

Photo taken by the Property Appraiser's office c1965; 803 Emma St.; built 1952;
American Legion Post #168 VFW Post #6021; Monroe County Library

Staff Report

2 William Weech American Legion Post 168, The American Legion, Inc. Proposed nomination to the National Register of Historic Places -#803 **Emma Street- Millicent Lunette Weech**

The building located at #803 Emma Street is a two story reinforce concrete and block structure that was built in 1952. The Executive Committee of the William Weech American Legion Post 168 authorized the nomination. The building was built 50 years ago.

The building was first recorded in the 1976 Historic Survey as was classified as non-contributing. In the 1983 Survey was also classified as non-contributing. In the 1998 and 2004 Surveys the building was not included as a contributing resource. The building was already 50 years old in 2002.

According to the city database there are no outstanding building permits for this property. However a Certificate of Appropriateness, #11-01-93, for the Restoration of the building was approved by this Commission on July 13, 2010. The Planning Board approved the necessary variances for the project on November 10, 2010.

William Weech American Legion Post 168, The American Legion, Inc has received the following TIF grant money;

- 2010- \$50,000- Inspection and measurement of structure, analysis of existing conditions, engineering testing and investigations; preparation of plans and specifications for construction related renovation and restoration of the historic structure; and limited preparatory bracing of structure.
- 2011- *\$310,000- Demolition and construction of building shell (including shoring roof and rebuilding of outside walls and eaves).

*This amount of money was granted pending receipt of matching funds 1:1.

Key West has two historic districts listed in the National Register of Historic Places, Key West Historic District (boundaries revised in 1983) and the US Naval Station, which is still under military domain. Twelve structures are individually listed as well as two objects, Japanese Midget Submarine and the Western Union Schooner. The USCG Cutter Ingham is listed as a National Landmark, the highest rank a building, site or object can receive from the Secretary of the Interior.

On October 11, 2011 the Commission postponed the review of the request of the proposed nomination and planned a workshop on site. On that same day Chief Building Official John Woodson notified on a letter to the William Weech American Legion Trust Post 168 of a dangerous

and unsafe condition on the building located on #803 Emma Street. In the letter Mr. Woodson gave the organization until October 24, 2011 to contact the department as to how the dangerous and unsafe situation was to be addressed to protect the public and users of the building. The Building Department did not receive any communication from the organization. On October 26, 2011 Mr. Woodson wrote another letter notifying the organization that a hearing will take place on November 9, 2011 for unsafe and dangerous condition exists in the building pursuant to the City of Key West Code of Ordinances. This report was written before the November 9th hearing.

Correspondence



THE CITY OF KEY WEST
Director of Building

Post Office Box 1409 Key West, FL 33041-1409

October 26, 2011

Trustees William Weech American Legion Post 168
C/o Commander Josephus Chaplis, Sr.
P.O. Box 903
Key West, FL 33040

RE: 803 Emma Street

To Whom It May Concern:

On October 11, 2011, the City of Key West Building Department notified your organization that a dangerous and unsafe condition exists at 803 Emma Street. This October 11, 2011, letter advised your Board of Trustees that it had until October 24, 2011 to contact the City Building Department in person or in writing as to how the dangerous and unsafe situation was to be addressed to protect the public and users of the building. As of the close of business October 25, 2011, no communication of any kind from your organization has been received. Therefore, this letter shall serve as notice to your organization pursuant to Section 14-106 of the City of Key West Code of Ordinance, that a complaint of unsafe and dangerous conditions exist at 803 Emma Street. Please see excerpt of Section 14-106 through Section 14-116 attached.

Also be aware that you are hereby notified that a hearing will be held at the City of Key West Building Department located at 3140 Flagler Avenue, Key West, Florida, beginning at 9:00 a.m. on November 9, 2011. Interested parties have the right to file an answer to the complaint, and should appear in person or otherwise to give testimony for the hearing. If as a result of the hearing the Chief Building Official determines that the building is dangerous, he shall require the building to be repaired so as to render it no longer dangerous, or to vacate and close the building for any and every use.

We sincerely appreciate your courtesy and cooperation in this matter. If you have any questions, concerns or need additional information, please do not hesitate to contact me at 305-809-3958.

Sincerely,

A handwritten signature in cursive script that reads "John P. Woodson".

John P. Woodson
Chief Building Official

cc: Jim Scholl
Shawn Smith
Clayton Lopez

ATTACHMENT (3)



THE CITY OF KEY WEST
Director of Building
Post Office Box 1409 Key West, FL 33041-1409

October 11, 2011

Trustees William Weech American Legion Post 168
C/o Commander Josephus Chaplis, Sr.
P.O. Box 903
Key West, FL 33040

RE: 803 Emma Street

To Whom It May Concern:

It has come to the attention of the City of Key West Building Department that the building located at 803 Emma Street remains in a condition determined by the Chief Building Official in July 2010 to be unsafe and dangerous. The following is our record of the events.

According to our records, a letter dated July 13, 2010 was sent to and received by the Trustees American Legion Post 168 (attached) describing the unsafe condition of 803 Emma Street. Pursuant to Key West City Code of Ordinances Section 14-106 – Issuance of complaint; hearing was scheduled to be held at 9:00 am on August 9, 2010. The Chief Building Official scheduled this hearing because he determined the building met the appropriate standards of Section 14-71 – Conditions rendering dwelling unfit or building dangerous.

Subsequent to this letter being mailed, a meeting was held in July 2010 at Assistant City Manager Mark Finigan's office. Present at that meeting were Trustees of the American Legion Post 168, Mark Finigan, Architect Michael Miller and myself. At that meeting it was decided it was not necessary to hold the August 9th hearing as an agreement was made to employ the services of an architect and an engineer to expedite the repair process.

An architect and an engineer were hired. The existing building conditions were documented in a report titled "*Report and Recommendation – Analysis of Existing Building Conditions*" prepared by Michael Miller, Architect with input from Garland Wilson, P. E. Structural Engineer. Included in that report were the engineer's recommendations as follows:

- (1) It is not economically feasible to repair existing wall (front façade of the building). It must be replaced and stuccoed to look like original.
- (2) If replacement is expected in 1-2 years, this wall appeared stable and not immediate repairs were required but the wall must be monitored for movement.
- (3) If replacement is expected in 2-5 years, the front wall must be braced with steel, (Ugly... may cost what replacing the wall would.). It was suggested the City's permission be obtained to use the parking spaces in front to bring struts into pad footing and block off sidewalk.
- (4) It makes no sense to replace the front wall and not the rest of the building walls. The bracing will be expensive and only justifiable if the wall is worth saving. The engineer's opinion is that it is not.

The City has become aware of the following:

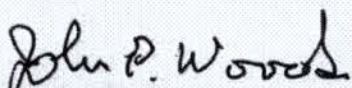
- (1) There is presently no architect or engineer retained by the Legion to monitor the conditions of the front façade and report same to you and the City Building Department.

- (2) You have not demonstrated to the City that there are any plans, drawings, or specifications to stabilize façade at this time or by July 2012, the termination date of the engineer's recommendations as to the stability of the front façade without any remedial actions.

Please advise the City Building Department by October 24, 2011, as to your next steps and a timeline for actions to be addressing these two issues. Your failure to do so will result in actions by the City to protect public safety by implementing Section 14-106 - Issuance of complaint; hearing or Section 14-113 - Emergency Cases, of the City Code of Ordinances.

We sincerely appreciate your courtesy and cooperation in this matter. If you have any questions or concerns, please feel free to contact me at 305-809-3958.

Sincerely,



John P. Woodson
Chief Building Official

ATTACHMENT (1)



THE CITY OF KEY WEST

Director of Building

P.O. Box 1409, Key West, FL 33040

July 13, 2010

Trustees American Legion NBR 168
P.O. Box 903
Key West, Florida 33040

Subject: 803 Emma Street

To Whom It May Concern:

The building located at 803 Emma Street, Key West, Florida has been found to be unsafe. Pursuant to Section 14-106 of the City of Key West Code of Ordinance found below, the façade and other areas that are spalling, are in need of immediate repair.

Sec. 14-106 – Issuance of complaint; hearing

Whenever a petition is filed with the building official by a public authority or whenever it appears to the building official, on his own motion, that any dwelling is unfit for human habitation or any building is dangerous, the building official shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner-occupant of and parties in interest in such dwelling or building a complaint stating the charges in that respect and containing a notice that a hearing will be held before the building official at a place therein fixed within the city, not less than ten days nor more than 30 days after the serving of such complaint. The owner-occupant and parties in interest shall have the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. Any person desiring to do so may attend such hearing and give evidence relevant to the matter being heard. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the building official.

A hearing will be held at the Building Department located at 3140 Flagler Avenue Key West, Florida at 9:00am August 9, 2010. Parties in interest shall have the right to file an answer to the complaint, and appear in person or otherwise and give testimony at the hearing.

We sincerely appreciate your courtesy and cooperation in this matter. If you have any questions or concerns, please feel free to contact me direct at 305-809-3958.

Sincerely,

John P. Woodson

John Woodson
Chief Building Official

Excerpt

City of Key West Code of Ordinance Sec. 14-106 through Sec. 14-116

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Sec. 14-106. - Issuance of complaint; hearing.

Whenever a petition is filed with the building official by a public authority or whenever it appears to the building official, on his own motion, that any dwelling is unfit for human habitation or any building is dangerous, the building official shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner-occupant of and parties in interest in such dwelling or building a complaint stating the charges in that respect and containing a notice that a hearing will be held before the building official at a place therein fixed within the city, not less than ten days nor more than 30 days after the serving of such complaint. The owner-occupant and parties in interest shall have the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. Any person desiring to do so may attend such hearing and give evidence relevant to the matter being heard. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the building official.

(Code 1986, § 31.027(a))

Sec. 14-107. - Order to repair, alter or improve building.

If, after such notice and hearing as provided in section 14-106, the building official determines that the dwelling under consideration is unfit for human habitation or the building under consideration is dangerous, he shall state in writing his findings of fact in support of such determination. The building official shall issue and cause to be served upon the owner-occupant thereof an order requiring the owner-occupant, within the time specified therein, to repair, alter or improve such building so as to render it fit for human habitation or to vacate and close the dwelling as a human habitation, or it shall require the owner-occupant within the specified time therein to repair, alter or improve such building so as to render it safe or to vacate and close the building for any and every use.

(Code 1986, § 31.027(b))

Sec. 14-108. - Noncompliance by owner-occupant of dwelling.

If the owner-occupant of a dwelling fails to comply with the order to repair, alter or improve or to vacate and close the dwelling as provided in this division, the building official may cause such dwelling to be repaired, altered or improved or to be vacated and closed. The building official shall cause to be posted on the main entrance of any dwelling so closed a placard with the following statement:

This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful.

(Code 1986, § 31.027(c))

Sec. 14-109. - Noncompliance by owner-occupant of building.

If the owner-occupant of a building fails to comply with an order to repair, alter or improve or to vacate and close a building as provided in this division, the building official may cause such building to be repaired, altered or improved or to be vacated and closed. The building official shall cause to be posted on the main entrance of any building so closed a placard with the following statement:

This building is dangerous. It is hereby closed and its use is prohibited.

(Code 1986, § 31.027(d))

Sec. 14-110. - Failure to comply with order to remove or demolish.

If the owner-occupant fails to comply with an order to remove or demolish the dwelling or building, the building official may cause such dwelling or building to be removed or demolished. The duties of the building official set forth in sections 14-108, 14-109 and this section shall not be exercised until the city commission shall have ordered the building official to proceed to effectuate the purposes of this article with respect to the particular property which the building official shall have found to be unfit for human habitation or dangerous and which property shall be described in an ordinance or a resolution of the commission.

(Code 1986, § 31.027(e))

Excerpt

City of Key West Code of Ordinance Sec. 14-106 through Sec. 14-116

Page 2 of 3

Sec. 14-111. - Costs.

The amount of the cost of such repair, alteration, or improvement or vacating and closing or removal or demolition by the building official pursuant to this division shall be a lien against the real property upon which such cost was incurred. Such cost shall be placed upon the city's tax books against the property and may be collected and such lien may be foreclosed, in the same manner as taxes and tax liens are collected and foreclosed, or by suit, as the city may determine. If the dwelling or building is removed or demolished by the building official, he shall sell the materials of such dwelling or building and shall credit the proceeds of such sale against the cost of removal or demolition, and any balance remaining shall be deposited in the registry of the county circuit court by the building official, to be secured in such a manner as may be directed by such court and disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

(Code 1986, § 31.027(f))

Sec. 14-112. - Validity of proceedings.

Failure on the part of any owner-occupant or party in interest to receive or have served upon him any complaint, notice or order provided for in this division shall not affect or invalidate the proceedings with respect to any other owner-occupant or party in interest or any other person.

(Code 1986, § 31.027(g))

Sec. 14-113. - Emergency cases.

In emergency cases where it reasonably appears there is immediate danger to the life or safety of any person or to the safety of other property, unless a dwelling unfit for human habitation or a dangerous building is immediately repaired, demolished or vacated, the building official shall cause the immediate repair or demolition of such dwelling or building. The cost of such repair or demolition shall be recovered and collected as is provided in section 14-111 or the building official may revoke the certificate of occupancy and order vacation of the premises until necessary repairs, etc., render the premises fit for use or habitation.

(Code 1986, § 31.028)

Sec. 14-114. - Service and filing of complaints, notices and orders.

- (a) Complaints, notices or orders issued by the building official pursuant to this division shall be served upon persons either personally or by registered mail. If the whereabouts of any person is unknown and the whereabouts cannot be ascertained by the building official in the exercise of reasonable diligence and the building official shall make an affidavit to that effect, the serving of such complaint, notice or order upon such person may be made by publishing the notice once a week for two successive weeks in a newspaper published in the city, service being deemed complete upon the date of the last publication. A copy of any notice, complaint or order served by publication shall be posted in a conspicuous place on the premises affected by the notice, complaint or order on or before the date of the last publication.
- (b) A copy of such complaint or order shall also be filed by the building official in the office of the clerk of the county circuit court as in cases of *lis pendens* notice as provided by law.

(Code 1986, § 31.029)

Sec. 14-115. - Unauthorized removal of complaints, notices or orders.

No person without the written consent of the building official shall remove or permit the removal of any complaint, notice or order posted in accordance with sections 14-108 and 14-109.

(Code 1986, § 31.030)

Excerpt

City of Key West Code of Ordinance Sec. 14-106 through Sec. 14-116

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Sec. 14-116. - Failure to comply with order.

If any order issued and served in accordance with this division is not complied with within the time specified therein, the dwelling or building with respect to which the order has been issued is declared to be a public nuisance. It shall be unlawful for any person having knowledge of the issuance of such order to occupy, as a human habitation, or to use such dwelling or building or any part thereof or to suffer or permit the dwelling or building or any part thereof to be occupied as a human habitation or used therefor.

(Code 1986, § 31.031)

**Ordinance for Nominations
to the National Register of Historic Places**

**Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >>
 Chapter 102 - HISTORIC PRESERVATION >> ARTICLE II. - REGISTRATION >> DIVISION 3. -
 NATIONAL REGISTRATION >>**

DIVISION 3. - NATIONAL REGISTRATION

Sec. 102-91. - Nomination review.

Sec. 102-92. - Public meeting.

Sec. 102-93. - Appeals.

Sec. 102-94. - Alteration prohibited.

Secs. 102-95—102-120. - Reserved.

Sec. 102-91. - Nomination review.

