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Page: 1 of 2  
01/05/1998 04:51P  
Spokane Co. WA

27/11/98  
**Return to:**  
Daniela Erickson  
Deputy Clerk of the Board  
Commissioners' Office

**NOTICE OF MANAGEMENT AGREEMENT**

**Reference numbers of related documents:**  
On Page One of document

**Grantor(s):**  
SPOKANE COUNTY

**Grantee(s):**  
MOUNT ST. MICHAEL/CONGREGATION OF MARY IMMACULATE QUEEN  
8500 N. ST. MICHAEL ROAD  
SPOKANE, WASHINGTON

**Legal Description:**  
A parcel of land in Section 23, Township 26, Range 43, EW Meridian described as follows: The East 330 feet of the North 870 feet of the SE, SW and the East 830 feet of the SE, SW in Spokane County, Washington.

**Assessor's Property Tax Parcel Account Number(s)**  
36235.9085



To be Recorded by:  
Office of Spokane County Auditor  
1116 W. Broadway  
Spokane, WA 99260-0100

**NOTICE OF MANAGEMENT AGREEMENT**

**NOTICE IS HEREBY GIVEN that the property legally described as:**

A parcel of land in Section 23, T26, R43, EW Meridian described as follows: The East 330 feet of the North 870 feet of the SE, SW and the East 830 feet of the SE, SW in Spokane County, WA.

**Parcel Number:** 36235.9085

NOTE: Acreage of nominated property is 16 acres, more or less.  
is governed by a Management Agreement between the County of Spokane and the Owners, Congregation of Mary Immaculate Queen, of the subject property.

The Management Agreement is intended to constitute a covenant that runs with the land and is entered into pursuant to 97-1146. The Management Agreement requires the Owners of the property to abide by the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (Revised 1983) and other standards promulgated by the Historic Landmarks Commission.

I certify that the above is true and correct.

Historic Preservation Officer

Jeresa Brum  
Dated: 12/1/97

Said Management Agreement was approved by the Spokane County Commissioners on 12-9-97. I certify that the original Management Agreement is on file in the Office of the County Clerk under File No. 97-1146.

Spokane County Clerk

Daniel Erickson (DEPUTY)  
Dated: 12/9/97

**MANAGEMENT AGREEMENT**

The Agreement is entered into this 21<sup>st</sup> day of November, 1997, by and between the County of Spokane (hereinafter "County"), acting through its Historic Landmarks Commission ("Commission"), and (hereinafter "Owner(s)"), the owner of the property located at 6500 W. St. Michael Rd., commonly known as Mount Saint Michael in the ~~City of~~ County 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, as amended, and Ordinance 82-0038 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 County has authority to contract with property owners to assure that any owner who directly benefits by action taken pursuant to County ordinance 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 County and the Owner(s), for mutual consideration hereby agree to the following covenants and conditions:

1. CONSIDERATION. The County agrees to designate the Owner's property an Historic Landmark on the Spokane Register of Historic Places, with all the rights, duties, and privileges attendant thereto. In return, the Owner(s) agrees to abide by the below referenced 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 by mutual agreement of the parties hereto or their successors or assigns. In the event Owner(s) fails to comply with the Management Standards or any County ordinances governing historic landmarks, the Commission may revoke, after notice and an opportunity for a hearing, this Agreement.

4. PROMISE OF OWNERS. Owner(s) agrees to and promises to fulfill the following Management Standards for his/her property which is the subject of the 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)."

Compliance with the Management Standards shall be monitored by the Historic Landmarks Commission.

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

- (A) demolition;
- (B) relocation;
- (C) change in use;
- (D) any work that affects the exterior appearance of the historic landmark; or
- (E) any work affecting items described in Exhibit A.

6. In the case of an application for a "Certificate of Appropriateness" for the demolition of a landmark, 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, and/or to arrange for the salvage of architectural artifacts and structural recording. Additional and supplemental provisions are found in County ordinances governing historic landmarks.

This Agreement is entered into the year and date first above written.

Mount Saint Michaels  
by A. Bennett Hyer  
Owner

me St Michaels  
Fr Louis M. Kerfoot CMRI  
Owner

STATE OF WASHINGTON:

County of Spokane

On this day personally appeared before me FR B. HUGHES & FR L. KERFOOT to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that THEY signed the same as THEIR free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 21ST day of NOVEMBER, 1997.

Thomas A. Abraham

COUNTY OF SPOKANE

*John Ruschley*  
COMMISSIONER

*[Signature]*  
COMMISSIONER

*W. K. McLaughlin*  
COMMISSIONER

ATTEST: *Daniela Erickson*  
Deputy Clerk

Approved as to form:

\_\_\_\_\_



1.2.  
NO. 97-1146

RECEIVED

OCT 13 1999

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY

HISTORIC PRESERVATION

IN THE MATTER OF APPROVING THE DESIGNATION )  
OF AND EXECUTING A MANAGEMENT AGREEMENT ) RESOLUTION  
IN CONJUNCTION WITH MOUNT SAINT MICHAEL )  
DESIGNATION AS A HISTORIC LANDMARK )

PK  
28

WHEREAS, pursuant to the provision of RCW Chapter 36.32.120(6), the Board of County Commissioners of Spokane County has the care of County property and the management of County funds and business; and

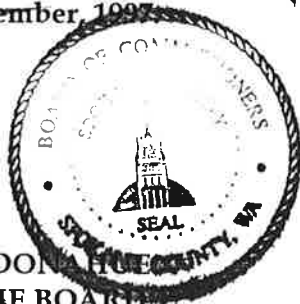
WHEREAS, pursuant to the provisions of Spokane County Code Chapter 1.48, the Board of County Commissioners is required, in conjunction with the designation of properties as historic landmarks, to enter into a management agreement, the purpose of which is to insure that the owners of such property agree to appropriate management standards of the same; and

WHEREAS, the Spokane Historic Preservation Office has advised the Board of County Commissioners that the Historic Landmarks Commission has approved the nomination of Mount Saint Michael as a historic landmark, and in conjunction therewith, has requested that the Board of County Commissioners approve such designation and enter into a management agreement for the same; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County, based upon the recommendation of the Historic Landmarks Commission, that the Board does hereby approve the recommendation of the Historic Landmarks Commission that Mount Saint Michael be designated a historic landmark, and additionally, that either the Chairperson of the Board of County Commissioners of Spokane County, or a majority of the Board, be and is hereby authorized to execute that document entitled "Management Agreement", pursuant to which, under certain terms and conditions, the owner of Mount Saint Michael will agree to certain management standards in conjunction with the designation of the property as a historic landmark.

APPROVED BY THE BOARD this  
9th day of December, 1999

BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON



ATTEST:  
WILLIAM E. DONAHUE  
CLERK OF THE BOARD

*John Roskelley*  
\_\_\_\_\_  
JOHN ROSKELLEY, CHAIR

*M. Kate McCaslin*  
\_\_\_\_\_  
M. KATE MCCASLIN, VICE-CHAIR

*Phillip D. Harris*  
\_\_\_\_\_  
PHILLIP D. HARRIS

*Daniela Erickson*  
\_\_\_\_\_  
BY: DANIELA ERICKSON, DEPUTY