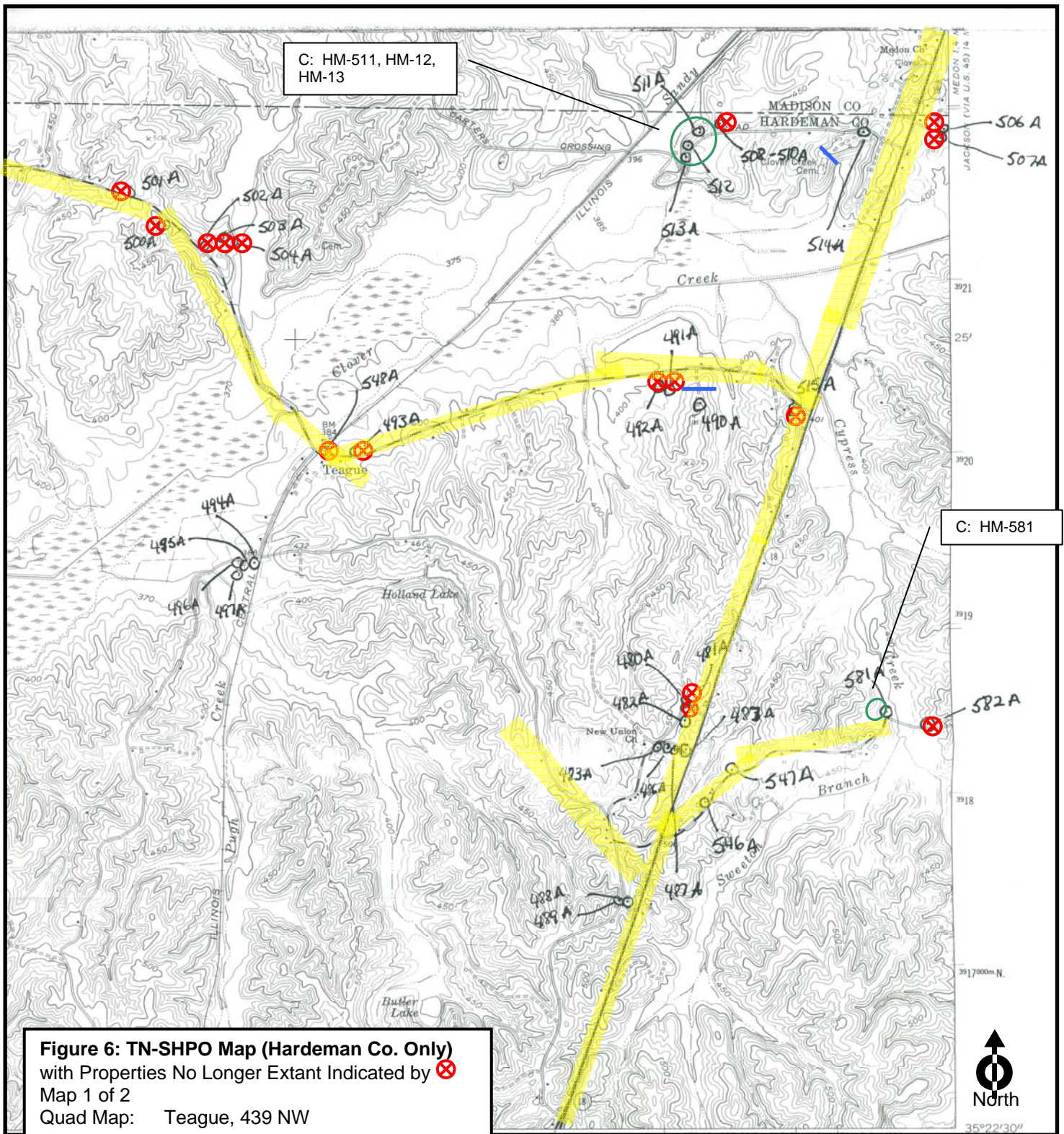


Figure 5: Bemis Historic District National Register Boundaries, located northeast of the project terminus



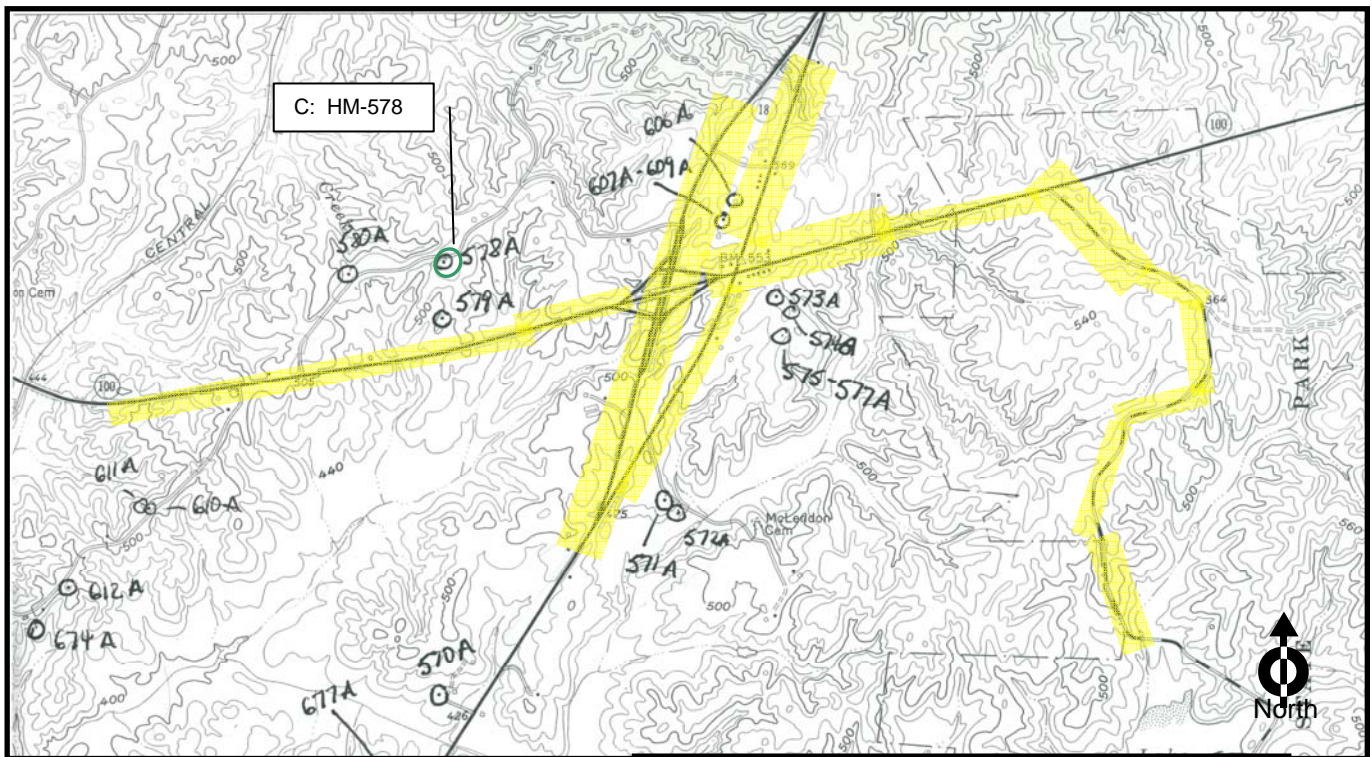





Figure 6: TN-SHPO Map (Hardeman Co. Only)
with Properties No Longer Extant Indicated by 



Map 2 of 2




Quad Map: Bolivar East, 439 SW








Area Driven by
TDOT Historians

TABLE:	Properties that Did Not Require Additional NR Evaluation	
PROPERTY	DESCRIPTION	PHOTOGRAPHS
HM-480	No longer extant	
HM-481	No longer extant	
HM-490-493	No longer extant	
HM-500-504	No longer extant	
HM-506-510	No longer extant	
HM-511	This circa 1950s gable-front frame house is covered in asphalt paper siding. The house has a recessed porch. The front door is centrally located on the façade on the porch. A pair of one-over-one double hung sash windows is located on the non-recessed section of the façade. An interior chimney pierces the roof covered in asphalt shingles.	
HM-512	This side gable tenant house is abandoned and in ruins. The central hall plan house has a central chimney with a standing seam metal roof. The house has been abandoned for some time with trees and brush growing up through the façade. The windows, doors, and sections of the weatherboarding are missing.	

HM-513	This side gable structure appears to be a tenant house that was later altered for use as a small barn or storage shed. The house is under a side gable standing seam metal roof. A three-quarters length shed-roofed porch is on the façade. However the porch supports and large sections of the façade and side elevations have been removed to make it open for use as a farm outbuilding.	
HM-515a	No longer extant	
HM-548	No longer extant	
HM-578a	This circa 1910s house has a pyramidal hipped roof with a shed roofed porch. The frame house has a shed-roofed porch and a shed extension on the rear elevation. The façade is composed of a central door flanked by one-over-one windows. The house appears to have been vacant for some time.	
HM-579	No longer extant	
HM-580a	No longer extant	

<p>HM-581A</p>	<p>The structure likely served as a tenant house. The hall-and-parlor house is covered in asphalt paper siding and is under a standing seam metal roof. The façade is composed of a shed roofed porch with a central multi-light door flanked by one-over-one windows. A shed addition extends from the rear elevation. The house is currently in poor condition and has apparently been abandoned for some time.</p>	
<p>MD-A Pine Ridge Club</p>	<p>This rectangular concrete block structure is the New Pine Hills Club. The entire length of the façade is pierced by a small window covered with metal bars flanked by two doors, which are dented with bullet holes. A mural is painted on the façade that reads Pine Hills Club surrounded by pine trees and rolling hills. A long awning extends from the doors. The side elevations have no fenestration. The bar was used as a location to film the 1973 film, <i>Walking Tall</i>.</p>	
<p>MD-B</p>	<p>This house on Collins Road is in the gable front and wing plan, common in rural area throughout the late nineteenth and early twentieth century. The frame house has its original siding, is under a standing seam metal roof, and has two central chimneys. A hipped-roofed porch begins at the gable and wing junction and extends across nearly the full length of the wing. The front-facing gable contains two large four-over-four double hung sash windows and patterned shingles in the gable field.</p>	

