

DRAFT May 2016

National Park Service
U.S. Department of the Interior



OBTAINING REAL PROPERTY FOR HISTORIC MONUMENT PURPOSES

APPLICATION & INSTRUCTIONS

Public Law 107-217

National Park Service
U.S. Department of the Interior





INTRODUCTION

The following information is designed to assist your completion of the Application for Obtaining Real Property for Historic Monument Purposes, under Public Law 107-217.

The Application for Obtaining Real Property for Historic Monument Purposes (Application) provides the National Park Service with information upon which approval is based. The Application identifies the surplus federal real property and the Applicant, and sets forth the terms and conditions which will be made a part of the deed transferring title to the property, upon approval by the National Park Service on behalf of the Secretary of the Interior. Some of the terms and conditions are restrictive, and will appear as conditions in the Deed of Conveyance.

The person having legal responsibility and/or authority to submit the Application and carry out the conditions of a deed must sign in the space following the conditions.

The “Acceptance by the United States of America” statement will be completed by the General Services Administration, signifying final acceptance of the Application.

- Included is the format for a resolution or certificate of authority identifying and certifying that the officials and Applicant are legally authorized to make an Application for the property.
- The National Park Service will maintain one complete copy of the Application and deed on file.
- The Application need not be bound, put in a binder, or otherwise elaborately packaged.
- Use of the electronic form requires software compatible with MS Word or Adobe Reader.
- Photographs must
 - be 35mm or digital images
 - digital images must be minimum two megapixels (1200 x 1600 pixel image) at 300 dpi
 - digital images must be printed and submitted on a CD
 - be black and white or color originals
 - be adequately labeled
 - be clear depictions of the subject

Submit **two (2) original** copies of this completed Application to the following address:

National Park Service, Mississippi National River and Recreation Area
Chief, Resource Management
111 East Kellogg Boulevard, Suite 105
Saint Paul, MN

APPLICATION

To: General Services Administration
Great Lakes Region (5), Real Property Utilization
and Disposal, Chicago Operations Branch
Through 12/2012: 77 West Jackson St.,
Room 425, Chicago IL 60604
Permanent address from 1/2013: 230 S. Dearborn
St., Suite 3774, Chicago IL 60604

Through:
NPS Mississippi National River and
Recreation Area
111 Kellogg Boulevard East, Suite 105
Saint Paul, Minnesota 55101-1256

GSA Control Number: V-Minn-402L (141 acres transferred under the Lands to Parks program on August 17, 1971)

The undersigned State of Minnesota Department of Natural Resources hereinafter referred to as the Applicant or Grantee, acting by and through Tom Landwehr, Commissioner at 500 Lafayette Road, Saint Paul MN 55155 of the State of Minnesota Department of Natural Resources (Applicant or Grantee) hereby applies for the conveyance, without monetary consideration, for use for historic monument purposes, from the United States of America pursuant to Section 203(k)(3) of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 484(k)(3)], and in accordance with the rules and regulations of the General Services Administration (Administration), the following described property: As set forth in the Quitclaim Deed dated August 17, 1971 for the Fort Snelling Upper Post, 141 acres (the Property) transferring the Property to the State of Minnesota for public park and recreational use (Land to Parks). The current application is to change the use to historic monument.

This property is more fully described in the "Program of Preservation and Utilization," attached hereto and made a part hereof.

Enclosed herewith is a resolution or certification as to the authority of the undersigned to execute this Application and to do all other acts necessary to consummate the transaction.

The undersigned agrees that this Application is made subject to the following terms and conditions:

1. This Application and its acceptance by the Administration shall constitute the entire agreement between the Applicant and the Administration, unless modified in writing by both parties.
2. The descriptions of the Property set forth above are believed to be correct, but any error or omission shall not constitute ground or reason for nonperformance of the agreement resulting from the acceptance of this Application.
3. It is understood that the Property is to be conveyed "As Is" and "Where Is" without representation, warranty, or guaranty as to quantity, quality, character, condition, size or kind, or that the same is in condition or fit to be used for the purpose intended, and no claim for any adjustments upon such grounds will be considered after this Application has been accepted.
4. The Applicant agrees to assume possession of the Property within 15 days of any written request given by the Administration after acceptance of this Application. Should the Applicant fail to take actual possession within such period, it shall nonetheless be charged with constructive possession commencing at 12:01 a.m., local time, of the 16th day after such request by the Administration. The word "possession" shall mean either actual physical possession or constructive possession.
5. As of the date of assumption of possession of the Property, or the date of conveyance, whichever occurs first, the Applicant shall assume responsibility for any general and special real and personal property taxes which may have



been or may be assessed on the Property, and shall pay its part of the pro-ration of any sums paid, or due to be paid by the Government in lieu of taxes.

6. As of the date of assumption of possession of the Property, or the date of conveyance, whichever occurs first, the Applicant shall assume responsibility for care and handling and all risks of loss or damage to the property and have all obligations and liabilities of ownership.
7. In support of eligibility to acquire the Property for historic monument purposes, the undersigned submits a proposal entitled "Program of Preservation and Utilization" attached hereto. The "Program of Preservation and Utilization" may be amended from time to time at the request of either the Applicant or the Government, with the written concurrence of the other party. Such amendments will be added to, and become a part of, the original "Program of Preservation and Utilization." As part of the review of any amendments, the National Park Service is required to comply with Section 106 of the National Historic Preservation Act (Section 106), as amended, and the National Environmental Policy Act, as amended. The Applicant further agrees that it will furnish such data, maps, reports, and information as may be requested by the Secretary of the Interior to comply with these, and any other, laws as required. The National Park Service and the Applicant may mutually agree to enter into a Programmatic Agreement pursuant to 36 CFR 800 *et. seq.* to comply with any applicable 106 requirements.
8. Conveyance of the Property shall be accomplished by an instrument, or instruments, in form satisfactory to the Administration, without warranty, express or implied, and shall contain reservations, restrictions, and conditions substantially as follows:
 - a. That the Grantee shall forever use the Property in accordance with its Application and the approved program attached thereto entitled "Program of Preservation and Utilization."
 - b. Other than as provided for in the approved "Program of Preservation and Utilization" (a) above, the Property shall not be sold, leased, assigned, or otherwise disposed of, except to another eligible government agency that the Secretary of the Interior is satisfied can assure the continued use and maintenance of the Property for historic monument purposes. The assurance of the Secretary must be obtained prior to the execution of any agreement and must be in writing. The Grantee may, however, enter into lease agreements with any individual or entity if the lease agreement is compatible with the approved program (a) above, and provided the prior concurrence of the Secretary of the Interior, or his/her designee, is obtained in writing prior to the execution of such agreements. Any lessee who develops or rehabilitates the Property on behalf of the Grantee shall also be required to provide the same information for the Annual Reports as the Grantee (see 8.c below).
 - c. The Grantee shall prepare Annual Reports setting forth the use made of the Property during the preceding two-year period, and submit them to the Secretary of the Interior at: MWRO-HNRP 601 N Riverfront Dr., Omaha, NE, 68102 and to the Mississippi National River and Recreation Area. If the Administrator of the General Services Administration has authorized revenue-producing activities, the Grantee shall file with the Secretary of the Interior at the same address every two years the following reports:
 - 1) Financial Report. The Financial Report shall include the following:
 - a) Statement of income from all sources during the reporting period.
 - b) Statement of expenses classified according to the following categories:
 - i) repair, rehabilitation, and restoration costs;
 - ii) recurring maintenance requirements costs; and
 - iii) administration and operations costs.
 - c) Statement of disposition of excess income.



The financial report will cover two accounting years, whether fiscal or calendar, as mutually agreed by the Grantee and the Secretary of the Interior and will be submitted within 90 days after the close of the accounting year.