- (a) *Generally.* The historic architectural review commission shall review proposed nominations to the National Register of Historic Places submitted by the state historic preservation officer or other sponsor qualified pursuant to United States Department of the Interior regulations.
- (b) *Historic architectural review commission's review.* The historic architectural review commission will develop or receive the documentation necessary to nominate properties to the National Register of Historic Places. The historic architectural review commission shall evaluate nomination proposals received for completeness in a timely manner. If a nomination proposal is not technically complete, the historic architectural review commission shall notify the proposal's sponsor, identifying the technical deficiencies in writing, within 30 days of receipt of the nomination proposal. If the nomination proposal is technically complete, the historic architectural review commission shall place the item on its agenda for the earliest possible regular meeting after notification procedures are complete.
- (c) *Notification.* In all cases, such notification shall occur at least 30 days but not more than 75 days prior to the historic architectural review commission meeting at which the nomination proposal will be considered. The historic architectural review commission shall notify the following of its intention to consider a nomination proposal:
- (1) Property owners of record, as obtained from official tax records. Where there is more than one owner on the list, each separate owner shall be notified;
 - (2) The mayor of the city and the mayor of the county, who shall have 30 days from receipt of notice within which to submit to the historic architectural review commission a written recommendation supporting or opposing the nomination; and
 - (3) The state historic preservation officer.
- (d) *Outside expertise.* When the historic architectural review commission considers a nomination proposal that will impact properties which are normally evaluated by a professional in a specific discipline, and that discipline is not represented on the historic architectural review commission, the historic architectural review commission shall seek professional expertise in this area before rendering a decision, but failure to obtain such advice shall not invalidate its determination on the proposal.
- (e) *Review criteria.* In reviewing National Register of Historic Places nomination proposals, the historic architectural review commission shall follow the regulations found in 36 CFR 60, and as amended, promulgated by the National Park Service, Department of the Interior under the Historic Preservation Act of 1966, as amended.

(Ord. No. 97-10, § 1(3-10.3(C)(1)), 7-3-1997)

Sec. 102-92. - Public meeting.

- (a) *Generally.* Proposals for nomination to the National Register of Historic Places shall be considered by the historic architectural review commission at a public meeting, and all votes on nomination proposals shall be recorded and made a part of the permanent record of the historic architectural review commission meeting. All nomination proposals shall be forwarded, with a record of official action taken by the historic architectural review commission and the recommendation of the appropriate local official, to the state historic preservation officer within 30 days of the historic architectural review commission meeting at which they were considered.
- (b) *Public input.* Any person supporting or opposing the nomination of a property to the National Register shall be afforded the opportunity to make his views known in writing. Such comments shall be notarized

where they contain factual assertions. All such correspondence regarding a nomination proposal shall become part of the permanent record concerning that proposal and shall be forwarded with approved proposals to the state historic preservation officer. For disapproved nomination proposals, letters of support or comment shall be made a part of the permanent record concerning that proposal, and a list of such letters shall accompany the official copy of the disapproved nomination proposal when it is forwarded to the state historic preservation officer.

- (c) *Availability of nomination proposals for public inspection.* Nomination proposals to be considered by the historic architectural review commission shall be on file at city offices for at least 30 days but not more than 75 days prior to the meeting at which they will be considered. A copy shall be made available by mail when requested by the public and shall be made available at a location of reasonable local public access, such as the library, courthouse, or other public place.

(Ord. No. 97-10, § 1(3-10.3(C)(2)), 7-3-1997)

Sec. 102-93. - Appeals.

Any person may appeal the decision of the historic architectural review commission regarding a proposed nomination made under this division to the state historic preservation officer in writing within 30 days of the historic architectural review commission decision.

(Ord. No. 97-10, § 1(3-10.3(C)(3)), 7-3-1997)

Sec. 102-94. - Alteration prohibited.

No person shall cause alteration of any historic building unless such work has been authorized pursuant to the terms of article IV of this chapter. This prohibition shall apply notwithstanding any other section of the Code of Ordinances, including but not limited to this chapter. At its discretion, the historic architectural review commission may consult with the historic preservation planner regarding findings required pursuant to this chapter.

(Ord. No. 97-10, § 1(3-10.3(D)), 7-3-1997)

Secs. 102-95—102-120. - Reserved.

CODE OF FEDERAL REGULATIONS
TITLE 36 PARKS, FORESTS, AND PUBLIC PROPERTY
CHAPTER INATIONAL PARK SERVICE, DEPARTMENT OF THE
INTERIOR
PART 60 NATIONAL REGISTER OF HISTORIC PLACES



s 60.1 Authorization and expansion of the National Register.

(a) The National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470 et seq., as amended, authorizes the Secretary of the Interior to expand and maintain a National Register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering and culture. The regulations herein set forth the procedural requirements for listing properties on the National Register.

(b) Properties are added to the National Register through the following processes.

- (1) Those Acts of Congress and Executive orders which create historic areas of the National Park System administered by the National Park Service, all or portions of which may be determined to be of historic significance consistent with the intent of Congress;
- (2) Properties declared by the Secretary of the Interior to be of national significance and designated as National Historic Landmarks;
- (3) Nominations prepared under approved State Historic Preservation Programs, submitted by the State Historic Preservation Officer and approved by the NPS;
- (4) Nominations from any person or local government (only if such property is located in a State with no approved State Historic Preservation Program) approved by the NPS and;
- (5) Nominations of Federal properties prepared by Federal agencies, submitted by the Federal Preservation Officer and approved by NPS.

s 60.2 Effects of listing under Federal law.

The National Register is an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment. Listing of private property on the National Register does not prohibit under Federal law or regulation any actions which may otherwise be taken by the property owner with respect to the property.

(a) The National Register was designed to be and is administered as a planning tool. Federal agencies undertaking a project having an effect on a listed or eligible property must provide the Advisory Council on Historic Preservation a reasonable opportunity to comment pursuant to section 106 of the National Historic Preservation Act of 1966, as amended. The Council has adopted procedures concerning, inter alia, their commenting responsibility in 36 CFR Part 800. Having complied with this procedural requirement the Federal agency may adopt any course of action it believes is appropriate. While the Advisory Council comments must be taken into account and integrated into the decisionmaking process, program decisions rest with the

agency implementing the undertaking.

(b) Listing in the National Register also makes property owners eligible to be considered for Federal grants/in aid for historic preservation.

(c) If a property is listed in the National Register, certain provisions of the Tax Reform Act of 1976 as amended by the Revenue Act of 1978 and the Tax Treatment Extension Act of 1980 may apply. These provisions encourage the preservation of depreciable historic structures by allowing favorable tax treatments for rehabilitation, and discourage destruction of historic buildings by eliminating certain otherwise available Federal tax provisions both for demolition of historic structures and for new construction on the site of demolished historic buildings. Owners of historic buildings may benefit from the investment tax credit provisions of the Revenue Act of 1978. The Economic Recovery Tax Act of 1981 generally replaces the rehabilitation tax incentives under these laws beginning January 1, 1982 with a 25% investment tax credit for rehabilitations of historic commercial, industrial and residential buildings. This can be combined with a 15-year cost recovery period for the adjusted basis of the historic building. Historic buildings with certified rehabilitations receive additional tax savings by their exemption from any requirement to reduce the basis of the building by the amount of the credit. The denial of accelerated depreciation for a building built on the site of a demolished historic building is repealed effective January 1, 1982. The Tax Treatment Extension Act of 1980 includes provisions regarding charitable contributions for conservation purposes of partial interests in historically important land areas or structures.

(d) If a property contains surface coal resources and is listed in the National Register, certain provisions of the Surface Mining and Control Act of 1977 require consideration of a property's historic values in the determination on issuance of a surface coal mining permit.

s 60.3 Definitions.

(a) Building. A building is a structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn.

Examples

Molly Brown House (Denver, CO)
Meek Mansion and Carriage House (Hayward, CA)
Huron County Courthouse and Jail (Norwalk, OH)
Fairtosh Plantation (Durham vicinity, NC)

(b) Chief elected local official. Chief elected local official means the mayor, county judge, county executive or otherwise titled chief elected administrative official who is the elected head of the local political jurisdiction in which the property is located.

(c) Determination of eligibility. A determination of eligibility is a decision by the Department of the Interior that a district, site, building, structure or object meets the National Register criteria for evaluation although the property is not formally listed in the National Register. A determination of eligibility does not make the property eligible for such benefits as grants, loans, or tax incentives that have listing on the National Register as a prerequisite.

(d) District. A district is a geographically definable area, urban or rural, possessing a significant

concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

Examples

Georgetown Historic District (Washington, DC)

Martin Luther King Historic District (Atlanta, GA)

DurangoSilverton NarrowGauge Railroad (rightofway between Durango and Silverton, CO)

(e) Federal Preservation Officer. The Federal Preservation Officer is the official designated by the head of each Federal agency responsible for coordinating that agency's activities under the National Historic Preservation Act of 1966, as amended, and Executive Order 11593 including nominating properties under that agency's ownership or control to the National Register.

(f) Keeper of the National Register of Historic Places. The Keeper is the individual who has been delegated the authority by NPS to list properties and determine their eligibility for the National Register. The Keeper may further delegate this authority as he or she deems appropriate.

(g) Multiple Resource Format submission. A Multiple Resource Format submission for nominating properties to the National Register is one which includes all or a defined portion of the cultural resources identified in a specified geographical area.

(h) National Park Service (NPS). The National Park Service is the bureau of the Department of Interior to which the Secretary of Interior has delegated the authority and responsibility for administering the National Register program.

(i) National Register Nomination Form. National Register Nomination Form means (1) National Register Nomination Form NPS 10900, with accompanying continuation sheets (where necessary) Form NPS 10900a, maps and photographs or (2) for Federal nominations, Form No. 10306, with continuation sheets (where necessary) Form No. 10300A, maps and photographs. Such nomination forms must be "adequately documented" and "technically and professionally correct and sufficient." To meet these requirements the forms and accompanying maps and photographs must be completed in accord with requirements and guidance in the NPS publication, "How to Complete National Register Forms" and other NPS technical publications on this subject. Descriptions and statements of significance must be prepared in accord with standards generally accepted by academic historians, architectural historians and archeologists. The nomination form is a legal document and reference for historical, architectural, and archeological data upon which the protections for listed and eligible properties are founded. The nominating authority certifies that the nomination is adequately documented and technically and professionally correct and sufficient upon nomination.

(j) Object. An object is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

Examples

Delta Queen Steamboat (Cincinnati, OH)

Adams Memorial (Rock Creek Cemetery, Washington, DC)
Sumpter Valley Gold Dredge (Sumpter, OR)

(k) Owner or owners. The term owner or owners means those individuals, partnerships, corporations or public agencies holding fee simple title to property. Owner or owners does not include individuals, partnerships, corporations or public agencies holding easements or less than fee interests (including leaseholds) of any nature.

(l) Site. A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing structure.

Examples

Cabin Creek Battlefield (Pensacola vicinity, OK)
Mound Cemetery Mound (Chester vicinity, OH)
Mud Springs Pony Express Station Site (Dalton vicinity, NE)

(m) State Historic Preservation Officer. The State Historic Preservation Officer is the person who has been designated by the Governor or chief executive or by State statute in each State to administer the State Historic Preservation Program, including identifying and nominating eligible properties to the National Register and otherwise administering applications for listing historic properties in the National Register.

(n) State Historic Preservation Program. The State Historic Preservation Program is the program established by each State and approved by the Secretary of Interior for the purpose of carrying out the provisions of the National Historic Preservation Act of 1966, as amended, and related laws and regulations. Such program shall be approved by the Secretary before the State may nominate properties to the National Register. Any State Historic Preservation Program in effect under prior authority of law before December 12, 1980, shall be treated as an approved program until the Secretary approves a program submitted by the State for purposes of the Amendments or December 12, 1983, unless the Secretary chooses to rescind such approval because of program deficiencies.

(o) State Review Board. The State Review Board is a body whose members represent the professional fields of American history, architectural history, historic architecture, prehistoric and historic archeology, and other professional disciplines and may include citizen members. In States with approved State historic preservation programs the State Review Board reviews and approves National Register nominations concerning whether or not they meet the criteria for evaluation prior to their submittal to the NPS.

(p) Structure. A structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by man, it is often an engineering project large in scale.

Examples

Swanton Covered Railroad Bridge (Swanton vicinity, VT)
Old Point Loma Lighthouse (San Diego, CA)
North Point Water Tower (Milwaukee, WI)

Reber Radio Telescope (Green Bay vicinity, WI)

(q) Thematic Group Format submission. A Thematic Group Format submission for nominating properties to the National Register is one which includes a finite group of resources related to one another in a clearly distinguishable way. They may be related to a single historic person, event, or developmental force; of one building type or use, or designed by a single architect; of a single archeological site form, or related to a particular set of archeological research problems.

(r) To nominate. To nominate is to propose that a district, site, building, structure, or object be listed in the National Register of Historic Places by preparing a nomination form, with accompanying maps and photographs which adequately document the property and are technically and professionally correct and sufficient.

s 60.4 Criteria for evaluation.

The criteria applied to evaluate properties (other than areas of the National Park System and National Historic Landmarks) for the National Register are listed below. These criteria are worded in a manner to provide for a wide diversity of resources. The following criteria shall be used in evaluating properties for nomination to the National Register, by NPS in reviewing nominations, and for evaluating National Register eligibility of properties. Guidance in applying the criteria is further discussed in the "How To" publications, Standards & Guidelines sheets and Keeper's opinions of the National Register. Such materials as available upon request. National Register criteria for evaluation. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

(a) that are associated with events that have made a significant contribution to the broad patterns of our history; or

(b) that are associated with the lives of persons significant in our past; or

(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(d) that have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria of if they fall within the following categories:

(a) A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

(b) A building or structure removed from its original location but which is significant primarily for

architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

(e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

(f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

(g) A property achieving significance within the past 50 years if it is of exceptional importance. This exception is described further in NPS "How To" #2, entitled "How to Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years" which is available from the National Register of Historic Places Division, National Park Service, United States Department of the Interior, Washington, D.C. 20240.

s 60.5 Nomination forms and information collection.

(a) All nominations to the National Register are to be made on standard National Register forms. These forms are provided upon request to the State Historic Preservation Officer, participating Federal agencies and others by the NPS. For archival reasons, no other forms, photocopied or otherwise, will be accepted.

(b) The information collection requirements contained in this part have been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 10240018. The information is being collected as part of the nomination of properties to the National Register. This information will be used to evaluate the eligibility of properties for inclusion in the National Register under established criteria. The obligation to respond is required to obtain a benefit.

s 60.6 Nominations by the State Historic Preservation Officer under approved State Historic Preservation programs.

(a) The State Historic Preservation Officer is responsible for identifying and nominating eligible properties to the National Register. Nomination forms are prepared under the supervision of the State Historic Preservation Officer. The State Historic Preservation Officer establishes statewide priorities for preparation and submittal of nominations for all properties meeting National Register criteria for evaluation within the State. All nominations from the State shall be submitted in accord with the State priorities, which shall be consistent with an approved State historic preservation plan.

(b) The State shall consult with local authorities in the nomination process. The State provides notice of the intent to nominate a property and solicits written comments especially on the significance of the property and whether or not it meets the National Register criteria for

evaluation. The State notice also gives owners of private property an opportunity to concur in or object to listing. The notice is carried out as specified in the subsections below.

(c) As part of the nomination process, each State is required to notify in writing the property owner(s), except as specified in paragraph (d) of this section, of the State's intent to bring the nomination before the State Review Board. The list of owners shall be obtained from either official land recordation records or tax records, whichever is more appropriate, within 90 days prior to the notification of intent to nominate. If in any State the land recordation or tax records is not the most appropriate list from which to obtain owners that State shall notify the Keeper in writing and request approval that an alternative source of owners may be used.

The State is responsible for notifying only those owners whose names appear on the list consulted. Where there is more than one owner on the list, each separate owner shall be notified. The State shall send the written notification at least 30 but not more than 75 days before the State Review Board meeting. Required notices may vary in some details of wording as the States prefer, but the content of notices must be approved by the National Register. The notice shall give the owner(s) at least 30 but not more than 75 days to submit written comments and concur in or object in writing to the nomination of such property. At least 30 but not more than 75 days before the State Review Board meeting, the States are also required to notify by the above mentioned National Register approved notice the applicable chief elected official of the county (or equivalent governmental unit) and municipal political jurisdiction in which the property is located. The National Register nomination shall be on file with the State Historic Preservation Program during the comment period and a copy made available by mail when requested by the public, or made available at a location of reasonable access to all affected property owners, such as a local library courthouse, or other public place, prior to the State Review Board meeting so that written comments regarding the nomination can be prepared.

