

Civil War Battlefields: Easement Drafting & Design

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Outline

- Easement Drafting
- Historic Resources
- Battlefields & Battlefield Landscapes
- Multi-Resource Easements
- Historic Preservation Easements vs. Conservation Easements
- Typical Historic Preservation/Battlefield Easement Provisions
- Typical Multi-Resource Battlefield Property Example



Easement Drafting:

- Clear Goals and Objectives
- Meaningful Public Benefit Derived from Documented Conservation Values

- Comprehensive Protection for *all* Historic Resources
- Legally Enforceable
- Consideration for Future Viability of Property

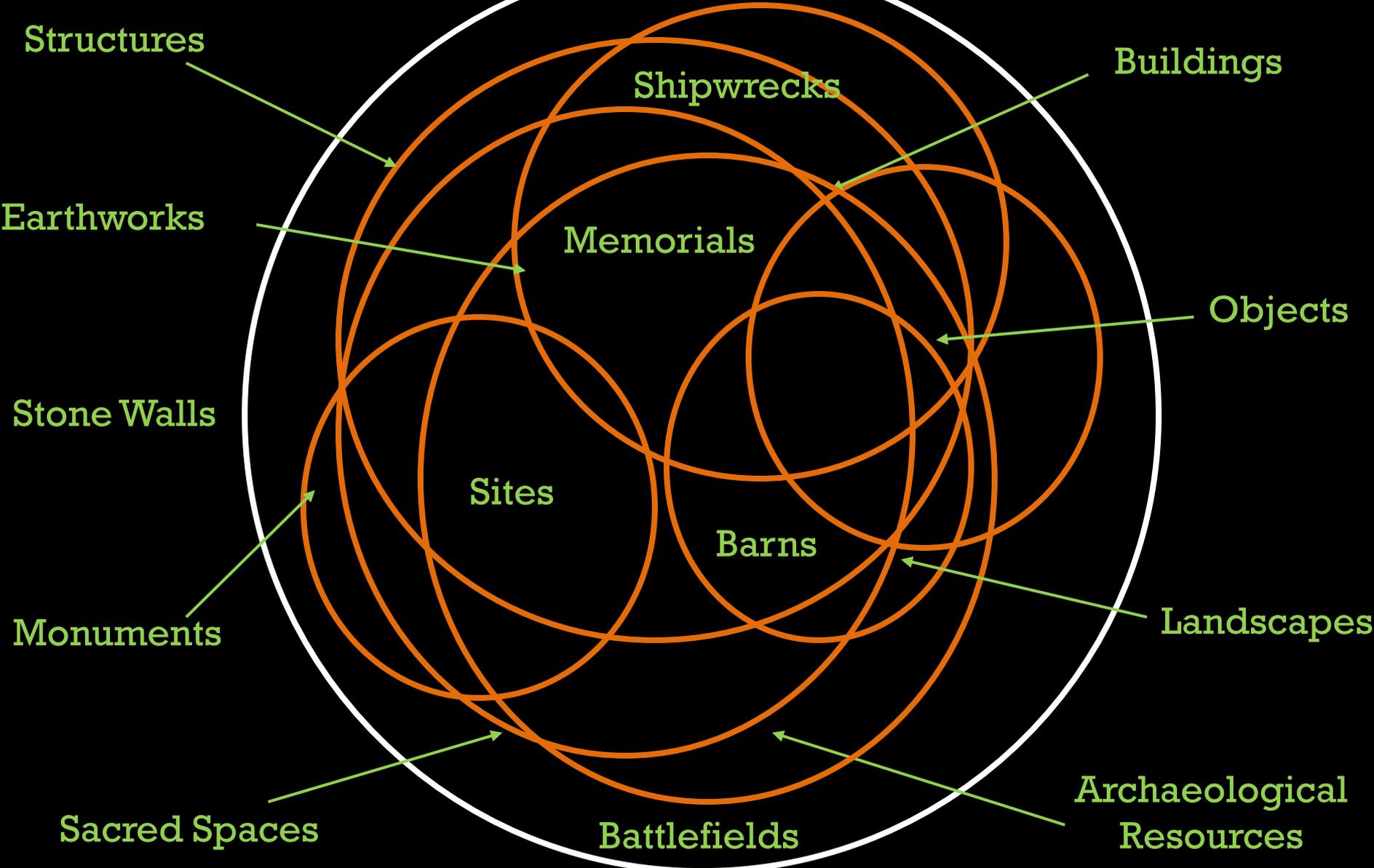


Grant Funding:

