



OBTAINING REAL PROPERTY FOR HISTORIC MONUMENT PURPOSES

APPLICATION & INSTRUCTIONS

Title 40 U.S.C. 550(h)

National Park Service
U.S. Department of the Interior





INTRODUCTION

The following information is designed to assist your completion of the *Application for Obtaining Real Property for Historic Monument Purposes*, under Title 40 U.S.C. 550(h).

The Historic Monument or Historic Surplus Property Program is administered by the National Park Service (NPS), on behalf of the Secretary of the Interior, and the General Services Administration (GSA), the agency that identifies Federal historic properties to be transferred under this program. The program allows state, county, and local governments to obtain Federal historic properties at no cost. To apply for such a property, an eligible governmental entity must complete the *Application for Obtaining Real Property for Historic Monument Purposes* (Application). The Application is reviewed and approved by the NPS, and sets forth terms and conditions that will be made a part of the deed conveying title to the property. As part of the approval, the NPS formally recommends to the GSA that the subject property be transferred. If it agrees with the recommendation, the GSA executes the transfer. A property conveyed under this program must be used in accordance with the terms of the transfer in perpetuity, and the NPS is responsible for monitoring the property to ensure that it is maintained and protected.

Application Highlights

Section I—Request for Property:

- Person having legal responsibility and/or authority to submit the Application and carry out the conditions of a deed must sign in the space following the conditions.
- “Approved by the Secretary of the Interior” statement will be completed by the NPS once it has reviewed and approved the Application; “Accepted by the Administrator of General Services” statement will be completed by the GSA, signifying concurrence with the NPS’s approval and recommendation for historic monument conveyance.
- Includes terms and conditions for conveyance of the property.

Section II—Program of Preservation and Utilization:

- Includes three sections: “Preservation Plan” (Item #8), “Use Plan” (Item #9), and “Financial Plan” (Item #10).
- All proposed changes to properties being transferred under this program must be described in the “Preservation Plan” and must be in conformance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties* (typically, the *Standards for Rehabilitation* would be the most applicable).
- Included at the end is the format for a resolution or certificate of authority identifying and certifying that the officials and Applicant are legally authorized to make an Application for the property.

General tips on preparing and submitting the Application:

- Consult with the appropriate regional office of the NPS early in the process. Contact information for the NPS regional offices is available online at: <https://www.nps.gov/tps/historic-surplus.htm>
- The Application should not be bound, put in a binder, or otherwise elaborately packaged.
- Use of the electronic form requires software compatible with AdobeReader. Attach additional sheets if necessary.
- Photographs must be high quality digital or 35mm prints and adequately labeled
- Submit **one (1) original and three (3) copies** of this completed Application to the appropriate NPS regional office as noted on page three - do NOT submit any application materials directly to GSA (NPS will retain the one original Application and a copy of the deed in its files, and forward the three copies of the Application to GSA.)



SECTION I – REQUEST FOR PROPERTY

To: General Services Administration	Through: National Park Service
Address: _____	Name: _____
_____	Address: _____
City: _____	_____
State: _____ Zip: _____	City: _____
	State: _____ Zip: _____

GSA Control Number: _____

The undersigned, _____, hereinafter referred to as the Applicant or Grantee, acting by and through _____ at _____ of the _____, hereby applies for the conveyance, without monetary consideration, for use for historic monument purposes, from the United States of America pursuant to 40 U.S.C. 550(h), and in accordance with the rules and regulations of the General Services Administration, the following described property:

This property is more fully described in the “Program of Preservation and Utilization,” attached hereto and made a part hereof. Enclosed herewith is a resolution or certification as to the authority of the undersigned to execute this Application and to do all other acts necessary to consummate the transaction.

