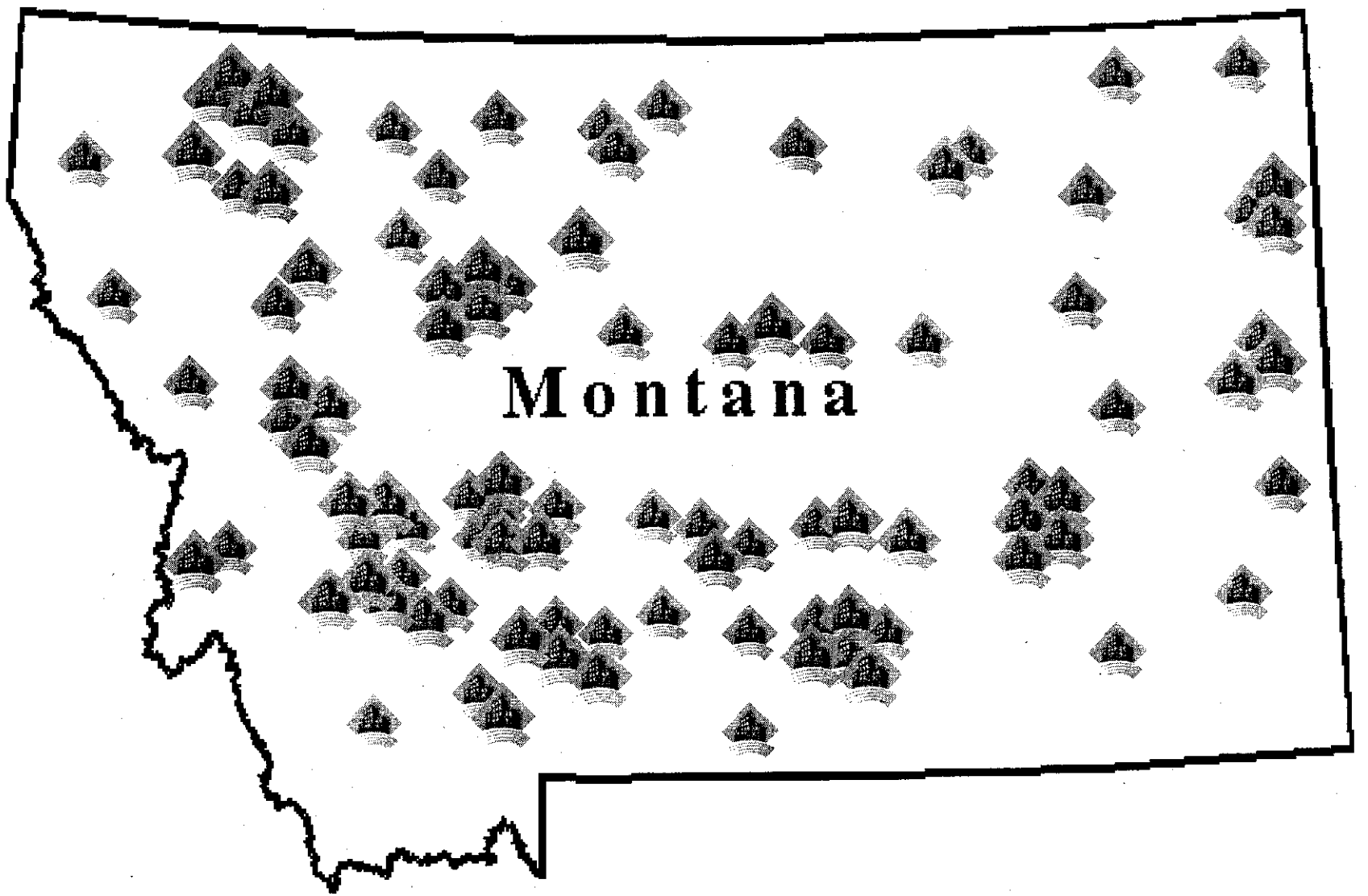
EXHIBIT 10
DATE 3-23-05
HB 227

Sampling of State Owned Historic Properties



Built in Montana

Sponsored by Representative Gary Branae and Senator Lynda Moss

Intent of HB 777

Establish a Cultural and Historic Preservation Commission and Interim Report Recommending Policies for State-owned Historic Properties and Opportunities for Historic Preservation State-wide

Funding Mechanism

Appropriation:	$40,000 $20,000 has been appropriated in HB 5
Special Revenue Account	State funds may only be used for state-owned properties. To expand the project and address opportunities for state-wide historic preservation in communities throughout Montana, additional funding from grants and contributions will be secured.