- 2) **Audit Report.** The Audit Report will consist of a report produced by an independent audit firm summarizing the results of the biennial audit in sufficient detail to disclose the financial position of the Grantee validity of the accounting procedures.

The Secretary of the Interior shall have the right, at his/her discretion, to audit such financial records, to examine such other records, and to inspect such portions of the granted property as may, in his/her judgment, be necessary to safeguard the interests of the United States.

- d. Title to the Property transferred shall revert to the United States at its option in the event of noncompliance with any of the terms and conditions of disposal. Said reversion and any conditions associated with said reversion shall be in accord with the provisions set forth in the Deed of Conveyance for the Property to be executed upon approval of this application.
9. Any title evidence which may be desired by the Applicant shall be procured by the Applicant at its sole cost and expense. The Government shall, however, cooperate with the Applicant or its authorized agent in this connection, and shall permit examination and inspection of such deeds, abstracts, affidavits of title, judgments in condemnation proceedings, or other documents relating to the title of the premises and property involved, as it may have available. It is understood that the Government shall not be obligated to pay for any expense incurred in connection with title matters or survey of the Property.
10. The Applicant shall pay all taxes imposed on this transaction and shall obtain at its own expense and affix to all instruments of conveyance and security documents such revenue and documentary stamps as may be required by Federal and local law. All instruments of conveyance and security documents shall be placed on record in the manner prescribed by local recording statutes at the Applicant's expense.
11. The approved Applicant covenants and agrees for itself, its successors and assigns, to be subject in all respects to all Federal laws and regulations relating to nondiscrimination in connection with any use, operation, program, or activity on or related to the Property requested in this Application, including but not limited to:
- a. All requirements imposed by or pursuant to the regulations of the U.S. Department of the Interior (43 C.F.R. Part 17);
 - b. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d-1), which prohibits discrimination on the basis of race, color, or national origin;
 - c. The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age;
 - d. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicap;
 - e. The Architectural Barriers Act of 1968, as amended (42 U.S.C. § 4151), which requires facilities located on the property to be accessible to the physically handicapped; and



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- f. The Americans With Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), which requires that no otherwise qualified handicapped individual shall, solely by reason of his or her handicap, be excluded from the participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

12. The Grantee shall, within a period of six months from the date of the signing of the Deed of Conveyance, erect and maintain a sign of compatible scale and materials near the principal access to the Property stating that: "The (name of building/property) was acquired by (local government entity) from the Federal Government through the General Services Administration as Historic Surplus Property on (date). This public benefit program is administered by the National Park Service." Additional information may also be included, such as names of local officials, etc. This sign shall be maintained in perpetuity. A temporary sign may be erected during any rehabilitation work. The final design and text of the sign must be included in the "Program of Preservation and Utilization."
13. The instrument effecting the transfer to the Applicant of any Property covered by this Application shall contain provisions satisfactory to the United States, incorporating the substance of the foregoing agreement such provisions to consist of:
 - a. A condition, coupled with a right reserved to the United States to cause the Property to revert to the United States in the event of any breach of such condition; and
 - b. A covenant of reversion running with the land set forth in the Quit Claim Deed.
14. The Applicant shall promptly take and continue to take such actions as may be necessary to effectuate this Agreement.
15. The United States shall have the right to seek judicial enforcement of this Agreement.

Signed in acceptance of the foregoing conditions this ____ day of _____, 2016.

By:

Applicant Signature

Tom Landwehr

Name – printed

Commissioner, State of Minnesota Department of Natural
Resources

Title

500 Lafayette Road

Address of Applicant

Saint Paul MN 55155

City, State, Zip



ACCEPTED BY THE UNITED STATES OF AMERICA

Accepted by and on behalf of the United States of America this ____ day of _____, 20__.

GENERAL SERVICES ADMINISTRATION

By: _____

Signature

Name – printed

Title



PROGRAM OF PRESERVATION & UTILIZATION

1) APPLICANT:

1a. Name of Agency: State of Minnesota Department of Natural Resources

1b. Agency Representative: Tom Landwehr, Commissioner

1c. Agency Street Address: 500 Lafayette Road

1d. City: Saint Paul

1e. State: MN

1f. Zip Code: 55155

1g. Day telephone: (651) 296-6157

2) PROPERTY:

2a. Name of Property: Fort Snelling Upper Post

2b. Street address: Fort Snelling State Park, east of Bloomington Road to bluff, including Minnehaha and Taylor Avenues

2c. City: Unincorporated

2d. County: Hennepin

2e. State: MN

2f. Zip Code: 55111

2g. Name of historic district, if applicable: Fort Snelling Historic District (National Historic Landmark)

2h. Include as part of the Application a copy of the National Register nomination form or determination of eligibility, obtainable from the State Historic Preservation Officer or from the National Register of Historic Places, National Park Service, 1849 C Street, NW (Org. Code 2280), Washington, DC 20240-0001.

Check all applicable designations:

☐

Local listing

☐

Certified Local Government

☐

State listing

☒

National Register Listed

☐

National Register Eligible



3) DESCRIPTION OF PROPERTY AND QUIT CLAIM DEED REQUIREMENTS (the Upper Post):

3a. Deed and Application. The Property described below was first transferred to the State of Minnesota (State) acting by and through its Department of Natural Resources (DNR) in August 1971 to be used “exclusively for park and recreation activities.” In 2016 the Quit Claim Deed (the 2016 Quit Claim Deed) was amended to require the State to maintain the property “as a historic monument for the benefit of the public.” The 2016 Quit Claim Deed and this Program of Preservation and Utilization Agreement (PPU) together constitute the agreement between the State and the Government acting by and through the National Park Service (NPS). To the extent that the 2016 Quit Claim Deed is in conflict with the PPU the terms of the 2016 Quit Claim Deed shall control the actions of the State and the Government.

3b. Acreage: 141 acres

3c. Legal Description:

Property situated in Sections Twenty (20) and Twenty-nine (29), Township Twenty-eight (28) North, Range Twenty-three (23) West of the Fourth Principal Meridian, Hennepin County, State of Minnesota, and more particularly described as follows:

Commencing at a concrete monument with an aluminum disk marking the southwest corner of Section Twenty (20); thence S 0°16'33" E along the west line of Section Twenty-nine (29) 771.38 feet; thence S 60°34'28" E 2326.03 feet; thence S 46°14'26" E 166.37 feet; thence N 37°44'49" E 229.13 feet to an iron pipe; thence S 60°34'28" E 30.08 feet to the point of beginning;

Thence S 60°34'28" E 2375 feet, more or less, to a point in the west right-of-way boundary of State Highway Number 5;

Thence in a northeasterly and northwesterly direction along said boundary to its point of intersection with the west boundary of the right-of-way of Bloomington Road;

Thence S 37°44'49" E 3197 feet, more or less, along the said west boundary of Bloomington Road to the point of beginning, containing 141 acres, more or less, and being a portion of the Veterans Administration Hospital Reservation, Fort Snelling, Minnesota;

Consisting of four separate areas, known respectively as the “Golf Course,” the “Polo Grounds,” “Officer’s Row,” and “Area J.”

Subject to any and all existing reservations, easements and rights-of-way, recorded and unrecorded, for public roads and highways, railroads, pipelines, drainage ditches, sanitary and storm sewer systems, water mains, gas mains, communication conduits and electrical distribution systems for power, light and signal facilities including a reservation to the Grantor of the right to use the three foot by six foot government-owned interceptor sewer to serve contiguous facilities of Grantor not conveyed herewith.

3d. Map: See Figure 3.1 in appendix which is attached hereto and made a part hereof.

