

COVENANT  
between  
ILLINOIS DEPARTMENT OF CONSERVATION  
and  
Galena Art and Recreation Center, Inc.

THIS AGREEMENT, made and entered into this 13th day of August,  
1984 by and between the Illinois Department of Conservation, hereinafter  
called the Department; and the Galena Art and Recreation Center, Inc.,  
hereinafter called the Grant Recipient;

WHEREAS, the Department has transferred, awarded and paid to the Grant  
Recipient an Historic Preservation Fund annual project grant in the amount of  
Twenty-four Thousand, Three Hundred Eighty Dollars (\$24,380.00) which sum was  
granted to the Department by the United States Department of the Interior,  
National Park Service for preservation of the Galena Art and Recreation  
Center, located at 413 South Bench Street, Galena, 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 Galena Art and Recreation  
Center, located at 413 South Bench Street, Galena, 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 Grant Recipient;

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, the award to the Grant Recipient does not preclude the Grant Recipient or subsequent owners of the Galena Art and Recreation Center, located at 413 South Bench Street, Galena, Illinois, from applying for, and being considered without prejudice for federal funds as may be necessary to preserve fully the Galena Art and Recreation Center, located at 413 South Bench Street, Galena, 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:

The Grant Recipient 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;
2. 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 protect and enhance those qualities that made the property eligible for listing on the National Register of Historic Places.
3. That, if the Galena Art and Recreation Center, located at 413 South Bench Street, Galena, Illinois, is made available through a rental arrangement to organizations other than the Grant Recipient for various general public functions, the Grant Recipient shall secure signed assurances from the renter stating that the renter shall not discriminate

4. The Grant Recipient 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 Grant Recipient from charging a reasonable nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area. The Grant Recipient 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 Galena Art and Recreation Center, located at 413 South Bench Street, Galena, 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 Jo Daviess County, Illinois, against the land whose legal description is as follows:

Lots Thirteen (13) Fourteen (14) Fifteen (15) and Three and three-fourths (3 3/4) feet off of the South part of Lot Sixteen (16) on the West side of Bench Street and running through to Prospect Street on the West side of Galena River, in the City of Galena, Jo Daviess County, Illinois.

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



Witness:

Maurine E. Richter  
Notary Public Seal

Witness:

Dated August 25, 1984 at Galena, Il.

Robert R. Roth  
Notary Public Seal

ILLINOIS DEPARTMENT OF CONSERVATION

David Kenney  
David Kenney

James A. Webster, pres.  
Galena Art & Recreation Center, Inc.  
413 South Bench Street  
Galena, Illinois 61036  
Address

COUNTY RECORDER'S SEAL