

TO: *Mississippi Landmark* Applicants
From: Hal Bell, Review and Compliance Assistant
Subject: ***Mississippi Landmark* Designation**

Thank you for your inquiry regarding the designation of a historic property as a *Mississippi Landmark*. Attached is a flier that briefly explains the *Mississippi Landmark* program and answers frequently asked questions about the state's Antiquities Law, which governs the *Mississippi Landmark* program.

We trust that it is clearly understood that this designation, which is being made at the request of the owner, entails a long-term commitment on the part of the owner to the preservation of this historic property. Once a property is made a *Mississippi Landmark*, the Department of Archives and History will only consider rescinding the designation under extraordinary circumstances

To assist the Department in expediting the evaluation process, please complete the enclosed "Mississippi Landmark Eligibility Assessment Questionnaire" and return it to the Historic Preservation Division along with the following materials:

- 1) Photographs.** For buildings, please submit at least two photographs of the exterior that provide a good overall view of the structure and at least two photos of the interior that illustrate the primary rooms and any significant details, such as stairways, mantels, and/or artwork.
- 2) Map.** Please include a copy of a city, county, or USGS map with the location of the historic property clearly indicated. The map should be sufficiently detailed to easily locate the property.
- 3) Resolution.** To speed the designation process by avoiding time-consuming legal notifications and public notices if the property is determined eligible for landmark designation, please complete the appropriate version of the enclosed "Resolution for *Mississippi Landmark* Designation." Historic properties belonging to the state, counties, municipalities, school districts, and other political subdivisions should use the "Resolution for *Mississippi Landmark* Designation of Publicly Owned Property," which must be signed by the chief elected official or agency head of the governing body. Properties belonging to private nonprofit organizations should use the "Resolution for *Mississippi Landmark* Designation of Privately Owned Property," which must be signed by the chief officer or legal representative of the organization. The resolution must be notarized.
- 4) Legal description.** The precise legal description of the historic property for which *Mississippi Landmark* designation is sought must be attached to the completed resolution as "Exhibit A." This should be the property description as recorded in the county deed records.

The Permit Committee of the Board of Trustees of the Department of Archives and History meets on the second Thursday of each month to handle matters related to the *Mississippi Landmark* program. In order for a request for *Mississippi Landmark* designation to be processed, a complete packet of the above listed items should be received by the Department at least one week prior to the meeting. Submission of incomplete or inaccurate information in the packet will delay the processing of the *Mississippi Landmark* evaluation/designation.

Again, thank you for your interest in the Mississippi Landmark program. If you have additional questions, please feel free to contact me at the above address or phone number.

Enclosures

**Mississippi Landmark
Eligibility Assessment Questionnaire**

This questionnaire is intended to provide preliminary information to the Division of Historic Preservation to assist in evaluating a property's eligibility for *Mississippi Landmark* designation.

Please be sure to include several photographs, with views of exterior and interior. In answering these questions, you may use additional pages as necessary. Return questionnaire to:

Hal Bell
Historic Preservation Division
Mississippi Department of Archives and History
P.O. Box 571
Jackson, MS 39205

1.) Historic Name of Property: _____

Current Name of Property: _____

Address _____

City and Zip _____

County _____

2.) Original Use: _____ Present Use: _____

3.) Date(s) of Original Construction and of major changes: _____

4.) Name and Address of Owner of Managing Authority: _____

5.) Why is the property historically or architecturally important? _____

6.) Architect and builder (if known): _____

7.) Briefly describe the property. (Describe the original form and any major changes, inside and out that may have occurred. Be sure to point out any notable features. If the property includes outbuildings or notable landscape features, mention them also. Enclose photographs showing any notable exterior, interior, and landscape features.)

8.) Are there plans for the rehabilitation or renovation of the property in the near future? If so, please describe. _____

9.) Is the property endangered? If so, explain. _____

Personal information of person(s) submitting the questionnaire

Name: _____ Title: _____

Address: _____

City & Zip: _____

Telephone: _____ Fax: _____

Email: _____

Date Questionnaire submitted: _____

Please attach a copy of the minutes or other official document showing the governing body's support for designation of the property.