(d) For a nomination with more than 50 property owners, each State is required to notify in writing at least 30 but not more than 75 days in advance of the State Review Board meeting the chief elected local officials of the county (or equivalent governmental unit) and municipal political jurisdiction in which the property or district is located. The State shall provide general notice to property owners concerning the State's intent to nominate. The general notice shall be published at least 30 days but not more than 75 days before the State Review Board meeting and provide an opportunity for the submission of written comments and provide the owners of private property or a majority of such owners for districts an opportunity to concur in or object in writing to the nomination. Such general notice must be published in one or more local newspapers of general circulation in the area of the nomination. The content of the notices shall be approved by the National Register. If such general notice is used to notify the property owners for a nomination containing more than 50 owners, it is suggested that a public information meeting be held in the immediate area prior to the State Review Board meeting. If the State wishes to individually notify all property owners, it may do so, pursuant to procedures specified in Subsection 60.6(c), in which case, the State need not publish a general notice.

(e) For Multiple Resource and Thematic Group Format submission, each district, site, building, structure and object included in the submission is treated as a separate nomination for the purpose of notification and to provide owners of private property the opportunity to concur in or object in writing to the nomination in accord with this section.

(f) The commenting period following notifications can be waived only when all property owners and the chief elected local official have advised the State in writing that they agree to the

waiver.

(g) Upon notification, any owner or owners of a private property who wish to object shall submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, as appropriate, and objects to the listing. In nominations with multiple ownership of a single private property or of districts, the property will not be listed if a majority of the owners object to listing. Upon receipt of notarized objections respecting a district or single private property with multiple owners, it is the responsibility of the State Historic Preservation Officer to ascertain whether a majority of owners of private property have objected. If an owner whose name did not appear on the list certifies in a written notarized statement that the party is the sole or partial owner of a nominated private property such owner shall be counted by the State Historic Preservation Officer in determining whether a majority of owners has objected. Each owner of private property in a district has one vote regardless of how many properties or what part of one property that party owns and regardless of whether the property contributes to the significance of the district.

(h) If a property has been submitted to and approved by the State Review Board for inclusion in the National Register prior to the effective date of this section, the State Historic Preservation Officer need not resubmit the property to the State Review Board; but before submitting the nomination to the NPS shall afford owners of private property the opportunity to concur in or object to the property's inclusion in the Register pursuant to applicable notification procedures described above.

(i) [Reserved]

(j) Completed nomination forms or the documentation proposed for submission on the nomination forms and comments concerning the significance of a property and its eligibility for the National Register are submitted to the State Review Board. The State Review Board shall review the nomination forms or documentation proposed for submission on the nomination forms and any comments concerning the property's significance and eligibility for the National Register. The State Review Board shall determine whether or not the property meets the National Register criteria for evaluation and make a recommendation to the State Historic Preservation Officer to approve or disapprove the nomination.

(k) Nominations approved by the State Review Board and comments received are then reviewed by the State Historic Preservation Officer and if he or she finds the nominations to be adequately documented and technically, professionally, and procedurally correct and sufficient and in conformance with National Register criteria for evaluation, the nominations are submitted to the Keeper of the National Register of Historic Places, National Park Service, United States Department of the Interior, Washington, D.C. 20240. All comments received by a State and notarized statements of objection to listing are submitted with a nomination.

(l) If the State Historic Preservation Officer and the State Review Board disagree on whether a property meets the National Register criteria for evaluation, the State Historic Preservation Officer, if he or she chooses, may submit the nomination with his or her opinion concerning whether or not the property meets the criteria for evaluation and the opinion of the State Review Board to the Keeper of the National Register for a final decision on the listing of the property. The opinion of the State Review Board may be the minutes of the Review Board meeting. The State Historic Preservation Officer shall submit such disputed nominations if so requested within 45 days of the State Review Board meeting by the State Review Board or the

chief elected local official of the local, county or municipal political subdivision in which the property is located but need not otherwise do so. Such nominations will be substantively reviewed by the Keeper.

(m) The State Historic Preservation Officer shall also submit to the Keeper nominations if so requested under the appeals process in s 60.12.

(n) If the owner of a private property or the majority of such owners for a district or single property with multiple owners have objected to the nomination prior to the submittal of a nomination, the State Historic Preservation Officer shall submit the nomination to the Keeper only for a determination of eligibility pursuant to subsection (s) of this section.

(o) The State Historic Preservation Officer signs block 12 of the nomination form if in his or her opinion the property meets the National Register criteria for evaluation. The State Historic Preservation Officer's signature in block 12 certifies that:

- (1) All procedural requirements have been met;
- (2) The nomination form is adequately documented;
- (3) The nomination form is technically and professionally correct and sufficient;
- (4) In the opinion of the State Historic Preservation Officer, the property meets the National Register criteria for evaluation.

(p) When a State Historic Preservation Officer submits a nomination form for a property that he or she does not believe meets the National Register criteria for evaluation, the State Historic Preservation Officer signs a continuation sheet Form NPS 10900a explaining his/her opinions on the eligibility of the property and certifying that:

- (1) All procedural requirements have been met;
- (2) The nomination form is adequately documented;
- (3) The nomination form is technically and professionally correct and sufficient.

(q) Notice will be provided in the FEDERAL REGISTER that the nominated property is being considered for listing in the National Register of Historic Places as specified in s 60.13.

(r) Nominations will be included in the National Register within 45 days of receipt by the Keeper or designee unless the Keeper disapproves a nomination, an appeal is filed, or the owner of private property (or the majority of such owners for a district or single property with multiple owners) objects by notarized statements received by the Keeper prior to listing. Nominations which are technically or professionally inadequate will be returned for correction and resubmission. When a property does not appear to meet the National Register criteria for evaluation, the nomination will be returned with an explanation as to why the property does not meet the National Register criteria for evaluation.

(s) If the owner of private property (or the majority of such owners for a district or single property with multiple owners) has objected to the nomination by notarized statement prior to listing, the Keeper shall review the nomination and make a determination of eligibility within 45

days of receipt, unless an appeal is filed. The Keeper shall list such properties determined eligible in the National Register upon receipt of notarized statements from the owner(s) of private property that the owner(s) no longer object to listing.

(t) Any person or organization which supports or opposes the nomination of a property by a State Historic Preservation Officer may petition the Keeper during the nomination process either to accept or reject a nomination. The petitioner must state the grounds of the petition and request in writing that the Keeper substantively review the nomination. Such petitions received by the Keeper prior to the listing of a property in the National Register or a determination of its eligibility where the private owners object to listing will be considered by the Keeper and the nomination will be substantively reviewed.

(u) State Historic Preservation Officers are required to inform the property owners and the chief elected local official when properties are listed in the National Register. In the case of a nomination where there are more than 50 property owners, they may be notified of the entry in the National Register by the same general notice stated in s 60.6(d). States which notify all property owners individually of entries in the National Register need not publish a general notice.

(v) In the case of nominations where the owner of private property (or the majority of such owners for a district or single property with multiple owners) has objected and the Keeper has determined the nomination eligible for the National Register, the State Historic Preservation Officer shall notify the appropriate chief elected local official and the owner(s) of such property of this determination. The general notice may be used for properties with more than 50 owners as described in s 60.6(d) or the State Historic Preservation Officer may notify the owners individually.

(w) If subsequent to nomination a State makes major revisions to a nomination or renominates a property rejected by the Keeper, the State Historic Preservation Officer shall notify the affected property owner(s) and the chief elected local official of the revisions or renomination in the same manner as the original notification for the nomination, but need not resubmit the nomination to the State Review Board. Comments received and notarized statements of objection must be forwarded to the Keeper along with the revisions or renomination. The State Historic Preservation Officer also certifies by the resubmittal that the affected property owner(s) and the chief elected local official have been renotified. "Major revisions" as used herein means revisions of boundaries or important substantive revisions to the nomination which could be expected to change the ultimate outcome as to whether or not the property is listed in the National Register by the Keeper.

(x) Notwithstanding any provision hereof to the contrary, the State Historic Preservation Officer in the nomination notification process or otherwise need not make available to any person or entity (except a Federal agency planning a project, the property owner, the chief elected local official of the political jurisdiction in which the property is located, and the local historic preservation commission for certified local governments) specific information relating to the location of properties proposed to be nominated to, or listed in, the National Register if he or she determines that the disclosure of specific information would create a risk of destruction or harm to such properties.

(y) With regard to property under Federal ownership or control, completed nomination forms shall be submitted to the Federal Preservation Officer for review and comment. The Federal Preservation Officer, may approve the nomination and forward it to the Keeper of the National

Register of Historic Places, National Park Service, United States Department of the Interior, Washington, D.C. 20240.

ss 60.7 to 60.8 [Reserved]

s 60.9 Nominations by Federal agencies.

(a) The National Historic Preservation Act of 1966, as amended, requires that, with the advice of the Secretary and in cooperation with the State Historic Preservation Officer of the State involved, each Federal agency shall establish a program to locate, inventory and nominate to the Secretary all properties under the agency's ownership or control that appear to qualify for inclusion on the National Register. Section 2(a) of Executive Order 11593 provides that Federal agencies shall locate, inventory, and nominate to the Secretary of the Interior all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing on the National Register of Historic Places. Additional responsibilities of Federal agencies are detailed in the National Historic Preservation Act of 1966, as amended, Executive Order 11593, the National Environmental Policy Act of 1969, the Archeological and Historic Preservation Act of 1974, and procedures developed pursuant to these authorities, and other related legislation.

(b) Nomination forms are prepared under the supervision of the Federal Preservation Officer designated by the head of a Federal agency to fulfill agency responsibilities under the National Historic Preservation Act of 1966, as amended.

(c) Completed nominations are submitted to the appropriate State Historic Preservation Officer for review and comment regarding the adequacy of the nomination, the significance of the property and its eligibility for the National Register. The chief elected local officials of the county (or equivalent governmental unit) and municipal political jurisdiction in which the property is located are notified and given 45 days in which to comment. The State Historic Preservation Officer signs block 12 of the nomination form with his/her recommendation.

(d) After receiving the comments of the State Historic Preservation Officer, and chief elected local official, or if there has been no response within 45 days, the Federal Preservation Officer may approve the nomination and forward it to the Keeper of the National Register of Historic Places, National Park Service, United States Department of the Interior, Washington, D.C. 20240. The Federal Preservation Officer signs block 12 of the nomination form if in his or her opinion the property meets the National Register criteria for evaluation. The Federal Preservation Officer's signature in block 12 certifies that:

(1) All procedural requirements have been met;

(2) The nomination form is adequately documented;

(3) The nomination form is technically and professionally correct and sufficient;

(4) In the opinion of the Federal Preservation Officer, the property meets the National Register criteria for evaluation.

(e) When a Federal Preservation Officer submits a nomination form for a property that he or she does not believe meets the National Register criteria for evaluation, the Federal Preservation Officer signs a continuation sheet Form NPS 10900a explaining his/her opinions

on the eligibility of the property and certifying that:

- (1) All procedural requirements have been met;
- (2) The nomination form is adequately documented;
- (3) The nomination form is technically and professionally correct and sufficient.

(f) The comments of the State Historic Preservation Officer and chief local official are appended to the nomination, or, if there are no comments from the State Historic Preservation Officer an explanation is attached. Concurrent nominations (see s 60.10) cannot be submitted, however, until the nomination has been considered by the State in accord with Sec. 60.6, supra. Comments received by the State concerning concurrent nominations and notarized statements of objection must be submitted with the nomination.

(g) Notice will be provided in the FEDERAL REGISTER that the nominated property is being considered for listing in the National Register of Historic Places in accord with s 60.13.

(h) Nominations will be included in the National Register within 45 days of receipt by the Keeper or designee unless the Keeper disapproves such nomination or an appeal is filed. Nominations which are technically or professionally inadequate will be returned for correction and resubmission. When a property does not appear to meet the National Register criteria for evaluation, the nomination will be returned with an explanation as to why the property does not meet the National Register criteria for evaluation.

(i) Any person or organization which supports or opposes the nomination of a property by a Federal Preservation Officer may petition the Keeper during the nomination process either to accept or reject a nomination. The petitioner must state the grounds of the petition and request in writing that the Keeper substantively review the nomination. Such petition received by the Keeper prior to the listing of a property in the National Register or a determination of its eligibility where the private owner(s) object to listing will be considered by the Keeper and the nomination will be substantively reviewed.

s 60.10 Concurrent State and Federal nominations.

(a) State Historic Preservation Officers and Federal Preservation Officers are encouraged to cooperate in locating, inventorying, evaluating, and nominating all properties possessing historical, architectural, archeological, or cultural value. Federal agencies may nominate properties where a portion of the property is not under Federal ownership or control.

(b) When a portion of the area included in a Federal nomination is not located on land under the ownership or control of the Federal agency, but is an integral part of the cultural resource, the completed nomination form shall be sent to the State Historic Preservation Officer for notification to property owners, to give owners of private property an opportunity to concur in or object to the nomination, to solicit written comments and for submission to the State Review Board pursuant to the procedures in s 60.6.

(c) If the State Historic Preservation Officer and the State Review Board agree that the nomination meets the National Register criteria for evaluation, the nomination is signed by the State Historic Preservation Officer and returned to the Federal agency initiating the nomination. If the State Historic Preservation Officer and the State Review Board disagree, the

nomination shall be returned to the Federal agency with the opinions of the State Historic Preservation Officer and the State Review Board concerning the adequacy of the nomination and whether or not the property meets the criteria for evaluation. The opinion of the State Review Board may be the minutes of the State Review Board meeting. The State Historic Preservation Officer's signed opinion and comments shall confirm to the Federal agency that the State nomination procedures have been fulfilled including notification requirements. Any comments received by the State shall be included with the letter as shall any notarized statements objecting to the listing of private property.

(d) If the owner of any privately owned property, (or a majority of the owners of such properties within a district or single property with multiple owners) objects to such inclusion by notarized statement(s) the Federal Historic Preservation Officer shall submit the nomination to the Keeper for review and a determination of eligibility, Comments, opinions, and notarized statements of objection shall be submitted with the nomination.

(e) The State Historic Preservation Officer shall notify the nonfederal owners when a concurrent nomination is listed or determination eligible for the National Register as required in s 60.6.

s 60.11 Requests for nominations.

(a) The State Historic Preservation Officer or Federal Preservation Officer as appropriate shall respond in writing within 60 days to any person or organization submitting a completed National Register nomination form or requesting consideration for any previously prepared nomination form on record with the State or Federal agency. The response shall provide a technical opinion concerning whether or not the property is adequately documented and appears to meet the National Register criteria for evaluation in s 60.4. If the nomination form is determined to be inadequately documented, the nominating authority shall provide the applicant with an explanation of the reasons for that determination.

(b) If the nomination form does not appear to be adequately documented, upon receiving notification, it shall be the responsibility of the applicant to provide necessary additional documentation.

(c) If the nomination form appears to be adequately documented and if the property appears to meet the National Register criteria for evaluation, the State Historic Preservation Officer shall comply with the notification requirements in Section 60.6 and schedule the property for presentation at the earliest possible State Review Board meeting. Scheduling shall be consistent with the State's established priorities for processing nominations. If the nomination form is adequately documented, but the property does not appear to meet National Register criteria for evaluation, the State Historic Preservation Officer need not process the nomination, unless so requested by the Keeper pursuant to s 60.12.

(d) The State Historic Preservation Officer's response shall advise the applicant of the property's position in accord with the State's priorities for processing nominations and of the approximate date the applicant can expect its consideration by the State Review Board. The State Historic Preservation Officer shall also provide notice to the applicant of the time and place of the Review Board meeting at least 30 but not more than 75 days before the meeting, as well as complying with the notification requirements in s 60.6.

(e) Upon action on a nomination by the State Review Board, the State Historic Preservation

Officer shall, within 90 days, submit the nomination to the National Park Service, or, if the State Historic Preservation Officer does not consider the property eligible for the National Register, so advise the applicant within 45 days.

