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Denise A. Loy

COVENANT
between

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RECORDER

ILLINOIS HISTORIC PRESERVATION AGENCY
and
JUNIOR LEAGUE OF KANKAKEE COUNTY, INC.

91- 17258

THIS AGREEMENT, made and entered into this 6th day of December 1991 by and between the Illinois Historic Preservation Agency, hereinafter called the Agency; and the Junior League of Kankakee County, Inc., hereinafter called the League;

WHEREAS, the Illinois Historic Preservation Agency has transferred, awarded and paid to the League, an Illinois Heritage Grant in the amount of Five Thousand Dollars (\$5,000.00) which sum was granted to the Agency by the United States Department of the Interior, National Park Service for the preservation of the Lemuel Milk Carriage House, located at Indiana Ave. and Oak Street, Kankakee, Illinois.

WHEREAS, this grant is used exclusively for the purpose and scope of work relating to the historic preservation of the Lemuel Milk Carriage House located at Indiana Ave. and Oak Street, Kankakee, Illinois, as specified in the application from the League to the Illinois Historic Preservation Agency, as amended from time to time by the Agency and League;

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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 League, 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 Lemuel Milk Carriage House located at Indiana Ave. and Oak Street, Kankakee, Illinois, is made available through a rental arrangement to organizations other than the League for various general public functions, the League 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 League does not preclude the League or subsequent owners of the Lemuel Milk Carriage House located at Indiana Ave. and Oak Street, Kankakee, Illinois, from applying for, and being considered without prejudice for state and federal funds as may be necessary to preserve fully the Lemuel Milk Carriage House located at Indiana Ave. and Oak Street, Kankakee, 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 League 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 League 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 League from charging a reasonable nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area. The League 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 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.

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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 Lemuel Milk Carriage House located at Indiana Ave. and Oak Street, Kankakee, 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 September 1, 1991 until August 31, 2001, and shall be recorded in the Office of the Recorder of Deeds of Kankakee, Illinois, against the land whose legal description is as follows:

That part of Lot 5 in Block 12 in the Town of Kankakee City, now known as City of Kankakee, Kankakee County, Illinois, bounded and described as follows: Commencing at the Northwest corner of said Lot 5, thence Easterly along the North Line of said Lot 5, a distance of 36 feet; thence South parallel to the West line of said Lot, a distance of 46.2 feet; thence West and parallel to the North line of said Lot, 46.2 feet to the point of beginning, subject to an easement for ingress and egress by the owner of the remainder of said Lot 5, and their successors and assigns, over and across the East 3 feet of the above conveyed premises; also including a perpetual right of ingress and egress to the grantee and his successors in title over the South 3.8 feet of the West 36 feet of said Lot 5.

ACCORDINGLY, the parties have executed this agreement on the ⁰¹⁻¹⁷⁻⁵⁸ day and year first written above.

ILLINOIS HISTORIC PRESERVATION AGENCY

Witness:

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

Witness:

for Junior League of Kankakee County, Inc.
for Junior League of Kankakee County, Inc.

COUNTY RECORDER'S SEAL

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