

MANAGEMENT AGREEMENT

OPR 90-75

This Agreement is entered into this 4th day of Jan., 1990 by and between the City of Spokane (hereinafter "CITY"), and Wells & Company (hereinafter "OWNER(s)"), the Owner of property located at W. 1608-10 Main, commonly known as The Groshoff's Apartments, in the City of Spokane.

WHEREAS, the City of Spokane adopted Ordinance C-26353 on November 23, 1981; and

WHEREAS, The County of Spokane adopted Ordinance 82-0038 on January 12, 1982; and

WHEREAS, both Ordinance C-26353 and Ordinance 82-0038 are identical and provide that the City/County Historic Landmarks Commission (hereinafter "Commission") is responsible for the stewardship of historic and architecturally significant properties in the City and County; and

WHEREAS, the City has authority to contract with property owners to assure that any owner who directly benefits by City action will bind her/his benefited property to mutually agreeable management standards assuring the property will retain those characteristics which make it architecturally or historically significant;

Now THEREFORE -- The City and the Owner(s), for mutual consideration, hereby agree to the following covenants and conditions:

1. Consideration. The City agrees to designate the Owner's property an Historic Landmark or District on the Spokane Register of Historic Places, with all the rights, duties, and privileges attendant thereto. The Owner(s) agree to abide by the below detailed management standards for his/her property.

2. Covenant. This Agreement shall be filed as a public record. The parties hereto intend this Agreement to constitute a covenant that runs with the land, and that the land is bound by this agreement. Owner intends his/her successors and assigns to be bound by this instrument. This covenant benefits and burdens the property of both parties hereto.

3. Alteration or Extinguishment. The covenant and servitude and all attendant rights and obligations created by this Agreement may be altered or extinguished only by mutual agreement of the parties hereto or their successors or assigns.

4. Promise of Commission. The City hereby promises to

designate the Owner's property as an Historic Landmark or District on the Spokane Register of Historic Places. This promise is dependent upon the Owner's promise to agree to and fulfill the Management Standards and other matters contained in paragraph 5, to be monitored by the Commission, and is not enforceable in the absence thereof. Should Owner fail to perform any of the promises herein the City may elect to remove the designation of Historic Landmark on the Spokane Register of Historic Places.

5. Promise of Owner. Owner(s) agrees to and promises to fulfill the following Management Standards for his/her property which is the subject of this Agreement. Owner intends to bind his/her land and all successors and assigns. The Management Standards are: "THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS (Revised 1983).

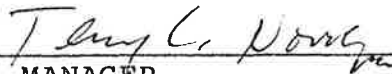
6. The Owner(s) must obtain from the Commission a "Certificate of Appropriateness" for any action which would affect any of the following:

- (A) Use of the landmark; or
- (B) The exterior appearance of the landmark; or
- (C) Demolition of the landmarks; or
- (D) New construction attached to the landmark.


7. In the case of an application for a "Certificate of Appropriateness" for the demolition of a landmark or property within a district, the Owner(s) agrees to meet with the Commission to seek alternatives to demolition. These negotiations may last no longer than forty-five (45) days. If no alternative is found within that time, the Commission may take up to forty-five (45) additional days to attempt to develop alternatives, arrange the salvage of architectural artifacts and arrange appropriate structural recording.

This Agreement is made as of the date and year first written above


OWNER


CITY MANAGER
CITY OF SPOKANE

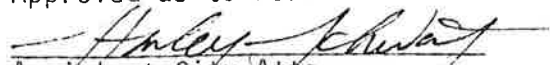
Approved:


Historic Preservation Officer

Attest:


CITY CLERK

Approved as to Form:


Assistant City Attorney