(f) If the applicant substantially revises a nomination form as a result of comments by the State or Federal agency, it may be treated by the State Historic Preservation Officer or Federal Preservation Officer as a new submittal and reprocessed in accord with the requirements in this section.

(g) The Federal Preservation Officer shall request the comments of the State Historic Preservation Officer and notify the applicant in writing within 90 days of receipt of an adequately documented nomination form as to whether the Federal agency will nominate the property. The Federal Preservation Officer shall submit an adequately documented nomination to the National Park Service unless in his or her opinion the property is not eligible for the National Register.

s 60.12 Nomination appeals.

(a) Any person or local government may appeal to the Keeper the failure or refusal of a nominating authority to nominate a property that the person or local government considers to meet the National Register criteria for evaluation upon decision of a nominating authority to not nominate a property for any reason when requested pursuant to s 60.11, or upon failure of a State Historic Preservation Officer to nominate a property recommended by the State Review Board. (This action differs from the procedure for appeals during the review of a nomination by the National Park Service where an individual or organization may "petition the Keeper during the nomination process," as specified in ss 60.6(t) and 60.9(i). Upon receipt of such petition the normal 45day review period will be extended for 30 days beyond the date of the petition to allow the petitioner to provide additional documentation for review.)

(b) Such appeal shall include a copy of the nomination form and documentation previously submitted to the State Historic Preservation Officer or Federal Preservation Officer, an explanation of why the applicant is submitting the appeal in accord with this section and shall include pertinent correspondence from the State Historic Preservation Officer or Federal Preservation Officer.

(c) The Keeper will respond to the appellant and the State Historic Preservation Officer or Federal Preservation Officer with a written explanation either denying or sustaining the appeal within 45 days of receipt. If the appeal is sustained, the Keeper will:

(1) Request the State Historic Preservation Officer or Federal Preservation Officer to submit the nomination to the Keeper within 15 days if the nomination has completed the procedural requirements for nomination as described in Section 60.6 or 60.9 except that concurrence of the State Review Board, State Historic Preservation Officer or Federal Preservation Officer is not required; or

(2) If the nomination has not completed these procedural requirements, request the State Historic Preservation Officer or Federal Preservation Officer to promptly process the nomination pursuant to Section 60.6 or 60.9 and submit the nomination to the Keeper without delay.

(d) State Historic Preservation Officers and Federal Preservation Officers shall process and

submit such nominations if so requested by the Keeper pursuant to this section. The Secretary reserves the right to list properties in the National Register or determine properties eligible for such listing on his own motion when necessary to assist in the preservation of historic resources and after notifying the owner and appropriate parties and allowing for a 30day comment period.

(e) No person shall be considered to have exhausted administrative remedies with respect to failure to nominate a property to the National Register until he or she has complied with procedures set forth in this section. The decision of the Keeper is the final administrative action on such appeals.

s 60.13 Publication in the "Federal Register" and other NPS notification.

(a) When a nomination is received, NPS will publish notice in the FEDERAL REGISTER that the property is being considered for listing in the National Register. A 15day commenting period from date of publication will be provided. When necessary to assist in the preservation of historic properties this 15day period may be shortened or waived.

(b) NPS shall notify the appropriate State Historic Preservation Officer, Federal Preservation Officer, person or local government when there is no approved State program of the listing of the property in the National Register and will publish notice of the listing in the FEDERAL REGISTER.

(c) In nominations where the owner of any privately owned property (or a majority of the owners of such properties within a district or single property with multiple owners) has objected and the Keeper has determined the nomination eligible for the National Register, NPS shall notify the State Historic Preservation Officer, the Federal Preservation Officer (for Federal or concurrent nominations), the person or local government where there is no approved State Historic Preservation Program and the Advisory Council on Historic Preservation. NPS will publish notice of the determination of eligibility in the FEDERAL REGISTER.

s 60.14 Changes and revisions to properties listed in the National Register.

(a) Boundary changes.

(1) A boundary alteration shall be considered as a new property nomination. All forms, criteria and procedures used in nominating a property to the National Register must be used. In the case of boundary enlargements only those owners in the newly nominated as yet unlisted area need be notified and will be counted in determining whether a majority of private owners object to listing. In the case of a diminution of a boundary, owners shall be notified as specified in s 60.15 concerning removing properties from the National Register. A professionally justified recommendation by the State Historic Preservation Officer, Federal Preservation Officer, or person or local government where there is no approved State Historic Preservation Program shall be presented to NPS. During this process, the property is not taken off the National Register. If the Keeper or his or her designee finds the recommendation in accordance with the National Register criteria for evaluation, the change will be accepted. If the boundary change is not accepted, the old boundaries will remain. Boundary revisions may be appealed as provided for in ss 60.12 and 60.15.

(2) Four justifications exist for altering a boundary: Professional error in the initial nomination, loss of historic integrity, recognition of additional significance, additional research documenting

that a larger or smaller area should be listed. No enlargement of a boundary should be recommended unless the additional area possesses previously unrecognized significance in American history, architecture, archeology, engineering or culture. No diminution of a boundary should be recommended unless the properties being removed do not meet the National Register criteria for evaluation. Any proposal to alter a boundary has to be documented in detail including photographing the historic resources falling between the existing boundary and the other proposed boundary.

(b) Relocating properties listed in the National Register.

(1) Properties listed in the National Register should be moved only when there is no feasible alternative for preservation. When a property is moved, every effort should be made to reestablish its historic orientation, immediate setting, and general environment.

(2) If it is proposed that a property listed in the National Register be moved and the State Historic Preservation Officer, Federal agency for a property under Federal ownership or control, or person or local government where there is no approved State Historic Preservation Program, wishes the property to remain in the National Register during and after the move, the State Historic Preservation Officer or Federal Preservation Officer having ownership or control or person or local government where there is no approved State Historic Preservation Program, shall submit documentation to NPS prior to the move. The documentation shall discuss:

(i) The reasons for the move;

(ii) The effect on the property's historical integrity;

(iii) The new setting and general environment of the proposed site, including evidence that the proposed site does not possess historical or archeological significance that would be adversely affected by the intrusion of the property; and

(iv) Photographs showing the proposed location.

(3) Any such proposal with respect to the new location shall follow the required notification procedures, shall be approved by the State Review Board if it is a State nomination and shall continue to follow normal review procedures. The Keeper shall also follow the required notification procedures for nominations. The Keeper shall respond to a properly documented request within 45 days of receipt from the State Historic Preservation Officer or Federal Preservation Officer, or within 90 days of receipt from a person or local government where there is no approved State Historic Preservation Program, concerning whether or not the move is approved. Once the property is moved, the State Historic Preservation Officer, Federal Preservation Officer, or person or local government where there is no approved State Historic Preservation Program shall submit to the Keeper for review:

(i) A letter notifying him or her of the date the property was moved;

(ii) Photographs of the property on its new site; and

(iii) Revised maps, including a U.S.G.S. map,

(iv) Acreage, and

(v) Verbal boundary description.

The Keeper shall respond to a properly documented submittal within 45 days of receipt with the final decision on whether the property will remain in the National Register. If the Keeper approves the move, the property will remain in the National Register during and after the move unless the integrity of the property is in some unforeseen manner destroyed. If the Keeper does not approve the move, the property will be automatically deleted from the National Register when moved. In cases of properties removed from the National Register, if the State, Federal agency, or person or local government where there is no approved State Historic Preservation Program has neglected to obtain prior approval for the move or has evidence that previously unrecognized significance exists, or has accrued, the State, Federal agency, person or local government may resubmit a nomination for the property.

(4) In the event that a property is moved, deletion from the National Register will be automatic unless the above procedures are followed prior to the move. If the property has already been moved, it is the responsibility of the State, Federal agency or person or local government which nominated the property to notify the National Park Service. Assuming that the State, Federal agency or person or local government wishes to have the structure reentered in the National Register, it must be nominated again on new forms which should discuss:

(i) The reasons for the move;

(ii) The effect on the property's historical integrity, and

(iii) The new setting and general environment, including evidence that the new site does not possess historical or archeological significance that would be adversely affected by intrusion of the property.

In addition, new photographs, acreage, verbal boundary description and a U.S.G.S. map showing the structure at its new location must be sent along with the revised nomination. Any such nomination submitted by a State must be approved by the State Review Board.

(5) Properties moved in a manner consistent with the comments of the Advisory Council on Historic Preservation, in accord with its procedures (36 CFR Part 800), are granted as exception to s 60.12(b). Moving of properties in accord with the Advisory Council's procedures should be dealt with individually in each memorandum of agreement. In such cases, the State Historic Preservation Officer or the Federal Preservation Officer, for properties under Federal ownership or control, shall notify the Keeper of the new location after the move including new documentation as described above.

s 60.15 Removing properties from the National Register.

(a) Grounds for removing properties from the National Register are as follows:

(1) The property has ceased to meet the criteria for listing in the National Register because the qualities which caused it to be originally listed have been lost or destroyed, or such qualities were lost subsequent to nomination and prior to listing;

(2) Additional information shows that the property does not meet the National Register criteria for evaluation;

(3) Error in professional judgment as to whether the property meets the criteria for evaluation;
or

(4) Prejudicial procedural error in the nomination or listing process. Properties removed from the National Register for procedural error shall be reconsidered for listing by the Keeper after correction of the error or errors by the State Historic Preservation Officer, Federal Preservation Officer, person or local government which originally nominated the property, or by the Keeper, as appropriate. The procedures set forth for nominations shall be followed in such reconsiderations. Any property or district removed from the National Register for procedural deficiencies in the nomination and/or listing process shall automatically be considered eligible for inclusion in the National Register without further action and will be published as such in the FEDERAL REGISTER.

(b) Properties listed in the National Register prior to December 13, 1980, may only be removed from the National Register on the grounds established in paragraph (a) (1) of this section.

(c) Any person or organization may petition in writing for removal of a property from the National Register by setting forth the reasons the property should be removed on the grounds established in paragraph (a) of this section. With respect to nominations determined eligible for the National Register because the owners of private property object to listing, anyone may petition for reconsideration of whether or not the property meets the criteria for evaluation using these procedures. Petitions for removal are submitted to the Keeper by the State Historic Preservation Officer for State nominations, the Federal Preservation Officer for Federal nominations, and directly to the Keeper from persons or local governments where there is no approved State Historic Preservation Program.

(d) Petitions submitted by persons or local governments where there is no approved State Historic Preservation Program shall include a list of the owner(s). In such cases the Keeper shall notify the affected owner(s) and the chief elected local official and give them an opportunity to comment. For approved State programs, the State Historic Preservation Officer shall notify the affected owner(s) and chief elected local official and give them an opportunity to comment prior to submitting a petition for removal. The Federal Preservation Officer shall notify and obtain the comments of the appropriate State Historic Preservation Officer prior to forwarding an appeal to NPS. All comments and opinions shall be submitted with the petition.

(e) The State Historic Preservation Officer or Federal Preservation Officer shall respond in writing within 45 days of receipt to petitions for removal of property from the National Register. The response shall advise the petitioner of the State Historic Preservation Officer's or Federal Preservation Officer's views on the petition.

(f) A petitioner desiring to pursue his removal request must notify the State Historic Preservation Officer or the Federal Preservation Officer in writing within 45 days of receipt of the written views on the petition.

(g) The State Historic Preservation Officer may elect to have a property considered for removal according to the State's nomination procedures unless the petition is on procedural grounds and shall schedule it for consideration by the State Review Board as quickly as all notification requirements can be completed following procedures outlined in s 60.6, or the State Historic Preservation Officer may elect to forward the petition for removal to the Keeper with his or her comments without State Review Board consideration.

(h) Within 15 days after receipt of the petitioner's notification of intent to pursue his removal request, the State Historic Preservation Officer shall notify the petitioner in writing either that the State Review Board will consider the petition on a specified date or that the petition will be forwarded to the Keeper after notification requirements have been completed. The State Historic Preservation Officer shall forward the petitions to the Keeper for review within 15 days after notification requirements or Review Board consideration, if applicable, have been completed.

(i) Within 15 days after receipt of the petitioner notification of intent to pursue his petition, the Federal Preservation Officer shall forward the petition with his or her comments and those of the State Historic Preservation Officer to the Keeper.

(j) The Keeper shall respond to a petition for removal within 45 days of receipt, except where the Keeper must notify the owners and the chief elected local official. In such cases the Keeper shall respond within 90 days of receipt. The Keeper shall notify the petitioner and the applicable State Historic Preservation Officer, Federal Preservation Officer, or person or local government where there is no approved State Historic Preservation Program, of his decision. The State Historic Preservation Officer or Federal Preservation Officer transmitting the petition shall notify the petitioner, the owner(s), and the chief elected local official in writing of the decision. The Keeper will provide such notice for petitions from persons or local governments where there is no approved State Historic Preservation Program. The general notice may be used for properties with more than 50 owners. If the general notice is used it shall be published in one or more newspapers with general circulation in the area of the nomination.

(k) The Keeper may remove a property from the National Register on his own motion on the grounds established in paragraph (a) of this section, except for those properties listed in the National Register prior to December 13, 1980, which may only be removed from the National Register on the grounds established in paragraph (a) (1) of this section. In such cases, the Keeper will notify the nominating authority, the affected owner(s) and the applicable chief elected local official and provide them an opportunity to comment. Upon removal, the Keeper will notify the nominating authority of the basis for the removal. The state Historic Preservation Officer, Federal Preservation Officer, or person or local government which nominated the property shall notify the owner(s) and the chief elected local official of the removal.

(l) No person shall be considered to have exhausted administrative remedies with respect to removal of a property from the National Register until the Keeper has denied a petition for removal pursuant to this section.

Proposed Nomination

United States Department of the Interior
National Park Service



National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. **Place additional certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).**

1. Name of Property William Weech American Legion Post 168, the American Legion, Inc

historic name (Historic) VFW Walter R. Mickens Post 6021 and William Weech American Legion Post 168

other names/site number _____

2. Location

street & number 803 Emma Street not for publication

city or town Key West vicinity

state Florida code FL county Monroe code 087 zip code 33040

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,
I hereby certify that this ___ nomination ___ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property ___ meets ___ does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

national statewide local

Signature of certifying official/Title _____ Date _____

State or Federal agency/bureau or Tribal Government _____

In my opinion, the property ___ meets ___ does not meet the National Register criteria.

Signature of commenting official _____ Date _____

Title _____ State or Federal agency/bureau or Tribal Government _____

4. National Park Service Certification

I hereby certify that this property is:

entered in the National Register determined eligible for the National Register

determined not eligible for the National Register removed from the National Register

other (explain:) _____

Signature of the Keeper _____ Date of Action _____

THE AMERICAN LEGION POST NO. 168
 Name of Property

MONROE/FLORIDA
 County and State

5. Classification

Ownership of Property
 (Check as many boxes as apply.)

Category of Property
 (Check only **one** box.)

Number of Resources within Property
 (Do not include previously listed resources in the count.)

<input checked="" type="checkbox"/>	private
<input type="checkbox"/>	public - Local
<input type="checkbox"/>	public - State
<input type="checkbox"/>	public - Federal

<input checked="" type="checkbox"/>	building(s)
<input type="checkbox"/>	district
<input type="checkbox"/>	site
<input type="checkbox"/>	structure
<input type="checkbox"/>	object

Contributing	Noncontributing	
1	0	buildings
0	0	sites
0	0	structures
0	0	objects
1	0	Total

Name of related multiple property listing
 (Enter "N/A" if property is not part of a multiple property listing)

Number of contributing resources previously listed in the National Register

N/A

0

6. Function or Use

Historic Functions
 (Enter categories from instructions.)

Current Functions
 (Enter categories from instructions.)

SOCIAL _____

COMMERCE _____

OTHER _____

MEETING PLACE – AMERICAN LEGION POST _____

BAR AND KITCHEN _____

NIGHT CLUB - ENTERTAINMENT _____

7. Description

Architectural Classification
 (Enter categories from instructions.)

Materials
 (Enter categories from instructions.)