- American Battlefield Protection Program
- Virginia Civil War Sites Preservation Fund
- Virginia Land Conservation Foundation
- Transportation Alternatives Program (TAP)
- Agricultural Conservation Easement Program (ACEP)



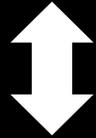
HISTORIC RESOURCES



Historic Resources



Cultural Landscapes



Civil War Battlefields





Interpretative Signs & Amenities



Historic Buildings



Open-Space Lands



Farm Structures, Wetlands and Streams, Modern Non-Historic Buildings

Historic Buildings Significant
to Battle Action

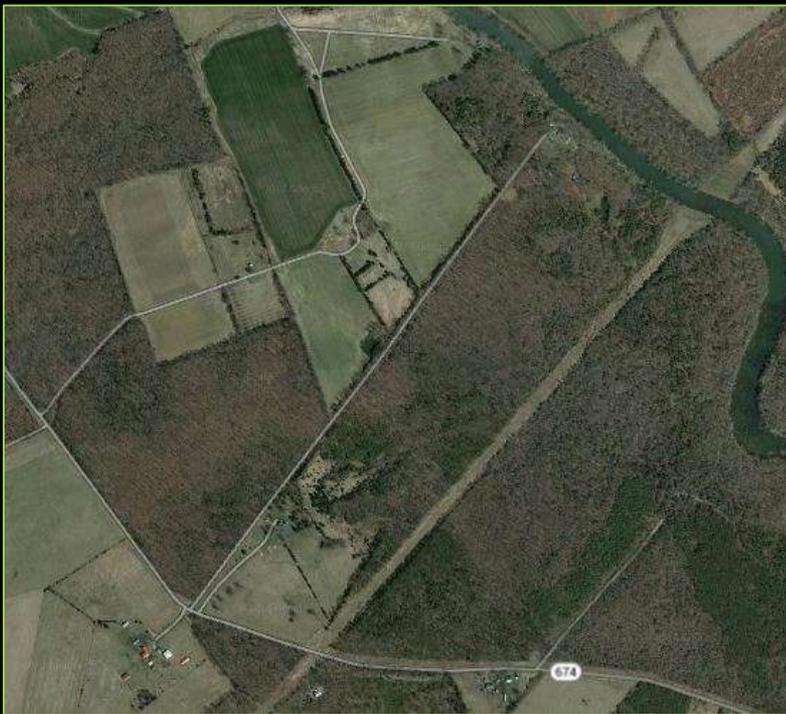


Urban Properties





Agricultural Crop Production, Working Farms, Livestock



**Forest
Resources**



**Commercial
Timber
Management**



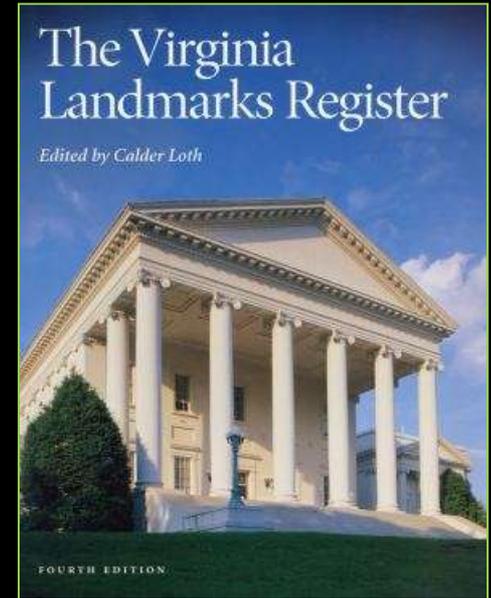
VA Easement Program Eligibility Criteria