4) NARRATIVE DESCRIPTION of the Property (Upper Post):

The Upper Post is bounded by Minnesota Highway 55 on the north, which separates it from the original fort (Lower Post) that was established in 1820 on a dramatic bluff overlooking the juncture of the Mississippi and Minnesota Rivers. The only direct connection between the posts is the Bloomington Road underpass at the Upper Post’s northwest



corner. Bloomington Road serves as the western boundary of the Upper Post, although property west of Bloomington Road was historically associated with the post. Bloomington Road terminates at the Minneapolis-Saint Paul International Airport, which edges the Upper Post to the south. The post's eastern border, Minnesota Highway 5, is at a lower elevation than most of the post, which is on a bluff overlooking the Minnesota River Valley.

The Upper Post is crossed by two main roads, Taylor and Minnehaha Avenues. Minnehaha, which is also known as CSAH 204 and Colville Avenue, has a 24-foot-wide roadway and is owned by Hennepin County. The roadway of Taylor Avenue, which is owned by the Minnesota Department of National Resources (DNR), is 36 feet wide, as is Bloomington Road (CSAH 205), another county road.

Most of the Upper Posts's buildings are aligned with Taylor, which runs generally north-south. It is bisected by Minnehaha, which extends perpendicularly to the west and continues beyond Bloomington Road into the City of Minneapolis. South of Minnehaha, Taylor Avenue is lined to the west by a series of single and double houses known as Officers' Row. Large infantry barracks are across from Officers' Row. An array of administrative and support buildings, including the Headquarters Building near the Minnehaha intersection, extends to the north. The property east of Taylor is collectively known as Area J. Minnehaha Avenue runs between two areas historically used as drill fields by the artillery to the north and the infantry to the south. The Upper Post's Parade Grounds were directly south of Minnehaha, edged to the south by Leavenworth Avenue.

During the twentieth century, the northern field was adapted into Polo Grounds, while the field to the south became the Golf Course after airport and highway expansion forced the extension of this activity across Leavenworth Avenue. The Parade Grounds and most of Leavenworth have been incorporated into the nine-hole, par 35 Golf Course, which comprises about 50 acres. A modern Club House is west of Officers' Row. The Polo Grounds now hold athletic fields for the Neiman Sports Complex, which the Minneapolis Park and Recreation Board opened in 2003.

Other than the bluff to the east, the Upper Post is relatively flat. Most of the trees and shrubs, which include both native and non-native species, appear to date from the twentieth century. Taylor Avenue currently has few trees along the boulevard, but historically it was lined with large elms that provided a canopy over the road. The grass-covered sports fields on the Polo Grounds are void of trees. Trees are scattered throughout the Golf Course, with a double row marking the former alignment of Leavenworth Avenue. While Officers' Row, Area J, and the slope to the east have become overgrown since the buildings were vacated, recent efforts to remove the volunteer understory are aimed at reestablishing the well-groomed appearance that the grounds historically displayed.

The streets in the Upper Post are asphalt-surfaced and generally in a poor state of repair. Taylor Avenue is a wide, two-lane road flanked by remnants of granite curbing. Some early twentieth-century streetlights survive and most of the metal lamps have been removed and are in storage for safekeeping; the cast-concrete posts feature exposed aggregate. Concrete sidewalks edge Taylor Avenue and link the buildings beside it.

Surface drainage was installed in the area, with a major campaign in the 1930s, and limestone lined drainage ditches are still in place behind Buildings 102 and 103. A swale to collect storm runoff is a water hazard for the Golf Course's seventh hole.

In addition to Taylor and Minnehaha Avenues, there are two minor, paved streets in Area J that connect with Taylor Avenue at various points. Sibley Street runs east of the infantry barracks (101,102,103). Ramsey Street is behind the buildings north of Minnehaha, running from Building 53 to Building 65. The streets provide access to paved parking areas near the buildings. A streetcar line once ran behind the buildings in Area J, but a series of street lights and a slight rise in grade provide the only evidence of that today. There were once recreational facilities behind Building 103, but only the concrete slab of the tennis courts survives. A narrow drive runs behind the houses on Officers' Row to provide access to the garages to the west.



To combat deterioration and vandalism until plans for redeveloping the Upper Post are implemented, the Minnesota Department of Natural Resources (DNR) has worked to monitor and mothball the buildings in Area J and Officers' Row. Area J has been fenced to restrict vehicular and pedestrian access. As funding has allowed, the DNR has:

- a. Secured doors and windows of buildings to restrict access;
- b. Provided venting that will permit natural air exchange for humidity control;
- c. Repaired roofs to protect building interiors;
- d. Restored masonry exteriors; and
- e. Mowed, trimmed tree, and done other landscape maintenance to protect building exteriors from damage.

A more detailed overview of specific areas follows. A table with information on building dimensions and floor area is included as Figure 4.1 in the appendix which is attached hereto and made a part hereof.

Upper Post Area J

Upper Post Area J (Area J) holds administrative and other buildings that have supported the functions of the fort. At the south end, across Taylor Avenue from the Officers' Row, are three of the barracks erected to house enlisted infantrymen. Area J buildings were constructed between 1879 and 1939, with the large majority built in the late nineteenth and early twentieth centuries. The structures appear to have solid masonry bearing walls, but structural systems have not been assessed for each building. Smaller buildings generally appear to have solid masonry load-bearing exterior walls with wood-frame partitions, floors, and roofs; while the larger buildings appear to employ interior structures of either steel or concrete columns and beams. There are wood-sided additions to the rear of many of the buildings.

The exteriors of Buildings 53, 56, 64, and 76 are red brick with white trim. The remaining buildings in Area J are buff colored brick with white trim, except for Building 62, which has dark brown trim. A large number of the buildings have slate roofs, but many have asphalt shingles.

The buildings in Area J are a mixture of one to two-and-one-half stories. All have basements, and the Post Hospital (No. 55) and Band Barracks (No. 57) have finished attics. Many have porches, including Buildings 56, 57, 62, 65, and 66, although only those at Buildings 57 and 65 appear original, and the porches on Building 57 have been enclosed on the first floor. Historic photographs and physical evidence on the brick facades of Buildings 55, 101, 102, and 103 indicate that porches have been removed. One-story dayrooms have been taken off the each end of the Medical Detachment Barracks (No. 54), a conclusion reinforced by historic drawings and photographs as well as physical evidence.

The buildings were designed to serve a wide variety of functions. As such, they range in size from small specialized structures such as the Dead House (No. 62) and Fire Station (No. 64) to larger structures such as the Hospital (No. 55) and the double Infantry Barracks (Nos. 101, 102, and 103).

Although built and altered over a period of sixty years, the structures in Area J primarily display the Colonial Revival style, which was popular in the United States from about 1880 through the first decades of the twentieth century. Straightforward Colonial Revival examples include Buildings 56, 62, 66, 76, 101, 102, 103, and 112. The red brick Gymnasium (No. 53) is Georgian Revival. The Medical Detachment Barracks (No. 54) and Post Hospital (No. 55) have both Georgian and Neoclassical elements, although the impact of the design on the latter has been somewhat diminished by the removal of the original full-width porch and central entrance. The Band Barracks (No. 57) has strong Classical Revival elements with its large, gable roofed, 2-1/2 story entrance porch, and Palladian windows. Historic photographs show the influence of the Italianate style on the Fire Station (No. 64), which had a prominent hose-drying/siren tower, bracketed eaves, and segmental-arch windows, but the addition of a second floor and extensions on the south side radically altered its appearance. The Post Guard House (No. 65), which has a steep,



hipped roof extending over a full-width porch, appears influenced by the French Colonial style. The visual centerpiece of the Upper Post, the Administration Building (No. 67), features classic Italianate styling with its low-pitched roof, bracketed eaves, and tall, narrow, segmental-arch windows. The clock tower, added a few years later, has a mansard roof that reflects the Second Empire style.

