

# Maryland Historical Trust Historic Preservation Capital Grant Program



## Easements Q&A Webinar

MARYLAND DEPARTMENT OF



PLANNING

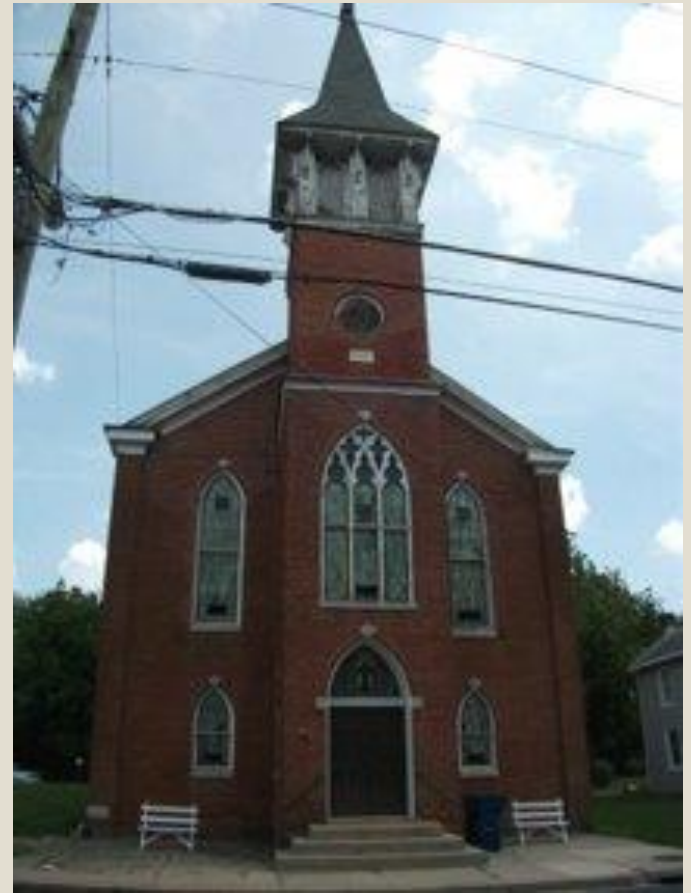


Maryland Historical Trust

# Program Basics



- **Fund capital (construction-related) projects for historic properties**
- **\$600,000 available each year**
- **Maximum grant amount = \$100,000**
- **Application dates**



*Asbury M.E. Church, Easton*

# What is an Easement?



- A preservation easement is a legal contract between MHT and the property owner that provides for the protection of a property with historic, architectural, or archeological significance.
- The easement is recorded in the local land records.



*B&O WB Tower, Frederick County*

# Easement Requirement



*Wallace Office Building,  
Dorchester County*



*Union Mills Homestead,  
Shriver Grist Mill Flume,  
Carroll County*



*Thomas Point Shoal Lighthouse,  
Anne Arundel County*

Historic Preservation Capital Grant Program  
*requires conveyance of an easement.*

# Property Owner Consent is **REQUIRED!**



## **Your application will be rejected unless:**

- You submit a letter of property owner consent indicating willingness to convey an easement – even if the owner and the applicant are the same.
- Even if your property already has conveyed an easement to MHT (possible modifications).
- Use the template on the program webpage:

[https://mht.maryland.gov/grants\\_capital.shtml](https://mht.maryland.gov/grants_capital.shtml)

- MHT can confirm the property owner – you can check SDAT's property database online:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>

# Finding resources on our website

<https://mht.maryland.gov/Pages/funding/grants-capital.aspx>



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- HOME
- FUNDING
- RESEARCH AND SURVEY
- PROJECT REVIEW
- ARCHEOLOGY
- GET INVOLVED

## Resources

### My Grant Account

#### > For Current Grantees

- Grants and Loans Manual

#### > For Grant Applicants

- Grant Guidelines
- Sample FY 2021 Grant Application
- Sample Budget
- Property Owner Consent Template
- Application "Quick Start" Guide

## Historic Preservation Capital Grant Program

The Historic Preservation Capital Grant Program promotes the acquisition, restoration, and rehabilitation of historic properties in Maryland. Eligible properties are limited to those which are listed in or determined eligible for the National Register of Historic Places, either individually or as a contributing structure within a district. The program typically receives an annual appropriation of \$600,000 for grants per year.