Stucco Building – Masonry Design _____

foundation: SAND, CREMENT AND STEEL _____

walls: BRICKS AND MORTAR SAND, CRMNT _____

WOOD, DADE COUNTY PINE 4X4,4X6
 AND GALVERIZED BOLTS – 1X6 PINE,

roof: 90 LB FELT PPR. NO RAFTERS, TRUSS _____

other: FLR,SND,CRMNT,RCKS,14X14 CBNTILE _____

THE AMERICAN LEGION POST NO. 168
Name of Property

MONROE/FLORIDA
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Narrative Description

(Describe the historic and current physical appearance of the property. Explain contributing and noncontributing resources if necessary. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, setting, size, and significant features.)

Summary Paragraph

Description of Land

All that certain piece or parcel of land in Tract Three (3) on the Island of Key West, which is described in a Diagram of part of the said Tract Three (3), made by L. Windsor Smith, recorded Deed Book "E" Page 72, Monroe County, Florida, Records, known as part of Lots one (1) and Five (5), beginning at a point on Emma Street One hundred Eight (108) feet in a Southeasterly direction from the corner of Emma and Petronia Streets, and running thence along Emma Street in a Southeasterly direction Fifteen (15) feet; thence at right angles in a Northeasterly direction One hundred (100) feet; thence at right angles in a Northwesterly direction Fifteen (15) feet; thence at right angles in a Southwesterly direction One hundred (100) feet to the place of beginning on Emma Street.

Key West, Florida - Recorded in the Clerk Circuit Court - File # Jan -5 1953- 4:10 p.m.; recorded in Deed Book C-66 page 440/441 and record verified Earl R. Adams Clerk Circuit Court - Deputy Clerk Kathleen Nottage

William Weech American Legion Post 168 and (historic) VFW Walter R. Mickens Post 6021 located at 803 Emma Street, Key West, Florida in District VI Historic area, which lies between an apartment building and a theater. This 6,500 sq. ft one-story building has a masonry design facet finished with cement, bricks, steel, and stucco all around, no cable roof, two (2) main entrances, right entrance with steps accessible and the left entrances with foyer closed-off. Original design called for thirty-six (36) windows, all of the lower level windows are closed-off and the Mezzanine level windows has a jalousie style, still open for ventilation. The Trusses made from Dade County Pine wood remains in excellent condition. In the 80's a drop ceiling installed to accommodate an air conditioning unit. A Stage with two dressing rooms, each dressing room has two (2) entrances, one to stage and one from main floor, open space above dressing rooms to the Truss. There is a narrow platform leading to the stage on both sides from dressing room area. Two (2) bathrooms located in the main hall at the left of main entrance. A storage room located at the right side of main entrance and a horseshoe bar located at the main entrance. Three (3) fire exits, one leaving to handicap ramp located near the front of building and 1 on each side of the building towards the stage, near dressing rooms. The materials used for the floors are cement and sand, finished with Cuban Tile. There is a horseshoe bar with two (2) chest style coolers and one stand-up cooler. There are 6 X 6 wooden poles ten (10) feet apart from the floor to the Truss. There is a two level staircase leading to a horseshoe shape mezzanine with surrounding handrails, an "X" design every ten (10) feet over-looking the stage with a DJ Booth located in the center facing the Stage. There is an entrance to the kitchen next to bar, with two (2) half bathrooms, partitioned off from cooking area towards the rear exit. Two (2) commercial stoves, one with burners and the other with a grill top. There is one deep fryer, one freezer, 2 stoves, a serving window, four ceiling fans, an exhaust fan above stoves, front door entrances with a porch area, a fire exit next to the stoves and a back exit towards the bathrooms located near the sink area, a serving counter, and a air-condition.

There are two full-grown Coconut Trees located at the northeasterly side of building and a Spanish lime tree behind the building and a huge tree at the Southwesterly direction of the building.

Narrative Description

William Weech American Legion Post 168 and (Historic) VFW Walter R, Mickens Post 6021 members built this Post, construction started on August 25, 1951 and completed on December 10, 1952. This building is fifty-nine (59) years old. All walls and columns are deteriorating, due to aging, repairs needed on the mezzanine, columns on stage need repairs columns are cracking, and dressing rooms need repairs.

THE AMERICAN LEGION POST NO. 168
Name of Property

MONROE/FLORIDA
County and State

8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B Property is associated with the lives of persons significant in our past.
- C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

Property is:

- A Owned by a religious institution or used for religious purposes.
- B removed from its original location.
- C a birthplace or grave.
- D a cemetery.
- E a reconstructed building, object, or structure.
- F a commemorative property.
- G less than 50 years old or achieving significance within the past 50 years.

Areas of Significance

(Enter categories from instructions.)

Architecture

Period of Significance

Built in 1952 –an American Legion Post Charter granted by Congress in 1919 as a patriotic veterans organization.

Significant Dates

1951, 1952, 1958 - 2011

Significant Person

(Complete only if Criterion B is marked above.)

Entertainers: James Brown, KC and the Sunshine Band, Diana Washington, Joe Tex, Ruth Brown

Cultural Affiliation

African-Americans association during the Great Wars (WWI, WWII and Korean War) provided a Post Home to continue their services to their Fellow Comrades, their families and community.

Architect/Builder

CB Harvey/VFW/American Legion Veterans members built the structure

THE AMERICAN LEGION POST NO. 168
Name of Property

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Period of Significance (justification)

African-American were denied membership after World War I, under the new Veterans Society called the Forty and Eight. In 1919 Congress granted a Charter to the American Legion as a wartime Veteran organization devoted to mutual helpfulness, membership eligibility was based on any honorable federal active military duty; serving one or more periods of hostilities as designated by the Department of Defense.

Criteria Considerations (explanation, if necessary)

Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance and applicable criteria.)

In 1946, WWI, WWII and Korean War Veterans joined together to raise funds to purchase a piece of land to build their own Home Post, due to segregation. Key West City Mayor C.B. Harvey provided the Architectural Plans, "Free of Charge" and Key West Postmaster Fred Dion and wife Margaret Dion sold the land located at 803 Emma Street for \$10.00 and other good and valuable considerations to them in hand. Two (2) Trustees named from each Post Alfred A. Allen and Charles. L. Major, William Weech American Legion Post 168 and Irving J. Carey and Lang B. Milian (Historic)VFW Walter R. Mickens Post 6021, and their successors as a Joint Venture. Uncommon, but not likely, these two organization unified under one roof - due to segregation within the United States of America.

Narrative Statement of Significance (Provide at least one paragraph for each area of significance.)

On August 25, 1951 Key West Postmaster Fred Dion and wife Margaret Dion sold this parcel of land - located at 803 Emma Street Key West, Florida to both Post(s), who appointed two (2) Trustees from each Post William Weech American Legion Post 168 Alfred A. Allen and Charles L. Major; and (Historic) VFW Walter R. Mickens Post 6021 Irving J. Carey and Lang B. Milan to conduct business on behalf of the Post(s) and their successors. Many Key West City Official and businesses within Key West helped these members with the construction - by providing the necessary equipment and materials needed for this project.

Developmental history/additional historic context information (if appropriate)

9. Major Bibliographical References

Bibliography (Cite the books, articles, and other sources used in preparing this form.)

Documentation and photos collected came from the William Weech American Legion Post 168 minutes. Living Trustees to the Deed of this property Charles L. Major Sr. John Wilson Smith, son of VFW Walter R. Mickens Post 6021 member. Mrs. Mary L. Weech and Mrs. Julia Campbell, William Weech American Legion Auxiliary oldest members and Millicent Weech Auxiliary member provided documentation and photos.

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67 has been requested)
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # _____
- recorded by Historic American Engineering Record # _____
- recorded by Historic American Landscape Survey # _____

Primary location of additional data:

- State Historic Preservation Office
- Other State agency
- DOD Federal agency
- Local government
- University
- Other
- Name of repository: _____

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William Weech American Legion Post
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Name of Property

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Name of multiple listing (if applicable)

8. Statement of Significance

History

In 1919, the experiences of World War 1 Veterans inspired a new veteran's society called the Forty and Eight. At the same time, United States Congress granted a Charter to The American Legion, as a wartime veteran's organization. Membership eligibility was based on any honorable federal active military duty; serving one or more periods of hostilities as designated by the Department of Defense. The ideas behind the Forty and Eight were the thought that Legionnaires needed an opportunity to have some fun and blow off some steam. The Forty and Eight white male membership policy, forced Black Veterans of World War I to hold meetings within their own community.

After the American Legion's Leadership denounced the Forty and Eight as offensive, the Black World War I, World War II and Korean War Veterans in Key West, Florida, known as the William Weech American Legion Post 168 and VFW Walter R. Mickens Post 6021 merged as a Joint Venture.

In 1945, the Black World War I veterans of the community rented the band room located at Angela and Thomas Street, Key West, Florida, where they held their meetings, because of membership denial in the local white organizations of the World War I Veterans.

On March 3, 1946, the VFW Walter R. Mickens Post 6021 received its charter from the Veterans of Foreign Wars under the United Service Organization. This charter received its name after Walter R. Mickens a native Key Wester, killed during World War II.

On June 27, 1946, William Weech American Legion Post 168 received its "Temporary Charter" from The American Legion National Headquarters, Indianapolis, Indiana. William Weech, another native Key Wester who died on the USS Maine, while it was docked in the Harbor of Havana, Cuba, on February 15, 1898, during the Spanish American War. Two years later, on May 20, 1948 Post 168 received a permanent charter.

After both Posts received their Charters, the members officially unified to continue service to their fellow comrades, their families, and the community in which they lived. The loyalty, dedication and patriotism of these veterans diligently worked together to raise funds to build their own Home Posts under one roof, which was uncommon – but not likely. Segregation was still infamous; therefore, these Veterans demonstrated their patriotism and determination to continue serving their community.

The men and women of both Posts and the community supported this project and helped to construct the VFW Walter R. Mickens Post 6021 and the William Weech American Legion Post 168 located at 803 Emma Street, Key West, Florida. Comrade Alphonso Dean was the first Commander of the V.F.W. Walter R. Mickens Post 6021 and Comrade Earl McGee became the first Commander of William Weech American Legion Post 168.

In the process of the building their new Home Post, together the members secured a five-year lease on the Old Dixie Hall located at 711 Whitehead Street owned by the Samaritan Lodge, a private organization, supporting veterans.

The Posts obtained a club license and operated it as a nightclub, which offered entertainment to the many Black Servicemen in Key West.

Many fundraising events, such as a Refrigerator Raffle, Building Bonds sold to members, and entertainment from shows with various well-known celebrities arranged by local Promoter/Entrepreneur Curtis "Bop" Brown and member Nathaniel "Sweet Lips" Richardson, helped the organizations raise funds for their new Post. The club sponsored a dance once a month and entertainers such as Ruth Brown, Diana Washington, B.B. King, James Brown, K.C. and the Sunshine Band, Lordy Miss Claudy and local musicians such as Lofton "Coffee" Butler and his Cups performed, local musicians entertained many sailors, soldiers and veterans within the community.

On August 25, 1951, the men purchased the land located at 803 Emma Street, from the Key West Postmaster Fred Dion and Margaret Dion for \$10.00 and other good and valuable considerations to them in hand.

Alfred A. Allen and Charles L. , Trustees (William Weech American Legion Post 168), Irving J. Carey and Lang B. Milan, as Trustees (Veterans of Foreign Wars Post 6021) and their successors in office, all the city of Key West, Monroe County named

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William Weech American Legion Post
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Name of Property

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on the DEED.

Key West Mayor C.B. Harvey provided the Architect plans of an Art Deco style building to the members, "Free of Charge". Judge/State Representative Jack Saunders donated the first 500 concrete blocks for the new Home Post. City of Key West Commissioner Robert Fernandez commended the men of this joint venture for the efforts, and donated one hundred (100) blocks towards the construction.

On February 28, 1952, Trustees to conduct business on behalf of the entire joint venture Commander Irving J. Carey and Lang B. Milan, and Joint Committee Chairman Alfred A. Allen, and Judge Advocate Charles L. Major opened a Deposit Account with the Florida National Bank at Key West, Florida, to deposit funds for the construction of the new home Post.

On June 25, 1952, during a regular meeting under Commander Phillip Sears, Comrade Floyd Hannibal motion to meet with the County Commissioners to seek recreational facilities for the kids in the Colored Park. The Committee consisting of Posts members and Civic organizations which included Charles L. Major, Samuel Kelly, Bernard McGee, Mrs. Rowena Pinder and Mrs. Julia Riou received a unanimous vote to proceed.

The Post (s) also sent donations to the Crippled Children's Foundation.

Many local businesses factored into the construction of this joint venture, such as; Strunk Lumber Yard, Charley Toppino & Sons, Overseas Transportation Company, Inc., Woman Civic Club, Key West Venetian Blind Company, Long's Furniture Store, Fausto's Food Palace, Joe's Fish Market, Key West Undertaking Company, Lincoln Theatre, Blue Goose Restaurant, Key West Electrical Repair Company, Pepsi-Cola Bottling Company, Willing Workers Guild (St. Peter's Episcopal Church), Geneva Marie's Beauty Parlor, Haskins Machine Works, Blue Marlin Motel, Tropical Trader, American Chemical Company of Key West, Marguerite's House of Glamor, Marcia's Place, Imperial Café, B. Cash Grocery Store, Blue Heaven Billiard parlor, Juan Soriano Grocery Store, Little Gypsy Tea Room, Modern Dry Cleaners, Lindsley Lumber Company, Key West Provision Company, Bernie C. Papy, Mr. and Mrs. Fred Hernandez, John M. Spottswood, Key West Floor Covering Company, Mani's Bar, Peach Pool Room, Sinclair Grocery, Southernmost Neon Sign Company, Martinez Refrigeration Company, Lopez Wholesale Liquors, Inc., Gomez Furniture Company, Fly to Havana(Key West-Havana Overseas Tours), Duval Sundries, O.K. Shoe Shop, Key West Inn, Joe Pearlman's Inc., Altman's Furniture Company, Ester and Bill (Men and Children's Wear), Anthony and Ernestine Welters (Florist), Barbecue Inn (Florence Wilson, Prop.), Appel's (fashion for the entire family), Montzelles (beachwear), Oriental Pharmacy, Forbe's Barber Shop, Tropical Hat Cleaners, John Perez Barber Shop. Gene's News Stand, Lucas Electric, Esquinaldo Grocery, Ida Beauty Shop, Clarence (Sonny) Higgs Jr. (Peninsular Life Insurance Company), Appelrouth's Shoe Center, The Beachcomber(Jewelers), Joe Allen (The Key West Press), "33" Restaurant, Padron's Grocery and Home Appliance Company, Inc. (B.C. Moreno and T.O. Bruce). These businesses applauded the members for their feat.

Many members were adept carpenters, electricians, plumbers, masonries and handy men. They worked their full-time employment at the Naval Station and after work hours, they would meet at their new location to start the construction. When the men fell short on funds to complete the Post, they borrowed \$2,000.00 from Arthur Sawyer Post 28 to continue this project. The men worked 24/7 until completion on December 10, 1952.

December 13, 1952, two days after completion of the building; the Posts and Auxiliary Members held an official program and dedicated the Post to V.F.W. Walter R. Mickens Post 6021 and William Weech American Legion Post 168.

On January 1, 1953, the Post(s) received the Warranty Deed from Fred and Margaret Dion.

Business flourished in the 50's and 60's, mainly due to over 10,000 military personnel of the U.S. Navy being in full deployment in Key West, Florida. Many military personnel became members of both Posts, which placed their membership well over two-hundred.

Many of the Veterans deployed in Key West during this time married the native women and continued in membership with both Posts. The VFW Walter R. Mickens Post 6021 held Post meetings on the second and fourth Monday of each month at 8:00 pm and William Weech American Legion Post 168 members held their meeting on the first and fourth Wednesday. The

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Executive House Committee, consisting of six members from each Post met every Sunday at 11:00 am in the establishment and installation of Officers conducted at a local church, voted for at a regular meeting. These men dedicated themselves to the Four Pillars of the American Legion: Veterans, Defend, Youth, and Patriotism.