The Quartermaster Shops (No. 63) suffered from deterioration that gradually compromised its structure. It has collapsed. While other buildings have also deteriorated, stabilization work by Sentence to Serve crews since 2006 (see Section 8: Preservation Plan) has helped other buildings avoid this fate.

Upper Post Officers' Row

In general, the Upper Post Officers' Row (Officer's Row) comprises ten residential buildings west of Taylor Avenue that housed either married or bachelor officers. The residential structures were constructed between 1879 and 1904, with the garages behind them dating from the 1920s and later. The houses and the Bachelor Officers' Quarters (BOQ—No. 151) generally have solid masonry load-bearing exterior walls with wood partitions, floors, and roofs. Some have wood-sided rear additions that appear to be wood-framed.

The exteriors of the single residences are buff-colored brick with red asphalt-shingled roofs and gray/beige trim. The double residence is a similar brick and trim color, but appears to have a gray slate roof. A similar roof appears on the BOQ, which has red brick walls and white trim.

The buildings of Officers' Row are two to two-and-one-half stories with basements and unfinished attics. They all have porches, although some of the porches are not original. Only Building Nos. 156 and 157 appear to have their original porches; evidence of the original porches at Buildings 152, 153, 154, 155, 158, 159, 160, and 161 is apparent in the brickwork on the front facades. The majority of the residences were designed as single-family houses with approximately 1,400 square feet per floor. However, Building 157 was designed as a double house, with each side having just over 1,500 square feet per floor. The design of many of the buildings is identical and was presumably based on standard plans, which the army increasingly adopted in the last half of the nineteenth century. The BOQ, also probably designed from a standard plan, had approximately 7,000 square feet per floor.

Stylistically, the buildings of Officers' Row are more cohesive than those of Area J because they were generally built over a shorter time period and for a single function, namely housing. Also, because this use was maintained, for the most part, until the buildings were vacated, they are less altered. The design of the first wave of construction in 1879-1880 (Nos. 152, 154, 156, 158, and 160) is particularly influenced by the Queen Anne style, which was popular for domestic construction in the United States during the last decades of the nineteenth century. Identifying features of this style include steeply pitched roofs of irregular shape, often with a dominant front-facing gable or dormer; bays, projections, or other ornamentation to create a varied wall plane; and an asymmetrical facade with a porch, usually one story high, extending along all or part of one or more facades. Gables often are trimmed with decorative bargeboards. Some of the ornamental woodwork that the buildings once displayed is no longer extant. Features of Buildings 154, 158, and 160 also show the influence of the earlier Second Empire and Italianate styles: mansard roofs; tall, narrow windows with elaborate crowns, often arched; and decorative brackets under the eaves.

The single-family residences from the second construction campaign in 1892 (Nos. 153, 155, 159, and 161) show residual traces of the Queen Anne in their massing and details, particularly the eyebrow dormer, but they fall more into the Colonial Revival style. This is even more apparent in the design of the double residence (No. 157) and the symmetrical BOQ (No. 151). The latter features red-brick exterior walls and a low hipped roof bisected by a gabled-roof entry bay centered in the front facade. The central bay is flanked by full-width, flat-roofed porches that were originally wood and were later rebuilt in brick.

By the late 1930s, there were five long, rectangular buildings behind (west of) the residences that front on Taylor Avenue (Nos. 178, T-178, T-180, T-181, and T-182). Accessed by a service drive that ran between the buildings and



the residences, they were apparently all garages built in the 1920s-1930s. T-178 and 182 survive. Both have low-sloped shed roofs and are oriented to the east. The structure of T-178 is cast-in-place concrete. The wood and glass doors that once filled the ten car bays have been replaced, although some of the overhead tracks and hardware survive, and some of the openings have been altered. Building 182 is a concrete-block structure that once had eight car bays. Two of the openings have been filled in. One of the remaining openings has a single hinged door, and the remaining five have overhead garage doors.

These garages have been joined to the south by a more modern, wood-frame double garage with a low, asphalt-shingled, gable roof. It is clad in wide shiplap siding. At the north and south ends of the service drive there are two small, identical, concrete-block structures that have pyramidal-hipped roofs with exposed rafter tails. Although the southern one does not appear on a 1939 map, it appears to be a contemporary of the northern one, Building 186, a 64-square-foot Transformer Vault dating from 1939. Just west of Building 186 is a largely underground concrete-block structure, accessed by a stairway entered through an above-ground door. All of the buildings along the service drive remain in use; most appear to hold materials and equipment for the Golf Course and other facilities operated by the Minneapolis Park and Recreation Board.

Upper Post Golf Course

The Upper Post Golf Course (Golf Course) is currently operated and Maintained by the Minneapolis Park and Recreation Board (Park Board) pursuant to a lease agreement with the Department of Natural Resources (DNR). The Golf Course's Club House (No. 175) is west of Building T-178, one of the garages behind the Officers' Row residences. The mid-twentieth-century Club House has a low, pyramidal-hipped roof with an addition to the north. The walls have vertical wood siding. A flagpole stands near the door that opens into the parking lot on the building's east facade. The parking lot continues north of the Club House, with a driveway that extends north to Leavenworth Avenue. A garage/storage structure edges the parking lot northeast of the Club House.

The course's first hole begins southeast of the Club House. It goes south, then curves to the west along the course's south border, which parallels a runway of the Minneapolis-Saint Paul International Airport. The par-3 course includes nine tightly arranged holes. Many of the fairways are lined by trees. A row of trees delineates the original orientation of Leavenworth Avenue. There is a water feature at the seventh hole near the intersection of Taylor Avenue and the remaining east end of Leavenworth Avenue. The land is generally flat.

Upper Post Polo Grounds

Sports fields currently occupy what was once the Upper Post Polo Grounds (Polo Grounds). The Polo Grounds were previously an artillery drill field. The Polo Grounds were extensively renovated by the Park Board in the early twenty-first century and opened as an athletic facility in 2003. The Park Board maintains the athletic facility pursuant to a lease agreement with the DNR. There are two baseball fields in the northeast corner and two youth fast-pitch softball fields in the northwest corner. All are surrounded by black chain-link fencing and have dugouts, bleachers, and lighting. The remaining area is occupied by eight soccer fields, six of which have tall poles with lights for evening games. (The Park Board's Neiman Sports Complex also includes an adult softball field and indoor and outdoor tennis courts on the west side of Bloomington Road.)

A concrete sidewalk rings the fields to the north, west, and south. A narrow parking lot stretches across the entire south end along Minnehaha Avenue, and a smaller lot is at the northeast corner, accessed from Taylor Avenue. Two small, single-story, gable-roofed, red-brick buildings (Artillery Work Shops, Buildings 205 and 206) north of the baseball fields were moved from the artillery area that was once west of Bloomington Road. The wood-framed stables and storage sheds in this area, which was developed in the early twentieth century, have been demolished.



5) UTILITIES ON THE UPPER POST:

As part of the lease signed with the Park Board for redevelopment of the athletic fields on the Polo Grounds, a new looped water system was installed in 2001. It is maintained by the City of Minneapolis, which has received a utility easement for this purpose from the DNR.

Hennepin County commissioned an engineering firm to evaluate the utilities of the Upper Post. The resulting report, "Fort Snelling Upper Post Utility Assessment," was issued by WSB and Associates on October 19, 2010 (WSB Project No. 1822-00). Copies of the report are available from Hennepin County Housing, Community Works and Transit. The report's executive summary references several zones. Zone B is Officers' Row, Zone C is Area J, and Zone D is the Polo Grounds. Zones A and E are currently part of the Golf Course; Zone E was historically the Parade Grounds. The zones are illustrated in Figure 5.1 which is attached hereto and made a part hereof. A detailed description of area utilities is found in the Executive Summary of the Fort Snelling Upper Post Utility Assessment.