<p>MD-C</p>	<p>This Cumberland plan house is frame under a side gable standing seam metal roof. A slightly hipped-roof porch extends across the entire length of the façade. Flanking the doors on the façade are one-over-one double hung sash windows. Smaller four-over-four windows are located in a shed extension on the rear elevation.</p>	
<p>MD-D</p> <p>McDaniel Cemetery</p>	<p>The McDaniel Cemetery is associated with MD-683, the David Lacy House, surveyed in the 1998 architectural report. A few of the markers date to the mid-nineteenth century but most of them date from the early to mid-twentieth century. The markers are of a high-quality for a rural family cemetery but do not have distinctive design features that would make them eligible for the National Register.</p>	
<p>MD-E</p> <p>St. Pauls Missionary Baptist Church Cemetery</p>	<p>This African-American cemetery is located on west side of Medon-Malesus Road. The cemetery has a few markers that date from the early twentieth century but primarily consists of markers dating from the 1950s-80s. The church associated with the cemetery was built ca. 1970. The markers appear of typical type and design for this period</p>	

<p>MD-F</p> <p>Ebenezer Cemetery</p>	<p>According to a series of marble plaques on the entry posts, in 1867 members of the church purchased the 3.5 acres site for a church and community cemetery. In 1869 Ebenezer Methodist Church was built on the site of the cemetery and in 1894 the church building was taken down and re-built at the church's present location in Malesus. Most of the markers appear to date from the late nineteenth century to the first half of the twentieth century. The markers appear of typical type and design for this period.</p>	
<p>MD-G</p> <p>State Route 5 Gas Station</p>	<p>The ca. 1950s Bob Parker Service Station at State Route 5 has a stripped moderne style. The complex appears to have evolved over time to meet the changing needs of the business. A two-story garage with simple multi-light garage doors and end buttresses is connected to another rectangular structure with a recent second story side-gabled addition (this section appears to have formerly had a flat roof). The original lower section has a long window with Boxwood Café painted on it. Gas pumps sit in front of the complex.</p>	

INVENTORIED PROPERTY #1: Stewart-Tims House

Location/Address: 310 Stewart Way (Madison County)

Property Owner: George and Annie Lou Tims



Figure 7: View of the Stewart-Tims House

The Tims farm is located in a rural area in the Teague community. A long gravel driveway leads to the house, a one-and-a-half story, hall-and-parlor structure with a series of rear additions. Along the driveway is a trailer and a large new equipment shed. South of the house is a metal barn and behind the house is a new small shed and an above ground pool.

According to Ms. Annie Lou Tims, her family bought the property her house sits on during the Civil War. Her grandmother and grandfather John and Emma Lou Stewart built the first part of the existing house and a barn around 1900. They eventually cut timber from the property and added a kitchen on to the original structure. The Stewarts owned over three hundred acres and grew cotton, sorghum, and corn.⁴ The house has grown and evolved to its current form today, a side-gable house with a series of rear additions. No outbuildings date to the historic period of the farm.

The hall-and-parlor house has an ell addition with a newer side addition. The original part of the house possibly sits on a pier foundation and the later additions on concrete block, but the foundation is not visible because it is covered with metal skirting. The house is covered in synthetic siding and is under a standing seam metal roof. The

⁴Interview with Ms. Annie Lou Tims, 24 January 2005.

windows on the main part of the house and the ell extension are all new replacement two-over-two double hung sash. The rear ell has been altered significantly with enclosed porches on both sides.

The façade (east elevation) has a full-length shed-roofed porch supported by replacement wood posts with a lattice rail. Under the porch is a central door flanked by single windows with shutters. The south elevation has the painted brick chimney flanked by two windows on the lower story and two smaller windows in the half story. In the ell on the south elevation is a door flanked by two large screened panels. The north elevation has identical windows in the lower and half-story. In the shed-roofed extension from the ell is a glass and wood door and a series of three windows with covered metal bars. The rear elevation (west) is the end of the ell addition and is composed of a glass and wood door and two windows.

The Stewart-Tims House has no known historical significance under Criterion A or Criterion B that would render the property eligible for the National Register. Under Criterion C, the Stewart-Tims House is a common example of a nineteenth century hall-and-parlor house with subsequent additions and alterations including the addition of synthetic siding, alterations to the porches, replacement windows, and doors. The house has been altered significantly since it was first built and no other period outbuildings remain to demonstrate its agricultural significance. For these reasons, it is the opinion of TDOT that the Stewart-Tims House is not eligible for the National Register of Historic Places.



Figure 8: View of the Stewart-Tims House

INVENTORIED PROPERTY # 2: Clover Creek Missionary Baptist Church

Location/Address: 2280 State Route 18 (Madison County)



Figure 9:
Left: Three-
quarters view of
the Clover Creek
Missionary
Baptist Church
Below: South
elevation



The Clover Creek Missionary Baptist Church is located south of Medon on the east side of State Route 18 in a rural built-up area. The church is located approximately three-quarters of a mile from the Clover Creek Baptist Church, a predominantly white congregation organized in 1826.

According to a plaque on the façade the Clover Creek Missionary Baptist Church was founded in 1856. The congregation built a church in 1870-1873 under the leadership of William Blackwell, Sr., John and Tank Reid, and Jonicus Gale. The church was rebuilt in 1937 after a fire destroyed the 1870s structure. The congregation extensively remodeled the existing structure around 1970.

The church is a gable-front structure with a side-gabled addition on the rear elevation. On the façade is a vestibule, that appears to have been added during the 1970s renovation, with a roofline slightly lower than the main part of the building. The façade contains central double metal doors, the marble plaque, and a small metal vent in the upper part of the gable. On edge of the roofline of the main part of the church is a steeple with a pyramidal base topped with a wood cross.

The side elevations (north and south) are identical each containing four metal two-over-two double hung sash windows and a wood door at the rear of the elevation with

concrete steps. The side-gabled addition has a door and two metal windows on each elevation.

North of the church is a small outbuilding. The frame structure has a flat roof and is almost entirely covered with weeds and brush.

A small cemetery is associated with the church. Several of the graves are unmarked or marked with temporary markers. One marker dates to 1945 and two date to the 1950s. The rest of the markers are from the 1960-80s.

Due to the nature of the 1970s renovation including replacement siding, windows, doors, and two additions the church does not retain its appearance from when it was rebuilt in 1937. Therefore it is the opinion of TDOT that the church is not eligible for listing in the National Register of Historic Places.

Figure 10:
Right: View of the
cemetery immediately
south of the church
Below: Outbuilding north
of the church



INVENTORIED PROPERTY #3: Clover Creek Baptist Church and Cemetery

Location/Address: 2112 State Route 18 (Madison County)



Figure 11:
Southern
three-
quarters view
of the Clover
Creek Baptist
Church
(above) and
Northern
three-
quarters view
(below)



The Clover Creek Baptist Church is located south of Medon on the east side of State Route 18 in a rural built-up area. The Clover Creek Baptist Church is affiliated with the Madison-Chester Association of Baptists, the Tennessee Baptist Convention, and the Southern Baptist Convention. According to the plaque on the façade, Clover Creek Baptist Church organized in 1826 making it one of the earliest congregations in Madison County. The first Clover Creek Baptist Church building was located approximately three

miles south of the current church near the Hardeman County Line.⁵ A cemetery remains at the original church location near the Teague community.⁶ According to local accounts the current church was built on the site of a Masonic Hall and the Medon Academy which burned in a large fire in 1914⁷ The Clover Creek congregation built the current church building in 1937. Since that time several prominent additions have been added to the rear and south elevations.

The front gable T-plan masonry church has Gothic Revival influences evidenced in the steeply pitched roof and arched windows. The façade (east elevation) is dominated by a large Gothic window composed of a series of three-over-three double hung sash windows with a large pointed arch window with darkly colored textured glass and tracery. A simple circle vent is above the large window which has been filled in with wood. Simple buttresses are located on either side of the large window. Double metal and glass doors flank the buttresses. The doors do not appear to be original but above them are pointed arch transoms of the same dark textured glass as the large central window. Beside the northernmost door is a marble plaque that reads “Clover Creek Baptist Church Organized 1826.”

The north and south elevations are composed of a series of four Gothic arched windows and the T-extensions. Brick headers serve as sills and window surrounds. Above the second window on each north and south elevation is a small gable front dormer with a small vent. The T-extension on the north elevation has a series of original one-over-one windows and circular vent in the upper part of the gable.



On the south elevation a gable-front addition (ca. 1960) extends from the T-extension. The addition has a central door covered by a gabled awning supported by decorative metal posts. A series of three one-over-one double hung sash is on the east

Figure 12: Southern elevation and addition of the Clover Creek Baptist Church

⁵Kay Jared, Ann Beacham, Mary Louse Arnold. “A guided Tour to Commemorate Medon’s Heritages as a part for the Tennessee Homecoming ’86 Celebration” Available from: <http://members.tripod.com/~dougk/medon/medon2.html> [accessed 12 May 2007]. pg. 16

⁶At the time of the field survey the cemetery was not assessable.

⁷Lena Lacy Murdock,” Early Days in Medon” Papers read by Mrs. Bardwell (Lena Lacy) Murdock before Madison County Historical Society, June, 1945

elevation of the addition. On the south elevation of the addition is a central door flanked by two one-over-one double hung sash windows. A large gabled awning and raised porch extends over the door and to the rear to a rectangular concrete block building (ca. 1980)

A parking lot surrounds all sides of the church building. North of the church is a cemetery separated from State Route 18 by a concrete retaining wall. Most of the markers date to the mid-to late twentieth century and are typical type and quality of the period.

