



EASEMENT APPLICATION FORM INSTRUCTIONS

Applicants must provide **all** the information requested; incomplete applications will not be considered. Applications are evaluated and reviewed by Easement Program staff and the Easement Program Committee at the Idaho State Historic Preservation Office (SHPO) before being presented to the Idaho State Historical Society Board of Trustees. For additional information, please refer to [Easement Program Policies](#).

This Easement Application Form contains five parts:

1. Part A: General Application Form
2. Part B: Application Checklist
 - a. Attach all necessary documents to the end of the application.
3. Part C: Grant Related Projects (as applicable)
4. Part D: Federal Tax Incentives (as applicable)

The application may be completed in PDF or Microsoft Word format. Handwritten applications will not be accepted. *If you require more space to respond to a specific question, continue to type within the box, and the box will expand and provide additional lines as necessary.*

Photographs must be compiled into one document and not attached individually to an email or document exchange website. Easement Program staff do not have the resources to download, sort, identify, and print individual photo files. Please use the [Photo Submission Guidance and Template](#) when submitting any photographs, available on the Easement Program's webpage.

A completed application consists of the following:

1. Application Form: including Parts A and B (required) and Parts C and D (as applicable)
2. \$500 non-refundable application fee and [Billing Statement](#)

Note: There are no costs associated with initial consultation from Easement Program staff to discuss potential preservation of your property. There is, however, a \$500 non-refundable fee that will be required when you submit your application should you decide to proceed with the donation.

If you intend to email the application and supporting materials, and the email size is greater than 20MB, please contact the Easement Program Manager for large file transfer options. If you email your application, the application fee and Billing Statement must be mailed separately.

It is the responsibility of the applicant to ensure that all necessary materials are submitted. Easement Program staff will confirm receipt of the application by email and will notify the applicant if the application is incomplete and will not be considered. However, if you do not receive an email confirming receipt within five (5) business days of submission, please contact the Easement Program Manager.

Email Completed Applications To:

Dan Everhart
Idaho State Historic Preservation Office
dan.everhart@ishs.idaho.gov

Or Submit Via Mail To:

Dan Everhart
Idaho State Historic Preservation Office
210 W Main Street | Boise, Idaho | 83702
dan.everhart@ishs.idaho.gov
208-488-7461



EASEMENT APPLICATION FORM
PART A: GENERAL APPLICATION FORM

A-1. Property Information			
Property Name:		County:	
Property Street Address:			
City/Town:	State:	Zip Code:	
Total Acres Proposed for Easement:			
Total Acres of Property (if different from easement acreage):			
A-2. Owner Information			
Is the property owned by a corporate entity? <input type="checkbox"/> Yes <input type="checkbox"/> No		Is the property held in trust? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Owner #1			
Property Owner Name:			
Mailing Address:			
City/Town:	State:	Zip Code	
Phone:	Email:		
Owner #2 (As Applicable)			
Property Owner Name:			
Mailing Address:			
City/Town:	State:	Zip Code	
Phone:	Email:		
Applicant Information (If Different From Owner)			
<i>Note: If the applicant is different from the property owner and/or representing a corporate or non-profit entity, the owner must submit a signed letter indicating that the applicant is authorized to submit an application on their behalf and that Easement Program staff are authorized to communicate with the applicant regarding owner's property.</i>			
Applicant Name/Organization:			
Contact Name & Title (For organizations only):			
Mailing Address:			
City/Town:	State:	Zip Code	
Phone:	Email:		
(i). If the applicant intends to acquire the property, what is the anticipated date of closing?			Date:
A-3. Site/Landscape Description			
Briefly describe the property (e.g., topography, adjacent streets/roads, water bodies, adjacent development) and provide a legal description of the property (including the Property Index Number or Parcel Number):			
A-4. Architectural, Archaeological, and Historic Resources			
(i). Is the property listed in the National Register of Historic Places?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Individually		Date of Listing:	
<input type="checkbox"/> As a contributing resource to an historic district		District Name:	
(ii). Is the property a National Historic Landmark?			<input type="checkbox"/> Yes <input type="checkbox"/> No
(iii). Is the property a Local Landmark or included in a local district?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Local Landmark		Date of Listing:	
<input type="checkbox"/> As a contributing resource to a local district		District Name:	
(iv). Has the property been found eligible for listing by SHPO?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Note: If no, please contact the Easement Program Manager before submitting an application.</i>			

(v). Are you aware of any archaeological resources on the property, such as a precontact or historic archaeological site that has been observed or recorded and includes structural remains/ruins, Native American habitation site, military encampment, or earthworks? If yes, please describe the resource(s), indicate the location(s) on a map, and note if any resource(s) have been documented through professional archaeological survey. If no, write N/A.

(vi). Are you aware of any cemeteries or burials on the property? If yes, please indicate the location on a map and provide other identifying information such as number of burials, grave markers and associated death dates (earliest death date and latest date), decedent/family names, fences or other enclosures, as available. Indicate whether or not the cemetery is still actively used for burials. If no, write N/A.

