Property Protections
A quick look into protecting historic buildings

What are they and how do they apply to your project?

Certain protections may be placed on properties receiving HC-SHF grants. The type of owner and the amount of cumulative grant funds received determine the period and form required to protect the property from alterations that would affect its historic character. The protections require that any changes being proposed to the property must first receive approval from HC-SHF staff or the easement holding company.

Types of Protection

Letter of Agreement (LOA):

Contract document that binds the current owner to restrictions for a specific period of time.

Covenant:

A recorded document that is tied to the land and binds current and future owners to restrictions for a specific period of time. Covenants are processed and recorded by History Colorado in the county where the property is located.

Perpetual Easement:

A recorded document that is tied to the land and binds current and future owners to restrictions in perpetuity. Exact terms of the easement will be negotiated between the property owner, HC-SHF and a qualified easement holding organization.

Public Investment

As the funding for HC-SHF grants comes from public funds, property protection requirements are cumulative for grant monies awarded for physical work. Multiple grant awards are added together to determine the appropriate level of protection of the public investment.

Review and approval of alterations that could affect the architectural appearance of the property, adversely affect the structural soundness of the property, or encroach on the open land area on the property are mandatory.

Specific Properties

Property Protections are not placed on the following property types:
- Railroad rolling stock (e.g. locomotives, rail cars, etc.)
- Federally and State-owned properties and Archaeological sites, unless the grant request is for an acquisition.

If the district is owned by a single entity, protection requirements will apply to the legal description of the entire district as submitted in the grant application.

If the district is owned by multiple entities (a neighborhood district, for example), protection requirements will vary, depending on individual legal descriptions and other considerations.

For applicants with previous projects and current/existing SHF protection measures, there may be additional factors to take into consideration.

For more information about the State Historical Fund grant program, please feel free to contact our outreach staff at hc_shf@state.co.us.

www.h-co.org/stategrants