Alterations include replacement doors and the two prominent additions. Members built Clover Creek Baptist Church as a simplified version of the Gothic Revival style. However, it is the opinion of TDOT that it the original church including the later additions lack the architectural significance necessary for listing on the National Register under Criterion C. There is no known historical significance that would make the church eligible for listing under Criterion A or B. Therefore it is the opinion of TDOT that the Clover Creek Baptist Church is not eligible for listing on the National Register of Historic Places.

Figure 13: Facing north on State Route 18 toward the Clover Creek Baptist Church and cemetery



INVENTORIED PROPERTY #4: Medon CME Church

Location/Address: 4908 Riverside Drive (Madison County)



Figure 14:
Above: Three-
quarters view of
the Medon CME
Church

Below: View of the
north elevation

The Medon CME Church sits on the north side of Riverside Drive north of the community of Medon. Adjacent to the church is a small cemetery and a building that could have possibly been used as a school. The church is located in a rural built-up area.

In 1870, members of the Capers Church in Nashville and about forty members of the Methodist Episcopal Church, South created an independent denomination that they felt

Figure 15:
Rear
elevation of
the Medon
CME Church



better represented issues relevant to the black community, the Christian Methodist Episcopal Church (CME). The denomination was more conservative than earlier African-American Methodist organizations, and white members encouraged their black congregants to join the CME. The CME remained unofficially tied to the Methodist Episcopal Church, South for many years; this break gave black members an autonomous denomination and freed white denominations from any financial duty for African-American denominations.⁸

According to a marble plaque on the church's façade, the Medon C.M.E. church was founded around 1870, rebuilt in 1937, and remodeled in 1975, dedicated November 30, 1975. The gable-front structure sits nearly entirely on a concrete block foundation, is covered with wide aluminum siding, and is under a roof covered by asphalt singles. The church building has a small gable front vestibule with double doors with a small single square window in each. The vestibule has a lower roofline than the main part of the structure. Atop the vestibule gable roof is a small pyramidal steeple topped with a wooden cross. Right of the doors is the marble plaque. The plaque states the church name and dates listed above, and Trustees: Wm. T. Kelly, Chairman, Eddie Mays, Jonnie McFadden, Alberta Kelly, Secretary, Cleaster Newsom, Darlene Kelly, John M. Exum-Presiding Bishop, DeWitt T. Alcorn-Presiding Elder, Clifford Martin, -Pastor, and Contractors Charles and Jimmy Moore. On each of the side elevations of the vestibule is a one-over-one aluminum window.

⁸ Center for Historic Preservation, *Powerful Artifacts: A Guide to Surveying and Documenting Rural African-American Churches in the South* (Murfreesboro: Center for Historic Preservation, 2000), 11

The side elevations (north and south) of the main part of the church are identical, with each made up of four aluminum windows. A series of additions is attached rear elevation of the main section. The first is a side-gabled structure with a door on each elevation, and a shed roofed extension of the original addition. Concrete steps lead to the doors of the addition. The shed-roofed addition is the only part of the structure that is on a pier foundation. The rear elevation is composed entirely of the long shed-roofed addition pierced by a door and a single aluminum one-over-one window.

The cemetery is made up of markers dating from the 1960s-present. Several of the markers appear to be temporary.

North of the church and cemetery is a large gable-front structure that likely served as a school. Composed of concrete block, the only fenestration on the facade is a central door and a square vent in the gable field. The gable field is covered in red asphalt shingles. A series of three windows is located on each of the side elevations but they are currently filled in. The windows have concrete sashes. A vent pipe extends from the building on the east elevation.

The Medon CME church represents a long-standing African-American congregation dating from soon after the denomination formed in nearby Jackson in 1870. All materials visible on the church appear to date from the 1975 reconstruction, including the siding, doors, window, foundation, and additions. For this reason it is the opinion of TDOT that the church is not eligible for listing on the National Register of Historic Places.



Left: View of the possible school building

Right: small cemetery on the Medon CME property Seymour School

INVENTORIED PROPERTY # 5: Flanagan House

Location/Address: 805 Medon-Malesus Road (Madison County)

Property Owner: Jerry Flanagan



Figure 17: View of the Flanagan House

The house at 805 Medon-Malesus Road is located in a rural built-up area southwest of the community of Medon. The circa 1913 house has two small outbuildings associated with it and is located on 208 acres of land. The house and land are owned by Jerry Flanagan. According to current owner, the farm was originally obtained through a Revolutionary War land grant by the Tyson Family. Eventually his mother's parents Walter D. Ruffin and Mary Ethelyn Hayes-Ruffin obtained the property. The Ruffins built the farm house in 1913. It is thought that an architect from Bemis provided the plans for the house. Walter D. Ruffin worked at the Bemis plant just south of Jackson. The Ruffins raised cattle, hogs, horses, and over the years grew cotton, soybeans, corn, hay, and timber. The family operated a dairy from 1913 until around the 1940-50s. According to Mr. Flanagan during this period there was a dairy barn, tenant house, smokehouse, wood shed, chicken houses, garages, and an outhouse on the property. There is also an unmarked cemetery on the property, destroyed in the 1930s, thought to date from the Tyson family.⁹

⁹Interview with Mr. Jerry Flanagan, 24 January 2005.

This 1913 Folk Victorian rectangular plan house has a pyramidal hipped roof with a hipped dormer. A shed-roofed porch with a side carport surrounds the full length of the façade and north elevation. The porch has replacement posts of ca. 1960 wrought iron. The roof is covered with asphalt shingles and has a central chimney and a small exterior chimney on the south elevation. The windows are one-over-one replacement double hung sash. The rear elevation is composed of an enclosed porch.

Under the full-length shed-roofed porch the façade is composed of a central door with sidelights and transom flanked by single one-over-one double hung sash windows. A hipped dormer with two single light windows extends from the pyramidal roof. The door, windows, and dormer windows have non-historic shutters.

The south elevation contains a single double hung windows and a paired double hung window separated by the small masonry chimney. The north elevation contains a pair window with a small bathroom addition with a window.

According to Mr. Flanagan, half the rear porch was used for dairy storage and the right half was used as an open porch. His mother, Nanetta Ruth Ruffin-Flanagan enclosed the porch around 1970. The rear elevation is currently a series of windows with two glass-and-wood doors.

The ca. 1920 pump house contains what remains of a Delco system, an early form of electricity that used a generator to pump water and created electric power in the 1920s. A tank pumped water into the porch and a pedestal and gravity fed it though the house. The ca. 1920 garage is made of concrete block with a shed roof and a single wood garage door.

The Flanagan House has no known historical significance under Criterion A or Criterion B that would render the property eligible for the National Register. Under Criterion C, the Flanagan House is a common example of an early twentieth century house with a pyramidal roof with the addition of synthetic siding, alterations to the porch, and replacement windows, and doors.



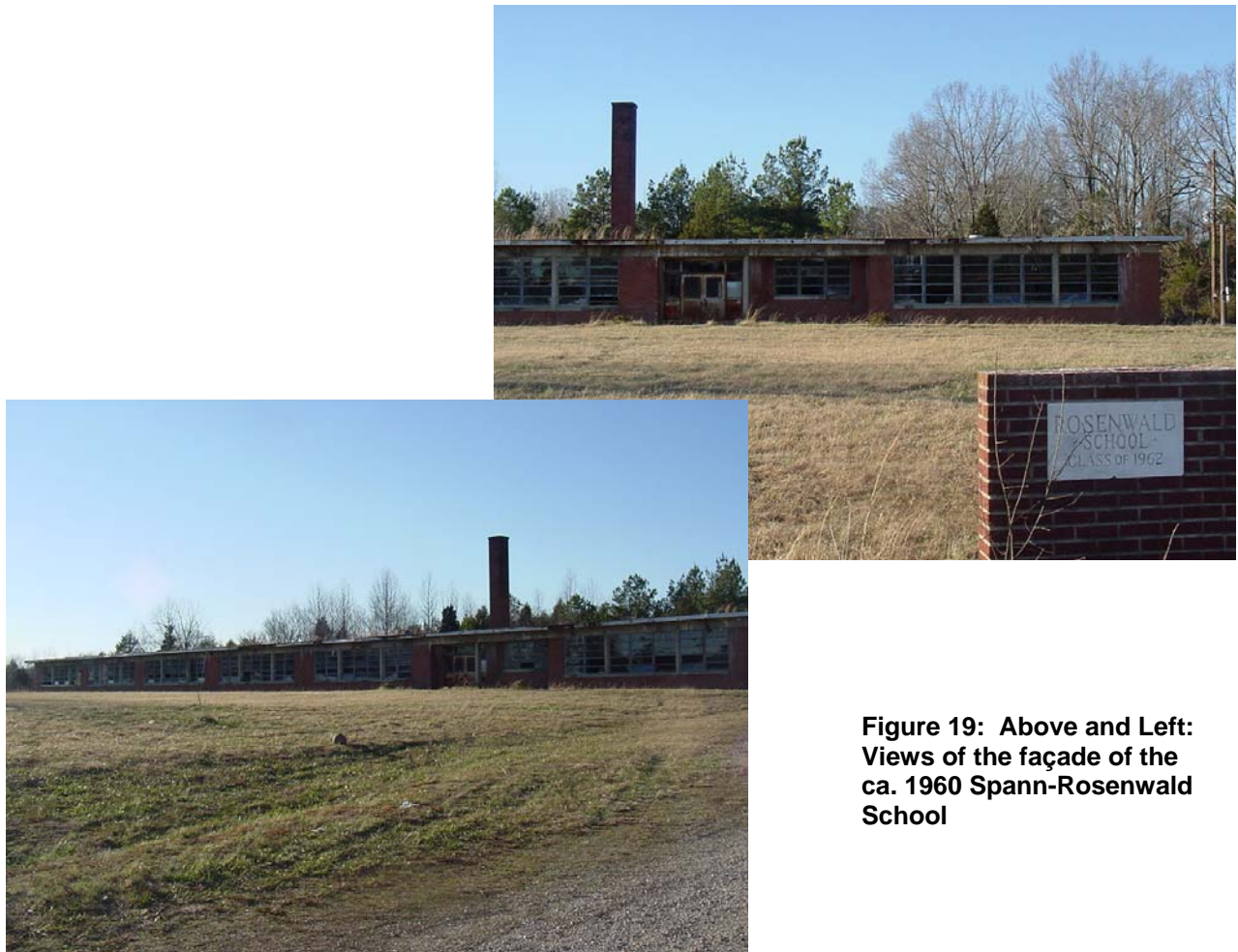
Figure 18 Detail of the dormer on the Flanagan House

Although evidence of an interesting step in rural electrification, the Delco electric system remains a remnant of the Flanagan Farm. The house has been altered significantly since it was first built in 1913 and no other period outbuildings remain to demonstrate its agricultural significance. For these reasons, it is the opinion of TDOT that the Flanagan Farm is not eligible for the National Register of Historic Places.