*Sotterley Plantation gatehouse project. Photo provided by Nancy Easterling.*

# What to know as a Grantee



- The easement must be conveyed *before work begins or grant funds are disbursed.*
- Grant staff and easement staff coordinate once funds are awarded.
- Scope of work reviewed by Easement Committee and Staff.
- **Legal documents related to drafting the easement are NOT eligible for grant funding or as match.**

# Easement Scope



- The easement can protect the exterior and interior of historic buildings and structures, the surrounding landscape, and associated archeological resources on the property.
- Conveyance of an easement required as the result of an MHT Capital Grant will be for a fixed term of years.
- Typically 15-20 years for grant funded properties

# What Are the Owner's Responsibilities?



Property owner agrees to:

- Seek MHT approval of proposed changes to the property before work is undertaken.
- Relinquish partial development rights.
- Maintain the property in good condition.
- Provide limited public access.
- MHT also is given the right to enter onto the property (with reasonable notice) and inspect for compliance with the terms of the Easement.

# Proposed Changes and Alterations



- MHT follows a standard review process and involves the submission of a Change/Alteration application.
- Applications are reviewed by the MHT Easement Committee with recommendations made to the Director of MHT for a final ruling.
- All proposed changes must meet the Secretary of the Interior's *Standards for the Treatment of Historic Properties*.

# Easement Conveyance



MHT uses a boilerplate document to create a Deed of Easement, which includes:

- The specific provisions of the Deed of Easement
- Exhibit A, a written property description
- Exhibit B, a site plan
- Exhibit C, a schedule of baseline photographs, drawings, and documents

# Checklist of Required Items



MHT will prepare the easement document. To develop a final draft, the following items are required:

- Title Insurance Policy
- A Property and Judgment Report
- A legal property description
- A scaled site plan or plat
- A property (Hazard) Insurance Policy to which MHT is added as additionally insured.

# Checklist of Required Items cont.



## Additional Required Items for Organizations and Corporations:

- Corporate Resolutions
- A printout of the Certificate of Good Standing
- Articles of Incorporation and Bylaws or Articles of Organization and Operating Agreement
- Letter of Determination of Tax-Exempt Status. (if applicable)

# After Conveyance is Complete



The easement *runs with the land*. Present and future owners are bound by the easement requirements for the length of the term easement.



*Calvin B. Taylor House, Worcester County*

# Finding the Easement webpage

<https://mht.maryland.gov/Pages/easement/easement.aspx>





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## Resources

- › [General Easement FAQ's](#)
- › [MHT Easement Properties by County](#)
- › [Joint Chairmen's Report on the MHT Historic Preservation Easement Program](#)
- › [Maryland State Archives Land Records for Easement Documents](#)
- › [National Park Service Technical Briefs](#)

## Maryland Historical Trust Easement Program

MHT staff continue to review all change/alteration applications for easement properties as they are received. Program staff are currently on telework and are best reached by e-mail at the addresses listed at the bottom of the [Existing Easements](#) page.

Historic preservation easements are an important tool that ensures that a property's historic and cultural value will be protected in perpetuity. As contractual agreements between a property owner and a qualified organization, preservation easements can safeguard historic homes, farmsteads, archeological sites, historic landscapes and other features.



Typically, owners of the easement property agree to relinquish partial development rights, to maintain the property, to provide limited public access, and to obtain prior approval for any changes or alterations. In exchange, the easement-holding organization promises to ensure compliance with the terms of the easement to protect the property for future generations. Preservation easements sometimes also carry tax benefits to the property owner. In some cases, conveyance of an easement is a requirement to receive financial support from the State.

The State of Maryland's preservation easements are managed by the Maryland Historical Trust, which holds more than 650 easements encompassing approximately 9,200 acres statewide. MHT staff work with property owners to develop easement terms, review and approve any changes or alterations to the property, and advise owners on the best preservation methods.

[Existing Easements](#) [How to Convey](#)

# Contact Information



## Historic Preservation

### Capital Grant Program:

<https://mht.maryland.gov/Pages/funding/grants-capital.aspx>

## Easement Program:

<https://mht.maryland.gov/Pages/easement/easement.aspx>