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JO DAVIESS CTY. RECORDER
STATE OF ILLINOIS

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COVENANT

between

ILLINOIS HISTORIC PRESERVATION AGENCY

and

CITY OF GALENA

THIS AGREEMENT, made and entered into this 1st day of March
1993 by and between the Illinois Historic Preservation Agency, hereinafter called the
Agency; and the City of Galena, hereinafter called the City ;

WHEREAS, the Illinois Historic Preservation Agency has transferred, awarded and
paid to the City, a Grant in the amount of Six Hundred Eighty-Four Thousand Eight
Hundred Dollars (\$684,800.00) for the preservation of the Turner Hall , located at 105
Bench Street, Galena, Illinois.

WHEREAS, this grant is used exclusively for the purpose and scope of work
relating to the historic preservation of the Turner Hall, located at 105 Bench Street,
Galena, Illinois, as specified in the application from the City to the Illinois Historic
Preservation Agency, as amended from time to time by the Agency and City;

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 Agency and in accordance with recommendations and standards set forth;

WHEREAS, a Covenant is required on a property receiving grant assistance whenever the owner and/or the project sponsor has accrued certain tangible benefits;

WHEREAS, the City, and its successors in interest, agrees to comply with Title VI of the Civil Rights Act of 1964 [42 USC 2000 (d)] and Section 504 of the Rehabilitation Act of 1973 [29 USC Section 794]. These laws prohibit discrimination on the basis of race, religion, national origin, or handicap. In implementing open, public access, reasonable accommodation to qualified handicapped persons shall be made in consultation with Illinois Historic Preservation Agency.

WHEREAS, if the Turner Hall , located at 105 Bench Street, Galena , 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 City does not preclude the City or subsequent owners of the Turner Hall , located at 105 Bench Street, Galena , Illinois, from applying for, and being considered without prejudice for state and federal funds as may be necessary to preserve fully the Turner Hall , located at 105 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 City 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 Illinois Historic Preservation Agency and 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. The City agrees that when the Property is not clearly visible from a public right-of-way or includes interior work assisted with Illinois Heritage grant

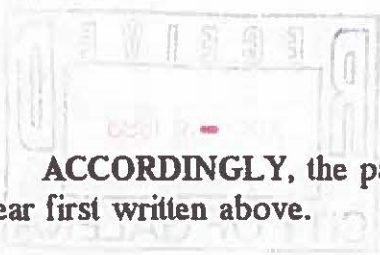
funds, the Property will be open to the public no less than 12 days a year on an equitably spaced basis and at other times by appointment. Nothing in this agreement will prohibit the City from charging a reasonable nondiscriminatory admission fee, comparable to fees charged at similar facilities in the 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 Illinois Heritage 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 Agency Agrees:

1. To make periodic inspections of the site and facilities;
2. To recommend normal and routine preventive care of those areas and facilities of the located at Illinois, affected by this historic preservation grant; and the Illinois Historic Preservation Agency may proceed to enforce this provision through appropriate legal action.

THIS AGREEMENT SHALL BE IN FORCE from July 01, 1992 until June 30, 2002, and shall be recorded in the Office of the Recorder of Deeds of ,Galena, JoDavieess County,Illinois, against the land whose legal description is as follows:

Fractional Lot Number 57 lying between Lots 38 and 39 between Bench and Prospect Streets, fronting 53 feet on Prospect Street and running to a point on Bench Street. Also Lot Number 39 fronting 50 feet on Bench Street and the same on Prospect Street. Also 22 1/2 feet off the South half of Lot Number 40 on Bench Street running to a point at the Northwest corner of said Lot 40. The whole of the above described premises fronting 72 1/2 feet on Bench Street and 103 feet on Prospect Street in the City of Galena, County of Jo Davieess and State of Illinois, on the west side of Galena River.



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

ILLINOIS HISTORIC PRESERVATION AGENCY

Witness:

William L. Wheeler

**William L. Wheeler
State Historic Preservation Officer**

Witness:

Terry W. Cole

**Terry W. Cole, Mayor
for City of Galena**

COUNTY RECORDER'S SEAL

**Prepared by:
Illinois Historic Preservation Agency
Grants Management Section
Old State Capitol
Springfield, IL 62701**