Timeline

Series of four meetings, one in Helena for the organizing committee and three in other communities

Beginning date:	July 1, 2005
Report to the Legislature and Governor	October 2007

Organization

Fifteen Member Commission including citizens, legislators and state agency representatives, chaired by Lieutenant Governor Bohlinger
An RFP will be developed to seek proposals from non-profits or professionals with expertise in historic preservation.

Project oversight by executive committee of the Commission

Background

Background

Historic buildings, cultural sites – the built environment in our state reflects a rich history and a diversity of cultures. A quick survey by the State Office of Historic Preservation identified over 2,000 properties that have "historic" characteristics. The National Council of State Legislators maintains an inventory of state historic preservation policies, many states listed in the inventory have state historic registers, grants and tax credits for historic preservation and policies for conversion or process for selling or leasing historic properties.

A recent issue brought the need for state policies to the attention of the Montana Preservation Alliance. The Administration Building for the Boulder River School was slated for demolition by the Department of Architecture and Engineering. The building is an excellent example of 20th century civic architecture. In addition, the Department of Architecture and Engineering has identified over a million dollars need to demolish historic properties that have fallen in disrepair.

In HB 5, the Department requested $180,000 to demolish this building, however through a creative amendment, I was able to submit an amendment to change demolition to stabilization.

In response to that particular problem, HB 777 was developed as a way to take a pro-active approach to historic preservation. Rather than seeing historic state owned properties as liabilities, the Commission will develop policies and priorities for these properties as well as explore partnerships with local governments, non-profits and small businesses.

The scope of HB 777 – **Built in Montana** is based on work of the Yellowstone Historic Preservation Board in Billings and a historic survey of downtown properties. That survey has resulting in the restoration of several historic properties for affordable housing, offices for architectural firms, software developers, an extended stay boutique hotel, restaurants and retail stores.

Nationwide, historic preservation has become an important economic development tool for the revitalization of downtowns in large urban communities as well as small towns. Historic preservation is closely linked to cultural tourism and the development of heritage areas.

Built in Montana will establish policies for our state-owned historic properties and identify opportunities for communities to use historic preservation as an economic development tool and as a way to recognize Montana's rich history and diverse cultures.

HB 777 has been reviewed by the Department of Administration, Office of Architecture and Engineering, the Montana Historical Society, the State Office of Historic Preservation, the Montana Heritage Commission and the Montana Preservation Alliance.

Search Results

1999 State Historic Preservation Laws

State: Montana
Code Book: Montana Code
Citation: §22-3- 431
Section Title: Antiquities: registration of heritage properties
Summary:

(1) Allows any citizen of the state to submit to the historic preservation officer the necessary forms to nominate heritage properties to the National Register of Historic Places. (2)(a) Requires the historic preservation officer to notify the owners of private property nominated for registration. Prohibits the historic preservation officer from nominating the property if the owner or a majority of owners objects to the nomination. (b) Allows the historic preservation officer and the Preservation Review Board to review a private property that was not nominated due to owner objection to determine if the property is eligible for registration. (c) Requires the historic preservation officer to follow the procedures mandated by 36 CFR 60.6 relating to seeking property owner concurrence or objection to registration. (3) Authorizes the historic preservation officer to nominate properties to the register located on lands owned by the state, a county or a municipality, upon approval by the Preservation Review Board. Requires the historic preservation officer to notify the appropriate governmental agency and give public notice when such governmental property is being considered for nomination and to allow 30 days for comments. Directs the historic preservation officer to consider any objections to the nomination of a governmental property and to conduct a public hearing within 30 days after the final date for submission of written objections. Requires the historic preservation officer to make a final decision on the proposed registration and prepare a statement responsive to the objections submitted within 60 days after submission of the objections or after the public hearing.