6) RELATED PERSONAL PROPERTY:

N/A

7) SIGNIFICANCE

Part of Fort Snelling, including the Upper Post east of Bloomington Road, was designated a National Historic Landmark in 1960. A larger area of Fort Snelling, again including the Upper Post, was listed in the National Register as an Historic District in 1978 Figure 7.1 in the appendix, which is attached hereto and made a part here of, is a map showing the boundaries of both the National Landmark and the Historic District is these districts. The Fort Snelling's significance is summarized in the National Register nomination:

Fort Snelling, in the nineteenth century, represented the "guardian of the northwest frontier." Located at the confluence of two major waterways, which until the coming of the railroads were the only means of commerce and of most travel, the fort controlled the traffic moving north-south on the Mississippi and from there northwest on the Minnesota and Red Rivers. By controlling this hub of transportation, the fort could potentially regulate Indian migrations, trade, commerce and white settlement over a vast area. The site was chosen precisely for these reasons. During the period of internal expansion in our history (1805-1898), the fort occupied a strategic location in the military sense, extending its zone of operations to the areas along the Canadian border, including what is now Minnesota, the Dakotas, Montana, northwest Wisconsin and also northern Iowa.

Construction of Fort Snelling, originally known as Fort Saint Anthony, was begun in 1820. The fort's first buildings were situated on a bluff overlooking the junction of the Mississippi and Minnesota Rivers. This area would later be known as Old Fort Snelling or the Lower Post. Fort Snelling's original purpose was "to control the principle avenues of communication, provide support for the Indian agency," quell conflicts among local Indian tribes, and deter Euro-American settlement in Indian territories. When the original Fort Snelling was completed, it was surrounded by four stone walls.

By the mid-nineteenth century, the American frontier had moved well beyond the Mississippi River and Fort Snelling became a garrison where troops gathered to embark to other locations. The government decommissioned Fort Snelling in 1856 and sold the property the following year to a developer who platted the City of Fort Snelling. Had he been successful, the new community would have occupied the entire bluff.



With the onset of the Civil War in 1861 and conflicts with American Indians to the west, Fort Snelling was again commandeered by the military, which initiated the first major expansion of facilities beyond the walls of the original fort. Barracks, stables, and other buildings were erected west of the fort along the bluffs overlooking the Mississippi.

Beginning in the late 1870s, Fort Snelling's Upper Post was developed to the south of the original fort along the Minnesota River bluffs. The impetus for this expansion was the army's decision to expand the post, which included moving the headquarters of the Department of Dakota (Department) there from Saint Paul. The Department, which had been established in 1866, oversaw all military activities and forts within Minnesota and the territories of Dakota and Montana. Congress appropriated funding for the Department's new headquarters in 1879. The "clock tower" building (No. 67) represents a clear transition from the Lower Post to the Upper Post. Construction of the Second Empire style brick building, a landmark on Taylor Avenue, was begun sometime in 1880 and largely completed the following year. During this same period, a new Officers' Row, consisting of single-family brick residences, was erected along Taylor Avenue. By 1885, the walls surrounding the old Fort Snelling had been demolished and only two towers remained in place. The Lower Post had been almost completely superseded by the Upper Post.

The Upper Post experienced another major expansion at the beginning of the twentieth century. During this period, the entire army was reorganized under the leadership of Secretary of War Elihu Root, who adopted a corporate model. His emphasis on efficiency resulted in the standardization of building plans, which had been introduced in the army in the 1860s but not used universally. The number and location of military posts was also under scrutiny, and Fort Snelling's future was in doubt. Saved by politics, the fort was ultimately expanded rather than closed.

This brought cavalry and artillery units to the Fort Snelling, which had been primarily an infantry post. New barracks, stables, and other buildings were erected north and west of the Parade Grounds to house these units. After intense activity in support of the military effort during World War I, Fort Snelling became known as the army's "country club." The conversion of the Parade Grounds into polo fields was one sign of this transformation.

When the country plunged into economic depression in the 1930s, work relief programs further shaped the Upper Post. WPA workers, for example, replaced wood porches on most of the buildings on Officers Row with brick porches on concrete foundations, and other laborers raised the elevation of the polo fields with wheelbarrow loads of dirt.

World War II brought much activity to Fort Snelling, but no permanent new construction in the Upper Post. Fort Snelling was decommissioned by the Army in 1946, and the buildings have served a number of government and civilian uses since that time. An evaluation is underway to reevaluate the Fort Snelling Historic District period of significance. Should the period be extended, those periods will be included in any assessment of effect on this historic property.

The upgrading of Highway 55 in the mid-twentieth century destroyed some early twentieth-century buildings and severed connections between the Upper and Lower Posts. Expansion of the airport at around the same time to accommodate newly introduced jet aircraft led to wholesale demolition of the south end of Officers' Row and several infantry barracks and isolated the 1930s-era Officers' Club to the southeast. Subsequent demolition has removed more buildings. Regardless, the significance of Fort Snelling to the expansion of the American frontier in the nineteenth-century and its ongoing role for the U.S. Army through World War II has made it worthy of designation as both a National Historic Landmark and a National Register Historic District. The Minnesota Historical Society operates the Lower Post as a living history museum.

Section 8 Preservation and Architectural Use Plan

Preserving the historic character of the Fort Snelling Upper Post is critical to both the Federal Government and the State of Minnesota. Federal and State laws and policies emphasize the preservation of significant historic sites. Historic properties transferred under the Historic Surplus Property Program are physical reminders of our nation's



diverse heritage and reflect our Federal history. This is why the NPS retains some oversight of the property through the PPU. Minnesota Statute § 138.5 states: “It is in the public interest to provide for the preservation of historic sites, buildings, structures, and antiquities of state and national significance for the inspiration, use, and benefit of the people of the state.” This is especially true for National Historic Landmarks, like Fort Snelling.

The historical significance of the buildings at the Upper Post is primarily derived from their interrelationships as a group and their use together as a military fort. Fort Snelling was originally much larger, and the remaining buildings represent only a fraction of what was once Fort Snelling. For this reason, retention of all of the historic buildings at the Upper Post is imperative and maintaining the overall historic integrity and character is critical. Any new construction or additions to buildings as well as any proposal affecting the general landscape between and around the building’s must take into consideration the interrelation of all of the elements of the Fort Snelling National Historic District.

Most of the Upper Post buildings have been vacant for years. All have experienced varying degrees of deterioration, with the worst case represented by the collapse of Building 63. Since 2006, the DNR has used Sentence to Serve (STS) work crews to stabilize and mothball the buildings. This initiative has been financially supported by state bond funds, DNR, Hennepin County, and a National Park Service Save America’s Treasures grant.

The building conditions vary. A detailed analysis of each building’s exterior, interior, and key structural element conditions is provided in the “Fort Snelling ‘Upper Bluff’ Reuse Study,” as updated in 2006 by Miller Dunwiddie Architecture. (Thomas R. Zahn & Associates, Miller-Dunwiddie and others completed the original study in 1998.) The Miller Dunwiddie update also provides details on the key architectural elements for the Upper Post and as well as for the individual buildings at the Upper Post. This study, including all its appendices, is available digitally from the DNR or NPS.

Preservation and Architectural Plan. In accordance with the 2016 Deed and Section 106 all work undertaken at the Upper Post must be done in accordance with the following documents:

- Secretary of the Interior’s *Standards for the Treatment of Historic Properties* (Secretary’s Standards),
- *The Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Building’s*, and
- *Guidelines for the Treatment of Cultural Landscapes* (Guidelines).

This Preservation and Architectural Use Plan is a general plan that establishes the DNR’s intentions for future treatment of the twenty-seven (27) structures in Area J and Officers Row and of the full 141 acres of land covered by this PPU. The DNR plans to lease all or some of the buildings or other portions of the Upper Post. The DNR shall require that all work and maintenance undertaken at the Upper Post, whether by the DNR or its lessees, are carried out in conformance with the requirements of Section 106 and the Secretary’s Standards and Guidelines.

