

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

NOTICE OF MANAGEMENT AGREEMENT

**97 1058**

NOTICE IS HEREBY GIVEN that the property legally described as:

Brown Park Addition Tract A of SP88-547, being a portion of Block E in Brown Park Addition AUD #8808220321.

Parcel Number: 34023.0105

is governed by a Management Agreement between the County of Spokane and the Owners, Brian and Kathleen Chapman, of the subject property.

The Management Agreement is intended to constitute a covenant that runs with the land and is entered into pursuant to 97-1058. 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

Jana L. Bruen  
Dated: 12/4/97

Said Management Agreement was approved by the Spokane County Commissioners on 11-18-97. I certify that the original Management Agreement is on file in the Office of the County Clerk under File No. 97-1058.

Spokane County Clerk

David Erickson  
Dated: 11/18/97 DEPUTY

RECEIVED

SEP 11 1997

No. \_\_\_\_\_ HISTORIC PRESERVATION

### 97 1058 MANAGEMENT AGREEMENT

The Agreement is entered into this <sup>9th</sup> 10 day of September, 1997, by and between the County of Spokane (hereinafter "County"), acting through its Historic Landmarks Commission ("Commission"), and BRIAN D. & L. KATHLEEN CHAPMAN (hereinafter "Owner(s)"), the owner of the property located at 5705 S. CUSTER Rd, commonly known as Huy BROWNE House in the 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.

LK Chapman

[Signature]

STATE OF WASHINGTON:

County of Spokane :


On this day personally appeared before me Brian D. Chapman and Kathleen Chapman 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        free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 9<sup>th</sup> day of September, 1997.

[Signature]  
Notary Public in and for the State of Washington, residing in Spokane County.  
My commission expires 8/1/98.

COUNTY OF SPOKANE:

BOARD OF COUNTY COMMISSIONERS  
SPOKANE COUNTY, WASHINGTON

  
\_\_\_\_\_  
JOHN ROSKELLEY

  
\_\_\_\_\_  
M. KATE MCCASLIN

  
\_\_\_\_\_  
PHILLIP D. HARRIS

ATTEST:  
WILLIAM E. DONAHUE  
CLERK OF THE BOARD

  
BY: DANIELA ERICKSON, DEPUTY



Approved as to form:

\_\_\_\_\_

11-18-97

NO. 97 1058

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY

IN THE MATTER OF APPROVING THE DESIGNATION )  
OF AND EXECUTING A MANAGEMENT AGREEMENT ) RESOLUTION  
IN CONJUNCTION WITH GUY BROWNE HOUSE )  
DESIGNATION AS A HISTORIC LANDMARK )

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 Guy Brown House 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 Guy Browne House 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 Guy Browne House will agree to certain management standards in conjunction with the designation of the property as a historic landmark.

APPROVED BY THE BOARD this  
18th day of November, 1997.

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

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

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