Primary Topic: Publicly Owned / Affected Historic Property--state policy

Secondary Topic:
- Survey / Registration / Recordation of Historic Properties

Primary Topic: Registration / Designation / Survey

Secondary Topic:
- National Register of Historic Places

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Washington Office: Tel: 202-624-5400 | Fax: 202-737-1069 | 444 North Capitol Street, N.W., Suite 515 | Washington, D.C. 20001

Search Results

1999 State Historic Preservation Laws

State: Montana
Code Book: Montana Code
Citation: §15-24-1601 through §15-24-1607
Section Title: Historic property tax abatement
Summary:

Establishes a property tax abatement program for the restoration, rehabilitation and expansion of certified residential and commercial properties located within National Register historic districts and properties individually listed in the National Register of Historic Places and for new construction within National Register historic districts, if such new construction meets certain design review criteria. Allows such properties to receive a tax abatement during the construction period, not to exceed twelve months, and for up to five years following completion of the construction. Limits the tax abatement to 100% of the increase in taxable value caused by the rehabilitation, restoration, expansion or new construction. Enables the governing body of the county or incorporated city or town where the improvement occurs to establish by resolution the process for the use of the tax abatement. Authorizes a local government, upon approving the tax benefit, to designate a local review board to establish an application and review process to certify eligible properties, which must include design review criteria based on the secretary of the interior□s standards for preservation. Requires a local review board to include: at least three members with professional expertise in history, planning, archeology, architectural history, historic archeology or a related field; at least one architect; and up to two members of the general public. Authorizes the local board to certify eligible historic properties and to approve or deny an application for the tax abatement and report its recommendation to the local governing body. Directs the state historic preservation officer to provide design review assistance and certification for qualifying properties if a local governing body approving the tax abatement does not appoint a review board. Disqualifies a certified property from receiving the tax abatement if, during the period of tax abatement, that property is altered in a way that adversely affects those elements that qualify it as historically contributing. Requires a property owner who has received a tax abatement but whose property is disqualified to pay back taxes and interest, plus a penalty of 15% of the sum of the back taxes and interest.

Primary Topic: Tax / Financial Incentives

Secondary Topic:
- Property Tax Relief

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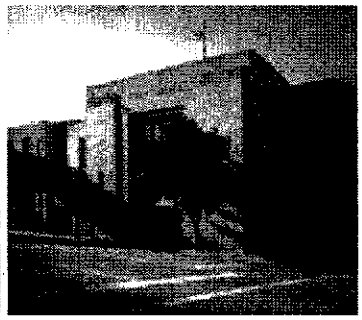
YELLOWSTONE HISTORIC PRESERVATION BOARD

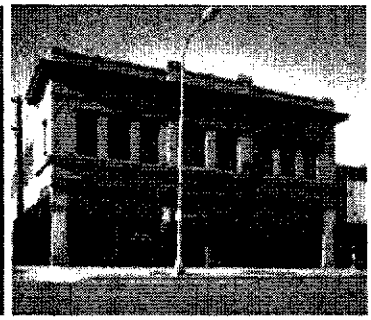
Billings Historic Photo Gallery

Selected Photographs of Buildings in Downtown Billings Courtesy of Paul Whiting

Grand Building
N. 27th and 1st Ave. N

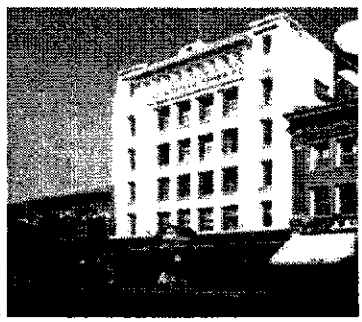


City Hall
210 N. 27th St



Sturm & Drake Building
14 N. 29th St.