A. Property individually listed in the Virginia Landmarks Register (VLR)

B. Property that is designated as a contributing resource within a VLR-listed historic district

C. Battlefield with a priority rating from the Civil War Sites Advisory Commission

D. Historically important land area or open space

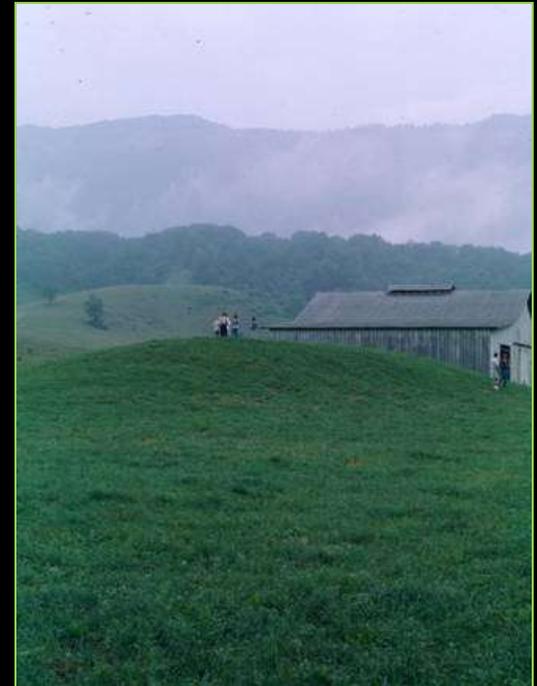


Is There a Difference Between a *Conservation* Easement & an *Historic Preservation* Easement?



An Historic Preservation Easement is a Conservation Easement...the name has less to do with the way the agreement works than with the types of resources it protects