THE ANTIQUITIES LAW AND The Mississippi Landmark Program

Section 39-7-3 of

THE ANTIQUITIES LAW OF MISSISSIPPI

Mississippi Code of 1972,
as amended

It is hereby declared to be the public policy and in the public interest of the State of Mississippi to locate, protect, and preserve all sites, objects, buildings, shipwrecks, and locations of historical, archaeological, or architectural significance, including, but not limited to, historically or architecturally significant buildings, structures relating to significant engineering accomplishments, prehistoric and historical American Indian or aboriginal campsites, dwellings, and habitation sites, archaeological sites of every character, treasure imbedded in the earth, sunken or abandoned ships and wrecks of the sea or any part or the contents thereof, maps, records, documents, books, artifacts, and implements of culture in any way related to the inhabitants, prehistory, history, natural history, government, or culture in, on or under any of the lands, tidelands, submerged lands, and bed of the sea within the jurisdiction of the State of Mississippi.

Frequently Asked Questions

What is the Antiquities Law?

The Antiquities Law, passed in 1970 and amended in 1983, affirms the State's interest in locating, protecting, and preserving historic properties. These properties, which include sites, objects, and buildings of historical, archaeological, or architectural significance, are identified in the law as "Mississippi Landmarks." The Antiquities Law places the responsibility of implementing the law on the Board of Trustees of the Mississippi Department of Archives and History. The Board has established a Permit Committee, composed of the Department director and professional staff in the Department's Historic Preservation Division, to designate properties as Mississippi Landmarks and to review any proposed changes to these properties. This process insures that Mississippi's historic, architectural, and cultural heritage is preserved for future generations.

What properties does the Antiquities Law affect?

Any publicly owned property (belonging to the state, counties, municipalities, or other political subdivisions) may be determined to have significance and designated as a Mississippi Landmark by the Permit Committee.

How are properties designated as Mississippi Landmarks?

The process begins when a property is identified as eligible for Mississippi Landmark status and is officially placed "under consideration." The owner of the property is then notified and given the opportunity to comment on the possible designation of the property. Public comment is also solicited through a legal notice in the local newspaper. The comment period is thirty days. At its next meeting after the comment period, the Permit Committee considers any comments received and takes formal action on the designation of the property as a Mississippi Landmark. The Mississippi Landmark designation is then recorded in the deed records of the appropriate county's Chancery Clerk office as a perpetual preservation easement.

Section 39-7-11, (2) of
**THE ANTIQUITIES
LAW OF MISSISSIPPI**

Mississippi Code of 1972,
as amended

All other sites, objects, buildings, artifacts, implements, structures and locations of historical or architectural significance located in or under the surface of any lands belonging to the State of Mississippi or to any county, city or political subdivision of the state may be declared Mississippi Landmarks by majority vote of [the Board of Trustees of Mississippi Department of Archives and History]. Every Mississippi Landmark shall be so designated based upon its significance within the historical or architectural patterns of a community, a county, the State of Mississippi, or the United States of America. Upon such action by the board, the designation of the Mississippi Landmark shall be recorded in the deed records of the county in which the landmark is located. All such designated sites or items located on public lands within the State of Mississippi may not be taken, altered, damaged, destroyed, salvaged, restored, renovated or excavated without a permit from the board or in violation of the terms of such permit.

What does Mississippi Landmark status mean?

Any proposed work that could affect the historical or architectural character of a Mississippi Landmark is subject to review by the Permit Committee. Property owners are required to notify the Permit Committee in the early planning stage, and always prior to the letting of bids, of proposed projects that may affect designated or potential Mississippi Landmarks. This is done by filing a *Notice of Intent Form of Public Construction, Public Improvement, or Transfer of Public Property to Private Ownership*. This form may be obtained from the Historic Preservation Division.

Staff members of the Historic Preservation Division are available to work with public officials, architects, and engineers to insure compliance with the Antiquities Law. There is no charge for this service.

