

QUIT-CLAIM DEED -
ROCK ISLAND COUNTY

This Document Prepared By:

STATE OF ILLINOIS
DEPARTMENT OF MILITARY AFFAIRS
1301 N. MacArthur Boulevard
Springfield, Illinois 62702

Mail to: GREG CHAMPAGNE
City of Rock Island
1528 3rd Avenue
Rock Island, IL 61201

QUITCLAIM DEED

The grantor, STATE OF ILLINOIS, DEPARTMENT OF MILITARY AFFAIRS, for and in consideration of the following covenant and in consideration of Ninety Thousand Dollars (\$90,000.00), the receipt of which is hereby acknowledged, and pursuant to authority given by the Illinois General Assembly and the Governor of Illinois, hereby conveys and quitclaims to the grantee, City of Rock Island, all interest in the following described real estate (hereinafter referred to as the Rock Island Armory) situated in Rock Island County in the State of Illinois, to wit:

TRACT #I

That certain tract or parcel of land situated in the Northeast Fractional Quarter (1/4) of Section Number Thirty-Five (35) in Township Number Eighteen (18) North, Range Two (2) West of the Fourth (4th) Principal Meridian, in the City of Rock Island, Rock Island County, Illinois, bounded and described as follows, to wit:

On the West by the East Line of Eighteenth Street, in the City of Rock Island, extended Northwardly to the Mississippi River;

On the North by the Mississippi River;

On the East by the extension Northwardly of the East Line of Lot Number Four (4) in Block Number Three (3) in Spencer and Cases's Addition to said City of Rock Island, to said Mississippi River; and on the South by a line described as follows, to wit:

Beginning at the Southwest Corner of the Northeast Quarter (1/4) of Section Thirty-Five (35), Township Eighteen (18) North, Range Two (2) West of the Fourth (4th) Principal Meridian; thence East on the Quarter Section Line Four Hundred Sixty (460) feet to the East Line of Eighteenth Street in the City of Rock Island, Illinois, thence North on the East Line of Eighteenth Street Thirteen Hundred Seventy (1370) feet to the Northwest Corner of Block Two(2) in the Plat of the Second Addition to the Town of Stephenson, sometimes known as Spencer and Case's Addition, thence continuing North on the prolongation of the East Line of said Eighteenth Street One Hundred Fourteen and Three-Tenths (114.3) feet to an iron pin which is set Eight and One-Half (8 ½) feet North of the Center Line of the North Tract of the Chicago, Rock Island and Pacific Railway Company, said iron pin being the point of beginning of the South Boundary Line of the tract herein described.

Thence Southeasterly parallel to, and Eight and One-Half (8 ½) feet North of the Center Line of the North Tract of the Chicago, Rock Island and Pacific Railway Company, a distance of Three Hundred One and Two-Tenths (301.2) feet to an iron pin on the prolongation of the West Line of Nineteenth Street which is One Hundred Eight and Four-Tenths (108.4) feet North of the Northeast Corner of Block Two (2) in said Spencer and Case's Addition; thence Northeasterly Eighty and Four-Tenths (80.4) feet to a point on the prolongation of the East Line of the Nineteenth Street, which is One Hundred Fifteen and Eight-Tenths (115.8) feet North of the Northwest Corner of Block Three (3), in said Spencer and Case's Addition; thence Northeasterly Two Hundred Fifty-Two and no Tenths (252.0) feet to a point on the prolongation of the East Line of Lot Four (4), Block three (3), in said Spencer and Case's Addition, which is One Hundred Seventy One and no Tenths (171.0) feet North of the Northeast Corner of said Lot Four (4).

And

TRACT #II

Starting at the Southwest Corner of the Northeast Quarter (1/4) of Section Thirty-five (35), Township Eighteen (18) North, Range Two (2) West of the Fourth Principal Meridian, thence East on the Quarter Section Line Four Hundred Sixty (460) feet to the East Line of Eighteenth (18th) Street; thence North Thirteen Hundred Seventy (1370) feet to the Northwest Corner of Block Two (2) in the Plat of the Second Addition to the Town of Stephenson, sometimes known as Spencer and Case's Addition; thence continuing North on the prolongation of the East Line of Eighteenth (18th) Street One Hundred Fourteen and Three-Tenths (114.3) feet to an iron pin which is set Eight and One-Half (8 ½) feet North of the Center Line of the North Tract of the Chicago, Rock Island and Pacific Railway Company; thence Southeasterly parallel to Eight and One-Half (8 ½) feet North of the Center Line of

the North Tract of the Chicago, Rock Island and Pacific Railway Company, a distance of Three Hundred One and Two Tenths (301.2) feet to an iron pin on the prolongation of the West Line of Nineteenth (19th) Street which is One Hundred Eight and Four Tenths (108.4) feet North of the Northeast Corner of Block Two (2) in said Spencer and Case's Addition; thence Northeasterly Eighty and Four Tenths (80.4) feet to a point on the prolongation of the East Line of Nineteenth (19th) Street, which is One Hundred Fifteen and Eight Tenths (115.8) feet North of the Northwest Corner of Block Three (3) in said Spencer and Case's Addition, which point is the point of beginning;

Thence Northeasterly Two Hundred Forty Six and Three Tenths (246.3) feet to a point on the prolongation of the East Line of Lot Four (4), Block Three (3) in said Spencer and Case's Addition, which is One Hundred Seventy One and Two Tenths (171.2) feet North of the Northeast Corner of said Lot Four (4); thence South on the said prolongation of the East Line of Lot Four (4) Fifty Five and Four Tenths (55.4) feet to an iron pin; thence West Two Hundred Forty (240) feet to the place of beginning. Situated in Rock Island County, Illinois.