Both the Ladies Auxiliary of V.F.W. and the William Weech American Legion Auxiliary Unit 168 fulfilled their purpose in assisting the Posts in all of their endeavors providing many services to the Veterans, their families and the community. February 11, 1953 a letter addressed to William Weech American Legion Post 168 and V.F.W. Walter R. Mickens Post 6021, from the Joint House Committee relative to barring an individual from the premises of the Post – Indefinitely. In another instance, a member was relieved from his duties pending trial for misappropriation of Posts funds. The aims and purpose were unwavering; not allowing anyone to interfere with the accomplishments achieved by the Post and the many challenges they hurdled to maintain their dignity and integrity.

In 1954, a letter sent to the Post from the Navy Hospital informing the Posts of the new Rules and Regulations governing entrance to the hospital, requiring a deposit before admittance. The Post (s) established a "Resolution" showing several Posts and Arthur Sawyer Post 28 objection to new Rules and Regulations, demonstrating hardships this new policy would bring on in this particular city. The Post(s) were very aware and involved in all Veteran affairs locally and nationally.

The Post sent many boys and girls from the community yearly to Boys State and Girls State in Tallahassee, Florida, as part of the many activities provided by the Post. Annual Christmas parties for the children of the Veterans and Community received brown bags of fruit, candy and other goodies were distributed.

The organization allowed their Post Home to become a safe place for Douglas High School students for dances, parties and "Senior Night" graduates. Others groups e.g. churches, non-profit organizations and private citizens rented the hall at half-price, while housing hurricane, fire and other disaster victims at "No Charge", when necessary.

March 7, 1955 a letter from William Weech American Legion and VFW Walter R. Mickens Post 6021 addressing the Shore Patrol Headquarters of the Navy regarding a fracas on the sidewalk of the VFW/American Legion Hall between two Sailors and a Civilian. Charles L. Major, and Alfred A. Allen loyalty and accomplishments they acquired while fully employed with the Naval Station received high accolades as members of the Post (s).

Mr. Charles Major Sr., one of the Trustees on the Deed, became the Commander of the Tenth Division for fourteen years covering Key West to West Palm Beach, Florida.

William Weech American Legion Post 168, Honor Guards rendered a full military ceremony with Taps and Bugle for their deceased Veterans. The Armory received the rifle from the Veterans returning home from war and supplied the Post(s) with rifles for the Honor Guards to use. These rifles were used in Parades and other ceremonial functions conducted by the Post(s).

The Honor Guards of William Weech American Legion Post 168 frequently raised funds and loaned the Post monies to rent a Greyhound Bus for the National Convention held in Orlando Florida. The members were very dedicated and participated in the American Legion. Department of Florida programs as Legionaries.

The Veterans and Auxiliary members of both Posts attained the pledge according to the American Legion and the Veterans of Foreign Wars.

The Post held the biggest political rally in the history of Key West, when Bernie C. Papy serve as State Representative for twenty-eight years and his opponent Charles Ramos was a first time candidate and won the State Representative seat, defeating Mr. Papy by twenty-eight votes, of which Douglass School help Mr. Ramos to win the election.

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The Posts also visited the schools and chose delegates to participate in the National Oratorical event, which was one of the mandatory functions of the American Legion. The eligibility requirements of the chosen candidate(s) to present their speech on **"I Speak for Democracy"** at Church, the Post (s), District, and the Department of Florida, before speaking at National.

In 1963, the members of V.F.W. Walter R. Mickens Post 6021 and William Weech American Legion Post 168; the community at large, Monroe County and City of Key West Officials held their first meeting on Integration at the Post to discuss integrating public schools in Monroe County in 1963. Members of the Post, men, and women of the community and other political official attended.

Auxiliary members from the American Legion Auxiliary Units 28 and 168 conducted Annual Installations at this Post. Many "Conch" (Key West native) families, both black and white, shared relatives and that shared history allowed them to have a very relaxed version of segregation.

Commander Chester Conner, who held this position for thirteen (13) years from 1978 – 1991, brought forth many fundraising ideas to help the Post financially such as Raffles, awarding the winner of the first prize \$500.00, second prize \$300.00 and third prize \$100.00. . Commander Conner was one of the many Military Personnel stationed in Key West, Florida and married a native woman by the name of Doris Newbold Conner, also affiliated with the William Weech Auxiliary Unit 168.

Commander Conner won the Best Historian Award for keeping the Post history during his years in office.

After the era of segregation, in 1968 Arthur Sawyer Unit 28 Auxiliary and William Weech American Legion Auxiliary Unit 168 conducted Installation of Officers at this Post.

In 1996, the roof started to leak badly; and through the leadership of Comrade Theodore Burns, the members mustered enough funds to repair the roof.

Over the next thirteen (13) years from 1997-2010, V.F.W. Walter R. Mickens Post 6021 lost their Charter due to non-membership and William Weech American Legion Post 168, the American Legion. Inc. became the sole Charter of this Joint Venture.

Many of the older members died and became ill, leaving four (4) original members present; two (2) Trustees from William Weech American Legion Post 168, Chairman of the House Committee Alfred A. Allen and Judge Advocate Charles L. Major Sr., Past Post Commander/Chaplain John B. Knowles and Adjutant Samuel D. Leggett. Other members moved out of Key West, died, or just kept their membership with no participation, because of their sickness.

February 2009, Trustee and Chairman of the House Committee died leaving one remaining Trustee Charles L. Major Sr., the only living charter member of William Weech American Legion Post 168 Past Post Commander/Chaplain John B. Knowles, and Adjutant Samuel D. Leggett. The three original members who are in their late 80's and early 90's continue to sustain the pledge to help the younger generation of Veterans to conduct business according to the American Legion Department of Florida Constitution and By-Laws.

The younger generation and a few of the older women of the William Weech American Legion Auxiliary unit 168 continued the purpose in sustaining and assisting the Post constancy. The Auxiliary organized a Key West 2011 Reunion fundraiser on December 24- 31, 2010 toward the restoration/renovation of the building.

The following year on March 31, 2011, first vice Commander Josephus Chaplin Sr. assumed Post Commander Paul Richardson position until the duration of his term. Commander Chaplin has dedicated himself to achieve the same integrity determination as the older members, in helping the Post re-establish it financial status.

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number 8 Page 5

William Weech American Legion Post
168

Name of Property

Monroe - Florida

County and State

Name of multiple listing (if applicable)

Currently, the Post sponsor teen dances for the children of the community every Friday, except for hall rentals at that time and manages the Night Club, built by the members for revenue purpose and providing entertainment for the community at large.

On May 5, 2011 William Weech American Legion Post 168, the American Legion, Inc.; under Post Commander Josephus Chaplin Sr. , submitted the application for the Sons of the American Legion Squadron, and received a "Permanent Charter" on May 15, 2011, to insure the continuation of the Legacy.

Today, the Legionaries preserve the memories and incidents of our association in the Great Wars; safeguard and transmit to posterity the principles of Justice, Freedom and Democracy and embraces the Preamble of the American Legion while continuing to serve the many Veterans, their families and the community.

William Weech American Legion Post 168 organization receives visitors from other Posts and visitors from around the World who admire the Veterans triumphant struggle for survival services. On August 25, 2011, the remaining Post of this Joint Venture will be Celebrating 60 years of continuous service to the Veterans, their families and the Community.

We remain diligent to the Pledge of Allegiance and the Preamble of the American Legion.

"FOR GOD AND COUNTRY"

THE AMERICAN LEGION POST NO. 168
Name of Property

MONROE/FLORIDA
County and State

N/A

Historic Resources Survey Number (if assigned): N/A

10. Geographical Data

Acreage of Property 6,500 sq. ft.
(Do not include previously listed resource acreage.)

UTM References

(Place additional UTM references on a continuation sheet.)

1	17	420805.1	2715899.6	3			
	Zone	Easting	Northing		Zone	Easting	Northing
2				4			
	Zone	Easting	Northing		Zone	Easting	Northing

Verbal Boundary Description (Describe the boundaries of the property.)

All that certain piece or parcel of land in Tract Three (3) on the Island of Key West, which is described in a Diagram of part of the said Tract Three (3), made by L. Windsor Smith, recorded Deed Book "E" Page 72, Monroe County, Florida, Records, known as part of Lots one (1) and Five (5), beginning at a point on Emma Street One hundred Eight (108) feet in a Southeasterly direction from the corner of Emma and Petronia Streets, and running thence along Emma Street in a Southeasterly direction Fifteen (15) feet; thence at right angles in a Northeasterly direction One hundred (100) feet; thence at right angles in a Northwesterly direction Fifteen (15) feet; thence at right angles in a Southwesterly direction One hundred (100) feet to the place of beginning on Emma Street.

Boundary Justification (Explain why the boundaries were selected.)

The nominating property includes the entire parcel historically associated with District VI

11. Form Prepared By

name/title Millicent Lunette Weech – William Weech American Legion Auxiliary Unit 168 Member

organization William Weech American Legion Post 168 date 08/16/11

street & number 733 Olivia Street telephone 305-896-3959

city or town Key West state FL zip code 33040

e-mail Mil1255@comcast.net

Additional Documentation

Submit the following items with the completed form:

- **Maps:** A USGS map (7.5 or 15 minute series) indicating the property's location N24 33' 0.3" – W81 48' 14.2"

United States Department of the Interior
National Park Service

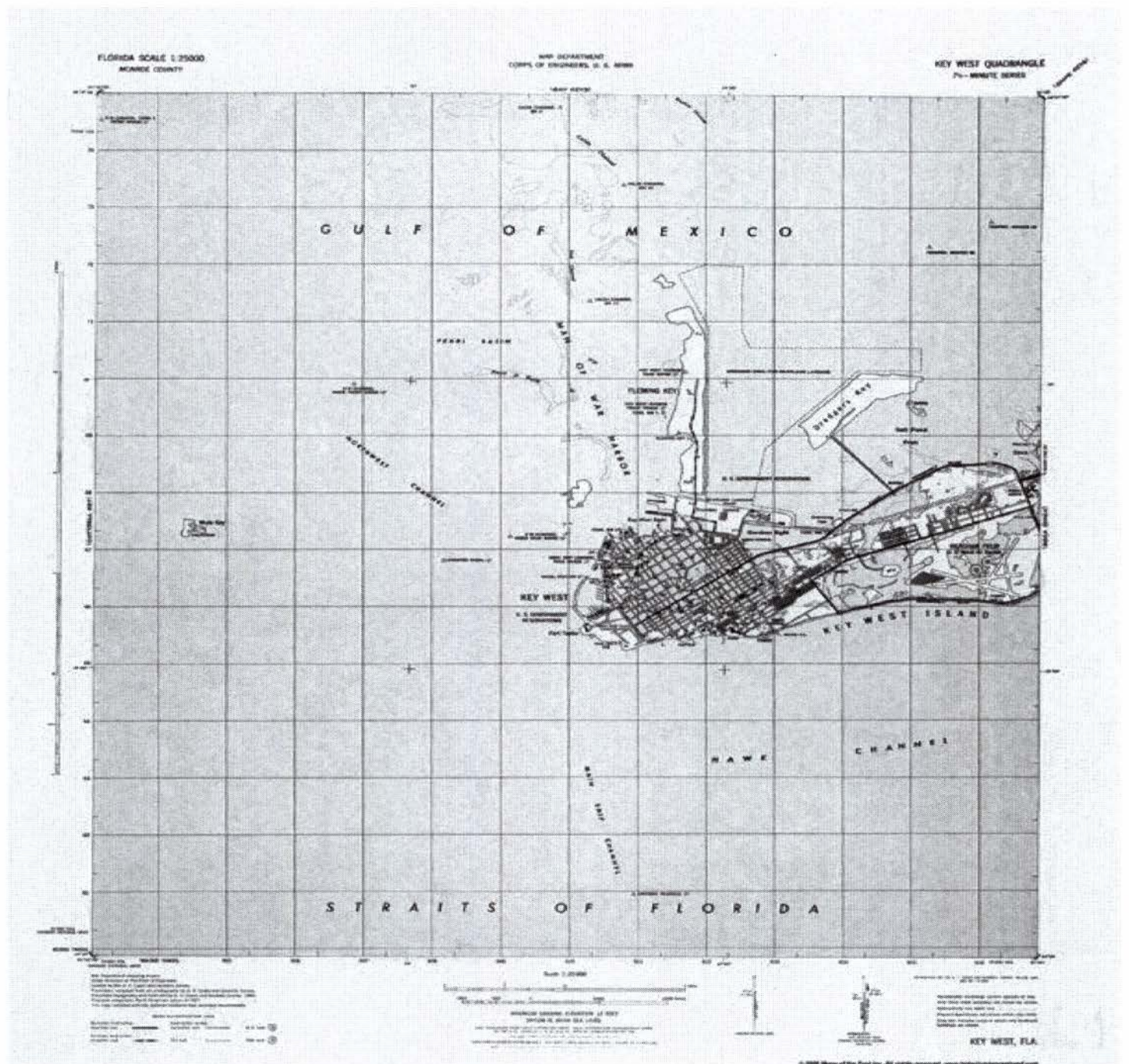
William Weech American Legion Post
168

Name of Property
Monroe – Florida
County and State

Name of multiple listing (if applicable)

Section number 10 Page 1

10. UTM additional reference



United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Name of Property

County and State

Name of multiple listing (if applicable)

Section number 8 Page 1

Photographs

1. William Weech American Legion Post 168
2. Key West, Monroe County, Florida
3. Millicent Weech
4. July 2011
5. 803 Emma St., Key West, Florida 33040
6. American Legion Post 168, façade view, facing north
7. Photo#1

6. American Legion Post 168, detail northeast view, facing north
7. Photo #2

6. American Legion Post 168, northeast view, facing west
7. Photo #3

6. American Legion Post 168, exit door northeast view, and view of northwest exit door, facing west
7. Photo #4

6. American Legion Post 168, northwesterly view, handicap ramp and second front entrance closed-off
7. Photo #5

6. American Legion Post 168, northwesterly view, handicap ramp, exit door, camera facing east
7. Photo #6

6. American Legion Post 168, northwesterly view, exit door rear of bldg, camera facing east
7. Photo #7

6. American Legion Post 168, northwesterly view, rear of bldg, camera facing east
7. Photo #8

6. American Legion Post 168, northwesterly view, rear of bldg, camera facing east
7. Photo #9

6. American Legion Post 168, northeasterly view, rear of bldg, camera facing west
7. Photo #10

6. American Legion Post 168, northeasterly view, outside electrical panel boxes towards front of bldg, camera facing west
7. Photo #11

6. American Legion Post 168, façade view entrance, camera facing north
7. Photo #12

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Name of Property

County and State

Name of multiple listing (if applicable)

Section number 8 Page 2

6. American Legion Post 168, interior, entrance, camera facing south

7. Photo #13

6. American Legion Post 168, interior, kitchen entrance and storage room, camera facing east

7. Photo #14

6. American Legion Post 168, interior, bar view at entrances, camera facing north

7. Photo #15

6. American Legion Post 168, interior, view of bathroom (second entrance closed-off) near ramp exit, camera facing south

7. Photo #16

6. American Legion Post 168, interior back view of stage, northwest view of dressing room, camera facing north

7. Photo #17

6. American Legion Post 168, interior, view of stage northeast dressing room, space above dressing room, camera facing east

7. Photo #18

6. American Legion Post 168, interior, northwesterly dressing room entrance, camera facing north

7. Photo #19

6. American Legion Post 168, interior, northeasterly view of exit, end view of mezzanine, camera facing east

7. Photo #20

6. American Legion Post 168, interior, northeasterly view of stage, dressing room and exit view, camera facing east

7. Photo #21

6. American Legion Post 168, interior, northwesterly view of stage and dressing room from mezzanine, camera facing west

7. Photo #22

6. American Legion Post 168, interior, northeasterly view of dressing room and exit, camera facing east

7. Photo #23

6. American Legion Post 168, interior, southeasterly view of DJ booth on Mezzanine, camera facing east

7. Photo #24

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Name of Property

County and State

Name of multiple listing (if applicable)

Section number 8 Page 3

6. American Legion Post 168, interior, southwesterly view, jalousie window on Mezzanine, camera facing west

7. Photo #25

6. American Legion Post 168, interior, northwesterly view, jalousie window on Mezzanine, camera facing west

7. Photo # 26

6. American Legion Post 168, interior, northeasterly view, floor on Mezzanine, camera facing east

7. Photo #27

6. American Legion Post 168, interior, southeasterly view, jalousie, camera facing south

7. Photo #28

6. American Legion Post 168, interior, northwesterly view, main hall and stage, dressing room, exit door, camera facing north

7. Photo #29

6. American Legion Post 168, interior, northwesterly view, drop ceiling, end of mezzanine, space above dressing room, camera facing north

7. Photo #30

6. American Legion Post 168, interior, Truss above Mezzanine, camera facing south

7. Photo #31

6. American Legion Post 168, interior, bathroom on main floor, camera facing south

7. Photo #32

6. American Legion Post 168, interior, Northwesterly view of Mezzanine facing dressing room/stage area, camera facing north.

