

COVENANT  
between  
ILLINOIS DEPARTMENT OF CONSERVATION  
and  
City of Elgin/Neighborhood Housing Services

THIS AGREEMENT, made and entered into this 24th day of September,  
19 84 by and between the Illinois Department of Conservation, hereinafter  
called the Department; and the City of Elgin, hereinafter called the City;

WHEREAS, the Department has transferred, awarded and paid to the  
Neighborhood Housing Services of Elgin, Inc. an Historic Preservation Fund  
annual project grant in the amount of Twenty-five Thousand Dollars  
(\$25,000.00) which sum was granted to the Department by the United States  
Department of the Interior, National Park Service for preservation of the  
James A. & Sarah A. Palmer Residence, located at 326 East Chicago Street,  
Elgin, Illinois, under the provisions of the National Historic Preservation  
Act of 1966 (PL 89-665) as amended;

WHEREAS, this grant is used exclusively for the purpose and scope of  
work relating to the historic preservation of the James A. and Sarah A. Palmer  
Residence, located at 326 East Chicago, Elgin, Illinois, as specified in the  
application from the Department to the National Park Service, as amended from  
time to time by the Department and the Neighborhood Housing Services of Elgin,  
Inc.;

WHEREAS, the historic preservation work accomplished under this grant  
is in accordance with the "Secretary of the Interior's Standards for Historic  
Preservation Projects" as evidenced in plans, specifications, detailed  
descriptions or other materials submitted to the Department and to the  
National Park Service, and in accordance with recommendations and standards  
set forth;

WHEREAS, a Covenant is required on a property receiving grant

WHEREAS, if the James A. and Sarah A. Palmer Residence, located at 326 East Chicago, Elgin, Illinois, is made available through a rental arrangement to organizations other than the City for various general public functions, the City shall secure signed assurances from the renter stating that the renter shall not discriminate against individuals on the basis of race, creed, color, sex, age, handicap, or national origin while using the facility.

WHEREAS, the award to the Neighborhood Housing Services of Elgin, Inc. does not preclude the City or subsequent owners of the James A. and Sarah A. Palmer Residence, located at 326 East Chicago Street, Elgin, Illinois, from applying for, and being considered without prejudice for federal funds as may be necessary to preserve fully the James A. and Sarah A. Palmer Residence, located at 326 East Chicago Street, Elgin, Illinois, provided that subsequent project undertakings shall in no way duplicate work accomplished under this award;

NOW THEREFORE, in consideration of the mutual advantages resulting from the respective obligations assumed under this AGREEMENT:

Neighborhood Housing Services Agree(s):

1. To maintain financial and administrative records pertaining to this grant award for at least three (3) years following the completion of all project work conducted under this grant, or until all claims and audit findings involving the project have been resolved;

The City Agree(s):

1. To comply with the requirements of the Department and the National Park Service to assume the cost of continued maintenance and repair of the property so as to preserve the architectural, historical, or archaeological integrity of the property for the specified period of time in order to



2. The City agrees that when the Property is not clearly visible from a public right of way or includes interior work assisted with Historic Preservation grant funds, the Property will be open to the public no less than 12 days a year on an equitably spaced basis and at other times by appointment. Nothing in this agreement will prohibit the City from charging a reasonable nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area. The City further agrees that when the Property is not open to the public on a continuing basis, and when the improvements assisted with Historic Preservation grant funds are not visible from the public way, notification will be published in newspapers of general circulation in the community area in which the Property is located giving dates and times when the Property will be open to the public. Documentation of such notice will be furnished annually to the State Historic Preservation Officer during the term of the agreement.

The Department Agrees:

1. To report to the National Park Service when any part of this agreement and its Covenants as it relates to the federal administration of the grant, are not satisfied so that appropriate legal action may be taken;
2. To make periodic inspections of the site and facilities;
3. To recommend normal and routine preventive care of those areas and facilities of the James A. and Sarah A. Palmer Residence, located at 326 East Chicago Street, Elgin, Illinois, affected by this historic preservation grant; and the Department may proceed to enforce this provision through appropriate legal action.

THIS AGREEMENT SHALL BE IN FORCE from September 1, 1984 until August 31, 1989, and shall be recorded in the Office of the Recorder of Deeds of Kane County, Illinois, against the land whose legal description is as follows:

The southerly 82.0 feet of Lot 10 in Block 1 of J.T. Giffords Plat in the City of Elgin, Kane County, Illinois (PROPERTY COMMONLY KNOWN AS 326 EAST CHICAGO STREET).

ACCORDINGLY, the parties have executed this agreement on the day and year first written above.

ILLINOIS DEPARTMENT OF CONSERVATION

David Kenney  
David Kenney

Witness:

Thomas E. Richter  
Notary Public Seal

Robert Malm  
City of Elgin

Witness:

150 Dexter Court  
Address

Marie Yearman  
Notary Public Seal  
City Clerk

Mark A. Dwyer - President  
Neighborhood Housing Services

COUNTY RECORDER'S SEAL