

# GALVESTON HISTORICAL FOUNDATION

## EASEMENT POLICY

### **Easements: An Introduction**

A historic preservation easement is a flexible, negotiated preservation tool that provides perpetual protection of a historic property. An easement is a legal agreement between a property owner (grantor) and an organization (grantee) that gives the organization the right to monitor and protect the architectural and historical character of a property. Galveston Historical Foundation can be a grantee for an easement. In granting an easement, the owner agrees not to alter specified portions of the property without permission of the grantee organization. Easements “run with the land” and are thus binding on all future owners.

Easements are designed to provide protection of historic properties in perpetuity. They are tailored to individual properties, and while the most common type of preservation easement is limited to the exterior façade of a building, easements may also cover interiors and specific features of a building and its setting.

Preservation Easements have been an effective tool in the protection of historic properties throughout the nation. It is a responsibility to be taken seriously, and it’s a significant obligation for an organization to take on.

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**Galveston Historical Foundation** accepts easements on historic properties on a *case-by-case basis*. The purpose of accepting and holding easements is consistent with GHF’s mission.

Donations of Easements will be considered by GHF if the property possesses architectural or historical significance, generally defined as listed in or **eligible for listing in the National Register of Historic Places, individually or as a contributing resource within a National Register listed or eligible district**. Easements may also be accepted for properties which, upon completion of rehabilitation plans, if such are included in the easement agreement, would be deemed eligible for listing in the National Register.

Determination of National Register eligibility will be made by GHF staff. In circumstances where eligibility for National Register is in question, GHF may seek an opinion from the Texas Historical Commission.

Easements will typically be reserved for exterior facades and, in some cases, surrounding landscapes. In the event the property contains extraordinary interior features, easement agreements may include the protection of interior features.