Acme Building
109 N. Broadway



Montana Power Building
113 N. Broadway

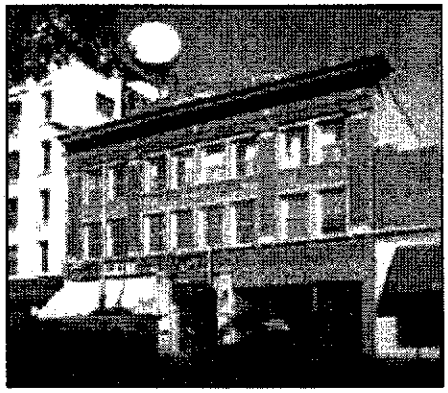
Carlin Building
115 N. Broadway

Montana National Bank

Gregory Building

Fratt Building

HISTORIC DOWNTOWN BILLINGS

Address: 107-111 N Broadway **Legal Description:** Billings Townsite Block: 92 Lots: 19 **Owner:** Myles J Thomas, et al PO Box 2529, Billings 59103	**Photolog:** 4-4	**Acme Building,** 107-111 North Broadway, ca. 1910  The building designed with stores in front and the Acme theater in rear. The theater also known as the Broadway Theater in 1913-14 and the Regent Theater from 1916-1930. Other early occupants included a jewelry shop and Tressman's Millinery. Rooms upstairs were known as the Acme Hotel.
Historic Name: Acme Building **Current Name:** Acme Building	**Architect:** unknown	
Original Owner: Wm Woods & TA Snidow	**Builder:** unknown	
Date Of Construcion: ca. 1910	**Original Use:** Store, hotel, theater **Current Use:** Stores, offices	

Physical Description:
The Acme Building is a three story commercial building with classical influences. The building is constructed of common red brick. The building fronts west onto N. Broadway and it is faced on that primary façade with dressed brown and gold brick, and cast stone. The building is divided into two retail spaces on the first floor, and offices above. The primary entrance is located at center in this symmetrical façade. It is enriched by cast stone pilasters, with raised cornice and decorative bracketing. The building is crowned by a bracketed metal cornice, surmounted by a stepped brick parapet bearing the name ACME. Concrete coping completes the cap.

Both storefronts have been modernized, with newer brickwork and storefront alterations. Above this, second and third story windows are tiered between brown classical pilasters with cast stone bases and capitals with simple ornamentation. Polychrome brick in diamond and rectangular panel motifs separates the second and third story windows. The windows are double-hung 1-over-1and appear to be original.

On the east, the building opens onto a rear alley. Brick is painted gray but historic segmental-arched doorways and historic windows with transoms are visible (many now bricked up). The sides abut adjacent buildings.

Historical Associations:
Lot 19 in block 92 passed through several speculative owners as undeveloped property during the end of the 1800s. About 1900, the lots sold to William Woods (a rancher) and TA Snidow (v-p Farmers & Traders State Bank) before the downtown business district had spread this far to the north. Between 1909-1911 they constructed this building which was christened the Acme. The building was designed with stores fronting onto the street and the Acme Theater at the rear. WM Enright was the first president, and CC Leonard manager. The theater was also known as the Broadway Theater in 1913-14, and the Regent Theater from 1916-1930. Other early occupants included a jewelry shop and Tressman's Millinery. Rooms upstairs were known as the Acme Hotel.

Integrity:
The Acme Building, although not currently in use, is a well preserved component of Billings historic downtown. On the exterior and interior, it retains high levels of integrity, and serves as a very strong anchor along this North Broadway corridor. Storefront alteration has detracted somewhat from the preservation, however this is readily reversible. And all other fabric is retained.

Historical and Architectural Significance:
The Acme Building is an important anchor in the northern portion of Billings' downtown, linked to the time when commercial area was expanded north from its origins near the NP depot. Functioning in key roles as retail space, a theater and a rooming hotel, the building is linked functionally to a range of uses which were important to growth of commerce and culture in the city.

It is also a very strong building representing the classically-influenced large commercial buildings which cropped up in this northern corridor of the downtown during the 1910s and 1920s. For all these reasons, it is an excellent rehabilitation candidate and recommended for National Register consideration.

Research Sources:
City Directories
Deed Records
Sanborn Maps for Billings, Montana 1884 - 1954
Historic Photographs, N Broadway streetscape 1913-

Form Completed For Downtown Billings Historic Survey By:	**Other:**
Chere Jiusto 406-443-2114 2064 Orofino Gulch Helena, Mt 59601 November 1998	Photo Courtesy of Paul Whiting

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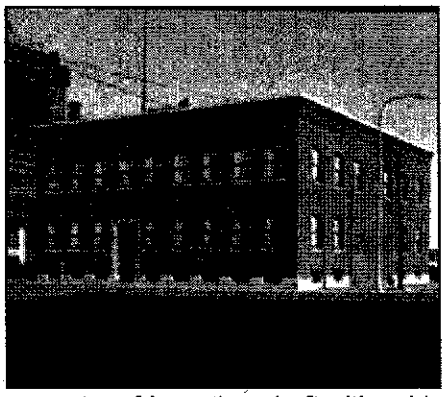
HISTORIC DOWNTOWN BILLINGS

