



Historic Ghost Mural Easement Program Application

Please read the attached Policy Guidelines, Administrative Procedures and provide the requested information.

1. Address of Ghost Mural Location:

Telephone: (_____) _____ - _____

E-mail _____

3. Owner of property – (if different from applicant):

Telephone: (_____) _____ - _____

E-mail _____

4. Describe the proposed mural(s) and specific location(s) on building (additional information may be attached).

5. Required Supporting Documentation

a. Complete an Application for Certificate of Appropriateness and submit with application including:

- Current and historic photos of the building and ghost mural(s)
- Legal Description of the ghost mural(s) historic structure

b. Acknowledgement of Ghost Mural Easement Program.

6. Certification

I certify all information contained in this application and all information furnished in support of this application is given for the purpose of obtaining a ghost mural easement as true and complete to the best of my knowledge and belief. I acknowledge I have read the policy guidelines for the program included with and for this application and agree to all of the terms and conditions contained in the policy guidelines. I agree to indemnify and hold harmless the Deadwood Historic Preservation Commission and the City of Deadwood against losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from or arising out of or relating to the Deadwood Historic Preservation Commission's acceptance, consideration, approval, or disapproval of this application and the issuance or non-issuance of a ghost mural easement.

Applicant's signature: _____

Date submitted: ____/____/____

Owner's signature: _____

Date submitted: ____/____/____

Please return the completed application along with the Certificate of Appropriateness to:

City of Deadwood
Planning, Zoning & Historic Preservation
108 Sherman Street
Deadwood, SD 57732
605-578-2082



Ghost Mural Easement Program – Policy Guidelines

1. Statement of Purpose:

The restoration and protection of Deadwood's historic ghost murals are a primary part of the City's goal to preserve and maintain Deadwood's historic integrity. The expense of such restoration and protection projects may discourage property owners from having the work completed or may result in lower quality of craftsmanship. The purpose of this program is to assist and encourage property owners to restore and maintain the historic ghost murals in Deadwood's historic district.

2. Objective:

The City of Deadwood is a National Historic Landmark and is listed on the National and South Dakota State Registers of Historic Places. Maintaining these designations is critical to the economic success of the City and quality of life of its residents. The objective of the program is to stimulate the quality restoration and protection of ghost murals contributing to the historic integrity of the City of Deadwood. Through the program, the owner of a participating building agrees to transfer to the City of Deadwood an easement on the character-defining ghost mural(s) and allow the City to restore the ghost mural(s) list on the application .

3. Eligibility:

To be eligible for the Ghost Mural Easement Program, a project must meet the following criteria:

- a. The project must affect a property listed on the City of Deadwood's 1993 Historic Sites Inventory as an historic property in the Deadwood National Historic Landmark District and within the Deadwood Local Historic District. Properties not listed on the inventory must be eligible for the National Register of Historic Places as defined in the National Park Service's [National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation](#).
- b. The building must be a commercial property as defined by Deadwood Planning and Zoning Department and be within the Deadwood Local Historic District.

The City of Deadwood's Historic Preservation Officer determines a project's eligibility. All eligible applications are subject to the review by the Deadwood Historic District Commission.

4. Definitions:

Commercial Property – is a structure used primarily as an income-producing building and zoned accordingly.

Building - is a structure with a roof and walls and stands permanently in one place requiring a certain amount of internal infrastructure to function, which includes such elements like heating / cooling, power and telecommunications, water and wastewater etc. For the purposes of this program, it is not defined through the South Dakota Commission on Gaming rules and regulations.

Ghost Mural – historic advertisements located on exterior of historic structures.

Qualified Expenditure – is the rehabilitation work on the ghost mural(s) of the building which meets the Secretary of the Interiors Standards for Rehabilitation.

Easement – is a conservation easement for the ghost mural(s) set for perpetuity as allowed under applicable State and Federal laws.

5. Program Requirements:

- a. The actual cost of restoring or rehabilitating the ghost mural(s) will be used in determining the purchase price of the easement.

- b. The City of Deadwood will be responsible for:
- 100% of the restoration costs.
 - Bidding of the project.
 - Securing the required building permit.
 - Managing the restoration project.
- c. The Owner will be responsible for maintaining the ghost mural(s) when complete per the easement guidelines.

6. Selection Process

Selection Process will be through Deadwood Historic District Commission with input from the Historic Preservation staff.

The Deadwood Historic Preservation Commission reserves the right to amend, or to change or modify this program for any reason. The number of projects funded for each year will be dependent to the maximum budgeted for the program by the Deadwood Historic Preservation Commission.

7. Forms and Technical Assistance:

- a. **Conservation Easement** – sample conservation easement is available at the Historic Preservation Office located at Deadwood City Hall, 108 Sherman Street in Deadwood. (605) 578-2082.
- b. **Certificate of Appropriateness** – The applications are available at the Historic Preservation Office located at Deadwood City Hall, 108 Sherman Street in Deadwood. (605) 578-2082. This form is also available online at: <http://www.cityofdeadwood.com> , under **Permits, Licenses & Forms** tab, then under Historic Preservation heading.

This form must be completed and given to the Historic Preservation Officer who will present it to the Historic District Commission for consideration. *[No work can start until Historic District Commission approval and the owner/applicant has an approved City of Deadwood Building Permit.]*

- c. **City of Deadwood Building Permit** – A City of Deadwood (Residential or Commercial) Building Permit must be acquired from the City of Deadwood Building Inspector located at 67 Dunlop Avenue, in Deadwood. Telephone: (605) 578-3082. This permit application form is also available online at: <http://www.cityofdeadwood.com> , under **Permits, Licenses & Forms** tab, then under Building Inspector heading.



Ghost Mural Easement Program Administrative Procedures

1. **Application**

- The Applicant/Property Owner/Owner's Representative (Owner) obtains from Historic Preservation Office, or City of Deadwood Website:
 - Ghost Mural Easement Program Application Form
 - Application for Certificate of Appropriateness Form
- The Owner submits completed copies of the above forms with signatures to the Historic Preservation (HP) Office.
- A discussion between the Owner and the Historic Preservation Officer is recommended to clarify requirements and expectations of this program. This can greatly streamline the process.

2. **Determination of Eligibility**

- The Historic Preservation Officer conducts an on-site inspection of property to determine eligibility.
- Photographs are taken for documentation.
- A ghost mural assessment will be done by the Historic Preservation Officer.
- The Historic Preservation Officer will prepare a written HP Staff Report for use by the Historic District Commission (HPC).

3. **Application Approval**

- Historic Preservation Office recommendations for approval or denial into the Ghost Mural Easement Program.

The selection committee recommendation is then presented to the entire Historic District Commission for approval or denial into the Ghost Mural Easement Program.

- The number of projects funded for each year will be dependent on the maximum budgeted for the program by the Deadwood Historic Preservation Commission.

4. **Historic District Commission Project Approval**

- Based on HP Staff Report, the Historic District Commission (HPC) approves or denies the Application for Certificate of Appropriateness.

5. Project Beginning and Ending

- The Historic Preservation Office enters into a contract with a City of Deadwood Licensed Contractor for the project.
- The City of Deadwood/Contractor obtains a City of Deadwood Building Permit.
- The Historic Preservation Officer and/or Building Inspector inspect the work in progress.
- The Historic Preservation Officer and Building Inspector conduct a final inspection after the completion of the entire project.