

APN:

WHEN RECORDED, MAIL TO:

SPACE ABOVE FOR RECORDER'S USE ONLY

COVENANT OF USE

This COVENANT OF USE is made this ___ day _____, 2016, by the XXXXXXX (“Owner”) as required by and in favor of the Economic Development Administration, United States of America (“EDA”).

WHEREAS, Owner is the owner of certain real property (the “Property”) situated in XXXXX, commonly known as XYZ, and more particularly described in Exhibit A;

WHEREAS, EDA made an Offer of Grant dated August 16, 1984 to, EDA Project No. XXXXX, to aid in the renovation and remodeling of a portion of an existing building located on the Property;

WHEREAS, as a condition to receiving the Offer of Grant, Owner entered into a certain Property Management Agreement (the “PMA”) with the EDA, which PMA was recorded on November 27, 1984 at No. XXXX in the Official Records of XYZ;

WHEREAS, pursuant to 13 CFR § 314.10(d), Owner has requested, and EDA has agreed, to release the Property from EDA’s property interests and the restrictive covenants contained in the PMA, except those stated in 13 CFR § 314.10(e)(3).

NOW, THEREFORE, in consideration of EDA’s agreement to release the Property from the EDA’s property interests and the restrictive covenants contained in the PMA, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner, for itself and its successors, covenants and agrees as follows:

1. Pursuant to 13 CFR § 314.10(e)(3), the Property is and shall henceforth be subject to and encumbered by the following covenants: (a) at no time shall the Property be used for inherently religious activities prohibited by applicable federal law; and (b) at no time shall the Property be used for any purpose that would violate the nondiscrimination requirements set forth in 13 CFR § 302.20.

2. Owner stipulates and agrees that the foregoing restrictive covenants constitute a reasonable restraint on alienation of use, control, and possession of or title to the Property given the federal interest expressed herein.

3. The foregoing restrictive covenants shall run with the land and shall bind Owner and its successors in title in and to the Property.

TRANSMITTAL 6

IN WITNESS WHEREOF, Owner has caused this instrument to be executed by its official(s) duly authorized to take such actions on behalf of and binding upon the Owner.

By: _____

STATE OF NEVADA)
)
COUNTY OF _____)

The above instrument was acknowledged before me on this ____ day of _____, 2016, XYZ, who is personally known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same on the date hereof as his free and voluntary act in his said capacity and with the full authority and as the free act of the YYYYYYY. I declare under penalty of perjury that the person whose name is ascribed to this instrument appears to be of sound mind and under no duress, fraud or undue influence.

Notary Public
Commission Expires _____

13 CFR 302.20 - Civil rights.

- [eCFR](#)
- [Authorities \(U.S. Code\)](#)
- [What Cites Me](#)

Beta! The text on the eCFR tab represents the unofficial eCFR text at ecfr.gov.

§ 302.20 Civil rights.

(a) Discrimination is prohibited by a [Recipient](#) or Other Party (as defined in [paragraph \(b\)](#) of this section) with respect to a [Project](#) receiving Investment Assistance under [PWEDA](#) or by an entity receiving Adjustment Assistance (as defined in § 315.2 of this chapter) under the Trade Act, in accordance with the following authorities:

(1) Section 601 of Title VI of the Civil Rights Act of 1964, as amended ([42 U.S.C. 2000d et seq.](#)) (proscribing discrimination on the basis of race, color, or national origin), and the [Department's](#) implementing regulations found at [15 CFR part 8](#);

(2) [42 U.S.C. 3123](#) (proscribing discrimination on the basis of sex in Investment Assistance provided under PWEDA) and [42 U.S.C. 6709](#) (proscribing discrimination on the basis of sex under the Local Public Works Program), and the [Department's](#) implementing regulations found at [15 CFR part 8a](#);

(3) Section 504 of the Rehabilitation Act of 1973, as amended ([29 U.S.C. 794](#)) (proscribing discrimination on the basis of disabilities), and the [Department's](#) implementing regulations found at [15 CFR part 8b](#);

(4) The Age Discrimination Act of 1975, as amended ([42 U.S.C. 6101 et seq.](#)) (proscribing discrimination on the basis of age), and the [Department's](#) implementing regulations found at [15 CFR part 20](#); and

(5) Other Federal statutes, regulations and Executive Orders, as applicable.

(b) Definitions.

(1) For purposes of this section, an “*Other Party*” means an “other party subject to this part,” as defined in [15 CFR 8.3\(l\)](#), and includes an entity which (or which is intended to) creates and/or saves 15 or more permanent jobs as a result of Investment Assistance; provided that such entity also is either specifically named in the application as benefiting from the [Project](#), or is or will be located in an [EDA](#) building, port, facility, or industrial, commercial or business park constructed or improved in whole or in part with Investment Assistance prior to [EDA's](#) final disbursement of award funds.

(2) Additional applicable definitions are provided in [15 CFR part 8](#).

(c) No [Recipient](#) or Other Party shall intimidate, threaten, coerce or discriminate against any person for the purpose of interfering with any right or privilege secured by [42 U.S.C. 3123](#) or [42 U.S.C. 6709](#), or because the person has made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing under this section.

(d) All [Recipients](#) of Investment Assistance under [PWEDA](#), all Other Parties and all entities receiving Adjustment Assistance under the Trade Act must submit to [EDA](#) written assurances that they will comply with applicable laws, [EDA](#) regulations, [Department](#) regulations, and such other requirements as may be applicable, prohibiting discrimination.

(e) Reporting and other procedural matters are set forth in [15 CFR parts 8, 8a, 8b, 8c](#) and [20](#).

[[71 FR 56675](#), Sept. 27, 2006, as amended at [75 FR 4263](#), Jan. 27, 2010; [79 FR 76129](#), Dec. 19, 2014]

APN:

WHEN RECORDED, MAIL TO:

SPACE ABOVE FOR RECORDER'S USE ONLY

RELEASE OF RESTRICTIONS AND PROPERTY INTEREST

WHEREAS, the XXXXXXXX ("Owner") is the owner of certain real property (the "Property") situated in XYZ, commonly known as YYYY, and more particularly described in [Exhibit A](#);

WHEREAS, the Property is subject to certain restrictive covenants contained in that certain Property Management Agreement (the "PMA") between the ECONOMIC DEVELOPMENT ADMINISTRATION, UNITED STATES OF AMERICA ("EDA"), recorded on November 27, 1984 at No.XXXXXX in the Official Records of XYZ County ;

WHEREAS, the PMA also grants the EDA certain property interests in the Property; and

WHEREAS, pursuant to 13 CFR § 314.10(d), Owner has requested, and EDA has agreed, to release the Property from EDA's property interests and the restrictive covenants contained in the PMA, except those stated in 13 CFR § 314.10(e)(3).