INVENTORIED PROPERTY # 6 Spann-Rosenwald School

Location/Address: Medon-Malesus Road (Madison County)

Property Owner: Frances Fischer



**Figure 19: Above and Left:
Views of the façade of the
ca. 1960 Spann-Rosenwald
School**

The ca. 1960 structure named Spann-Rosenwald School, located on the site of an earlier Rosenwald School, in a rural built-up area on the west side of Medon-Malesus Rd. The school is named for the Spann family who donated the land to construct the original frame school house, and Julius Rosenwald who funded millions of dollars to African-American schools throughout the county through the Julius Rosenwald Fund.

During the reform-minded Progressive Era of the early decades of the twentieth century, northern philanthropic organizations such as the Julius Rosenwald Fund or the Anna Jeanes Fund supported many Southern rural African-American schools when local school systems would not. These funds often required a community match as well as a state match. In Tennessee, the Rosenwald Fund provided \$214,700 from 1914 to 1917 to many rural communities to build schools for African-American children. Contingent on matching funds, the black communities raised \$242,298, the state contributed



Figure 20: 1939 photo of the Spann-Rosenwald School

\$890,520, and white Tennesseans donated \$21,977.¹⁰ By 1932, when the building program was completed, Madison County had six Rosenwald funded schools.¹¹ In the 1939, the Spann-Rosenwald school had three classrooms, two teachers, and an average daily attendance of 46 students.¹²

By the 1950s, the Rosenwald schools were aging and conditions in many of the small rural African-American schools were substandard. With the fear of oncoming integration, rural school boards begrudgingly built a few larger consolidated schools for black children, like the Spann-Rosenwald School, so that their dual systems would not seem

so flagrantly unequal. When Brown vs. Board of Education became law in 1956, white Madison County leaders refused to integrate their school systems. The refusal of Madison County to integrate led to lawsuits and protests from the African-American community and Civil Rights leaders. When forced by court order to desegregate in 1964, Madison County slowly began to consolidate its white and black elementary schools leaving vacant schools countywide. It is likely the Spann-Rosenwald School was abandoned as part of this consolidation period.¹³

Constructed ca.1960, the masonry structure is a multi-room rectangular-plan school housed under a flat roof. The school is a stripped modern style common for public buildings during this period. The structure appears to have its original metal and glass doors and casement windows. From south to north the facade is made up of series of 5 groups of seven, five-light casement windows, a pair of double metal and glass doors with large sidelights and transom in a small recessed section, and a single group of seven casement windows. A large incinerator chimney extends from the rear elevation. Some of the windows are broken or missing.

¹⁰ Cynthia Griss Fleming, "Education, Elementary and Secondary" *Tennessee Encyclopedia of History and Culture*, Ed. Carroll Van West, 281. (Nashville: Rutledge Hill, 1998).

¹¹ Locations of Rosenwald Schools, The Julius Rosenwald Fund Schoolhouse Construction Map, 1932, Available from <<http://www.rosenwaldplans.org/Locations.html>> accessed July 16 2007.

¹² Department of Education Collection, Record Group 273, Series XI: Division of Negro Education Box 96, Folder 22, Reel 77.

¹³ Tajuana Cheshier, "School Diversity Just Got Tougher" Jackson Sun <<http://www.jacksonsun.com/apps/pbcs.dll/article?AID=/20070629/NEWS01/706290311>> accessed July 20 2007.

Located on the site of a school funded by the Julius Rosenwald Fund, the ca. 1960 Spann-Rosenwald School represents the dual system of education that existed in the South before the forced integration that resulted from the Civil Rights movement. However the school has no known historical significance under Criterion A that would render the property eligible for the National Register particularly considering the school was likely not in use for more than 10 years and has no known Civil Rights association. Under Criterion C, the Spann-Rosenwald School is of a common architectural style and has been abandoned for many years and is currently in poor condition. For these reasons, it is the opinion of TDOT that the Rosenwald School is not eligible for the National Register of Historic Places.



Figure 21: View of the front doors of the ca. 1960 Spann-Rosenwald School

INVENTORIED PROPERTY # 7: Malesus Heights

Location/Address: State Route 18 and State Route 5 (Madison County)

Property Owner: Various

Along State Route 18 and State Route 5 (U.S. 45) is a largely linear neighborhood of primarily Minimal Traditional houses, influenced by the Tudor Revival, and Colonial Revival styles, houses dating from the 1940s-50s. These styles were popular during the post World War II period as builders sped to meet the nationwide housing shortage and the GI Bill made home ownership available to returning war veterans and their growing families.

The architectural styles in Malesus Heights are representative of common styles of residential architecture dating from around the 1940s-1950s. Primarily a mix of simple Minimal Traditional styles, the houses in the neighborhood are common representations of middle-class housing during the postwar period. A majority of the homes in Malesus Heights are simple side-gable houses with Tudor or minimal detailing. Many of the houses in Malesus Heights, particularly the earlier ones, have had alterations such as vinyl siding, replacement windows or doors, and additions. Several of the homes in Malesus Heights are infill that do not meet the National Register criteria of being at least fifty years old. For these reasons, it is the opinion of TDOT that Malesus Heights does not have sufficient historical or architectural significance to meet eligibility requirements for the National Register.



Figure 22: Representative houses in Malesus Heights



Figure 23: Representative streetscape views in Malesus Heights

INVENTORIED PROPERTY # 8: Hammond-Watlington House

Location/Address: 2292 Highway 45 South, but house faces Watlington Road

Property Owner: Watlington Brothers Enterprises



Figure 24: Three-quarters view of the Hammond-Watlington House

The Homestead style house on the north side of Watlington Road sits on a hill facing southwest, north of State Route 5 (U.S. 45). The house dates to around 1913. The house is on the property of the Watlington Brothers Enterprises industrial complex. The industrial complex is located immediately to the east of the house and twentieth century residential development is located to the west. When surveyed the house was in good condition but was vacant. The house is a two-story frame structure on a pier foundation under a front-facing gable roof. The house has its original windows and doors, and weatherboard siding. A 1940s single-story front-gabled addition is located on the rear elevation. The addition is covered in board-and-batten siding and has exposed rafters that support a standing seam metal roof. The addition sits on a concrete block foundation.

Homestead style houses are rectangular plan structures typically 1.5 or 2.5 stories under a front-gabled roof. Henry Gowans in *The Comfortable House* describes the style as the Homestead-Temple House with its basic temple form that “must have owed some of its popularity to either conscious or unconscious associations with the vernacular Georgian/Colonial/Classical house developed between 1830 and 1870.”¹⁴ The simple house plans were distributed through the country in plan books and

¹⁴Henry Gowans, *The Comfortable House* (Cambridge: MIT Press, 1989), 94-99.

magazines from the 1880s through the 1920s. There are two basic forms of the Homestead house: the temple or front-facing gable type evolved from farmsteads to narrower suburban versions, and the gable-front and wing or tri-gabled ell that was in use in rural areas from around 1840 through the early twentieth century. This example is a rural example of a Homestead house with suburban and commercial development filling in around it during the second half of the twentieth century.

W.O. Hammond, a farmer, dairyman, and carpenter, built the frame house around 1913 for his daughter Jennie and her husband Ulrich A. Watlington. The Watlingtons farmed and delivered dairy products and produce to Jackson. Ulrich Watlington rebuilt the kitchen around 1940 with the help of neighbors. After World War II, Jennie and Ulrich's sons, Sam and Mack, began Watlington Brothers Enterprises, a contracting company. The house and surrounding 60 acres of farmland were eventually purchased for the business operations including a lumber yard and equipment storage. Various members of the Watlington family lived in the house until 1986. It has been vacant since that time.¹⁵

The façade (south elevation) is dominated by a large projecting bay that extends from the first story into all up the uppermost part of the gable field. In the bay on the lower story is a pair of two-over-two double hung sash windows. In the upper story of the bay is a single two-over-two window. The uppermost part of front-facing gable is filled with a small four-light window and two rows of diamond shaped fancy-butt shingles. The side areas under the shed roofed sections of the porch and large projecting bay are filled with the same diamond shaped shingles.

The west elevation contains a series of three two-over-two double hung sash windows on the first story and two of the same windows on the upper story. On this elevation the rear gabled addition contains a glass and wood door with a replacement aluminum screen door. Flanking the door, is a series of three windows, two are replacement one appears to be an original nine-light window. West of the door is a two-over-two double hung sash window.

The east elevation contains

Figure 25: View of the west elevation of the Hammond-Watlington House



¹⁵Elton A. and Janice T. Watlington, Watlingtons of West Tennessee 1830-1997, October 1997, <<http://watlington.homelinux.org:8000/watlington/online/main.html>> (23 July 2007).

two symmetrically placed four-over-four double hung sash windows. The addition has a small shed roofed porch that leads to an original glass and wood door with an original wood screen door. Directly adjacent to the door to is a large screened window. Also under the porch is a small four-over-four window.



