

Preservation Agreement

This agreement is made the 27th day of November 2017 by the City of Franklin,, hereafter referred to as the "Subgrantee", and in favor of the State acting through the State Historic Preservation Officer, hereafter referred to as the "Grantee", to restore markers in City Cemetery, in Franklin, Tennessee, which is owned in fee-simple by the Subgrantee (parcel 063N-D00600) and is listed on the National Register of Historic Places.

In consideration of the sum of \$8,400 received in grant-in-aid assistance through the Grantee from the National Park Service, United States Department of the Interior, the Subgrantee hereby agrees to the following for a period of 5 years.

1. The Subgrantee agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archeological integrity of the same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places.
2. The Subgrantee agrees that no visual or structural alterations will be made to the property without prior written permission of the Grantee.
3. The Subgrantee agrees that the Grantee, its agents and designees shall have the right to inspect the property at all reasonable times in order to ascertain whether or not the conditions of this agreement are being observed.
4. The Subgrantee agrees that when the property is not clearly visible from a public right-of-way or includes interior work assisted with Historic Preservation fund grants, the property will be open to the public, for the purpose of viewing the grant-assisted work, 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 Subgrantee from charging a reasonable, nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area.
5. The City of Franklin agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d)), the Americans with Disabilities Act, and with Section 504 of the Rehabilitation act of 1973 (29 U.S.C. 794). These laws prohibit discrimination on the basis of race, religion, national origin, or disability. In implementing public access, reasonable accommodation to qualified disabled persons shall be made in consultation with SHPO Office. To comply with the Americans with Disabilities Act, and with Section 504 of the Rehabilitation Act when interior public access is required at least 12 days per year and at other times by appointment, it is not required that a recipient make every part of the property accessible to and useable by disabled persons by means of physical alterations. That is, for public access periods, videos, slide presentations, and/or other audio-visual material and devices should be used to depict otherwise inaccessible areas or features.
6. The Subgrantee further agrees that when the Property is not open to the public on a continuing basis, and when the improvements assisted with Historic Preservation Fund grants 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. Documentation of such notice will be furnished annually to the State Historic Preservation Officer during the term of the agreement.

This agreement shall be enforceable in specific performance by a court of competent jurisdiction.

E. Patrick Mitty, II
Signature of Grantee (SHPO)

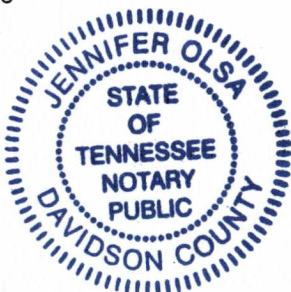
Eric S. Stuchay
Signature of Subgrantee

11-9-17
Date of signature

11-27-2017
Date of signature

Sworn to before me and subscribed in my presence this 9th day of November, 2017.

Jennifer Olsa
Notary Public



Sworn to before me and subscribed in my presence this 27th day of November, 2017.

Theresa Parr
Notary Public



APPROVED AS TO FORM

By: Kustend Lu
Title: Assistant City Attorney



TENNESSEE HISTORICAL COMMISSION
STATE HISTORIC PRESERVATION OFFICE
2941 LEBANON ROAD
NASHVILLE, TENNESSEE 37214
OFFICE: (615) 532-1550
www.tnhistoricalcommission.org

November 13, 2017

Amanda Rose, Preservation Planner
City of Franklin
109 3rd Avenue South
Franklin, Tennessee 37064

Dear Amanda:

Please find enclosed the latest Preservation Agreement. It does not need to be attached to the Deed. Just get it signed and send me a copy for our files. Very sorry for the extra trouble. Thank you for your patience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Louis M. Jackson".

Louis M. Jackson
Historic Preservation
Specialist

LMJ: j
Enclosure