

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

After Recording Return to:
Office of the City Clerk
5th Floor, Municipal Bldg.
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3333

NOTICE OF MANAGEMENT AGREEMENT

NOTICE IS HEREBY GIVEN that the property legally described as:

North 100 feet of Lots 1 and 2, Block 110, Fourth Addition to Railroad Addition; known as the Avondale Court Apartments, West 229 Second.

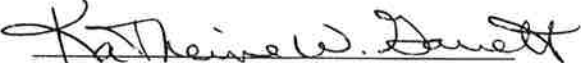
Parcel Number: 35191.1101

is governed by a Management Agreement between the City of Spokane and the Owner, Ronald and Julie Wells, of the subject property. Said Management Agreement was approved by the Spokane City Council on _____.

The Management Agreement is intended to constitute a covenant that runs with the land and is entered into pursuant to Spokane Municipal Code Chapter 6.05. The Management Agreement requires the Owner 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



Dated: 8-12-92

I certify that the original Management Agreement is on file in the Office of the City Clerk under File No. _____.

Spokane City Clerk

Dated: _____

MANAGEMENT AGREEMENT

The Agreement is entered into this 7th day of JUNE, 1992, by and between the City of Spokane (hereinafter "City"), acting through its Historic Landmarks Commission ("Commission") and (hereinafter "Owner(s)"), the owner of property located at W. 229 2ND AVE., commonly known as W. 229 2ND AVE. in the City of Spokane. PARCELS NO. 35191.1101

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 City has authority to contract with property owners to assure that any owner who directly benefits by action taken pursuant to City 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 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 a 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 City ordinances governing historic landmarks the Commission may revoke, after notice and an opportunity for a hearing, this Agreement.

26b

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 Managements 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 forth-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 City ordinances governing historic landmarks.

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



Owner

Owner

STATE OF WASHINGTON:

County of Spokane :

On this day personally appeared before me David Guthrie to me know to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 7th day of July, 1992.

[Signature]
Notary Public in and for
the State of Washington,
residing in Spokane.
My Commission Expires 3-1-93

CITY OF SPOKANE

[Signature]
CITY MANAGER

Attest: *[Signature]*
City Clerk

Approved as to form:

[Signature]
Assistant City Attorney

Exhibit A

There shall be no additional conditions with respect to this Agreement.

RECEIVED

SEP 01 1992

SPOKANE REGIONAL COUNCIL



August 26, 1992

COUNCIL ACTION MEMORANDUM:

CLERK'S FILE NO.

**CPR 92-3
OPR 92-747
CCAF**

RE: DESIGNATION TO THE SPOKANE REGISTER OF HISTORIC PLACES & MANAGEMENT AGREEMENT WITH OWNER FOR AVONDALE COURT APARTMENTS, 229 W 2ND AVE.

At its Legislative Session held at 6:00 p.m. on Monday, August 24, 1992, the Spokane City Council considered the above matter and took the following action:

Motion by Mr. Hebner, seconded by Mr. Brewer, to approve (Item) 26b (Designation of the Avondale Court Apartments, 229 W. 2nd Ave., to the Spokane Register of Historic Places and Management Agreement with Owner); carried unanimously.

Amendment by Mr. Hebner, seconded by Mrs. Numbers, to amend Council's proposed approval to include a replacement fund that will be worked out within the Historic Registry Contract (Management Agreement) to be determined at a later date, with a Report back to Council as to the final determination of that fund; carried 6 - 1, Mr. Crosby voting "no."*

Marilyn J. Montgomery, CMC/AE
Spokane City Clerk

MJM:jro

c: Mayor/Council (1 copy for posting)
Parliamentarian Richard Q. Totusek
Spokane Neighborhood Action Programs
Building Services Director
✓Historic Preservation Office
Planning Director
Zoning Director
Community Development
David Guthrie
525 Peyton Bldg./99204

***City Clerk's Note: The requested report will come back to Council after the Landmarks Commission Meeting on Thursday, September 17, 1992.**

625-6350

FOR COUNCIL MEETING OF: August 24, 1992

AGENDA CATEGORY

RECOMMENDATION

nsent Agenda 0
 Hearing Agenda 0

Notify Prior to Meeting:
Spokane Valley Advisory Council 0
Other? _____

TO: **MAYOR AND CITY COUNCIL**

For Action
 For Information

RECEIVED

AUG 11 1992

**CITY CLERK'S OFFICE
SPOKANE, WA**

<input type="checkbox"/> U	Hearing	0	Accept
<input type="checkbox"/> 0	Annexation	0	Approve
<input type="checkbox"/> 0	Report	0	Deny
<input checked="" type="checkbox"/> 0	Contract	0	Place on File
<input type="checkbox"/> 0	Resolution	0	Set Hrg./Review
<input type="checkbox"/> 0	Emergency Ord.		Date for: _____
<input type="checkbox"/> 0	First Rdg. Ord.	0	Defer/Continue
<input type="checkbox"/> 0	Report of City Mgr.		To: _____
		0	Adopt
		0	Council
			Direction

Clerk's File# OPR 92-747
Eng./LID # _____ Bid # _____

AGENDA WORDING:

Designation of the Avondale Court Apartments, W. 229 Second, to the Spokane Register of Historic Places.

BACKGROUND:

Ordinance #C-26353 provides that the City/County Historic Landmarks Commission can recommend to the City Council that certain properties in Spokane be placed upon the Spokane Register of Historic Places. The property in question has been found to meet the criteria set forth for such designation. The property owners have signed the nomination form, and have signed a contractual agreement with the City to maintain certain standards of management with regard to the property. The City Council should designate the property, or decline to do so, within 30 days of submittal of all documentation.

ENVIRONMENTAL FINDING: N/A

FISCAL IMPACT: None

BUDGET ACCOUNT #: N/A

ATTACHMENTS: (List)

Nomination Form
Management Agreement on file for review in Office of City Clerk
The Notice of Management Agreement should be filed in the County Auditor's Office

Signatures of:

Katharine W. Savett Submitting Department
Laurie Flinn Connelly Legal

Historic Preservation Officer

Division Director

Finance

[Signature]
City Manager

COUNCIL ACTION:

Nancy Compau NW Room
Main Library
David Guthrie
525 Peyton
Spokane, WA 99204

DISTRIBUTION AFTER COUNCIL ACTION:

Spokane Neighborhood Action
Programs 2116 E - 1st
Spokane, WA 99202
Attn Ray Rieckers
Building Services Director
Historic Preservation Office
Planning Director
Zoning Director
Community Development
CCAF
County Auditor's Office

SEE COUNCIL ACTION MEMORANDUM DATED AUGUST 26, 1992, FOR COUNCIL MEETING ACTION OF AUGUST 24, 1992

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