Address: 2723 Minnesota Avenue		**Armor Cold Storage,** 2723 Minnesota Avenue  Increasing numbers of wholesale warehouses such as this one were constructed near the tracks as the town and its agricultural markets grew and diversified. This warehouse was built around 1920 to house cold meat and dairy storage. The building is centered around a poured concrete refrigeration shaft with cold rooms on each level including the daylight basement. Armour Wholesale Meats and Armour Creamery remained in the building through the mid-1930s.
Legal Description: Billings Townsite Improvements on RR right of way, MRL lease 87231		
Owner: Mike & D. Kuchera 906 Broadwater Ave, Billings 59101	**Photolog:** 19-2	
Historic Name: Armour Cold Storage **Current Name:** Graf & Kuchera	**Architect:** Unknown	
Original Owner: Armour & Co.	**Builder:** Unknown	
Date Of Construcion: ca. 1920	**Original Use:** cold storage **Current Use:** furniture store	

Physical Description:
This is a two story brick warehouse building, set on a corner next to the Northern Pacific Railroad tracks. The building is a heavy, rectangular massing, with finished facades facing west onto 28th Street and south onto Minnesota Ave. Built to house sold meat and dairy storage, the building is centered around a poured concrete refrigeration shaft, with cold rooms on each level, including in the daylight basement. The mass rests on a parged stone foundation, and a loading dock extends from the north side of the building.

Primary entrance is on the west. The entry is framed with cast stone and includes a newer glass door set into historic wooden framing with an original transom. Fenestration is all original and features flat brick heads and cast stone sills. On west and south, there are double-hung horizontal 1-over-1windows on the first and second floors, fixed three pane units on the ground level.

On the north elevation, the loading dock has a shed enclosure of corrugated metal. The loading bay was spanned by a segmental brick arch, and has been infilled with brick to match the walls. Brick supports for the historic dock roof remain; the roofing is long gone. On the second floor, three double-hung windows are set toward the west. They house a narrow pair of double-hung 1-over-1 windows, and one similar, wider unit. Painted sign panels remain on the masonry, in yellow and black. They advertise Kuchera Furniture and their many stock items.

The interior reveals the building's heavy post and massive beam construction. Brick masonry was exposed on the interior and is painted white. Floors are finished with wood tongue and groove, covered with carpet. A brick shaft houses an old elevator accessing all three floors.

Historical Associations:
The Armour Cold Storage Building stands near to the railroad tracks on railroad lease land. The property remained vacant until ca. 1900, when the Yegen Brothers had a small cold storage building erected here. Surrounding the tracks, a large warehouse district emerged over the years. Increasing numbers of wholesale warehouses such as this one were constructed near the tracks as the town and its agricultural markets grew and diversified.

In 1912, a large brick warehouse occupying much of the block to the east was built. Armour & Co Meats occupied the west portion of that warehouse (no longer extant). It appears that this building was constructed a short time later, and that Armour & Co moved in when construction was completed around 1920. Armour Wholesale Meats and Armour Creamery remained in the building through the mid-1930s, after which it was converted to Kelley-How-Thomson Co wholesale hardware store (1940-1955). In recent history, the building held a furniture warehouse and showroom for Graf Furniture & Appliance Company.

Integrity:
This building retains excellent integrity. The historic design and character is intact - historic masonry, fenestration, detailing, interior, and signage all remain. Original cold rooms and massive timber construction are all evident in the building. And the setting and feeling of the surroundings still clearly convey the relationship of the business with the railroad and this once bustling warehouse district. This building makes a very important contribution to the historic character of the downtown railroad corridor.

Historical and Architectural Significance:
The Armour Meat Warehouse & Creamery at 2723 Minnesota is a significant building, both for its historical associations and its architectural significance. Historically, it is an integral part of warehouse district which grew up around the railroad tracks near to the commercial heart of town. Vast buildings of wood, and later brick, came to typify the lots surrounding the tracks. Many warehouses were constructed on the railroad reserve land over the years, representing numerous manufacturing and production activities.