7. Photo #33

6. American Legion Post 168, interior, main floor viewing front entrance, steps to Mezzanine, bar area, seating area, Mezzanine, bathroom, and serving window from kitchen area, camera facing south.

7. Photo #34

6. American Legion Post 168, interior main floor viewing front entrance, steps to Mezzanine, bathrooms, seating area, bar and Mezzanine, camera facing south.

7. Photo #35

THE AMERICAN LEGION POST NO. 168

MONROE/FLORIDA

Name of Property

County and State

A **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.

- **Continuation Sheets 8. Statement of Significance Page 1-5**
- **Additional items:** (Check with the SHPO or FPO for any additional items.)

Photographs:

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map.

Name of Property: William Weech American Legion Post 168

City or Vicinity: Key West

County: Monroe State: Florida

Photographer: Millicent Weech

Date Photographed: July 2011

Description of Photograph(s) and number:

1 of 35

Property Owner:

(Complete this item at the request of the SHPO or FPO.)

name Trustees American Legion No 168 - Veterans of Foreign Wars No 6021

street & number 803 Emma Street telephone 305-896-3332

city or town Key West state FL zip code 33040

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

William Weech American Legion Post
168

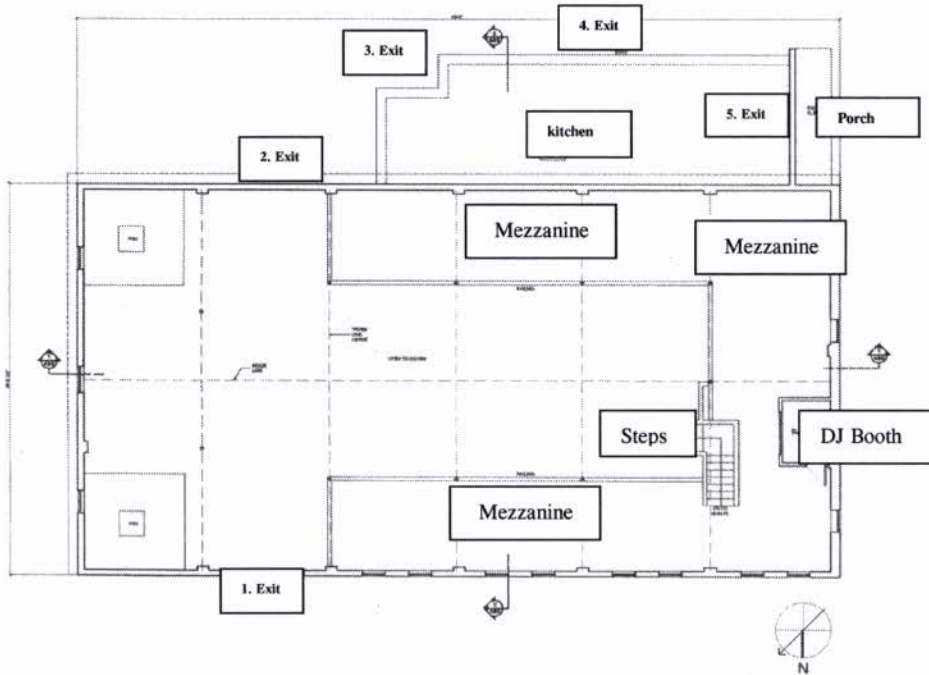
Name of Property
Monroe -Florida

County and State

Name of multiple listing (if applicable)

Section number _____ Page _____ 1 _____

Additional Documentation
FLOOR PLAN



United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

William Weech American Legion Post
168

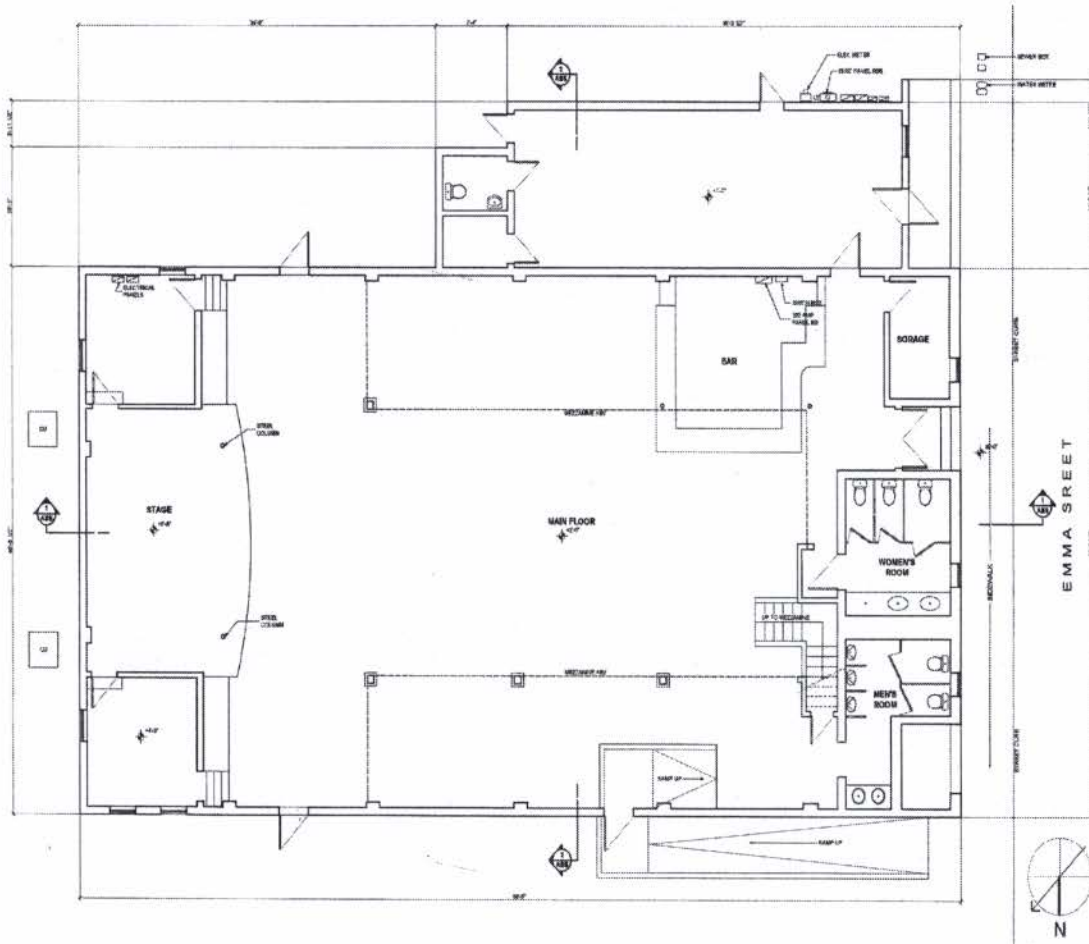
Name of Property
Monroe – Florida
County and State

Name of multiple listing (if applicable)

Section number _____ Page _____ 2 _____

ADDITIONAL DOCUMENTATION

SITE PLAN



WILLIAM WEECH AMERICAN LEGION POST 168, THE AMERICAN LEGION, INC
803 EMMA STREET
KEY WEST, FL 33040

March 11, 2011

Ms. Millicent Weech
733 Olivia Street
Key West, Florida 33040



Ref: Submittal of William Weech American Legion Post 168,
The American Legion, Inc (Historic V.F.W. Walter R. Mickens Post 6021)
History for Nomination to the National Registry of Historic Places
Florida – Monroe County

Dear Ms. Weech:

On, March 9, 2011 during the regular meeting of the William Weech American Legion Post 168, the American Legion, Inc.; the Executive Committee voted to grant you authorization to proceed with the above reference.

It is with great pleasure to know that you have devoted your efforts in securing the history of this building; in memory of all the members of William Weech American Legion Post 168, the American Legion, Inc. and V.F.W. Walter R. Mickens Post 6021 (Historic). This legacy is memorable to District VI and the community at large.

On this day 11 of MARCH, 2011, we the Executive Committee hereby authorize Millicent Weech with the preceding documentation(s) for the Nomination to the National Registry of Historic Places.

Three handwritten signatures in black ink, written over a horizontal line. From left to right, they correspond to Josephus Chaplin Sr., Charles Major Sr., and John B. Knowles.

Josephus Chaplin, Sr.

Charles Major Sr.,

John B. Knowles,

Vice-Commander

Judge Advocate

Chaplain

Craig Cates
Mayor



THE CITY OF KEY WEST

P.O. BOX 1409
KEY WEST, FL 33041-1409

525 Angela Street
(305) 809-3840
FAX 809-3886
ccates@keywestcity.com

May 18, 2011

William Weech American Legion Post 168
The American Legion, Inc.
Attn: Millicent L. Weech
733 Olivia Street
Key West, Florida 33040



Re: Nomination Letter
William Weech American Legion Post 168
The American Legion, Inc (Historic V.F.W. Walter R. Mickens Post 6021)


Dear Ms. Weech;

This letter is to confer what we discussed at the meeting held Tuesday, May 17, 2011 at 3:30 p.m. regarding my supporting the William Weech American Legion Post 168; The American Legion, Inc (Historic V.F.W. Walter R. Mickens Post 6021) for consideration into the National Registry of Historic Places.

In our meeting I stated I support and give my consent for the organization to continue the process of application for the nomination into the National Registry of Historic Places.

If there is anything else I can do to help with the process please do not hesitate in contact my office.

Sincerely,


Craig Cates.
Mayor

Key to the Caribbean - Average yearly temperature 77° F.



BOARD OF COUNTY COMMISSIONERS

Mayor Heather Carruthers, District 3
Mayor Pro Tem David Rice, District 4
Kim Wigington, District 1
George Neugent, District 2
Sylvia J. Murphy, District 5



William Weech American Legion Post 168
The American Legion, Inc.
Attn: Millicent L. Weech
733 Olivia Street
Key West, FL 33040

June 13, 2011

RE: Nomination Letter
William Weech American Legion Post 168
The American Legion, Inc (Historic V.F.W. Walter R Mickens Post 6021)

Dear Ms. Weech,

Pursuant to our discussion in my office on June 9, 2011, I would like to offer my support for the nomination of the William Weech American Legion Post 168 for inclusion in the National Registry of Historic Places. The rich history of the building as posts for both the V.F.W. and the American Legion during segregated times, and the involvement of some of Key West's distinguished leaders in the building's design and construction provide compelling evidence of the structure's historic significance.

I wish you the best of luck with the application. Please do not hesitate to contact my office should the County be able to assist with the project in any way.

Best,

A handwritten signature in black ink, appearing to read 'Heather Carruthers', written over a horizontal line.

Heather Carruthers, Mayor
Commission District 3
Monroe County Florida





































**List of Key West Properties Listed in
the National Register of Historic Places**

nps.gov

National Park Service
U.S. Department of the Interior



National Register of Historic Places



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- [Fort Zachary Taylor \[Image\]](#) 7%
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- [Hemingway, Ernest, House \[Image\]](#) 7%
- [Key West Historic District \[Image\]](#) 7%
- [Key West Historic District \(Boundary Increase\) \[Image\]](#) 7%
- [Little White House \[Image\]](#) 7%
- [Martello Gallery-Key West Art and Historical Museum \[Image\]](#) 7%
- [Old Post Office and Customshouse \[Image\]](#) 7%
- [Porter, Dr. Joseph Y., House \[Image\]](#) 7%

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- [Sloppy Joe's Bar \[Image\]](#) 7%
- [Thompson Fish House, Turtle Cannery and Kraals \[Image\]](#) 7%
- [U.S. Coast Guard Headquarters, Key West Station \[Image\]](#) 7%
- [US Naval Station \[Image\]](#) 7%
- [West Martello Tower \[Image\]](#) 7%
- [WESTERN UNION \(schooner\) \[Image\]](#) 7%

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**National Register Criteria for Evaluation
and Check List for Reviewing
Proposed Nominations**



NATIONAL REGISTER BULLETIN

HOW TO APPLY THE NATIONAL REGISTER CRITERIA FOR EVALUATION

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U.S. Department of the Interior, National Park Service

II. NATIONAL REGISTER CRITERIA FOR EVALUATION

Criteria for Evaluation

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

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of significant persons in or past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield, information important in history or prehistory.

Criteria Considerations

Ordinarily cemeteries, birthplaces, 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 shall not be considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location but which is primarily

significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life; or

d. A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

g. A property achieving significance within the past 50 years if it is of exceptional importance.

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[Comments or Questions](#)

JPJ



NATIONAL REGISTER NOMINATIONS
TECHNICAL REVIEW

General Review

___ Have all the blanks been filled, including “n/a” where applicable?

Section 1. Name of Property

___ Is the name entered the one that best reflects the property’s historic importance or was commonly used for the property during the period of significance?

Section 2. Location

___ Are all items completed? Are the correct codes used? Is the name of the federal land area noted, if pertinent? If the property needs certain protection, has “not for publication” been checked?

Section 3. Certification

___ Is a Level of Significance checked?

___ Is the form signed by a SHPO, THPO, FPO, or authorized delegate?

___ For concurrent nominations, have both parties signed the form?

Section 5. Classification

___ Are all items completed? Is there a clear identification of the number of contributing and noncontributing resources?

___ Does the resource count agree with the narrative in Section 7?

Sections 6. Function or Use

___ Have the historic and current functions been indicated, using functions listed in the *How To Complete the NR Registration Form Bulletin*?

Section 7. Description

___ Have the Architectural Classification and Materials sections been completed (where appropriate)?

___ Is there an initial paragraph that identifies what is being nominated, summarizes its appearance, and describes the property’s integrity?

___ Have all alterations to the building/site over time been described and dated, to the extent possible? Do the descriptions of contributing/noncontributing resources agree with the resource counts in Section 5?

___ For historic districts, is there a complete inventory list or accompanying sketch map identifying all resources counted and marked whether they contribute or not?

Section 8. Statement of Significance

___ Has all pertinent information been included? The following are mandatory: Applicable NR Criteria, Areas of Significance, and Period of Significance. The following may be needed: Significant Person (if Criterion B is applicable), Cultural Affiliation (if Criterion D—and in some cases Criterion A—is applicable), Significant Dates and Criteria Considerations, as pertinent, and Architect/Builder (if “work of a master” pertains).

___ Does the Narrative Statement include a summary paragraph indicating the pertinent NR Criteria, the period of significance, and the areas and level of significance of the property?

___ In subsequent paragraphs, is the case made for each Area of Significance as it relates to a particular historic context/theme?

Section 9. Major Bibliographical References

___ Are bibliographic sources provided?

Section 10. Geographical Data

___ Does the verbal boundary description delineate the precise area within the boundaries of the property, not just a general location?

___ Is the specific number of acres given? Is it consistent with the size of the area noted within the boundaries?

___ Are UTM references provided? Is the minimal requirement of three points given, if the property is 10 or more acres in area?