Can private property be designated a Mississippi Landmark?

Yes. The law provides a process for the designation of private property at the request of the owner. Interested property owners must submit a notarized resolution requesting Mississippi Landmark designation, along with documentation of the historical or architectural significance of their property. Resolution forms can be obtained from the Historic Preservation Division. The review process for publicly owned Mississippi Landmarks, as described above, applies to privately owned Mississippi Landmarks as well.

How can I get more information on the Mississippi Landmark Program?

Contact:

Mississippi Department of Archives and History
Historic Preservation Division
P. O. Box 571
Jackson, Mississippi 39205-0571
Telephone 601-359-6940
Fax 601-359-6955
e-mail: msshpo@mdah.state.ms.us

A complete copy of the Antiquities Law can be obtained from the Historic Preservation Division, Mississippi Department of Archives and History.

WHERE TO RESEARCH THE HISTORY OF YOUR PROPERTY

Local Libraries & Historical Societies

- **Existing Historic Inventories**
 - Check with State Historic Preservation Office
- **Secondary Sources**
 - City and County Histories
 - Corporate Histories
- **Builder's/Trade Catalogues**
- **Newspapers**
- **City Directories**
- **Manuscript Collections**
- **Census Records**
 - Population
 - Agriculture
 - Manufacturing
- **Maps/Historical Atlases**
 - Insurance (Sanborn Maps)
- **Oral Histories**
- **Pictorial Collections**
 - Postcards
 - Photographs
 - Prints/Lithographs
- **Tax Duplicates**
- **Architectural and Engineering Drawings Specifications**
- **Deed Indexes**
- **Cemetery Records**
- **WPA Church Survey Records**

County Courthouses

- **Tax Assessor's Office**
 - Plat Books
 - Assessor's Cards
 - Tax Duplicate Records
- **Chancery Clerk's Office**
 - Court Records
 - Deed Records
 - Estate/Inventory Records
 - Marriage Records
 - Mechanic's Records
 - Mortgage Records
 - Plat Maps
 - Property Abstracts
 - Will/Death Records
- **Engineer's Office**
 - Ditch and Road Survey Records
 - Survey Records
- **Board of Supervisor's Office**
 - Board of Supervisor's Records

Corporate and Institutional Records

- **Churches**
 - Dedication Pamphlets
 - Marriage Records
 - Baptismal Records
 - Account Books
 - Church Bulletins
- **Companies**
 - Written Histories
 - Maps
 - Ledgers
 - Account Books
 - Photographs
 - Interviews
 - Annual Reports
 - Real Estate Records

Municipal Government Offices

- **Buildings and Inspections**
 - Building Permits
 - Building Cards
- **Engineering Office**
 - Maps
 - Aerial Photographs
- **Water Works**
 - Water and Sewer Tap Records
- **Clerk's Office**
 - Ordinances
 - City Bulletins

Private Collections

- **Personal Papers/Manuscripts**
- **Letters/Diaries**
- **Photographs**
- **Sketches/Paintings**
- **Family Bible Records**
- **Interviews and Oral Histories**
- **Architectural Drawings**

Above information is adapted from:
Gordon, Stephen., How to Complete the Ohio Historic Inventory.
Columbus, OH: Ohio Historical Society, 1992

RESOLUTION FOR MISSISSIPPI LANDMARK DESIGNATION
OF **PRIVATELY OWNED** PROPERTY

WHEREAS, title to the _____ property is now solely vested in us; and

WHEREAS, the provisions of the Antiquities Law of Mississippi, Section 39-7-13 of the Mississippi Code of 1972, as amended, provides for private property owners to request that a significant property be designated as a *Mississippi Landmark*; and

WHEREAS, the _____ (or "property" hereinafter described), which is particularly described in Exhibit A attached hereto, is believed to be eligible for inclusion in or has been entered in the National Register of Historic Places, the nation's official list of properties that have significance to our heritage and, therefore merit preservation; and

WHEREAS, the property is believed to possess substantial and important historic, aesthetic, architectural, scenic, and cultural character and the *Mississippi Landmark* designation will promote the preservation and maintenance of the property and such character; and