The undersigned agrees that this Application is made subject to the following terms and conditions:

1. This Application, as approved by the Secretary of the Interior (Secretary) and as accepted by the Administrator of the General Services (Administrator), shall constitute the entire agreement among the Applicant, the Secretary, and the Administrator, unless modified in writing by the three parties.
2. The descriptions of the property set forth above are believed to be correct, but any error or omission shall not constitute ground or reason for nonperformance of the agreement resulting from the acceptance of this Application.
3. It is understood that the property is to be conveyed "As Is" and "Where Is" without representation, warranty, or guaranty as to quantity, quality, character, condition, size or kind, or that the same is in condition or fit to be used for the purpose intended, and no claim for any adjustments upon such grounds will be considered after this Application has been accepted.
4. The Applicant agrees to assume possession of the property within 15 days of any written request given by the Administrator after acceptance of this Application. Should the Applicant fail to take actual possession within such period, it shall nonetheless be charged with constructive possession commencing at 12:01 a.m., local time, of the 16th day after such request by the Administrator. The word "possession" shall mean either actual physical possession or constructive possession.
5. As of the date of assumption of possession of the property, or the date of conveyance, whichever occurs first, the Applicant shall assume responsibility for any general and special real and personal property taxes which may have been or may be assessed on the property, and shall pay its part of the pro-ration of any sums paid, or due to be paid by the Federal Government in lieu of taxes.



6. As of the date of assumption of possession of the property, or the date of conveyance, whichever occurs first, the Applicant shall assume responsibility for care and handling and all risks of loss or damage to the property and have all obligations and liabilities of ownership.
7. In support of eligibility to acquire the property for historic monument purposes, the undersigned submits a proposal entitled “Program of Preservation and Utilization” attached hereto. All proposed changes to the property must be described in the “Program of Preservation and Utilization” and must be in conformance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties* (typically, the *Standards for Rehabilitation*). The “Program of Preservation and Utilization” may be amended from time to time at the request of either the Applicant or the Secretary, with the written concurrence of the other party. Such amendments will be added to, and become a part of, the original “Program of Preservation and Utilization.” The National Park Service, as part of reviewing any amendments on behalf of the Secretary, is required to comply with Section 106 of the National Historic Preservation Act and the National Environmental Policy Act. The Applicant agrees that it will furnish such data, maps, reports, and information as may be requested by the Secretary to comply with these laws, and any other laws, as required.
8. Conveyance of the Property shall be accomplished by an instrument, or instruments, in form satisfactory to the Administrator, without warranty, express or implied, and shall contain covenants, reservations, restrictions, and conditions substantially as follows:
 - a. That the Grantee shall forever use the property in accordance with its Application and the approved program attached thereto entitled “Program of Preservation and Utilization.”
 - b. Other than as provided for in the approved “Program of Preservation and Utilization” (a) above, the property shall not be sold, leased, assigned, or otherwise disposed of, except to another eligible government agency that the Secretary is satisfied can assure the continued use and maintenance of the property for historic monument purposes. The Grantee may, however, enter into lease agreements with any individual or entity if the lease agreement is compatible with the approved program (a) above, and provided the prior concurrence of the Secretary, or his/her designee, is obtained in writing prior to the execution of such agreements. Any lessee who develops or rehabilitates the property on behalf of the Grantee shall also be required to provide the same information for the Biennial Reports as the Grantee (see 8.c below).
 - c. The Grantee shall prepare Biennial Reports setting forth the use made of the property during the preceding two-year period, and submit them to the Secretary at:

(Guidelines for Biennial Reports are available from the National Park Service regional office)

- 1) If the Administrator has authorized revenue-producing activities, based on the recommendation of the Secretary, then the Grantee shall file with the Secretary at the same address every two years a Financial Report, which shall include the following:
 - a) Statement of income from all sources during the reporting period.
 - b) Statement of expenses classified according to the following categories:
 - i. repair, rehabilitation, and restoration costs;
 - ii. recurring maintenance requirements costs; and
 - iii. administration and operations costs.
 - c) Statement of disposition of excess income.

The Financial Report will cover two accounting years, whether fiscal or calendar, as mutually agreed by the Grantee and the Secretary and will be submitted within 90 days after the close of the accounting year.



