





The Evergreen House is currently utilized by the Lake Park Historical Society for research, weekly meetings and periodic community outreach programs. Additionally, the facility is available for public events, gatherings and rentals.

However, while there is strong interest from both the Town and the Historical Society to expand programming and public use, the facility is presently in a state of disrepair and requires substantial preservation improvements.

The proposed improvements are necessary to restore the building to a safe, functional, and regulatory-compliant condition, including compliance with the Americans with Disabilities Act (ADA).

Note: Without these proposed improvements, continued use of the facility presents safety concerns and limits public accessibility.

In an effort to fund the needed repairs and improvements, the Town received a grant award in the amount of \$198,500 from the State of Florida's Division of Historical Resources. The grant award required a 50% (\$198,500) local match from the Town as well as the Town entering into a restrictive covenant to ensure the long-term preservation and appropriate use of the Evergreen House as a historic property.

The proposed restrictive covenant provided by the State of Florida requires the following:

1. The Town of Lake Park, Florida grants to the Department a security interest in the Property in the amount of \$ 198,500.00, active for the period stated in the preamble above.
2. The Town of Lake Park, Florida agrees to maintain the property in accordance with good preservation practices and the Secretary of the Interior's Standards for Rehabilitation.
3. The Town of Lake Park, Florida agrees that no modifications will be made to the Property, other than routine repairs and maintenance and new internments that have no impact on historic features without advance review and approval of the plans and specifications by the Department's Division of Historical Resources.
4. The Town of Lake Park, Florida agrees that every effort will be made to design any modifications to the Property in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation.
5. The Town of Lake Park, Florida agrees that the Department, its agents and its designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether the conditions of the Grant Award Agreement and these covenants are being observed.

6. The Owner agrees to record these covenants with the Office of the Clerk of the Circuit Court of Palm Beach County, Florida prior to the release of the first installment of grant funds, and shall pay any and all expenses associated with their filing and recording.
7. The Town of Lake Park, Florida agrees that these restrictions shall encumber the property for a period of 15 years from the date of recordation, and that if a restriction is violated within the 10 year period, the Department shall be entitled to liquidated damages pursuant to the Agreement.

The proposed Restrictive Covenant was prepared by the State of Florida's Division of Historical Resources and reviewed by the Public Works Director, the Project Manager - Capital Projects and the Finance Director and the Town Attorney.

**Recommended Motion:**

I move to approve Resolution No. 11-02-26 approving entering into a Restrictive Covenant on the Evergreen House Preservation as required by the State of Florida – Division of Historical Resources; and authorize the Mayor to execute the proposed Restrictive Covenant (Exhibit A).