Section 11. Form Prepared By

___ Is the preparer identified, with contact information?

Maps

___ Is the original USGS map enclosed and properly labeled?

___ Is a map enclosed for historic districts that contains a north arrow and a scale?

Photos (Updated NR Photo Policy 2010)

___ Are the photographs on the correct paper and appropriately identified and labeled?

___ Is a photo log included? For historic districts, are photos keyed to the district map?

___ Are the photo files saved as TIF files at the correct resolution on an archival quality CD?

NATIONAL REGISTER NOMINATIONS
SUBSTANTIVE REVIEW

Section 1. Name of Property

___ Does the property name accurately reflect *historic ownership*?

Section 7. Description

___ Does the descriptive narrative accurately reflect the boxes checked?

___ Are the important features of the property identified in the Description Section, including site, date, materials, style, size, roof-shape, story, plan, windows, foundation, details, interior?

___ Does the Description include information about the setting, environment, and or surrounding buildings/areas?

___ Is the Description clear and complete? If the property has been altered, is the difference between the original (or historic) and the current condition and appearance clear?

___ Does the description convey the significant qualities of the property? Through what features? Do these features retain integrity?

___ Have contributing and noncontributing features been identified?

___ Have alterations (if any) been adequately described? Has the evaluation of their impact on the integrity been made? Have alterations been evaluated regarding significance that may have accrued over time?

Section 8. Statement of Significance

___ Does the narrative clearly represent and convey the period of significance checked? Has the period(s) been justified in the Statement of Significance?

___ Does the specific date or date range reflect the property's period of historic significance?

___ Do the Areas of Significance reflect the significance of the property, not just its function?

___ Is the Statement of Significance written in a clear and complete manner?

___ Have all the applicable criteria been identified and documented within the Statement of Significance?

___ Are any criteria exceptions (if applicable) justified according to their specific requirements?

___ Does the context in which the property has been evaluated as significant justify the local, state, or national level of significance chosen for the property?

___ Does the integrity relate to the overall property, not its features and parts?

Section 9. Major Bibliographic References

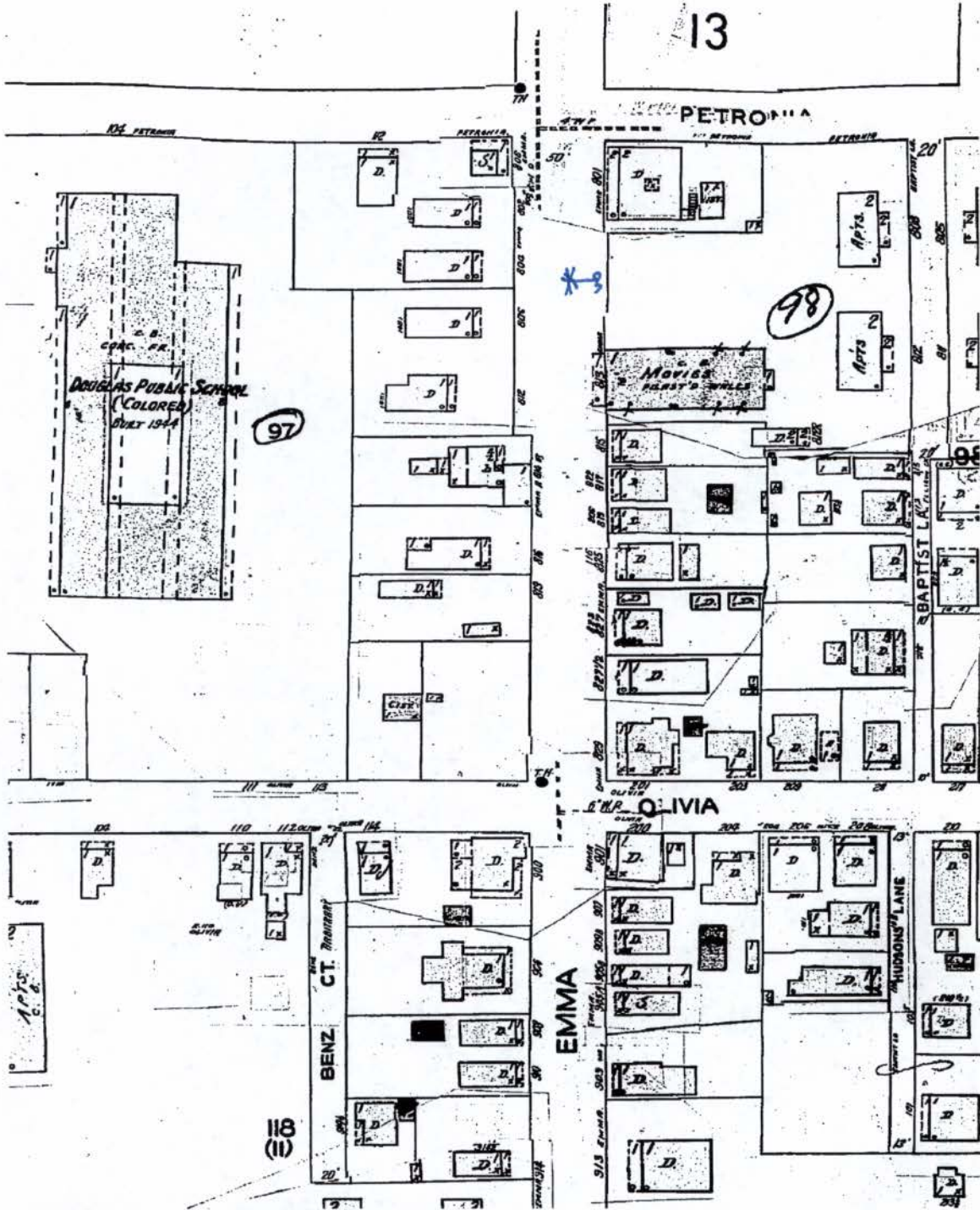
___ Is there evidence that the bibliographic sources noted have been used in the preparation of the nomination?

Section 10. Geographical Data

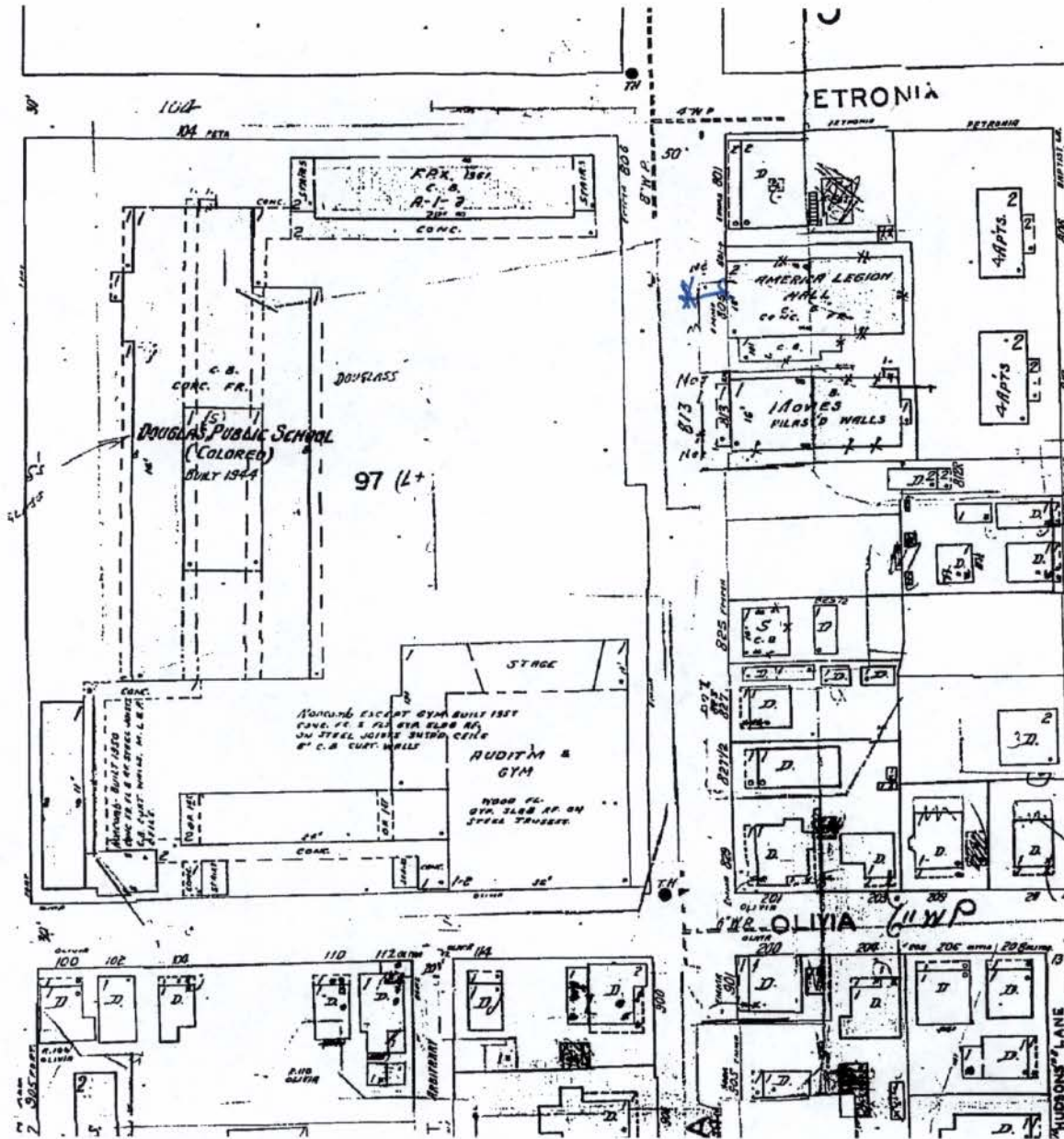
___ Have the boundaries been drawn to include all features directly related to the significance of the property?

___ Have the boundaries and the acreage been justified?

Sanborn Maps



#803 Emma Street Sanborn map 1948



#803 Emma Street Sanborn map 1962 Copy

**Property Appraiser
Information**

Karl D. Borglum
Property Appraiser
Monroe County, Florida

office (305) 292-3420
fax (305) 292-3501
Website tested on
Internet Explorer

**GIS Mapping requires Adobe Flash 10.3 or higher.
(An Export Map widget is in the lower left corner.)**

Property Record View

Alternate Key: 1015032 Parcel ID: 00014650-000000

Ownership Details

Mailing Address:

TRUSTEES AMERICAN LEGION NBR 168
P O BOX 903
KEY WEST, FL 33040

Property Details

PC Code: 77 - CLUBS,LODGES (PC/LIST)
Millage Group: 11KW
Affordable Housing: No
Section-Township-Range: 06-68-25
Property Location: 803 EMMA ST KEY WEST
Legal Description: KW PT LOTS1-5 SQR2 TR3 G52-100-101 G66-440-441

Parcel Map (Click to open dynamic parcel map)



Exemptions

Exemption	Amount
12 - NON-PROFIT	1,135,098.00

Land Details

Land Use Code	Frontage	Depth	Land Area
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100E - COMMERCIAL EXEMPT	65	100	6,500.00 SF
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Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 1
 Total Living Area: 5179
 Year Built: 1943

Building 1 Details

Building Type
 Effective Age 16
 Year Built 1943
 Functional Obs 0

Condition A
 Perimeter 334
 Special Arch 0
 Economic Obs 0

Quality Grade 400
 Depreciation % 19
 Grnd Floor Area 5,179

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

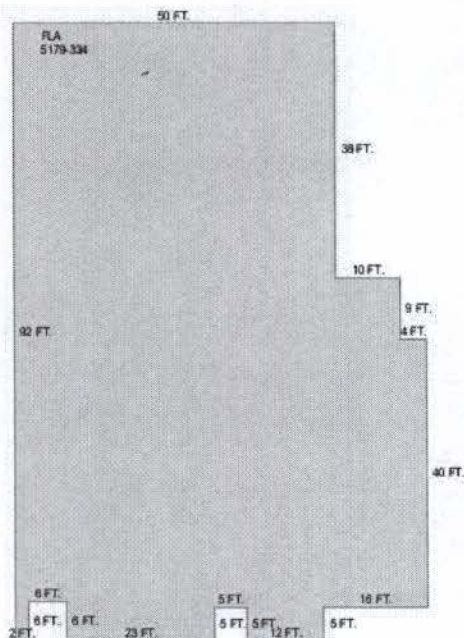
Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

2 Fix Bath 0
 3 Fix Bath 2
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 0

Vacuum 0
 Garbage Disposal 0
 Compactor 0
 Security 0
 Intercom 0
 Fireplaces 0
 Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
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1 FLA 1 1942 5,179

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	2642	CLUBS/LDG/HALLS-D-	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
695	C.B.S.	100

Appraiser Notes

EXEMPT FOR 1978 82585 QG=050

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
06-0186	01/24/2006	07/24/2006	500	Commercial	HOOK APPLICANCES WITH PROPANE
B943764	11/01/1994	12/01/1995	1,000	Commercial	PAINT I/S, NEW FIXTURES
B940676	02/01/1994	12/01/1995	15,000	Commercial	REPAIR EXT CONCRETE
B940472	02/01/1994	12/01/1995	15,000	Commercial	MAJOR CONCRETE REPAIR
9604339	11/01/1996	07/01/1997	11,000	Commercial	ROOF
9604428	11/01/1996	07/01/1997	36,000	Commercial	PLUMBING
9604428	11/01/1996	07/01/1997	1	Commercial	REPAIR/REMODELING
9700401	02/01/1997	07/01/1997	1,800	Commercial	ELECTRICAL

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	573,823	0	561,275	1,135,098	1,135,098	1,135,098	0
2010	573,823	0	617,500	1,191,323	1,191,323	1,191,323	0
2009	602,160	0	731,250	1,333,410	1,333,410	1,333,410	0
2008	602,160	0	747,500	1,349,660	1,349,660	1,349,660	0
2007	389,714	0	747,500	1,137,214	1,137,214	1,137,214	0
2006	398,883	0	552,500	951,383	951,383	951,383	0
2005	398,883	0	455,000	853,883	853,883	853,883	0
2004	403,464	0	442,000	845,464	845,464	845,464	0
2003	403,464	0	156,000	559,464	559,464	559,464	0
2002	403,464	0	104,000	507,464	507,464	507,464	0
2001	403,464	0	97,500	500,964	500,964	500,964	0

2000	403,464	0	81,250	484,714	484,714	484,714	0
1999	403,464	0	81,250	484,714	484,714	484,714	0
1998	268,976	0	81,250	350,226	350,226	350,226	0
1997	170,294	0	68,250	238,544	238,544	238,544	0
1996	154,812	0	68,250	223,062	223,062	223,062	0
1995	154,812	0	68,250	223,062	223,062	223,062	0
1994	154,812	0	68,250	223,062	223,062	223,062	0
1993	154,812	0	68,250	223,062	223,062	223,062	0
1992	154,812	0	68,250	223,062	223,062	223,062	0
1991	154,812	0	68,250	223,062	223,062	223,062	0
1990	125,041	0	55,250	180,291	180,291	180,291	0
1989	125,041	0	53,625	178,666	178,666	178,666	0
1988	111,704	0	42,250	153,954	153,954	153,954	0
1987	109,412	0	21,125	130,537	130,537	0	130,537
1986	109,883	0	19,500	129,383	129,383	0	129,383
1985	107,150	0	20,085	127,235	127,235	0	127,235
1984	104,958	0	20,085	125,043	125,043	0	125,043
1983	306,375	0	20,085	326,460	326,460	303,607	22,853
1982	248,517	0	15,665	264,182	264,182	245,689	18,493

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

There are no sales to display for this parcel.

This page has been visited 5,700 times.

Monroe County Property Appraiser
Karl D. Borglum
P.O. Box 1176
Key West, FL 33041-1176

Noticing

Public Meeting Notice

The Historic Architectural Review Commission will hold a public hearing at 6:00 p.m., November 9, 2011 at Old City Hall, 510 Greene Street, Key West, Florida. The purpose of the hearing will be to consider a request for:

**WILLIAM WEECH AMERICAN LEGION POST 168, THE AMERICAN LEGION INC.
PROPOSED NOMINATION TO THE NATIONAL REGISTER OF HISTORIC PLACES
803 EMMA STREET**

Applicant: Millicent Lunette Weech

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3973 or visit our website at www.keywestcity.com .