- 2) Audit Report. The Audit Report will consist of a report produced by an independent audit firm summarizing the results of the biennial audit. The Secretary shall have the right, at his/her discretion, to audit such financial records, to examine such other records, and to inspect such portions of the granted property as may, in his/her judgment, be necessary to safeguard the interests of the U.S.
 - d. Title to the property transferred shall revert to the United States at its option in the event of noncompliance with any of the terms and conditions of disposal.
9. Any title evidence which may be desired by the Applicant shall be procured by the Applicant at its sole cost and expense. The Federal Government shall, however, cooperate with the Applicant or its authorized agent in this connection, and shall permit examination and inspection of such deeds, abstracts, affidavits of title, judgments in condemnation proceedings, or other documents relating to the title of the premises and property involved, as it may have available. It is understood that the Federal Government shall not be obligated to pay for any expense incurred in connection with title matters or survey of the property.
10. The Applicant shall pay all taxes imposed on this transaction and shall obtain at its own expense and affix to all instruments of conveyance and security documents such revenue and documentary stamps as may be required by Federal and local law. All instruments of conveyance and security documents shall be placed on record in the manner prescribed by local recording statutes at the Applicant's expense.
11. The approved Applicant covenants and agrees for itself, its successors and assigns, to be subject in all respects to all Federal laws and regulations relating to nondiscrimination in connection with any use, operation, program, or activity on or related to the property requested in this Application.
12. The Grantee shall, within a period of six months from the date of the signing of the Deed of Conveyance, erect, and maintain a sign of compatible scale and materials near the principal access to the property stating that: "The(name of building/property) was acquired by (local government entity) from the Federal Government through the General Services Administration as Historic Surplus Property on (date). This public benefit program is administered by the National Park Service, U.S. Department of the Interior." Additional information may also be included, such as names of local officials, etc. This sign shall be maintained in perpetuity. A temporary sign may be erected during any rehabilitation work. The final design and text of the sign must be included in the "Program of Preservation and Utilization."



SIGNED BY APPLICANT

Signed in acceptance of the foregoing conditions this ____ day of _____, 20____.

By:

Authorized Official's Signature

Name – printed

Title

Address of Applicant

City, State, Zip



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APPROVED BY THE SECRETARY OF THE INTERIOR

Application approved and property recommended for historic monument conveyance by and on behalf of the Secretary of the Interior this ____ day of _____, 20____.

NATIONAL PARK SERVICE

By: _____
Signature

Name – printed

Title

ACCEPTED BY THE ADMINISTRATOR OF GENERAL SERVICES

Recommendation of the Secretary of the Interior accepted by and on behalf of the Administrator of General Services this ____ day of _____, 20____.

GENERAL SERVICES ADMINISTRATION

By: _____
Signature

Name – printed

Title

This page is for official Government use only.



SECTION II - PROGRAM OF PRESERVATION & UTILIZATION

1) APPLICANT:

1a. Name of Agency: _____

1b. Agency Representative: _____

1c. Agency Street Address: _____

1d. City: _____ 1e. State: _____ 1f. Zip Code: _____ 1g. Day telephone: () - _____

2) PROPERTY:

2a. Name of Property: _____

2b. Street address: _____

2c. City: _____ 2d. County: _____ 2e. State: _____ 2f. Zip Code: _____

2g. Name of historic district, if applicable: _____

2h. Include as part of the Application a copy of the National Register nomination form or Determination of Eligibility, obtainable from the State Historic Preservation Officer or at www.nps.gov/nr

Check all applicable designations:

Local listing Certified Local Government State listing

National Register Listed National Register Eligible

Project Seeking the Federal Historic Rehabilitation Tax Credit
(Note: Checking this box directs the NPS Regional Office reviewing this Historic Monument Application to coordinate the review with that of the NPS Washington, D.C. office which administers the Federal Historic Rehabilitation Tax Credit Program.)

Number of Resources within Property

(in accordance with the National Register classification system)

	Contributing	Non-contributing
Buildings		
Sites		
Structures		
Objects		
TOTAL		

(Note: Although the applicable National Register Nomination or Determination of Eligibility may provide this kind of information, always consult with NPS to ensure that the classifications and the counts are current.)



3) DESCRIPTION OF PROPERTY:

3a. Acreage:

3b. Legal Description:

This can be in metes and bounds, rectangular, or cadastral survey. If the information is not available from the granting Federal agency, you must survey the property when the National Park Service is assured that you will be the recipient. In such event, the legal description and plot may be submitted subsequent to the Application.

3c. Map:

Attach a plot map showing the property boundary, contributing and noncontributing resources (buildings, sites, structures, objects—refer to 2h above), street plan, and other features (topographic features, vegetation, landscaping, water features, etc.) important in understanding the property.

4) NARRATIVE DESCRIPTION:

Provide a written description of all important historic resources and natural features identified in the plot map, above. This includes contributing resources (buildings, sites, structures, objects—refer to 2h above) vegetation, landscape features, etc. Include building number, designations such as "Barracks," "Water tower," etc, and give dimensions and floor area.