Figure 26: View of the east elevation of the Hammond-Watlington House

The rear (north) elevation contains a single four-over-four double hung sash window in the gable field of the upper story. The board-and-batten addition contains a small masonry chimney. On either side of the chimney is a single four-over-four double hung sash window.



Figure 27: View of the rear elevation of the Hammond-Watlington House

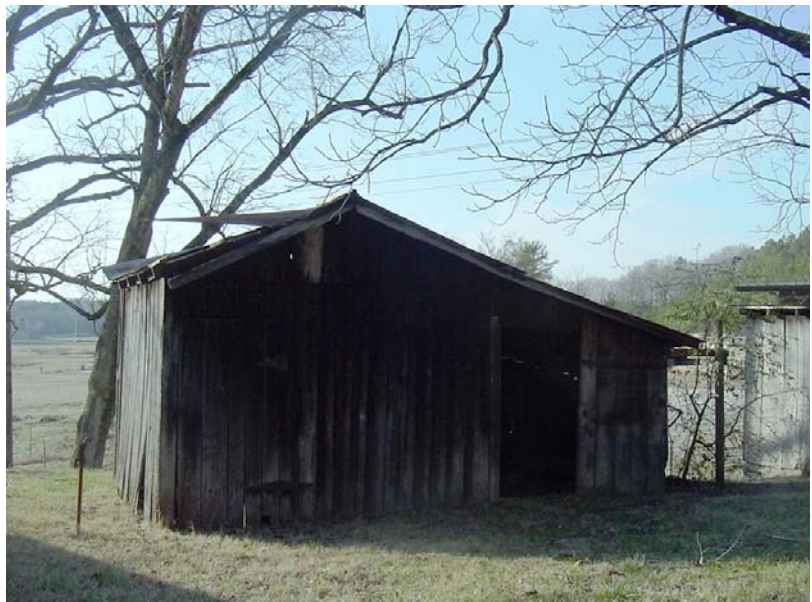
Three small outbuildings surround the house. Immediately behind the house is a small frame gable front building with a shed extension. The structure is covered vertical board siding and is under a standing seam metal roof. Adjacent to this building is a smaller square structure with a flat roof that could have possibly been used as a chicken house. Near the west elevation is another small gable-front building with a shed

extension and vertical board siding and a standing seam metal roof. The door of this building has been removed and is open.

The Watlington House is an interesting rural example of the Homestead style, a uniquely American housing style that evolved from earlier classical styles. Although residential and industrial development have encroached on its formerly rural setting, the house retains a high degree of integrity including its original doors, windows, and clapboard siding and wood detailing. However it is the opinion of TDOT that there is no known architectural or historical significance that would make the property eligible for listing on the National Register of Historic Places.



Figure 28: Views of the three small outbuildings associated with the Hammond-Watlington House



Previously Inventoried Property: Swink House



Figure 29: View of the façade of the Henry H. Swink House

In a 1998 document entitled, *Historical and Architectural Survey Proposed Improvements to State Route 18 from Bolivar to State Route 5 Hardeman and Madison Counties*, Phil Thomason of Thomason and Associates identified the Swink House as eligible for the National Register. Below is an excerpt from that report.

Historic Background: Date of Construction: 1840, remodeled ca. 1890

Other Information: The dwelling and tavern built at this location by Peter J. Swink in 1840 has been recognized as the oldest stage stop in West Tennessee by the Colonial Dames. This was a well known stop on the Stage Road between Bolivar and Jackson. The tavern was operated by Peter Swink and his wife Malinda until the mid-19th century. Historical accounts of Medon state that the tavern use was discontinued after the Civil War due to the increase in rail traffic and cessation of the stage coach. The building continued to be used as a residence by Peter Swink's son, Henry H. Swink. Henry H. Swink was born in 1841 and opened a grocery store in Medon around 1860. During the Civil War, Swink rose to the rank of Captain in the Thirteenth Tennessee infantry. Swink was disabled with a wound in March of 1863 and returned home where he resumed his grocery business. He entered into a partnership with his brother, George Swink, and operated the Swink Brothers store in Medon. Around 1890, Swink extensively remodeled his dwelling into the Queen Anne style. Swink occupied the house until the turn of the century.

The building was later owned by his niece, Mrs. Linnie Swink Harrison and her husband Alvin. The house was purchased in the 1940s by Frank Upton and it sat vacant for a number of years. Robert and Leola Cummings purchased the house in the early 1990s and are in the final stages of rehabilitation.

Architectural Summary:

The Henry H. Swink house was remodeled ca. 1980 into its present Queen Anne design. The dwelling has a brick foundation, gable roof of asphalt shingles, exterior of weatherboard siding, and interior brick chimneys. On the main (E) façade is an original wraparound porch with a corner gazebo. The porch has original milled columns, a sawtooth valence, a spindled frieze, and star design milled panels. The main entrance has an original glass and wood paneled door with border glass and a two-light sidelight and rectangular stained glass transom. On the projecting bay of the main façade is a tri-part window with a stained glass transom. In the gable field are sawtooth shingles and the fascia board has rosettes. Windows are original floor to ceiling four-over-four wood sash. On the north façade of the dwelling are two entrances: The east bay door is original and has a four-light and two-panel glass and door with a two-light transom; the west bay door is a replacement door added in 1994 of multi-light glass and wood design. Above this door is an original two-light transom. The rear façade has an added garage door in the basement and an original entrance with two-light sidelights and a four-light transom. This

entrance has a replacement multi-light glass and wood door. Rear and side façade windows have pedimented cornices. On the south façade is a bay window with one-over-one wood sash windows.

The interior of the dwelling has ca. 1890 wood floors, Eastlake design mantels, four-panel doors, and two-light transoms. The north bedroom has an original Greek Revival design mantel from its 1840 construction. Eastlake mantels are in the parlor, the south bedroom, and dining room. Floor to ceiling heights have been maintained throughout the house. The original plaster walls and most ceilings have



Figure 30: Plaque on the Swink House placed by the Colonial Dames Society

been replaced with sheetrock during the recent remodeling. Some rooms such as the front bedroom have ca. 1890 plank ceilings. The original stairwell to the basement in the rear room was moved several feet but its newel posts and balusters were retained. A fireplace in the basement has a brick flue and chimney. Unhewn logs remain visible under the original two room section.

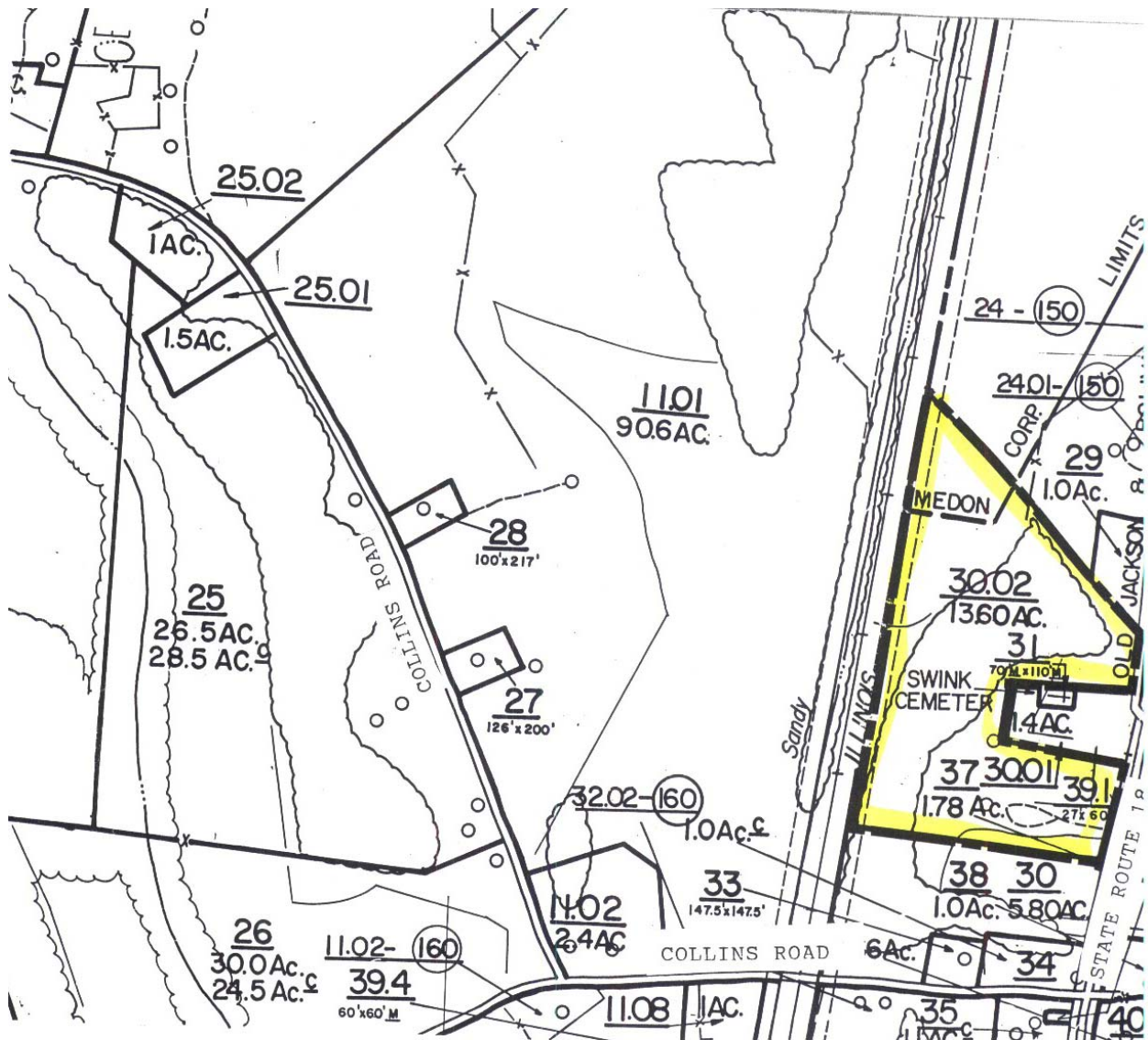
Adjacent to the dwelling is a ca. 1900 frame barn with a central runway and shed roof drive-thru windows. The south wing has collapsed. The building has a gable roof of metal standing seam and weatherboard siding and a brick pier foundation.

