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WINNEBAGO COUNTY }
STATE OF ILLINOIS } ss
Filed for Record on

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Number 91-49-2066
Eugene R. Quinn
RECORDER

COVENANT
between

ILLINOIS HISTORIC PRESERVATION AGENCY

and

WINNEBAGO COUNTY FOREST PRESERVE DISTRICT

THIS AGREEMENT, made and entered into this 12th day of December 1991 by and between the Illinois Historic Preservation Agency, hereinafter called the Agency; and the Winnebago County Forest Preserve District hereinafter called the District;

WHEREAS, the Illinois Historic Preservation Agency has transferred, awarded and paid to the District, an Illinois Heritage Grant in the amount of Nine Thousand Two Hundred Dollars (\$9,200.00) which sum was granted to the Agency by the United States Department of the Interior, National Park Service for the preservation of the Whitman Trading Post, located at 2221 Freeport Road, Rockton, Illinois.

WHEREAS, this grant is used exclusively for the purpose and scope of work relating to the historic preservation of the Whitman Trading Post, located at 2221 Freeport Road, Rockton, Illinois, as specified in the application from the District to the Illinois Historic Preservation Agency, as amended from time to time by the Agency and District;

1700/2000

1700/2000

1700/2000

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 District, 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 Whitman Trading Post, located at 2221 Freeport Road, Rockton, is made available through a rental arrangement to organizations other than the District for various general public functions, the District 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 District does not preclude the District or subsequent owners of the Whitman Trading Post, located at 2221 Freeport Road, Rockton, Illinois, from applying for, and being considered without prejudice for state and federal funds as may be necessary to preserve fully the Whitman Trading Post, located at 2221 Freeport Road, Rockton, 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 District 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 District 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 District 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.

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 Whitman Trading Post located at 2221 Freeport Road, Rockton, 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 October 1, 1991 until September 30, 2001, and shall be recorded in the Office of the Recorder of Deeds of Rockton, Illinois, against the land whose legal description is as follows:

Starting from a point on the south bank of the Rock River which is 70° from the nearest point, or NE corner of the Whitman trading post, then 1600 feet from the starting point in a SW direction (225°), then in a NW direction (315°) a distance of 2100 feet to the bank of the Pecatonica River, then follow the south bank back to the starting point.

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


ILLINOIS HISTORIC PRESERVATION AGENCY

Witness:



William L. Wheeler
State Historic Preservation Officer

Witness:



for Winnebago County Forest Preserve
District Thomas Currier, President

COUNTY RECORDER'S SEAL

Prepared by:
Illinois Historic Preservation Agency
Grants Management Section
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