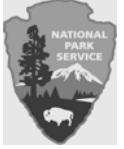


5) UTILITIES:

6) RELATED PERSONAL PROPERTY:

7) SIGNIFICANCE

Describe the significance of the property in American history, archeology, architecture, or culture, referencing the National Register nomination, or the Determination of Eligibility.



8) PRESERVATION PLAN:

All work must be done in accordance with the Secretary of the Interior’s *Standards for the Treatment of Historic Properties* (typically, the *Standards for Rehabilitation* would be the most applicable set of treatment standards).

Using the outline format below, describe the proposed work on a feature-by-feature or work-item basis (examples of architectural/landscape features or work items include: formal garden, new landscaping, new parking area, roof, windows, porch, exterior siding, foundation, interior trim, interior plaster, floor plan/interior partitions, HVAC system, etc.). Begin by describing site work, including new construction and parking, followed by work on the exterior and finally work on the interior. A separate outline description should be used to detail each work item and its effect on architectural/landscape features or interior spaces. Under item “8D,” explain in detail the work to be undertaken and describe the effect (visual, structural, or other) on the existing feature. This should include the impact of any modern modifications or utilities on the existing feature. For archeological areas, describe necessary security and maintenance to stabilize the site, control vegetal growth, or avoid damage.

Numbered photographs and drawings are essential components of the Preservation Plan. Applicable photograph and drawing numbers should be referenced under “8E” and “8F” of each outline description or work item. The submitted photographs must be high quality digital or 35 mm prints and they must document the existing/ pre-project condition of the site, the exterior elevations of the building(s), and the interior. Interior elements to be documented include major spaces and detailing, such as decorative plasterwork and wainscoting.

Existing conditions may be shown by original construction drawings that include subsequent modifications, by current record drawings, or by newly prepared measured drawings. Major planned alterations or new construction must be shown on appropriate drawings (e.g., site plans, elevations, floor plans, sections). While detailed plans and specifications may not be necessary if the project is simple in scope, it must be clear from the submitted documentation that the Applicant has fully recognized areas of historic significance and will plan proposed work to minimize the impact on these significant areas.

ARCHITECTURAL/LANDSCAPE FEATURES

For each architectural or landscape feature where work is proposed, use the following format to describe the existing condition and the proposed work. Attach additional sheets/pages as necessary continuing the alphabetical format until every feature slated for work is described.

Feature A: _____

8a. Approximate date of construction:

8b. Approximate date(s) of alterations:

8c. Description and condition:

8d. Proposed work and impact on the feature:

8e. Photo number(s):

8f. Drawing number(s):



Feature B: _____

8a. Approximate date of construction:

8b. Approximate date(s) of alterations:

8c. Description and condition of Feature B:

8d. Proposed work and impact on the feature:

8e. Photo number(s):

8f. Drawing number(s):

Feature C: _____

8a. Approximate date of construction:

8b. Approximate date(s) of alterations:

8c. Description and condition of Feature C:

8d. Proposed work and impact on the feature:

8e. Photo number(s):

8f. Drawing number(s):



9) USE PLAN:

Describe in detail the planned utilization and exhibition of the historic site. Differentiate between public-use activities and revenue-producing activities. Identify any portions of the property to which public access will be denied or restricted. Establish the suitability of the property for the proposed uses and the compatibility of the proposed revenue producing activities with the historical and/or architectural character of the property.

10) FINANCIAL PLAN:

10a. Analysis of projected income from all sources:

10b. Analysis of projected expenses for:

i) Repair, rehabilitation and restoration (if work will be phased, briefly describe each phase, indicate the corresponding time schedule, and group projected expenses by phase):

ii) Recurring maintenance requirements:

iii) Administration and operation:



10c. Provisions for disposition of excess income:

The law requires that all income in excess of costs for repair, rehabilitation, restoration, and maintenance shall be used by the Grantee only for public historic preservation, or park or recreational purposes (when all preservation needs have been adequately addressed). A reasonable amount of any excess proceeds may be carried forward from year to year to meet such costs. Any lessee who develops or rehabilitates the property on behalf of the Grantee shall be held to the same requirements for excess income.