National Register Assessment: Although lauded as the oldest stage coach stop in West Tennessee, this property is significant more for its Queen Anne architectural design. The original section was completed in 1840 and appears to consist of no more than two rooms on the north side of the house. Around 1890 the house was enlarged and completely remodeled into its present form. It appears to no longer have any integrity from its 1840- ca. 1860 use as a stage coach stop. Instead, it is the opinion of the Consultant that the dwelling meets National Register criterion C for its architectural design. The dwelling is a notable example of the Queen Anne style and retains original weatherboard siding, milled columns and woodwork at the porch, original windows, and the majority of original doors. The interior floor plan has been somewhat altered but the primary rooms retain their original woodwork and exceptional Eastlake style fireplace mantels. The dwelling is representative of the type of houses built by a small town merchant such as Henry H. Swink at the turn of the century. No other dwelling in Medon was identified as having similar detailing or integrity.



Figure 31: Barn in ruins on the Swink Property

It is the opinion of TDOT that the Henry H. Swink House remains eligible for listing on the National Register and should include the boundaries recommended in 1998, shown in Figure 32.



**Figure 32: Proposed National Register Boundaries Swink House
Madison County Tax Map 151, Parcel: 030.02, 13.60 acres**

Documentation of Effect

Alternatives 1, 3, 5, and 6 utilize Segment A-3 would improve State Route 18 by adding a four-lane divided highway along the edge of pavement of the existing State Route 18. The current roadway will be removed and retuned to grass. The Henry H. Swink House is located along Segment A-3, set back from the road on a large rolling lot. It is the opinion of TDOT that none of the other alternatives (2 or 4) would impact the Swink House because the other segments are located nearly a mile to the west of the historic property.

Pursuant to 36 CFR 800.5, TDOT applied the Criteria of Effect as found in 36 CFR 800.5(a) (2) to the proposed project. It is the opinion of TDOT that the proposed improvements to State Route 18 would have an effect that is not adverse to the Swink House and that there would not be a Section 4(f) use of a historic property.

SECTION 106

36CFR 800.5 (a) Apply Criteria of Adverse Effect

In consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to identified historic properties, the Agency Official shall apply the criteria of adverse effect to historic properties within the area of potential effects. The Agency Official shall consider any views concerning such effects, which have been provided by consulting parties and the public.

(a) (1) Criteria of Adverse Effect

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

(2) Examples of Adverse Effects

Adverse effects on historic properties include, but are not limited to:

- (i) Physical destruction of or damage to all or part of the property;

The National Register eligible Swink House would not be destroyed or damaged.

- (ii) Alteration of a property including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines;

The proposed project would not alter the Swink House.

- (iii) Removal of the property from its historic location

The proposed project would not result in the removal of a National Register eligible property from its historic location.

- (iv) Change of the character of the property's use or physical features within the property's setting that contribute to its historic significance;

The house is significant for Queen Anne style renovations made ca. 1890. The internal setting (within the proposed boundaries) of the Swink House consists of a combination of mature, large evergreen trees near the house and younger deciduous trees scattered around the property. The house is set-back from the road approximately 300 feet. Also the house is on a slightly rolling terrain with the road located at a lower elevation through part of the parcel.

The external setting house is located in a rural built-up area with mid-to-late twentieth century residential and commercial development to the west and south that does not directly contribute to the overall integrity of the house, but it does represent a rural small-town. The proposed improvement project would remove the existing road and add a divided four-lane highway at the edge of pavement of the existing road. The existing road would be removed and returned to grass. The project would improve an existing facility to the west away from the historic property and would introduce a facility that is out of character with the existing external

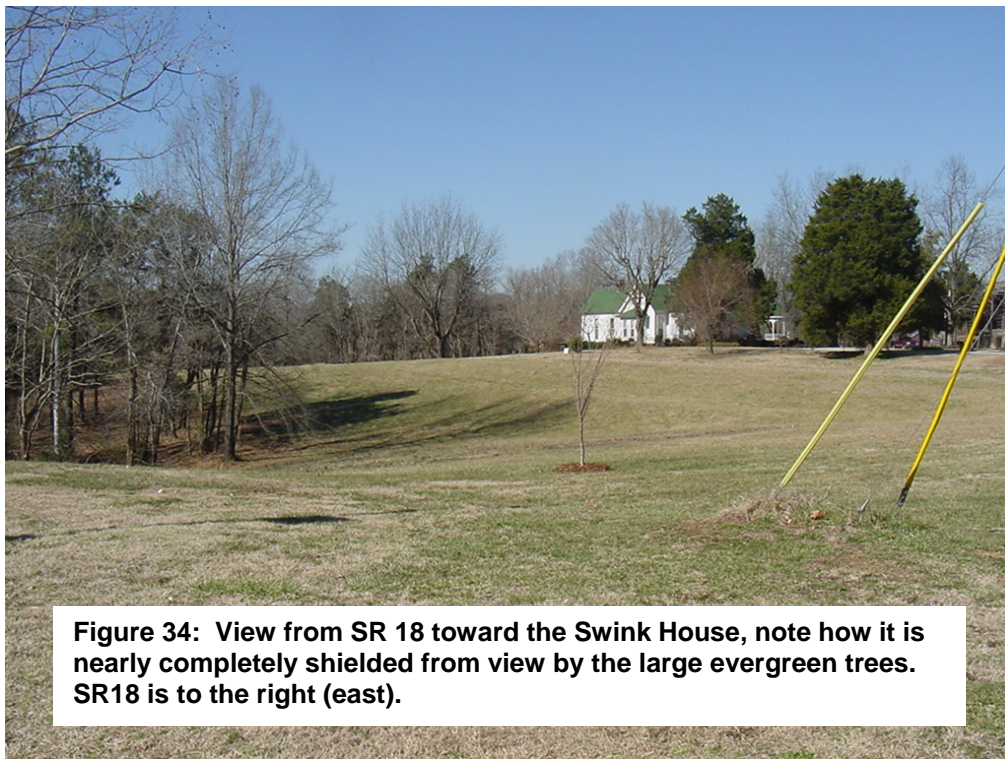


Figure 33: View from the driveway of the Swink House toward State Route 18

settling of the house, which does not reflect the period of significance (ca. 1890) but does reflect a rural community.

The house is shielded from the proposed project by the large set-back, trees, and the slightly rolling terrain of the property. It is proposed to implement a landscaping plan within the current location of the existing road, which will create an additional buffer between the proposed project and the historic property. The landscaping plan would be designed by a landscape design professional and would be submitted to the TN-SHPO for review and comment.

For these reasons, it is the opinion of TDOT that with the proposed landscaping plan, the proposed project would not change the character of the property's use or physical features within the property's setting that contribute to its historic significance.



- (v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;

Currently the existing State Route 18 is located to the east of the Swink House with commercial development to the southeast and residential development to the west. This project will improve the existing road to the west away from the Swink property. The historic property is located approximately 300 feet from the existing roadway. Between the Swink property and State Route 18 is open fields with vegetation, which is composed of large, mature evergreens in front

of the house and sporadic trees located around the fields surrounding the house.

As a result of National Register eligibility, TDOT hired a noise consultant to evaluate the potential noise impacts to the National Register eligible Swink House (a copy of the report is on file with TDOT). In a report dated, March 31, 2008, the consultant reported the information gathered regarding noise impacts for each of the six alternatives. The Swink House is a residence and would be considered a Category B land use under TDOT and FHWA policy. The following table is a break-down of category types.

<i>Activity Category</i>	<i>L_{Aeq}(1h) (dBA)</i>	<i>Description of Activity</i>
A	57 (Exterior)	Land on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67 (Exterior)	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	72 (Exterior)	Developed lands, properties, or activities not included in Categories A or B above.
D	---	Undeveloped lands.
E	52 (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.

According to the consultant, the current noise level at the Swink House is 54 dBA. TDOT defines a noise increase by the following chart.

<i>Increase in Existing Noise Level (dB)</i>	<i>Subjective Descriptor</i>
0 – 5	Minor Increase
6 – 9	Moderate Increase
10 or more	Substantial Increase

The noise consultant conducted a study based on the preliminary location of all six build alternatives that will be evaluated in the NEPA document. Noise modeling based on FHWA Traffic Noise Model (TNM 2.5) for each of the six build alternatives was used to determine the design year of 2031 noise levels at the historic Swink House. For Build Alternatives 1, 3, 5, and 6 is 55 dBA. For widening on the existing State Route 18, the noise level will increase by 1 dBA because of the alignment shift to the east. The predicted noise levels for Alternatives 2 and 4 is 47 dBA, a decrease in 7 dBA's from the current noise level. The following map indicates the noise levels for each of the six build alternatives.



Figure 34: Aerial from noise consultant report showing predicted dBA for build alternatives

For these reasons, it is the opinion of TDOT that the proposed project would not introduce any visual, atmospheric or audible elements to the historic property that would diminish the integrity of the property's significant historic features.

- (vi) Neglect of a property which causes its deterioration, except where such neglect or deterioration are recognized qualities or a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

The historic property would not come under TDOT or FHWA ownership, so this example does not apply to this project.

Therefore, it is the opinion of TDOT that with the proposed landscaping plan the project would have an effect that is not adverse to the Swink House. Overall, the proposed project would not adversely alter or diminish any of the characteristics of the property that originally qualified it for the National Register of Historic Places.

