

APPENDIX C

Clauses for deeds, licenses, permits or similar instruments entered into by the City of Aurora, Indiana

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by **City of Aurora, Indiana** pursuant to the provisions of Assurance 7(a).

The _____ (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land’] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this _____ (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the _____ (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

The following shall be included in at licenses, leases, permits, etc.:*

That in the event of breach of any of the above nondiscrimination covenants, **City of Aurora, Indiana** shall have the right to terminate the _____ [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said _____ [license, lease, permit, etc.] had never been made or issued.

The following shall be included in at deeds:*

That in the event of breach of any of the above nondiscrimination covenants, **City of Aurora, Indiana** shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of **City of Aurora, Indiana** and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by City of Aurora, Indiana pursuant to the provisions of Assurance 7(b).*

The _____ (grantee, licensee, lessee, permittee, etc., as appropriate) for himself his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add “as a covenant running with the land”) that (1) no person on the ground of race, color, or national origin, sex, age, disability/handicap, and low income shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, color, or national origin, sex age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the _____ (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code

of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

The following shall be Include in licenses, leases, permits, etc.:*

That in the event of breach of any of the above nondiscrimination covenants, **City of Aurora, Indiana** shall have the right to terminate the _____[license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said _____[license, lease, permit, etc.] had never been made or issued.

[The following shall be included in at deeds:]*

That in the event of breach of any of the above nondiscrimination covenants, **City of Aurora, Indiana** shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of **City of Aurora, Indiana** and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964