The grantee, on behalf of grantee and its heirs, successors, and assigns, hereby covenants to the Illinois Historic Preservation Agency (IHPA) that the grantee will at all times maintain and preserve the property as follows:

1. The grantee shall preserve and maintain the Rock Island Armory in accordance with the recommended approaches in the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (National Park Service, 1990) in order to preserve and enhance those qualities that make the Rock Island Armory eligible for inclusion in the National Register of Historic Places.

2. No construction, alteration, remodeling or any other thing shall be undertaken or permitted to be undertaken on the Rock Island Armory which would affect the structural integrity, appearance or setting of the Rock Island Armory without the express prior written permission of the IHPA signed by a fully authorized representative thereof.

3. The IHPA shall be permitted at all reasonable times to inspect the Rock Island Armory 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 IHPA may, following reasonable notice to the grantee, institute suit to enjoin said violation or to require the restoration of the Rock Island Armory.

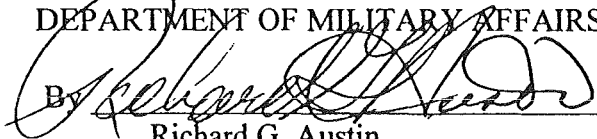
5. The covenant herein contained shall be a binding servitude upon the Rock Island Armory and shall be deemed to run with the land. This covenant is binding on the grantee and its heirs, successors and assigns in perpetuity. Restrictions, stipulations, and covenants contained herein shall be inserted by the grantee verbatim or by express reference in any deed or other legal instrument by which the grantee divests itself of either the fee simple title or any other lesser estate in the Rock Island Armory.

6. The failure of the IHPA 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.

7. The restrictive covenant herein contained shall be applicable only to the Rock Island Armory and shall not apply to the building commonly referred to as the motor pool or maintenance building which is located directly east of the Rock Island Armory on the property herein legally described.

Dated this 4th day of June, 1997.

STATE OF ILLINOIS
DEPARTMENT OF MILITARY AFFAIRS

By 
Richard G. Austin
Major General
The Adjutant General

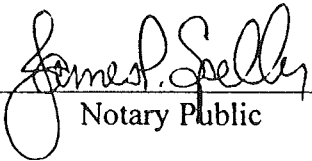
STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

I, the undersigned, a Notary Public in and for said county in the State aforesaid, do hereby certify that Richard G. Austin, to me personally known as The Adjutant General,

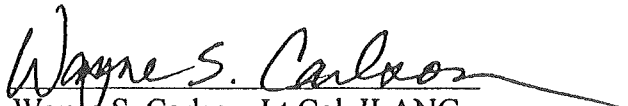
Department of Military Affairs, appeared before me this day in person and acknowledged that he signed, sealed, and delivered said instrument as the voluntary act of the Department of Military Affairs, for the uses and purposes therein set forth and that he is duly authorized to execute the same.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal thereto this
4th day of JUNE, 1997.




Notary Public

This transfer is exempt under the provisions of Paragraph (b), Section 4, of the Real Estate Transfer Tax Act.


Wayne S. Carlson, Lt Col, ILANG
Staff Judge Advocate

Rock Island County
Rock Island
Covenant Amendment, Rock Island Armory
1801 1st Ave.
IHPA Log #009080106

January 5, 2007

Alan M. Carmen
City of Rock Island
1528 Third Ave.
Rock Island, IL 61201

Dear Mr. Carmen:

We have considered your request for us to vacate the preservation covenant that our office holds on the Rock Island Armory. We understand that the City has spent much time considering a new plan for Rock Island's waterfront and how the Armory might play a productive role in that development.

We appreciate Rock Island's commitment to historic preservation and know that the City has an excellent track record in preserving its many fine historic and architecturally significant properties. To that end, we are willing to modify our preservation covenant for the Armory. We will amend the covenant to remove reference to the Secretary of the Interior's Standards for Rehabilitation and apply preservation to only the four exterior walls of the building.

These amendments will allow the City to pursue alternative development schemes which may include preservation of the entire structure or consider a development which could allow a broader use of the building as more of an amphitheater space or modified outdoor programming area.

We look forward to working with you as the waterfront development project progresses in the future.

Sincerely,



Anne E. Haaker
Deputy State Historic
Preservation Officer

Fax (217) 782-8161

Rock Island County
Rock Island
Covenant Amendment, Rock Island Armory
1801 1st Ave.
IHPA Log #009080106

May 10, 2007

Mark Schwiebert, Mayor
City of Rock Island, Illinois
1528 Third Avenue
Rock Island, IL 61201-8678

Dear Mayor Schwiebert:

We have reviewed and discussed the material you delivered to Director Coomer and subsequently mailed to me concerning the City of Rock Island's further efforts to reuse the Armory. Seeing the various alternatives considered by the Rock Island City Council helped us understand the difficulty of reusing the Armory as either a building or a public space. Our office has also had discussions with Landmarks Illinois who are satisfied that the City has sufficiently explored reuse alternatives.

We have now, therefore, decided that it is in the best interests of the public to vacate the preservation covenant held by our Agency on the building. If you would put us in contact with the appropriate local agency that holds recordation of deeds for Rock Island or Rock Island County that would be appreciated. Also, if there is a preferred format to amend the deed we would also appreciate a copy of that as well.

Thank you for working with us to attempt to find a use for the Armory property. We wish you the best in your riverfront redevelopment efforts.

Sincerely,



Anne E. Haaker
Deputy State Historic
Preservation Officer