A-5. General Questions About Property

(i). Is there a boundary survey (within the past year) of the property or any portion of it? Yes No

If yes, please attach a copy of the survey at the end of the application. If no, you may provide a preliminary survey with your application, but you will need to acquire a current (within one year) boundary survey prepared by an Idaho licensed surveyor prior to the execution of the easement.

(ii). Are there any deed restrictions, covenants, or homeowners' association agreements that impact the property? If yes, briefly describe and provide a copy of any related documents at the end of the application. Yes No

A-6. Existing Conditions and Uses of the Property

(i). Describe all current uses of the property (e.g., residential, agricultural crop production, animal husbandry, equestrian uses, timber harvesting/replanting, or vacant land, etc.).

(ii). List all buildings and structures on the property (historic and non-historic), their approximate age, condition (ruin, poor, fair, good, excellent), use (e.g., residential, agricultural, commercial, storage), and whether you would like this building/structure to be protected by the easement. Include all dwellings, tenant houses, outbuildings, barns, sheds, etc. and structures such as pools, wells, septic systems, and utilities. Add additional rows if necessary.

Building/Structure	Age (Years)	Condition	Use	Will this building/structure be protected by the easement?

(iii). Identify any anticipated alterations or demolitions of existing buildings, structures and/or landscape features.

A-7. Reserved Rights

Identify any rights, if any, you would like to reserve in the easement, such as the right to build new primary or secondary dwelling(s), residential outbuildings and structures, new agricultural buildings and structures, or new roads or trails. Please briefly describe these types of buildings and structures and their approximate size.

A-8. Legal Matters

(i). Is there a mortgage, home equity loan, or other lien on the property? If yes, please list and indicate whether the lien will be released prior to recordation of the easement. Yes No

(ii). Are there any residential, agricultural, commercial, hunting, or other written leases or agreements currently in effect on the property? If yes, please identify and indicate if they will be in effect at the time of easement recordation. Yes No

(iii). Are there any verbal agreements in effect for use of the property? If yes, please describe. Yes No

(vi). Identify any other information about the property or its condition not otherwise covered, such as boundary line disputes, outstanding life estates, third party access easements through the property, matters involving public infrastructure projects or pending takings by the state or any public utility, environmental contamination issues, etc.

A-9. Administrative Fee Policy

All historic preservation easements conveyed to the Idaho State Historic Preservation Office are subject to the following administrative and operating fees:

- a. *Application Fee.* The ISHS will charge a non-refundable fee of \$500 due upon the filing of an easement application.
- b. *Preparation Fee.* The ISHS will charge a minimum fee of \$4,000 due upon the commencement of Easement Program staff’s review and assessment of the property. The preparation fee will cover the costs of site visits, property assessments, preparation of legal documents, execution of easement documents, and recordation of the executed deed.
- c. *Stewardship Contribution.* The ISHS requires a stewardship contribution to cover the costs of administering the easement in perpetuity. The amount of the stewardship contribution is based on a percentage of the appraised value of the property immediately prior to the easement donation.

See Section D: Fees and Funds of the Easement Program Policies for further information.

A-10. Certification Statement and Signature(s) of Applicant(s)

The undersigned applicant(s) understands and hereby acknowledges that all determinations by the Idaho State Historical Society (ISHS) regarding proposed preservation easements shall be made by the ISHS Board of Trustees’ sole discretion and further that the Board reserves the right to accept or deny any proposed easements. The applicant further certifies that (i) the information set forth above is true and accurate to the best of their knowledge and (ii) that any material change of fact or circumstance thereto shall be made known to ISHS prior to recordation of the easement.

Signature	Printed Name	Date



EASEMENT APPLICATION FORM
PART B: APPLICATION CHECKLIST

The following documents must be submitted with your application. Failure to provide all required documentation may delay processing or acceptance of your application. Check all that apply.

B-1. Application Form: Part A completed and signed by applicant; Part B completed by attaching all required documents to the end of the application; Parts C and D completed as applicable.

B-2. Application Fee: A non-refundable \$500 fee must be submitted with your application along with a Billing Statement. Only checks made payable to the "Idaho State Historical Society" are accepted. *If submitting application electronically, please mail payment to:*

Idaho State Historic Preservation Office,
Courtesy of Easement Program Manager
210 W Main Street, Boise, ID 83702

B-3. Authorization: If applicant is different from property owner and/or representing a corporate or non-profit entity, owner must submit a signed letter indicating that the applicant is authorized to submit an application on their behalf and that Easement Program staff are authorized to communicate with the applicant regarding owner(s)' property, the easement application, required documentation and easement negotiation process.