While detailed preservation and use plans cannot be addressed in this document, all the work that will be performed at the Upper Post will be done in compliance with Section 106 and the Secretary’s Standards and Guidelines. To ensure that the Secretary’s Standards and Guidelines are applied consistently throughout the complex, all tenants will be required to rehabilitate and maintain their premises in accordance with the PPU and Quit Claim Deed/Covenant and any applicable Programmatic Agreement (PA) that pertains to the Upper Post and which has been adopted by NPS, DNR. Several preservation guidance documents have been created for the Upper Post (Upper Post Guidance Documents) and should be used together with the Secretary’s Standards for all work undertaken at the Upper Post. The Upper Post Guidance Documents include:

- the “Fort Snelling Upper Post Open Space and Landscape Development Guidelines” (Summer 2008),
- the “Fort Snelling State Park Area J and Officer’s Row Development Design Guidelines” (Winter 2003), and
- the applicable portions of the “Design Guidelines for Minneapolis Park and Recreation Board Development at Fort Snelling” (April 1999), and
- Fort Snelling ‘Upper Bluff’ Reuse Study,” as updated in 2006 by Miller Dunwiddie Architecture.



These guideline documents were developed in consultation with the SHPO and a team of professionals trained and experienced in the restoration, rehabilitation and reuse of historically significant structures and landscapes. The National Park Service's Technical Preservation Services unit provides extensive guidance for interpretation and application of the Secretary's Standards and Guidelines and this information is available online. The DNR will provide any potential lessees with digital copies of these guidelines.

Some changes to the land and buildings have occurred since the Upper Post Guidance Documents were published, but the Upper Post Guidance Documents still address the significant architectural elements and landscapes that must be protected, preserved or restored at the Upper Post. In no instance are the Upper Post Guidance Documents intended to create a situation that endangers public safety. However, it is expected that code and safety requirements will be met in a manner that respects the requirements of both the Upper Post Guidance Documents, the Secretary's Standards and Guidelines, and any applicable PA governing the Upper Post.

The NPS, the MnHPO, and the DNR have separately entered into a PA for the Upper Post simultaneously with this PPU. The PA was developed as part of administratively converting the property from park and recreation use under the "Federal Lands-to-Parks" program to historic monument use under the "Historic Surplus Property" program. This PA establishes the roles and responsibilities of the signatories for all undertakings proposed within the Upper Post for the ten year term of the PA and any subsequent renewals. The PA also defines those actions that do not require additional review under Section 106 while the PA remains in effect. Should the signatories the PA opt to terminate or fail to renew the PA at its natural termination the DNR together with the MnHPO and the NPS shall develop a Historic Properties Management Plan for the Upper Post which shall, at a minimum, include a list of undertakings that are exempt from Section 106 review.

Prior to signing any leases, and pursuant to the terms of the Deed of Conveyance, all proposed leases between the DNR and its lessee will be submitted to the NPS for review to ensure compliance with the Historic Surplus Property Program, the PPU and the PA. Provided, however, that no NPS approval is required for any sublease for residential or commercial tenants of a lessee, sublessor or developer.

Prior to commencing any restoration, modification, or new construction at the Upper Post, whether pursuant to the terms of a lease agreement or otherwise, the DNR's will provide the NPS and the MnHPO with specific descriptions of project work, existing conditions, detailed uses and financial plans, including such supporting documentation as drawings, schematics, and photographs as outlined below. Upon approval by the NPS and concurrence by the SHPO, those documents will be considered amendments to the PPU. The NPS will write an approval letter to the DNR and the MnHPO, after the review is complete. The letter will note that the drawings have been added to and filed with the PPU as an amendment. Provided, however, that where the terms of this PPU and any relevant PA for the Upper Post are in conflict or set forth an alternate procedure the terms of the PA shall control.

Documentation provided by the DNR or its designee to the NPS shall include records of existing architectural conditions and any proposed alterations that will be undertaken at the Upper Post. The documentation must specifically identify the property's important character-defining features, features that must be retained and preserved as part of any rehabilitation work. Existing conditions may be shown by original construction drawings that include subsequent modifications, by current record drawings, by newly prepared measured drawings or by newly prepared digital surveying and scanning methods. Existing decorative elements may be documented by detailed photographs. Interior elements, such as decorative plaster work, wainscots, and major spaces, should be documented. Plans for the repair, rehabilitation, restoration, new construction and/or maintenance of the historic area should be set forth in graphic and narrative form. The impact of incorporation of modern utilities or other modifications should be indicated. For areas with the potential for intact archeological resources, the documentation should describe the steps necessary to identify, evaluate and avoid, minimize or mitigate impacts to any archaeological resources. The documentation should also describe work on the site, including parking, underground utility lines, landscaping, etc., and list the



increments and time schedules for phased work and the estimated cost of each increment. It must be clear that the contractor performing the undertaking fully recognizes areas of historic significance and will plan proposed work to minimize the impact on significant areas.

Because of the proximity of the Minneapolis-Saint Paul International Airport (International Airport) to the Upper Post, rehabilitation plans for buildings in the Upper Post area south from Minnehaha Avenue may need to incorporate exterior to interior noise control into their architectural plans, due to the proximity of the International Airport. For this reason, an acoustic engineer should be considered in developing the architectural plans. Noise control measures usually include acoustic building techniques, not necessarily additional materials. These same types of noise control measures may need to be considered in the remainder of the Upper Post area, depending upon the noise sensitivity of the proposed use and the “quality” experience desired.

The DNR will not accept applications for projects that only propose new construction, until all the historic structures have been rehabilitated. If an applicant submits a proposal for rehabilitating one or more of the vacant historic buildings as part of a single development project, then the DNR may consider any proposed new construction commensurate with the extent of and as may be required for an adaptive reuse. In general, the rehabilitated square footage and area should substantively exceed the square footage and area of any new construction. Any permitted new construction must be consistent with the Secretary’s Standards and Guidelines and the planning documents referenced herein. Any addition to a historic building that is necessary to comply with handicapped accessibility requirements and necessary to make adaptive reuse viable can be accepted, as long as the additions have been designed in conformance with the Secretary’s Standards, any applicable PA and the Upper Post Guidance Documents. Notwithstanding the foregoing, however, the DNR may enter into contracts for development and construction of outdoor recreation skill building facilities and trail development to increase access within the Fort Snelling National Historic District and connecting the Fort Snelling National Historic District including the Fort Snelling National Historic Landmark to the larger metropolitan community prior to the rehabilitation of all of the historic structures within the National Historic Landmark. Any proposal of this type made by the DNR must be designed in conformance with the Secretary’s Standards and reviewed by the NPS and SHPO according to provisions of the PPU, Deed of Conveyance, Section 106, and any applicable PA.

Where new construction of any kind requires excavating outside the footprints of the existing buildings the potential for archeological sites shall be considered and addressed by the DNR as required by any applicable PA, Section 106, Minn. Stat. § 138.665 and 138.40--- and any other applicable State or Federal law. In the event that the undertaking involves ground disturbance the DNR or its designee shall undertake a literature search and undertake and prepare an archaeological reconnaissance survey.

The golf course covers approximately 40 acres and was reconfigured as a result of airport construction to the south. The reconfigured golf course blocked off Leavenworth Avenue and occupied what was the historic parade ground in front of the Department of the Dakota Headquarters Building. The Deed of Conveyance permits the DNR as the owner to close and repurpose the golf course and parade grounds and other opens space at the Upper Post for other outdoor recreation activities or for restoring Leavenworth Avenue and the parade grounds. This work if undertaken, must be undertaken in conformance with the Deed of Conveyance, Section 106, and any applicable PA.