As the agricultural base surrounding Billings grew, these warehouses proliferated. Many of the prominent business houses in town stored goods in the warehouse district. Maps from the early 20th century show everything from meats, wool, produce, and groceries to furniture, hardware and agricultural implements housed in these buildings.

The Armour Meat Warehouse & Creamery's high level of integrity enables it to illustrate warehouse design and construction ideas of the period, heavy timber and beam building, and cold storage design. These associations and the building's high level of integrity in this historic area make it an important early 20th century component of Billing's warehouse district.

Research Sources:
City Directories
Deed Records

Sanborn Maps for Billings, Montana 1884 - 1954	
Form Completed For Downtown Billings Historic Survey By: Chere Jiusto 406-443-2114 2064 Orofino Gulch Helena, Mt 59601 November 1998	**Other:** Photograph Courtesy of Paul Whiting

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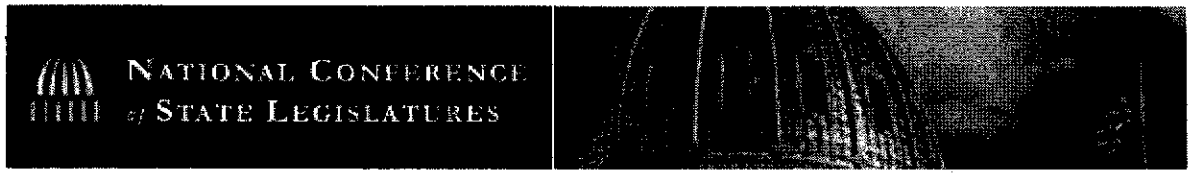

Search Results

1999 State Historic Preservation Laws

State: Maine
Code Book: Maine Revised Statutes
Citation: Title 27 §558
Section Title: Maine Communities in the New Century Program
Summary:

(1)(B) Defines "participating agencies," for the purposes of this section, as: (1) the Maine Arts Commission; (2) the Maine Historic Preservation Commission; (3) the Maine State Library; (4) the Maine State Museum; (5) the Maine Historical Society; (6) the Maine State Archives; and (7) the Maine Humanities Council. (2) Establishes the Maine Communities in the New Century Program under the auspices of the Maine State Cultural Affairs Council to further the following objectives: (A) preservation of the state's historic resources, properties, artifacts and documents; (B) expanded access to improved educational resources; and (C) community and economic development through strengthened local cultural resources. (3) Authorizes the program to provide matching grants, technical assistance and support services to local nonprofit, community-based organizations to assist communities in preserving, improving and providing access to cultural resources. (4) Directs the council to: (A) oversee the planning and implementation of the program and coordinated communication among the participating agencies on behalf of Maine communities; (B) establish an outside evaluation system for the project to be implemented in the second year of the program; (C) provide a forum of interagency planning among the participating agencies; (D) receive and distribute notices and instructions from other governmental administrative agencies; (E) meet quarterly to assess the progress of the program; (F) coordinate the program with a statewide cultural alliance organization that is a private nonprofit educational agency supporting libraries, museums and arts and humanities organizations and with statewide groups of individuals and artists concerned about the health of the state's cultural resources; and (G) submit an annual report to the Legislature on the program. (5) Requires participating agencies to: (A) provide matching grants and services to eligible nonprofit and community-based organizations; (B) participate in coordinated efforts of the council; and (C) provide appropriate information for the annual report to the Legislature. [Public Laws of Maine, First Regular Session of the 119th Legislature, Part LL-2, appropriated from the general fund $460,000 to the Maine Arts Commission for FY 1999-00 to carry out the purposes of the Maine Communities in the New Century Program. Part LL-2 also made one-time grants to implement the program as follows: $484,000 to the Maine Humanities Council; $944,000 to the Maine Arts Commission; $506,000 to the Maine Historic Preservation Commission; $1,292,400 to the Maine State Library; $149,600 to the Maine State Museum; $220,000 to the Maine Historical Society; and $88,000 to the Maine State Archives in the Department of the Secretary of State.]