B-4. Photographs: 5-10 high-quality digital photographs or images (resolution of 600 pixels x 600 pixels in jpeg format preferred) must include the following:

- At a minimum, one photograph of each exterior elevation of the primary building, and one photograph of each additional building/structure (historic and non-historic) located on the property (i.e. detached garages, barns, sheds, guesthouses, etc.)
- *For electronic application submissions, photographs must be compiled into one document and not attached individually to an email or document exchange website. Easement Program staff do not have the resources to download, sort, identify, and print individual photo files. Please use the [Photo Submission Guidance and Template](#) when submitting any photographs, available on the Easement Program's webpage.*

B-5. Title Commitment & Insurance: Applicant must obtain a title commitment insuring the donor's acquisition of the property that includes the following:

- Continuous chain of title of ownership interests for the property (with copies of all relevant documents) dating back to at least 1940 must be submitted with the easement application.
- Title commitment prepared by an Idaho licensed title searcher, title company, or attorney.
 - o Must include legible copies of all deeds and plats in the chain of ownership and all encumbrances identified as exceptions in the commitment.
 - o A title commitment insuring the donor's acquisition of the property should be submitted with the application. However, once acquisition is complete, a title commitment insuring the Idaho State Historical Society must be provided.

B-6. Boundary Survey: A current (within one year) boundary survey prepared by an Idaho licensed surveyor is required for all easement donations. If a current survey is not available at the time the easement application is submitted, a preliminary survey should be provided to Easement Program staff for review as soon as possible and in order for the project to be considered by the Board of Trustees. Easement Program staff will review a draft preliminary survey as part of the application process, but an official survey must be submitted prior to easement recordation. The survey should show and/or indicate the following as applies to the property:

- Exterior dimensions of all buildings and structures at ground level;
- Indicate square footage of exterior footprint of all buildings and structures at ground level; and
- Location of easements and/or utilities existing on or serving the surveyed property.

B-7. Proof of Insurance: Copy of general liability insurance policy and homeowners' policy (as applicable) is required for all easement donations. If a current policy is not available at the time the easement application is submitted, then it must be provided prior to easement recordation. *Note: The Idaho State Historical Society must be added to the policy as additionally insured.*

The following documents must be submitted with your application to the property, as applicable:

B-8. Leases and Other Agreements: Copies of all residential, agricultural, commercial, or other lease agreements that will be in effect at the time of easement recordation must be submitted with the application. Unless otherwise approved by Easement Program staff, any unrecorded lease or lease agreement that will be in effect at the time of recordation of the easement must include subordination language provided by or approved in advance by Easement Program staff. Existing leases or lease agreements may need to be amended to include the appropriate subordination language.

B-9. Mortgage or Other Lien: For any mortgage or lien that will be in effect at the time of easement recordation, the following documents must be provided:

- Written documentation from lender(s) indicating their willingness to subordinate the lien to the easement.
- Name and position of individual who will be signing on behalf of the lender(s) and document identifying that individual as authorized to sign on behalf of the lender(s).
- Name of Trustee(s) who will be signing on behalf of the lender(s).
- Recorded Appointment of Substitute Trustee document (as applicable).

B-10. Trust Agreement: If property is held in trust, copy of trust agreement, deed of trust, will or other document(s) that created the trust.

B-11. Covenants, Leases, and Other Unrecorded Documents: Copies of the following documents must be submitted with application: deed restrictions, covenants, and/or homeowner's association agreements, unsecured notes, agricultural leases, residential leases, etc.

B-12. Environmental: Copies of the following documents must be submitted with application if the property contains related environmental factors: Phase I Environmental Site Assessment, Forest Management Plan, timber harvest documentation, Farm Conservation Plan, and/or documentation identifying threatened, rare, or endangered species.



EASEMENT APPLICATION FORM
PART C and D: GRANT RELATED PROJECTS
and FEDERAL TAX INCENTIVE

Complete these sections only if you intend to use a federal and/or state grant as part of the easement donation or intend to apply for a federal income tax deduction related to donation of the easement.

C-1. Grant Related Projects: General Questions

(i). Are any grants associated with this project (e.g., Save America’s Treasures) that require conveyance of an easement? Yes No

(ii). Please indicate which grants will be applicable to this transaction:

Grant or Funding Source	Anticipated Amount	Application Status (e.g., Applied, Approved, Funds Allocated)	Purpose of Grant (e.g., Fee-Simple Acquisition, Easement Acquisition, Rehabilitation)
Save America’s Treasures			
Historic Theatre Grant			
Specific Grant			
Certified Local Government Grant			
Other:			

(iii). Describe the project outcome—who will own the property and how will it be managed?

(iv). For all grants identified above, please indicate the deadline or date by which the preservation easement must be recorded.

D-1. Federal Tax Incentives: General Questions

(i). Do you intend to claim a federal income tax deduction for donation of the preservation easement? Yes No

(ii). Do you intend to use a combination of grant funding and a federal income tax deduction as part of the easement transaction? Will this be a partial sale, partial gift transaction? Yes No

(iii). Has a preliminary preservation easement appraisal been completed? Yes No

(iv). Please provide the approximate value of the easement (if known).

Note: Federal law requires that easement properties that take advantage of federal tax incentives be physically accessible to the public, and the easement deed will outline specific provisions requiring this public access.