The historic athletic grounds and polo field cover approximately 41 acres. This area was adaptively reconfigured for soccer fields and baseball fields in 2000-2001 by the Minneapolis Park and Recreation Board, which currently leases the land from the DNR. No changes are currently planned for this area although the Deed of Conveyance permits the DNR as owner to use this area for those purposes outlined in the Deed of Conveyance.

The DNR will continue to monitor and protect those building(s) on the Upper Post that remain empty. If a building or buildings are not leased and/or rehabilitated for adaptive reuse, the DNR will, moth ball them in accordance with the Secretary’s Standards and the guidance set forth in *Preservation Brief 31: Mothballing Historic Buildings*.



Section 9 Use Plan

Background

This PPU and concurrent Amendment to the Deed of Conveyance represents an administrative change from the “Federal Lands-to-Parks Program” to the “Historic Surplus Property Program” (formerly known as the “Historic Monuments” program). The Upper Post was originally transferred to the State of Minnesota under the Lands-to-Parks Program in 1971.

The Parks Program did not encourage adaptive reuse of the historic buildings, and the Upper Post’s 28 buildings stood empty for many years. To preserve the buildings at the Upper Post the DNR requested a Program Change that would permit the DNR to manage the Upper Post under the Historic Surplus Property Program. The basic distinction between the Parks Program and the Surplus Property Program is the reuse plan. Under the terms of the Parks Program, historic properties must be used exclusively for parks and recreation activities. With the Historic Surplus Property Program, a greater range of uses of the historic property is allowed; this includes revenue-generating options, so long as the uses are compatible with the resources.

For example, adaptively reused buildings at Fort Vancouver, Washington, are used for offices for federal and state representatives and senators, a restaurant, psychologists’ offices, and offices for counselors, lawyers, marketing companies, non-profit foundations, the Vancouver Business Journal, accounting companies, insurance companies and more. Although not transferred under the Historic Surplus Property Program, the Cavalry Parade Building (# 201) at Fort Snelling has been beautifully rehabilitated and smartly reused by the Boy Scouts of America as their first urban base camp.

The Upper Post is ideally located. It lies within one of the region’s major metropolitan areas and is bordered by the cities of Minneapolis and Saint Paul and the International Airport. It is also within Fort Snelling State Park and is a short distance from the Lower Post often referred to as Historic Fort Snelling, Mall of America, and the Minnesota Valley National Wildlife Refuge. The NPS now owns and manages the 29-acre Coldwater Spring property about a mile away. Coldwater Spring was Fort Snelling’s primary water source for more than 100 years. The number and variety of buildings on the Upper Post provide the opportunity for multiple development options.

Given the size and design of many of the buildings, the site plan, and the location of the Upper Post, the area lends itself to developments such as an educational campus, commercial, or residential development. The DNR intends to seek reuse options that are consistent with the DNR’s mission with a focus on natural resources education, skill building, affordable housing, and leadership development, historic and cultural preservation, sustainable development and sustainable energy use, and activities that introduce new users to outdoor recreation. Individual uses, like those mentioned for Fort Vancouver, will also be considered.

From time to time, the DNR plans to issue Requests for Proposals (RFPs) to garner applications for the reuse of the Upper Post buildings and related lands. Those proposals that conform to the requirements of this PPU may be granted a lease from the DNR. The DNR will consider a wide variety of uses as long as they are compatible to the program and the resource.

Under a Joint Powers Agreement signed by the DNR, NPS, Hennepin County, Minnesota Historical Society, and the Minneapolis Park and Recreation Board, the parties have agreed to consult with each other concerning RFPs. Each of the Joint Power Agreement parties owns land or has an oversight role for lands near or within the Fort Snelling National Historic District. The goal of this consultation is to further the overall preservation and reuse of the broader Fort Snelling National Historic District.



Leases can be for revenue-producing activities. The State's primary financial objective acting through the DNR is to preserve the Upper Post and make the property self-supporting. All incomes which are derived from the Property by the Grantee that exceed the costs of repair, rehabilitation, restoration, maintenance, and operation of Fort Snelling State Park or the cost to repay any state bonded property at the Upper Post shall first be used by the Grantee, on property owned by the Grantee within the Fort Snelling National Historic District (National Historic Landmark) for public historic preservation; historic, cultural and natural resources education; recreational; or park management purposes, or for related administrative expenses provided, however, that the revenues generated from or on the property conveyed herein that is determined by the Regional Director and the Grantee to be in excess of that needed by the DNR for restoration and maintenance; operations; public historic preservation; historic, cultural and natural resources education; recreational; or state park management purposes of property the Grantee owns within the Fort Snelling National Historic District (National Historic Landmark) may be used by the Grantee for the preservation and restoration of properties within the Minnesota State Park System that are National Historic Landmark properties. Provided further that said preservation and restoration is in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Standards) and Guidelines for the Treatment of Cultural Landscapes (Guidelines).

In connection with the forgoing it is expressly acknowledged that the State has undertaken emergency stabilization and repair of the Post Guard House, the Post Hospital, and the Post Administrative Building using State bond funds. To comply with State constitutional requirements, in connection with the lease of such buildings, the state may receive payments to reimburse these costs, which funds shall be used for purposes of the payment, redemption or defeasance of the state general obligation bonds. Use of repayment proceeds received by the State for payment, redemption and/or defeasance of the state bonds shall not be a violation of this paragraph.

As part of the financial plan, the lessee of any buildings or lands on the Upper Post will have to describe their long-term financial plan. The purpose of the financial plan to assure compliance with Section 106 throughout the term of the lease. The plan must assure long term maintenance and preservation of the building during the term of the lease. The DNR, MnHPO and NPS will assist proposers of revenue producing projects through the State and Federal Historic Tax Credit Program. The DNR and NPS shall enter into reasonable Subordination, Attornment and Non-disturbance Agreements and similar assurances of the type typically required in commercially reasonable commercial or residential lease transactions.

New construction is addressed in Section 8 above.

Interpreting the history of the Upper Post is critical to conveying why historic preservation at this location is in the public interest. Lessees will work with the DNR and NPS to carry out interpretation in the buildings and on lands they lease in accordance with the Secretary's Standards and Guidelines. As more is learned about the Upper Post's history – especially about American Indian history as it pertains to the Upper Post and associated lands-- it should be incorporated into the site's interpretation.

In the first six months after conveyance, the DNR will erect and maintain a sign stating that the Upper Post was acquired by the Minnesota Department of Natural Resources from the Federal Government through the General Services Administration as Historic Surplus Property and indicating the date on which this occurred. The sign will state that the program is administered by the NPS. The design, proposed location, and content of the sign will be submitted to the NPS and SHPO for review within six-months after the conveyance.

Joint Powers Agreement

The DNR may enter into Joint Powers Agreements or other legal arrangements as it deems necessary to manage the properties in the Fort Snelling National Historic District to accomplish the purpose of this agreement and the Quit Claim Deed entered into in 2016.



10) FINANCIAL PLAN:

10a. Analysis of projected income from all sources:

10b. Analysis of projected expenses for:

i) Repair, rehabilitation and restoration:

Total redevelopment cost for the Upper Post (both buildings and grounds) is estimated to exceed \$150 million.

ii) Recurring maintenance requirements:

Upon termination of any applicable PA, DNR in consultation with the NPS and the MnHPO will develop a Historic Properties Management Plan for maintaining the buildings and landscape. Various alternatives for providing municipal services such as streets, water supply, and sewage disposal are currently being considered. DNR shall be responsible for assuring that the cost of municipal services will be covered. The cost of these services may be allocated through operating fees assessed to lessees, property tax revenue generated by lessees or on such other basis as the DNR deems fair and equitable. Municipal services may be supplied through contract services or directly through a legislatively-created service district.

iii) Administration and operation:

See *ii)* above.