10d. Description of accounting and financial procedures:

These must include provision for an independent audit every two years, the cost to be borne by the Grantee, and for an Audit Report based thereon to be submitted every two years, together with a Financial Report, to the Secretary of the Interior.

11) CAPABILITY:

Give a full statement of legal authority and ability to finance, operate, and maintain the property. Furnish complete information about the adequacy of staff to be made available to develop and operate the project and the Applicant's qualifications for the development and operation of historic property.



12) RESOLUTION:

*The resolution form on the following page has been provided for your use.
If you do not use this form, you must ensure that, at a minimum, the resolution contains the following:*

- 12a. Identification of the name, location, GSA control number and acreage of the property for which you are applying;
- 12b. An authorization of the Application for and acquisition of the specified property for historic monument purposes;
- 12c. A designation by title of a specific official to act as the authorized representative in all matters pertaining to the transfer of the property;
- 12d. A statement that the Application is being made for acquisition of the property under the provisions of 40 U.S.C. 550(h), and regulations and procedures promulgated thereunder;
- 12e. Where applicable, certification that the Applicant is authorized, willing, and able to conduct compatible revenue-producing activities, and that regardless of any revenues derived from such activities, the Applicant is financially able to utilize said property for historic monument purposes as set forth in its "Program of Preservation and Utilization" and in accordance with the requirements of 40 U.S.C. 550(h) and regulations and procedures promulgated thereunder;
- 12f. Where applicable, certification that any income in excess of costs of repair, rehabilitation, restoration, and maintenance shall be used by the Applicant only for public historic preservation, park, or recreational purposes as enunciated in the "Program of Preservation and Utilization";
- 12g. Certification that the Applicant is willing and authorized to pay the administrative expenses incident to the transfer; and
- 12h. Certification that the Applicant is authorized, willing, and in a position to assume immediate care and maintenance of the property.



RESOLUTION/CERTIFICATE OF AUTHORITY (SAMPLE FORMAT)

Whereas, certain real property owned by the United States, located in the County of _____, State of _____ has been declared surplus and at the discretion of the Administrator of General Services (Administrator), may be conveyed for historic monument purposes to a State, political subdivision, instrumentalities thereof, or municipality, under the provisions of 40 U.S.C. 550(h), and rules and regulations promulgated pursuant thereto, more particularly described as follows:

_____, _____,
GSA control number _____.

Whereas, _____ needs and will utilize said property in perpetuity for historic monument purposes as set forth in its Application and in accordance with the requirements of 40 U.S.C. 550(h) and the rules and regulations promulgated thereunder; and

Whereas, the Applicant is authorized, willing, and able to conduct compatible revenue-producing activities, and that regardless of any revenues derived from such activities, Applicant is financially able to utilize said property for historic monument purposes as set forth in its "Program of Preservation and Utilization" and in accordance with the requirements of 40 U.S.C. 550(h) and regulations and procedures promulgated thereunder; and

Whereas, the Applicant agrees that any income in excess of costs of repair, rehabilitation, restoration, and maintenance shall be used by the Applicant only for public historic preservation, park, or recreational purposes as enunciated in its "Program of Preservation and Utilization";

Now, Therefore, Be It Resolved, that _____ shall make Application to the Administrator for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservation, terms, covenants, agreements, conditions, and restrictions as the Secretary of the Interior, and the Administrator, or their authorized representatives, may require in connection with the disposal of said property under 40 U.S.C. 550(h) and the rules and regulations issued pursuant thereto; and Be It Further Resolved that _____ has legal authority, is willing, and is in a position to assume immediate care and maintenance of the property, and that _____ be and he/she is hereby authorized, for and on behalf of the _____ to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, Applications, reports, and other documents; the execution, acceptance, delivery, and recordation of reports, and other documents; the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, including the filing of copies of the Application and the conveyance documents in the records of the governing body, and the payment of any and all sums necessary on account of the purchase price thereof or fees or costs incurred in connection with the transfer of said property for survey, title searches, recordation of instruments, or other costs identified with the Federal surplus property acquisition.

legal title of governing body of Applicant

address

I, _____, hereby certify that I am the _____ of the _____ and that the foregoing resolution is a true and correct copy of the resolution adopted by the vote of a majority of the members of said _____ present at a meeting of said body on the ____ day of _____, 20____, at which a quorum was present.