

COPY

RESTRICTIVE COVENANT
FOR THE ROUND BARN FARM
BY THE MANHATTAN PARK
DISTRICT

Laurie McPhillips 3P R 2006082434
Will County Recorder Page 1 of 3

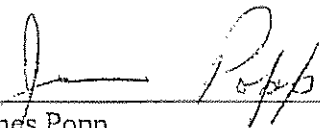
PC1 Date 05/19/2006 Time 11:18:33
Recording Fees: 24.75
IL Rental Hsng Support Prog: 0.00

In consideration of acceptance of the Illinois Department of Natural Resources OSLAD Grant by the Manhattan Park District (grantee) for acquisition of a parcel of land of about 79.37 acres more or less (legal description attached as Appendix A) and herein referred to as Round Barn Farm, the Manhattan Park District agrees to the following:

1. The real property described herein must be maintained for public outdoor recreation use purposes only as prescribed by the State of Illinois, Department of Natural Resources under terms of the State's Open Space Lands Acquisition & Development (OSLAD) grant program and shall not be sold or exchanged or have other encumbrances placed on the title, in whole or in part, which divests control or interest in the property to another party without prior approval from the State of Illinois, Department of Natural Resources or its successor.

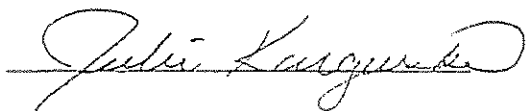
2. This covenant shall be binding servitude upon these 79.37 acres more or less of the Round Barn Farm and shall be deemed to run with the land, and the acceptance of this conveyance by the Manhattan Park District shall constitute conclusive evidence that the Manhattan Park District agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.

APPROVED this 18th day of May, 2004.



James Popp
President, Manhattan Park District
Board of Commission

ATTEST:



Julie Kargus

Julie Kurczewski
Secretary

Subscribed and sworn to before me
this 18th day of May, 2006.

Timothy J. McGrath
NOTARY PUBLIC

"OFFICIAL SEAL"
TIMOTHY J. MCGRATH
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12/31/10

Document prepared by and return to:
Timothy J. McGrath - 06193170
440 S. State Street
P.O. Box 615
Manhattan, Illinois 60442
(815) 478-4020
(815) 478-4084 - Fax

APPENDIX "A"

THE WEST 1/2 OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 3342.5 FEET THEREOF; ALSO EXCEPTING THE WEST 650 FEET OF THE EAST 815 FEET OF THE NORTH 505.6 FEET OF THE NORTHWEST 1/4, AND ALSO EXCEPTING THAT PART TAKEN BY CONDEMNATION CASE NO. W74G1262ED; AND ALSO EXCEPTING THAT PART FALLING IN THE NORTHWEST 1/4 OF SECTION 8 LYING NORTH OF THE NORTH EDGE OF JACKSON CREEK AND PARCEL II IN DEEDS RECORDED AS DOCUMENT NOS. R87-17143 AND R86-26420), ALL ALSO EXCEPTING THEREFROM THE NORTH 285 OF THE SOUTH 3957.5 FEET OF THE WEST 530 FEET THEREOF, AND ALSO EXCEPTING THEREFROM THAT PART OF THE WEST 680.00 FEET THEREOF LYING NORTH OF THE NORTH LINE OF THE SOUTH 3957.5 FEET, LYING SOUTH OF THE NORTH EDGE OF JACKSON CREEK, AND LYING EAST OF THE EAST RIGHT-OF-WAY OF ILLINOIS ROUTE 52, ALL IN WILL COUNTY, ILLINOIS, AND CONTAINING 79.37 ACRES MORE OR LESS.

P.I.N.: Part of 12-08-100-012-0000

Commonly known address: Route 52, Manhattan, Illinois

HISTORIC AND NATURAL
RESOURCES PRESERVATION
COVENANT FOR THE
ROUND BARN FARM
BY THE MANHATTAN PARK
DISTRICT, WILL COUNTY

LAURIE MCPHILLIPS 3P R 2006082435
Will County Recorder Page 1 of 3

PC1 Date 05/19/2006 Time 11:18:33
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In consideration of acceptance of the Illinois Department of Natural Resources OSLAD Grant by the Manhattan Park District (grantee) for acquisition of a parcel of land of about 88.65 acres more or less (legal description attached as Appendix A) and herein referred to as Round Barn Farm, the Manhattan Park District agrees to the following:

1. Grantee shall fully comply with all applicable state and federal laws, including but not limited to the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420, et. seq.), the Natural Areas Preservation Act (525ILCS30/1 et. seq.), Endangered Species Protection Act (520ILCS10/1 et. seq.), the Illinois Interagency Wetland Policy Act of 1989, the Human Skeletal Remains Protection Act (20 ILCS 3440), and Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR Part 800.4).

2. No construction, alteration, or disturbance of the ground surface or structure older than 50 years shall be undertaken or permitted to be undertaken on the aforesaid 88.65 acres more or less of the Round Barn Farm without the express prior written permission of the Illinois Department of Natural Resources, Comprehensive Environmental Review Program who may require archaeological or environmental surveys and/or site or structure mitigation prior to any undertaking.

3. The Illinois Department of Natural Resources and the Illinois Historic Preservation Agency shall be permitted at all reasonable times to inspect the aforesaid property in order to ascertain if the above conditions are being observed.

4. In the event of a violation of this covenant, and in addition to any remedy now or hereafter provided by law, the Illinois Department of Natural Resources may, following reasonable notice to the Grantee, institute suit to enjoin said violation or to require the restoration or mitigation of natural resources or archaeological sites or structures disturbed by construction, alteration, or disturbance of the ground surface or structure older than 50 years.

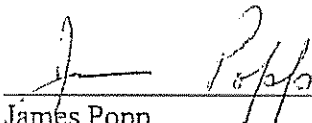
5. The Grantee agrees that the Illinois Department of Natural Resources may, at its discretion and without prior notice to the Grantee, convey and assign all or part of its rights and responsibilities contained herein to a third party.

6. This covenant is binding on the Grantee, its successors and assignees in perpetuity. Restrictions, stipulations, and covenants contained herein shall be inserted by the Grantee verbatim or by express reference in any deed or other legal instrument by which it divests itself of either the fee simple title or any other lesser estate in these 88.65 acres more or less of the Round Barn Farm.

7. The failure of the Illinois Department of Natural Resources to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or the use of such right or remedy at any other time.

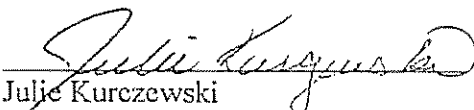
This covenant shall be binding servitude upon these 88.65 acres more or less of the Round Barn Farm and shall be deemed to run with the land, and the acceptance of this conveyance by the Manhattan Park District shall constitute conclusive evidence that the Manhattan Park District agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.

APPROVED this 18th day of May, 2006



James Popp
President, Manhattan Park District
Board of Commission

ATTEST:

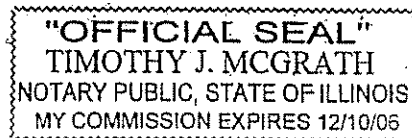


Julie Kurczewski
Secretary

Subscribed and sworn to before me
this 18th day of May, 2006.



NOTARY PUBLIC



Document prepared by and return to:

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P.I.N.: 12-08-100-012-0000

Commonly known address: Route 52, Manhattan, Illinois