WHEREAS, we desire to preserve and maintain the historical, aesthetic, architectural, scenic, and cultural character of the property for the benefit of present and future generations; and

WHEREAS, it is our desire to obtain the benefits and protection that can be afforded this property upon its designation as an official *Mississippi Landmark*; and

WHEREAS, we hereby acknowledge that we are aware that the Board of Trustees of the Mississippi Department of Archives and History, through this *Mississippi Landmark* designation, will hold a perpetual preservation easement on the property described in Exhibit A; and

WHEREAS, we understand that as a result of this *Mississippi Landmark* designation, our property cannot be altered, destroyed, or impaired without a permit from the Board of Trustees of the Mississippi Department of Archives and History; and

WHEREAS, we understand that this *Mississippi Landmark* designation entails a long-term commitment to the preservation of this historic property, and the Department of Archives and History will only consider rescinding the designation under extraordinary circumstances; it is hereby

RESOLVED, that this request for consideration for designation be brought before the next regularly scheduled meeting of the Board of Trustees of the Mississippi Department of Archives and History.

WITNESS OUR SIGNATURE on this _____ day of _____, 20_____.

Name of Officer

Title

Name of Owner Organization/Governing Body

STATE OF MISSISSIPPI

COUNTY OF _____

Personally appeared before me, the undersigned authority in and for said County and State, _____ and _____ who acknowledge that they signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given my hand and seal of office, this _____ day of _____, 20_____.

NOTARY PUBLIC

**RESOLUTION FOR MISSISSIPPI LANDMARK DESIGNATION
OF PUBLICLY OWNED PROPERTY**

WHEREAS, title to the _____ property is vested in us; and

WHEREAS, the Antiquities Law of Mississippi, Section 39-7-13 of the Mississippi Code of 1972, as amended, declares it to be the public policy and in the public interest of the State of Mississippi to locate, protect, and preserve all sites, objects, buildings, shipwrecks, and locations of historical importance; and

WHEREAS, the Antiquities Law provides for the designation of publicly owned properties of historical importance as *Mississippi Landmarks*; and

WHEREAS, the _____ (or "property" hereinafter described), which is particularly described in Exhibit A attached hereto, is believed to be eligible for inclusion in or has been entered in the National Register of Historic Places, the nation's official list of properties that have significance to our heritage and, therefore merit preservation; and

WHEREAS, the property is believed to possess substantial and important historic, aesthetic, architectural, scenic, and/or cultural character, and the *Mississippi Landmark* designation will promote the preservation and maintenance of the property and such character; and

WHEREAS, we desire to preserve and maintain the historical, aesthetic, architectural, scenic, and cultural character of the property for the benefit of present and future generations; and

WHEREAS, it is our desire to obtain the benefits and protection that can be afforded this property upon its designation as an official *Mississippi Landmark*; and

WHEREAS, we hereby acknowledge that we are aware that the Board of Trustees of the Mississippi Department of Archives and History, through this *Mississippi Landmark* designation, will hold a perpetual preservation easement on the property described in Exhibit A; and

WHEREAS, we understand that as a result of this *Mississippi Landmark* designation, our property cannot be altered, destroyed, or impaired without a permit from the Board of Trustees of the Mississippi Department of Archives and History; and

WHEREAS, we understand that this *Mississippi Landmark* designation entails a long-term commitment to the preservation of this historic property, and the Department of Archives and History will only consider rescinding the designation under extraordinary circumstances; it is hereby

RESOLVED, that this request for consideration for designation be brought before the next regularly scheduled meeting of the Board of Trustees of the Mississippi Department of Archives and History.

WITNESS OUR SIGNATURE on this _____ day of _____, 20____.

Name of Official

Title

Name of Governing Body

STATE OF MISSISSIPPI
COUNTY OF _____

Personally appeared before me, the undersigned authority in and for said County and State, _____ and _____ who acknowledge that they signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given my hand and seal of office, this _____ day of _____, 20____.

NOTARY PUBLIC