10c. Provision for the disposition of excess income:

All incomes which are derived from the Property by the Grantee that exceed the costs of repair, rehabilitation, restoration, maintenance, and operation of Fort Snelling State Park or the cost to repay any state bonded property at the Upper Post shall first be used by the Grantee, on property owned by the Grantee within the Fort Snelling National Historic District (National Historic Landmark) for public historic preservation; historic, cultural and natural resources education; recreational; or park management purposes, or for related administrative expenses provided, however, that the revenues generated from or on the property conveyed herein that is determined by the Regional Director and the Grantee to be in excess of that needed by the DNR for restoration and maintenance; operations; public historic preservation; historic, cultural and natural resources education; recreational; or state park management purposes of property the Grantee owns within the Fort Snelling National Historic District (National Historic Landmark) may be used by the Grantee for the preservation and restoration of properties within the Minnesota State Park System that are National Historic Landmark properties. Provided further that said preservation and restoration is in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Standards) and Guidelines for the Treatment of Cultural Landscapes (Guidelines);

All receipts derived from the leasing or operation of the property shall be deposited in an account in the natural resources fund and appropriated as designated by the Minnesota Legislature in Minnesota Statute section 85.34, subdivision 7 (2014) or as said section may be further modified by the Minnesota Legislature. Receipts and interest from the leasing and operation of the property shall be tracked separately within the account to be used by commissioner for the payment and expenses of activities outlined in this section and section 9 of this agreement.



Notwithstanding the forgoing it is expressly understood that the State has undertaken stabilization and repair of the Post Guard House, the Post Hospital, and the Post Administrative Building using State bond funds. To comply with State constitutional requirements the state may receive payments for purposes of the payment, redemption and/or defeasance of these state general obligation bonds. Use of such proceeds received by the State for payment, redemption and/or defeasance of the state bonds shall not be a violation of this paragraph

11) CAPABILITY:

DNR's authority to lease the property to tenants is provided by Minn. Stat. 85.34, subd. 1. Administration of tenant leases may be accomplished directly by DNR or through a contracted property manager. All rehabilitation work will be done in consultation with other Joint Powers partner agencies. If the Joint Powers structure is replaced in the future by another governmental structure that is authorized by federal or state law to own property, DNR will cooperate with other partner agencies to transfer ownership to the appropriate governmental entity if such a transfer best accomplishes ongoing historic preservation and operation of the area.

12) RESOLUTION:

12a. Identification of the name, location, GSA control number and acreage of the property for which you are applying;

12b. An authorization of the Application for and acquisition of the specified property for historic monument purposes;

12c. A designation by title of a specific official to act as the authorized representative in all matters pertaining to the transfer of the property;

12d. A statement that the Application is being made for acquisition of the property under the provision of section 203 (k)(3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(k)(3), and regulations and procedures promulgated thereunder;

12e. Where applicable, certification that the Applicant is authorized, willing, and able to conduct compatible revenue-producing activities, and that regardless of any revenues derived from such activities, the Applicant is financially able to utilize said property for historic monument purposes as set forth in its "Program of Preservation and Utilization" and in accordance with the requirement of said Act and regulations and procedures promulgated thereunder;

12f. Where applicable, certification that any income in excess of costs of repair, rehabilitation, restoration, and maintenance shall be used by the Applicant only for public historic preservation, park or recreational purposes as enunciated in the "Program of Preservation and Utilization";

12g. Certification that the Applicant is willing and authorized to pay the administrative expenses incident to the transfer; and

12h. Certification that the Applicant is authorized, willing, and in a position to assume immediate care and maintenance of the property.

RESOLUTION/CERTIFICATE OF AUTHORITY

Where, certain real property owned by the United States, located in the County of Hennepin, State of Minnesota has been declared surplus and at the discretion of the Administrator of the General Services Administration (Administrator), may be conveyed for historic monument purposes to a State, political subdivision, instrumentalities thereof, or municipality, under the provisions of Section 203(k)(3) of the Federal Property and Administrative Services



Act of 1949, as amended [40 U.S.C. 484(k)(3)], and rules and regulations promulgated pursuant thereto, more particularly described as follows:

Property situated in Sections Twenty (20) and Twenty-nine (29), Township Twenty-eight (28) North, Range Twenty-three (23) West of the Fourth Principal Meridian, Hennepin County, State of Minnesota, and more particularly described as follows:

Commencing at a concrete monument with an aluminum disk marking the southwest corner of Section Twenty (20); thence S 0°16'33" E along the west line of Section Twenty-nine (29) 771.38 feet; thence S 60°34'28" E 2326.03 feet; thence S 46°14'26" E 166.37 feet; thence N 37°44'49" E 229.13 feet to an iron pipe; thence S 60°34'28" E 30.08 feet to the point of beginning;

Thence S 60°34'28" E 2375 feet, more or less, to a point in the west right-of-way boundary of State Highway Number 5;

Thence in a northeasterly and northwesterly direction along said boundary to its point of intersection with the west boundary of the right-of-way of Bloomington Road;

Thence S 37°44'49" E 3197 feet, more or less, along the said west boundary of Bloomington Road to the point of beginning, containing 141 acres, more or less, and being a portion of the Veterans Administration Hospital Reservation, Fort Snelling, Minnesota;

Consisting of four separate areas, known respectively as the "Golf Course," the "Polo Grounds," "Officer's Row," and "Area J."

Subject to any and all existing reservations, easements and rights-of-way, recorded and unrecorded, for public roads and highways, railroads, pipelines, drainage ditches, sanitary and storm sewer systems, water mains, gas mains, communication conduits and electrical distribution systems for power, light and signal facilities including a reservation to the Grantor of the right to use the three foot by six foot government-owned interceptor sewer to serve contiguous facilities of Grantor not conveyed herewith.

Consisting of 141 acres, more or less.

GSA control number V-Minn-402L (141 acres transferred under the Lands to Parks program on August 17, 1971).

Whereas, State of Minnesota Department of Natural Resources needs and will utilize said property in perpetuity for historic monument purposes as set forth in its Application and in accordance with the requirements of said Act and the rules and regulations promulgated thereunder; and

Whereas, the Applicant is authorized, willing and able to conduct compatible revenue-producing activities, and that regardless of any revenues derived from such activities, Applicant is financially able to utilize said property for historic monument purposes as set forth in its "Program of Preservation and Utilization" and in accordance with the requirements of said Act and regulations and procedures promulgated thereunder; and

Whereas, the Applicant agrees that any income in excess of costs of repair, rehabilitation, restoration and maintenance shall be used by the Applicant only for public historic preservation, park or recreational purposes as enunciated in its "Program of Preservation and Utilization";



Now, Therefore, Be It Resolved, that State of Minnesota Department of Natural Resources shall make Application to the Administrator for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservation, terms, covenants, agreements, conditions, and restrictions as the Secretary of the Interior, and the Administrator, or their authorized representatives, may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto; and Be It Further Resolved that State of Minnesota Department of Natural Resources has legal authority, is willing, and is in a position to assume immediate care and maintenance of the property, and that Tom Landwehr, Commissioner be and he/she is hereby authorized, for and on behalf of the State of Minnesota Department of Natural Resources to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, Applications, reports, and other documents; the execution, acceptance, delivery, and recordation of reports, and other documents; the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, including the filing of copies of the Application and the conveyance documents in the records of the governing body, and the payment of any and all sums necessary on account of the purchase price thereof or fees or costs incurred in connection with the transfer of said property for survey, title searches, recordation of instruments, or other costs identified with the Federal surplus property acquisition.

State of Minnesota Department of Natural Resources

(legal title of governing body of Applicant)

500 Lafayette Road, Saint Paul MN 55155

(Address)

THOMAS J. LANDWEHR

Commissioner

Minnesota Department of Natural Resources