Protections for Archaeological Sites or Features

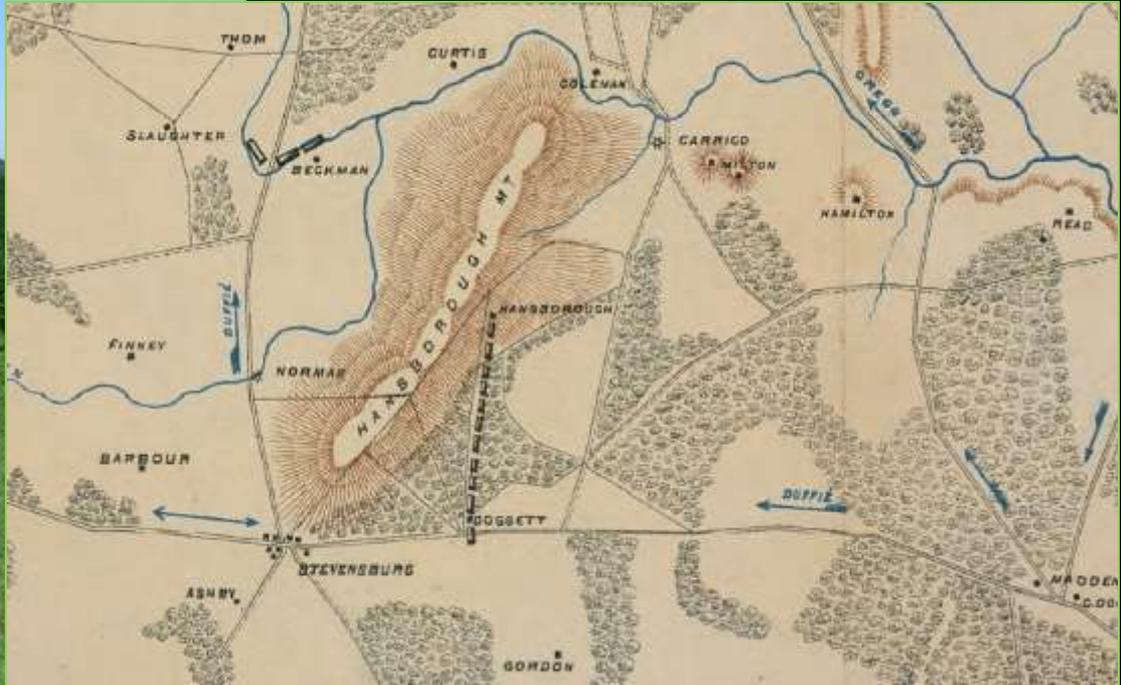


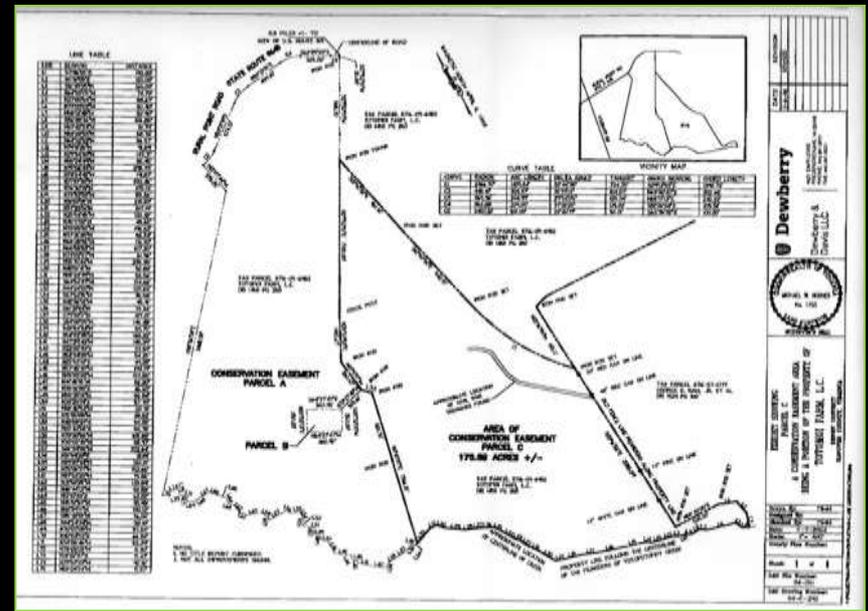


Ground Disturbing Activities

Protections for Historic Landscape, Context & Setting







- Prohibition or limitations on subdivision
- Easement staff must review and approve all new construction: location, size, materials, and design



Owner required to maintain the building
in existing condition or better

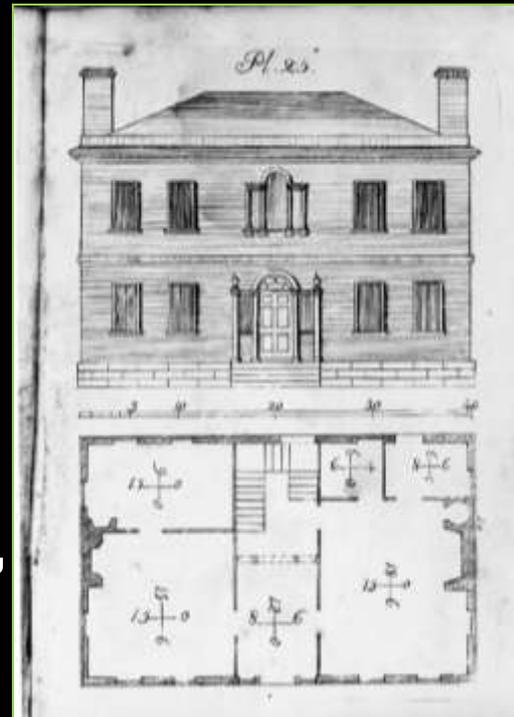


Prohibits willful
demolition or
demolition by
neglect





Easement staff must review and approve alterations to exterior of existing historic building, structure, or resource



Entire exterior of primary built historic resource, including alterations to height, must be protected under the terms of the easement



**Public access
required a minimum
of two days per year**



Limitations or Restrictions on Activities and Commercial Uses



Buffers



Easement Protects Documented Conservation Values...



While Maintaining Viability of Working Landscapes

Multi-Resource Civil War Battlefield Property