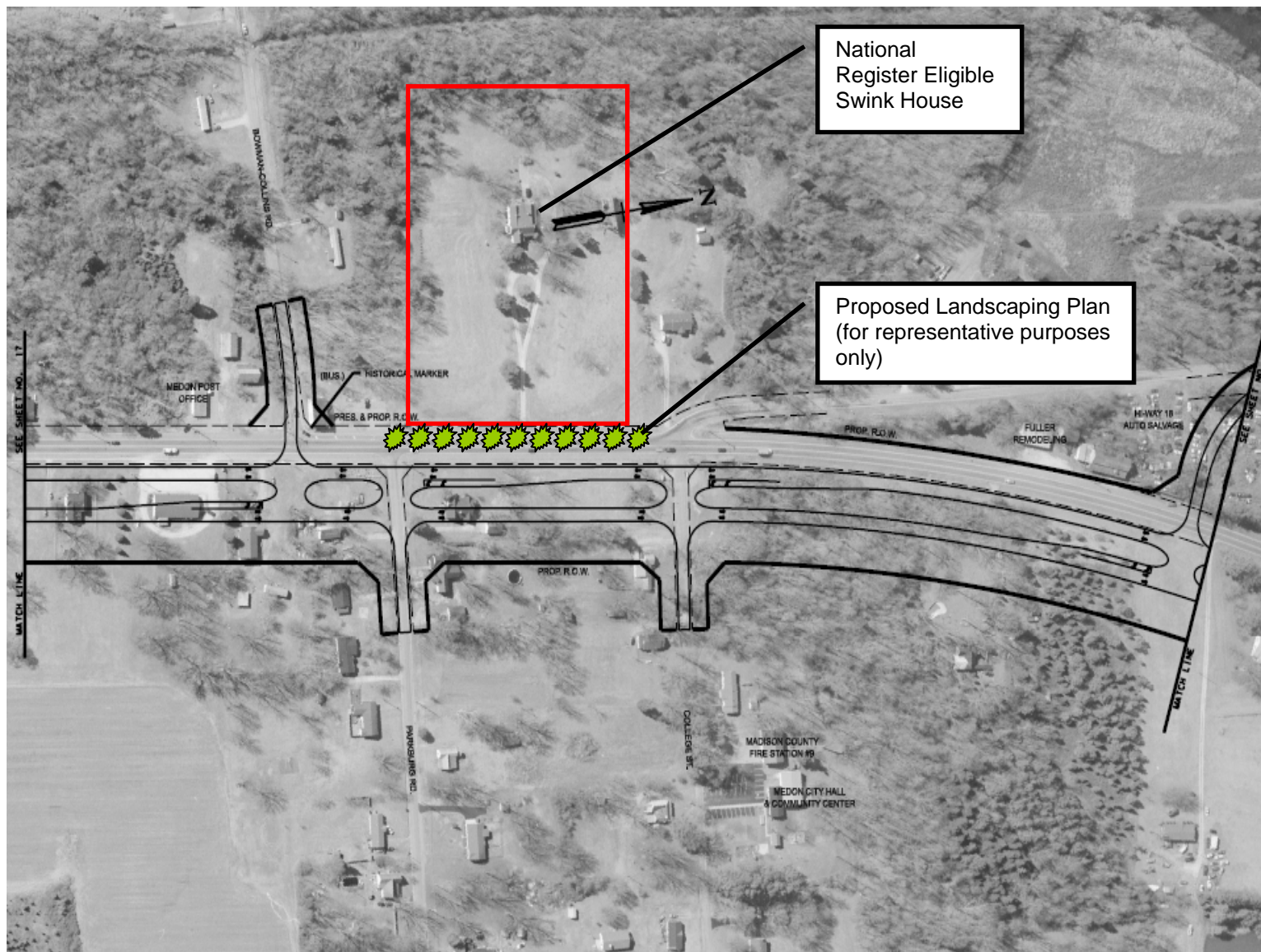


Figure 36: Aerial view of the proposed project in relation to the Swink House with proposed landscaping plan represented

APPLICABILITY OF SECTION 4(f)

The Tennessee Department of Transportation (TDOT), with funding made available through the Federal Highway Administration (FHWA), proposes to improve the State Route 18 from State Route 100 to State Route 5 (U.S. 45) in Jackson. It is the opinion of TDOT that the project would not have an adverse effect to the National Register eligible Swink House. No property will be taken from the proposed National Register boundaries for the proposed project. For these reasons, it is the opinion of TDOT that the proposed project would not have a Section 4(f) "use" of an historic property.

CONCLUSIONS

The Tennessee Department of Transportation with funding made available through the Federal Highway Administration is proposing to make improvements to State Route 18 from State Route 100 from State Route 5 (U.S. 45) in Jackson County, Tennessee.

TDOT historians inventoried several properties in the general area of the project and previously identified one property, the Swink House as eligible for listing in the National Register of Historic Places. It is the opinion of TDOT that this project would not adversely affect the Swink house. TDOT did not identify any additional properties as eligible for listing in the National Register. Therefore, there will be no Section 4(f) use of a historic property.

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SECTION 106 REVIEW, NATIONAL HISTORIC PRESERVATION ACT OF 1966

Section 106 of the *National Historic Preservation Act* requires that Federal agencies consider what effects their actions and/or actions they may assist, permit, or license, may have on historic properties, and that they give *the Advisory Council on Historic Preservation (Council)* a "reasonable opportunity to comment" on such actions. The Council is an independent Federal agency. Its role in the review of actions under Section 106 is to encourage agencies to consider, and where feasible, adopt measures that will preserve historic properties that would otherwise be damaged or destroyed. The Council's regulations, entitled "Protection of Historic Properties" (36 CFR Part 800) govern the Section 106 process. The Council does not have the authority to require agencies to halt or abandon projects that will affect historic properties.

Section 106 applies to properties that have been listed in the *National Register of Historic Places (NRHP)*, properties that have been determined to be eligible for inclusion in the NRHP, and properties that may be eligible but have not yet been evaluated. If a property has not yet been nominated to the NRHP or determined eligible for inclusion, it is the responsibility of the Federal agency involved to ascertain its eligibility.

The Council's regulations are set forth in a process consisting of four basic steps which are as follows:

1. Initiate Section 106 Process: The Federal agency responsible for the action establishes the undertaking, determines whether the undertaking has the potential to affect historic properties (i.e., properties listed in or eligible for listing in the National Register of Historic Places), and identifies the appropriate State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO). At this time, the agency plans to involve the public and identify other consulting parties.
2. Identify Historic Properties: If the agency's undertaking has the potential to affect historic properties, the agency determines the scope of appropriate identification efforts and proceeds to identify historic properties within the area of potential effects. Identification involves assessing the adequacy of existing survey data, inventories, and other information on the area's historic properties. This process may also include conducting further studies as necessary and consulting with the SHPO/THPO, consulting parties, local governments, and other interested parties. If properties are discovered that may be eligible for the National Register, but have not been listed or determined eligible for listing, the agency consults with the SHPO/THPO and, if needed, the Keeper of the National Register to determine the eligibility status of the property.
3. Assess Adverse Effects: The agency, in consultation with the SHPO/THPO, assesses the potential effects to historic properties affected by the undertaking. The agency at this time will determine that the action will have "no adverse effect" or an "adverse effect" on historic properties. Consulting parties and interested members of the public are informed of these findings.

The regulations provide specific criteria for determining whether an action will have an effect, and whether that effect will be adverse. Generally, if the action may alter the characteristics that make a property eligible for the National Register, it is recognized that the undertaking will have an effect. If those alterations may be detrimental to the property's characteristics, including relevant qualities of the property's environment or use, the effects are recognized as "adverse."

4. Resolve Adverse Effects: The agency consults with the SHPO/THPO and others, including consulting parties and members of the public. The Council may choose to participate in consultation, particularly under circumstances where there are substantial impacts to historic properties, when a case presents important questions about interpretation, or if there is the potential for procedural problems. Consultation usually results in a Memorandum of Agreement (MOA).

If agreement cannot be reached, the agency, SHPO/THPO, or Council may terminate consultation. If the SHPO/THPO terminates consultation, the agency and the Council may conclude the MOA without SHPO/THPO involvement. If the SHPO/THPO terminates consultation and the undertaking is on or affecting historic properties on tribal lands, the Council must provide formal comments. The agency must request Council comments if no agreement can be reached.

ELIGIBILITY CRITERIA OF THE NATIONAL REGISTER OF HISTORIC PLACES AS SET FORTH AT 36 CFR 60.4

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- **CRITERION A.** that are associated with events that have made a significant contribution to the broad patterns of our history (history); or
- **CRITERION B.** that are associated with the lives of persons significant in our past (person); or
- **CRITERION C.** that embody the distinctive characteristic of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that components may lack individual distinction (architecture); or
- **CRITERION D.** that have yielded, or may be likely to yield, information important in prehistory or history (archaeology).

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 past 50 years are not considered eligible for the National Register of Historic Places; however, such properties will qualify if they are integral parts of historic districts that do meet the criteria or if they fall within the following categories:

- **EXCEPTION A.** a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- **EXCEPTION 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 historic person or event; or
- **EXCEPTION 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
- **EXCEPTION D.** a cemetery which derives its primary significance from graves or persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- **EXCEPTION 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
- **EXCEPTION F.** a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- **EXCEPTION G.** a property achieving significance within the past 50 years if it is of exceptional importance.

NATIONAL REGISTER OF HISTORIC PLACES

Summary Sheet Prepared by TDOT

What is the National Register of Historic Places? The National Register, maintained by the Keeper of the Register within the National Park Service, Department of Interior, is the nation's official list of districts, buildings, sites, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

What are the benefits and restrictions of listing? In addition to honorific recognition, listing in the National Register results in the following benefits for historic properties:

- Section 106 provides for consideration of National Register listed or eligible properties in planning for Federal, federally licensed, and federally assisted projects;
- Eligibility for certain tax provisions for the certified rehabilitation of income-producing National Register structures such as commercial, industrial, or rental residential buildings;
- Consideration of historic values in the decision to issue a surface mining permit where coal is located in accordance with the Surface Mining Control Act of 1977; and
- Qualification of Federal grants for historic preservation, when funds are available.

Does National Register designation place any additional burdens or obligations on the property owner? Owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose, provided that no Federal moneys are involved.

