

## TEXAS HISTORICAL COMMISSION

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### HISTORIC TEXAS CEMETERY REQUEST FOR DESIGNATION GUIDELINES & INSTRUCTIONS

The Texas Historical Commission (THC) is the state agency for historic preservation, responsible for identifying, protecting and interpreting our historic resources. The THC works with interested citizens, county historical commissions, and heritage groups to preserve our historic resources, including cemeteries. The Historic Texas Cemetery (HTC) designation [policies](#) are adopted as Commission rules in the Texas Administrative Code, Title 13, Chapter 22, Section 22.6.

This document explains the criteria, research methods, and documentation necessary to apply for an HTC designation. A “how-to” webinar with supplemental instruction is posted at [www.thc.texas.gov/htc](http://www.thc.texas.gov/htc). Follow the instructions closely. **Inadequate applications may be returned to the applicant.**

#### CRITERIA FOR DESIGNATION

To be considered for HTC designation, a cemetery must be at least 50 years old and deemed worthy of recognition for its historical associations. For the purposes of the HTC designation, the THC defines an eligible cemetery as a secure burial place of human remains, including single graves. Collections or scatterings of ashes, unless associated with a columbarium within an established graveyard, do not constitute a cemetery eligible for the HTC designation. The burden of proof of the existence of the cemetery is on the applicant.

Anyone may submit a Request for Designation application. Applications are accepted year-round. The THC will provide copies of the application to the local county historical commission for their reference.

#### HTC DESIGNATION IS NOT A HISTORICAL MARKER

The HTC designation process does not result in a historical marker for the cemetery, although it is a prerequisite. The designation process is separate from the Official Texas Historical Marker process. A separate application is required for a marker and additional conditions must be met. The HTC designation process must be completed by the time of application for the historical marker.

For detailed information on the requirements for each program, visit the Texas Historical Commission’s website at [www.thc.texas.gov/markers](http://www.thc.texas.gov/markers) or contact your local county historical commission.

#### COMPLETING THE HTC REQUEST FOR DESIGNATION

The following information will guide preparation of the application form and all required attachments. A sample application packet is available for reference on the agency’s website.

##### **Request for Designation Application Form, including a Narrative History with Bibliography**

The application form is available on the THC website at: [www.thc.texas.gov/htc](http://www.thc.texas.gov/htc) as a Word document or as a PDF. Applicants are strongly encouraged to complete the form electronically since this reduces processing times and aids accurate data entry.

The application requires broad research into the cemetery’s history using a variety of resources, including deeds. It also requires at least one site visit to the cemetery to inventory the cemetery’s features, measure its boundaries, assess its condition, sketch out a site plan, and take photographs. Applicants must also obtain information on ownership of surrounding property from the county’s appraisal district or tax office.

The narrative history of the cemetery should include information regarding land ownership; date of establishment; origin of the cemetery name; historical association with a family, community, or church; cemetery development and growth; and current activity. The local history section of your public library may have valuable information. Many County Historical Commissions or individual researchers have inventoried historic cemeteries in Texas counties. These inventories are a good place to start. **Include at least the following in the application's narrative history:**

- How and when did the cemetery start?
- How did it get its name(s)? Was it associated with a person, family, community, or church?
- Who first owned the land surrounding the cemetery? Who donated the land?
- If no longer active, why not? When was the last burial?
- Are there historically significant people buried there?
- If there is a cemetery association, when did it begin? Is it still active?
- Were additions of land or improvements made to the cemetery? If so, when did they occur?
- Provide any additional details to help establish the cemetery's historical significance and its development over time.

A bibliography must also be provided. Include all the resources you consulted to write your narrative.

### **Attachment 1: Deeds**

Deed records are a critical source for helping understand a cemetery's history. Deeds give important clues about the age of a cemetery, its location, its size, its trustees, etc.

Property deeds are typically located at the county clerk's office. Depending on how much you already know about the cemetery's history, including who originally gave the land and when, you might be able to easily locate the original deed and search forward from there. In other instances, you may need to start with the current property owner (or surrounding or adjacent owners) and work backward. Sometimes there is a deed specifically for the cemetery. Often, though, the cemetery is referenced in a deed for a larger, surrounding piece of property. Be thorough in your search. It's common to discover that the reference to a cemetery was dropped off a property's description when it changed ownership at some point in the past.

Ideally you'll locate the deed in which the land was first given (or bought) for use as a cemetery, along with any other deeds that add (or subtract) acreage. **On page 1 of the application form, list the volume, page, and filing date of each deed that specifically references the cemetery. Attach copies of each deed to your application. Highlight or otherwise mark each reference to the cemetery.** Pay special attention to the physical description of the cemetery's dimensions or size, if given, and be ready to explain any differences between the deed record and the actual size today. Do not include any deeds that do not specifically reference the cemetery.

Many cemeteries were never reflected in deed records. If your search reveals no deed references, enter "none found" in the form and describe where and how you conducted your search. The expectation is that you search the deed records from the current property owner(s) to as far back as at least the first known burial.

### **Attachment 2: Photographs**

THC encourages comprehensive photo documentation of all cemeteries. For the purposes of the HTC designation, however, submit no more than ten photos that provide general views and selected outstanding features. **At least five photographs of the cemetery are required—one of the entrance (this may include the gate, signs, or the most common entrance) and one from each corner of the cemetery looking toward the center.** Also include any other characteristic or important features. Try not to include people or vehicles. Submit no more than ten photos.

Create a log of your photos on the last page of the application form. Provide the direction and description of the view and any other important information. Map the location of each photo on your site plan/sketch map (see Attachment 3, below) by placing the number of each photo with an arrow indicating the direction of the view.