Primary Topic: Grants / Loans

Secondary Topic:
- Historic Preservation Grant Program or Authorization

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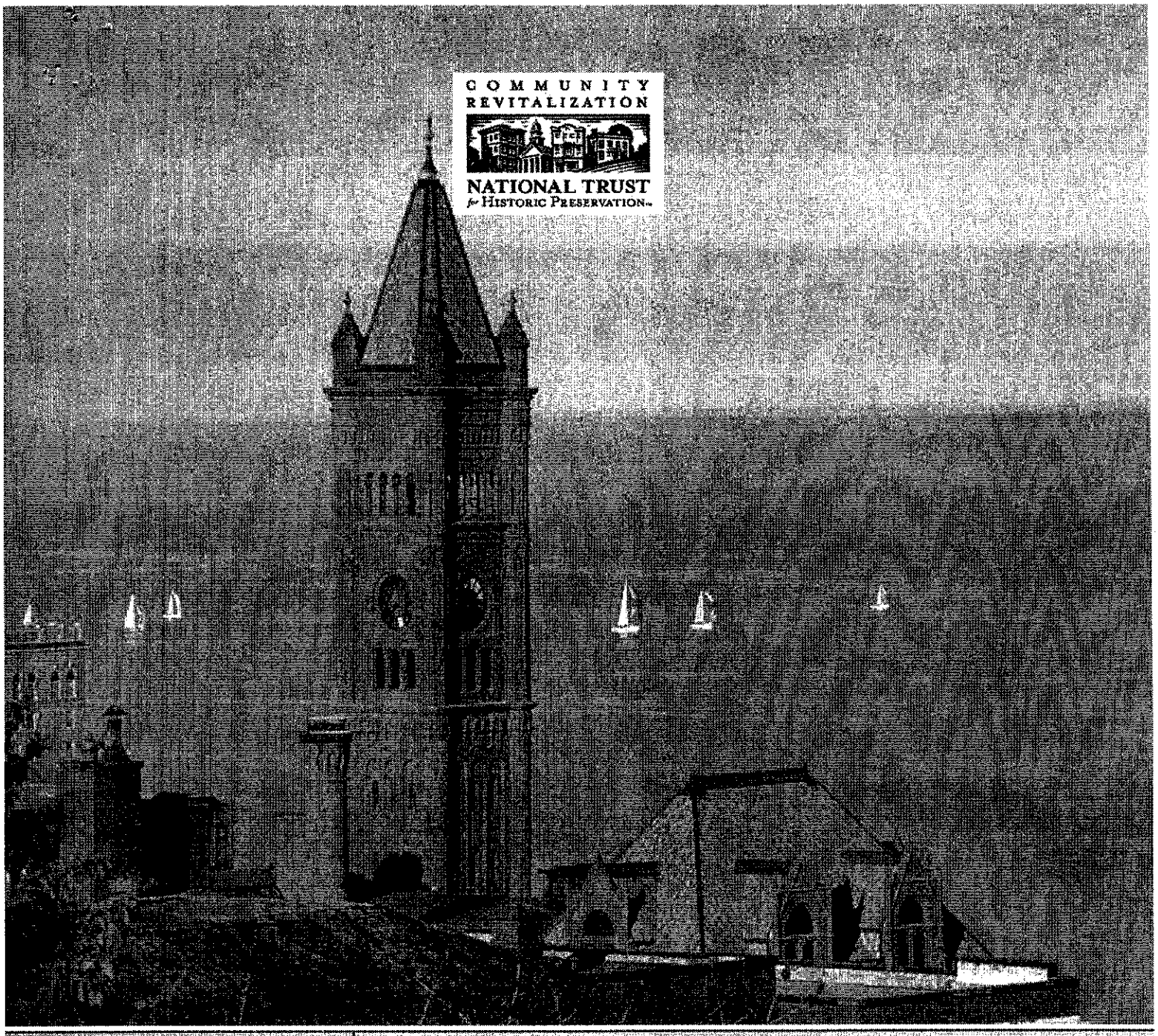
COMMUNITY REVITALIZATION

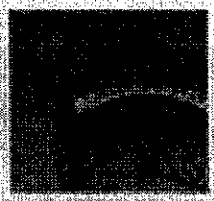
NATIONAL TRUST for HISTORIC PRESERVATION



Preservation Development

ASSESSMENT REPORT

Duluth, Minnesota



Duluth's Preservation Development Initiative

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