How is a property nominated to the National Register? The first step is for the owner to contact the Tennessee State Historic Preservation Office (TN-SHPO), Clover Bottom Mansion, 2941 Lebanon Road, Nashville, TN 37243-0442; 615-532-1558. Ordinarily, private individuals (or paid consultants) prepare nomination forms. The TN-SHPO submits these nominations to a State Review Board, which meets three times a year. This body reviews the nominations and votes to recommend or deny National Register listing. If approved, the TN-SHPO submits the nomination to the Keeper of the Register in Washington, D.C. for consideration for listing. The Keeper's Office has 45 days to review the nomination, and its decision regarding National Register listing is final.

How long does the nomination process take? The process varies but typically takes between eight and twelve months.

CRITERIA OF ADVERSE EFFECT

Regulations codified at 36 CFR 800 require Federal agencies to assess their impacts to historic resources. The regulations provide specific criteria for determining whether an action will have an effect, and whether that effect will be adverse. These criteria are given below.

36 CFR 800.5 Assessment of Adverse Effects

(a) *Apply Criteria of Adverse Effect.* In consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to identified historic properties, the Agency Official shall apply the criteria of adverse effect to historic properties within the area of potential effects. The Agency Official shall consider any views concerning such effects which have been provided by consulting parties and the public.

(1) *Criteria of adverse effect.* An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

(2) *Examples of adverse effects.* Adverse effects on historic properties include, but are not limited to:

- (i) Physical destruction of or damage to all or part of the property;
- (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access that is not consistent with the Secretary's Standards for the Treatment of Historic Properties and applicable guidelines;
- (iii) Removal of the property from its historic location;
- (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- (v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;
- (vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and
- (vii) Transfer, lease or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

SECTION 4(f), TDOT SUMMARY SHEET

WHAT IS SECTION 4 (f)? Codified at 49 CFR 303, "Section 4 (f)" refers to a section of the U.S. Department of Transportation Act which gives special consideration to the use of park and recreation lands, wildlife and waterfowl refuges, and historic sites by Federally assisted transportation projects. Section 4 (f) applies only to those projects using funds from the U.S. Department of Transportation. The law states:

(c) The Secretary may approve a transportation program or project (other than any project for a park road or parkway under section 204 of title 23) requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if -

- (1) *there is no prudent or feasible alternative to using that land; and*
- (2) *the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.*

WHAT IS THE SECTION 4 (f) PROCESS FOR HISTORIC PROPERTIES? To be considered "historic," a property must either be listed in the National Register of Historic Places or be determined eligible for such listing by the Keeper of the Register or the State Historic Preservation Officer (SHPO).

On any project, the primary objective is to develop a design that does not have Section 4(f) involvement. If such a design is not possible, then the Section 4 (f) documentation is prepared and circulated. Such documentation is circulated to all appropriate agencies or groups (consistent with the Section 106 process and the National Environmental Policy Act), and as applicable, to the U.S. Department of the Interior, Housing and Urban Development, and Agriculture. It is also circulated to the agency having authority over the Section 4 (f) property. For historic properties, such agencies are the SHPO and the Advisory Council on Historic Preservation (ACHP). After review of any comments received, the final Section 4(f) documentation is sent to the Federal Highway Administration (FHWA) which determines if the requirements of the Section 4(f) statute are met. If the requirements are satisfied, then the FHWA will approve the use of the Section 4 (f) property.

HOW ARE SECTION 4 (f) AND SECTION 106 RELATED? Section 106 is a provision of the National Historic Preservation Act of 1966, which requires all federal agencies to consider the effects of their projects on historic properties and to provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on those effects. The ACHP has promulgated regulations at 36 CFR 800 that describe the procedures that agencies must follow in order to comply with Section 106. Many of the Section 106 documentation requirements overlap the Section 4 (f) documentation requirements for historic properties. For this reason, for projects having a 4(f) use of a historic site, the documentation for Section 106 and Section 4 (f) is usually combined into one document and circulated to the appropriate groups described above. The consent of neither the SHPO nor the ACHP is necessary for FHWA to approve a Section 4 (f) use, but FHWA gives great consideration to comments from these agencies.

APPENDIX E

PUBLIC PARTICIPATION



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING AND PERMITTING DIVISION**
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3653

June 08, 2000

Mr. Toye Heape
Tennessee Commission of Indian Affairs
Seventh Floor, L&C Annex
401 Church Street
Nashville, TN 37243-0459

SUBJECT: State Route 18 from Bolivar to State Route 5 in Jackson, Hardeman and Madison Counties

Dear Mr. Heape:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is proposing to build the above referenced project. The location of the proposed project is shown on the enclosed map.

The 1999 Advisory Council on Historic Preservation regulations stipulate that Indian tribes that attach religious and cultural significance to historic properties that may be affected by an undertaking be invited to participate in the project review process as consulting parties, pursuant to 36 CFR 800. TDOT would like to invite you to participate as a consulting party for the proposed project. This letter is also TDOT's request for comments on the identification of historic properties in the project's area of potential effect that may be of religious and cultural significance to your tribe.

If you choose to participate as a consulting party on the above-referenced project, you will receive copies of cultural resource assessments that identify Native American related resources. You will also be invited to attend project-related meetings with FHWA, TDOT and the Tennessee State Historic Preservation Office (TN-SHPO), if any are held. We respectfully request written responses to project reports and other materials within thirty (30) days of receipt.

If you would like to participate as a consulting party, please respond to me at the above address via letter, telephone or E-mail. To facilitate our planning process, please respond within 30 days of receipt of this letter. If you do not respond, TDOT will not send any reports related to this project unless you specifically request such copies at a later date. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Gerald Kline".

Gerald Kline
Archaeologist Supervisor

Enclosure

cc: Mr. Herbert Harper, TN-SHPO



the
Chickasaw
Nation HEADQUARTERS

Arlington at Mississippi / Box 1548 / Ada, OK 74821-1548 / (580) 436-2603

Bill Anoatubby
Governor

Jefferson Keel
Lieutenant
Governor

August 21, 2000

Gerald Kline
Tennessee Department of Transportation
Suite 900, 505 Deaderick Street
Nashville, TN 37243-0334

Dear Mr. Kline:

This is in response to your letter regarding proposed improvements to State Route 18 from Bolivar to State Route 5 in Jackson, Hardeman and Madison Counties. At this time we are not aware of any culturally sensitive or sacred sites in or near the project site. However, this area is located in our ceded lands and the possibility for uncovering such sites is highly possible. We expect that if there is an inadvertent discovery that all work would cease and we would be notified as soon as possible, according to all applicable federal laws that apply.

Thank you for your sensitivity to these issues. If you have any questions, please contact Mrs. Rena Duncan, director of cultural resources, at (580) 332-8685.

Sincerely,

A handwritten signature in black ink, appearing to read "Jefferson Keel".

Jefferson Keel, Lt. Governor
The Chickasaw Nation





STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
THE ENVIRONMENTAL DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-0334
(615) 741-3655
Fax (615) 741-1098

January 8, 2007

Willie E. Spencer
Hardeman County Mayor
P.O. Box 250
Bollivar, TN 38008

RE: Section 106 Initial Coordination for Proposed Improvements to State Route 18 from
State Route 100 to State Route 5 (U.S. 45), Hardeman & Madison Counties,
Tennessee

Dear Mr. Spencer:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is proposing to improve the above referenced project. Its location is shown on the enclosed map.

The 2001 Advisory Council on Historic Preservation regulations stipulate that TDOT invite local government representatives to participate in the historic review process as a consulting party. TDOT would like to invite you, as the local government official, to participate as a consulting party for the proposed project.

If you choose to participate as a consulting party, you will receive copies of TDOT's environmental reports and will be invited to attend project-related meetings between TDOT and the Tennessee State Historic Preservation Office (TN-SHPO), if any are held. As a consulting party, you should be prepared to attend any such meetings between TDOT and the TN-SHPO and provide a response to TDOT's reports in written form within 30 days upon receipt of the report. TDOT also wishes to seek your comments on the identification and evaluation of historic properties that the proposed project might impact.

If you would like to participate as a consulting party, please write to me at the above address. To facilitate our planning process, please respond within 30 days of receipt of this letter. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Martha Carver".

Martha Carver
Historic Preservation Program Manager

Enclosure



Letter to Public

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

505 DEADERICK STREET
SUITE 900, JAMES K. POLK BUILDING
NASHVILLE, TENNESSEE 37243-0349
615-741-3655

June 5, 2008

SUBJECT: Architectural and Historical Assessment, Proposed Improvements to State Route 18 from State Route 100 to State Route 5 (U.S. 45), Hardeman and Madison Counties, PIN #101599.00

To Whom it May Concern:

The Tennessee Department of Transportation (TDOT) in cooperation with the Federal Highway Administration is proposing to make improvements to State Route 18 from State Route 100 to State Route 5 (U.S 45) in Hardeman and Madison Counties.

Pursuant to regulations set forth in "36 CFR 800: Protection of Historic Properties" cultural resource staff from TDOT surveyed the general project area in an attempt to identify National Register-included or eligible properties which could be impacted by the proposed project. Historians from TDOT inventoried one National Register listed historic district that they believe the proposed project could impact.

The enclosed report discusses TDOT's survey findings. You are receiving this report because TDOT has identified you as a Hardeman or Madison County party or individual with historic preservation interests. The Advisory Council on Historic Preservation Regulations specify that members of the public with interests in an undertaking and its effects on historic properties should be given reasonable opportunity to have an active role in the Section 106 process. As such, TDOT would like to give you the opportunity to participate in that process. If you feel that commenting on such projects is outside the interests of your organization, please notify me and I will remove your name from our list.

If you have any comments on historic issues related to this project, please write me. Federal regulations provide that you have thirty days to respond from the receipt of this letter.

Sincerely,

Holly Barnett, Historic Preservation Specialist

Enclosure

cc: Mr. E. Patrick McIntyre, TN-SHPO