THC prefers full color digital image files, submitted as email attachments, on a CD, or on a USB flash drive. Accepted formats include jpegs and tiffs. If possible, each image file should be sized under 2MB. The file name should identify the cemetery and the photo number. For example: SmithCemetery\_01.jpeg. These must match the names used on your photo log on the last page of the application form.

Printed photos are allowed, but not encouraged. Do not mount or sleeve your photos. Simply place the loose photos in an envelope. Number the photos with a photo-safe pen on the back, lower right corner. Include only the photo number; any additional information should be included on the photo log on Page 5 of the application form.

### **Attachment 3: Site Plan/Sketch Map**

Submit an annotated site plan of the cemetery to record important features. This can be a sketch map drawn by hand or one created electronically. A sample site plan/sketch map is available at [www.thc.texas.gov/htc](http://www.thc.texas.gov/htc). **The drawing MUST include:**

- A north arrow.
- Dimensions, measured in feet - clearly indicate the dimensions of the cemetery's property boundaries, as well as the dimensions of fenced perimeter, if different. Be aware that existing fences may not necessarily indicate the extent of a cemetery. Burials may be located outside the fenced perimeter. If you suspect or have evidence of burials extending beyond the fenced portion of the cemetery, make note of it on the map.
- Road names or access routes to the cemetery.
- Elements such as fencing, trees, landscaping, prominent gravestones, flagpoles, memorials, structures, entryways, internal roads, walkways, and any other highly significant features worthy of note.
- Adjacent landowner(s) name(s).
- The location of your photos and the view (indicated with an arrow).

THC encourages individuals or organizations to thoroughly document the cemetery, including an inventory of each gravemarker and all landscape features. This level of documentation is not required for the purposes of the designation application, but should be considered a priority in the long-term preservation plan for the cemetery.

If a survey exists for the cemetery (such as one prepared by a Registered Professional Land Surveyor), please submit a copy in addition to your site plan. You may also choose to use the survey as the base for your site plan. If the survey is recorded in the county's Official Public Records, please provide the volume, page, and recording date.

### **Attachment 4: Property Ownership Map – from Appraisal District or Tax Office**

Submit a current parcel or plat map that demonstrates current ownership of the land containing the cemetery and any adjacent owners who share a common property line with the cemetery. These maps are available from your county appraisal district or tax office. **If the cemetery does not show up on the map, you'll need to draw it in to demonstrate the relationship of the cemetery's boundaries with those of the surrounding property owners.** (We also encourage you to ask the appraisal district to make note of the cemetery on its maps in the future.)

Some counties make these maps available on their websites, but the data is not always up-to-date or accurate. You may need to confirm the information at the office itself. Proper identification of the adjacent land owners is important because the THC is required to notify them about the pending designation. **The designation could be at risk if a landowner is incorrectly identified or not notified.**

### **Attachment 5: Location Map**

Include a county map, Google map (or similar), or hand-drawn map that clearly shows the location of the cemetery in relation to the closest community or intersection of two major roads or other landmark. If the cemetery does not appear on standard maps, make sure your map includes as many details as possible to help THC staff locate the cemetery using standard maps and aerial imagery (such as Google Earth). **You may omit this attachment if the cemetery location is accurately mapped in THC's [Historic Sites Atlas](#).**

### **Attachment 6: Application Fee**

Submit a check or money order for \$25 made out to the Texas Historical Commission. On the memo line, write: HTC Application fee for [name] Cemetery, [name] County. If you are submitting all components of the application electronically via email, make sure to send your application fee by mail with a memo stating its purpose, or print out the first page of the Request for Designation application form to include in the mailing.

### **SUBMIT THE APPLICATION PACKET**

The last page of the application contains an Application Submittal Checklist. Please review your application packet carefully. **Incomplete submissions may be returned to the applicant.**

The THC prefers electronic submission of HTC applications and attachments, either by email or on a CD or USB flash drive. Electronic submissions reduce processing times and aid accurate data entry. Hard copies are accepted but not encouraged. Submit application and all other required components as attachments via email to: [htc@thc.texas.gov](mailto:htc@thc.texas.gov). Include the cemetery name, county, and "HTC application" in the subject line.

Mail all other materials to:

Texas Historical Commission  
History Programs Division  
PO Box 12276  
Austin, TX 78711-2276

### **WHAT HAPPENS NEXT**

THC staff reviews the Request for Designation packet. If the packet is complete and the cemetery is deemed eligible for the designation, THC staff will prepare a draft document known as Exhibit A and send it to the applicant for review and approval. This document contains a detailed map and description of the cemetery's location and boundaries; it also identifies the adjacent landowners.

Once the applicant reviews and approves the draft Exhibit A, THC sends notification of the designation request to the trustee of the cemetery, the owner of land containing the cemetery and/or any landowners who share a common property line with the cemetery. No response is required to this notification. The chair of the local county historical commission is also copied on all correspondence and provided a copy of the application.

Once all adjacent landowners have been notified and any issues regarding the Exhibit A have been resolved, the THC will send a Declaration of Dedication for Cemetery Purposes, including Exhibit A, to the applicant with instructions on how to file it at the county clerk's office. The cemetery will be officially recognized as a Historic Texas Cemetery when the applicant forwards to THC a copy of the recorded Declaration of Dedication and exhibits which include the filing date and recording data. The completed designation is recognized with a certificate.

### **QUESTIONS?**

For assistance, contact THC's Cemetery Preservation Program staff at [htc@thc.texas.gov](mailto:htc@thc.texas.gov) or 512.463.5853.

Consider watching the "how-to-apply" webinar posted at [www.thc.texas.gov/htc](http://www.thc.texas.gov/htc).