

FOR COUNCIL MEETING OF: December 13, 1993

C Agenda
Hearing Agenda

0
0

AGENDA CATEGORY

RECOMMENDATION

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

TO: **MAYOR AND CITY COUNCIL**

For Action
 For Information

RECEIVED

DEC - 7 1993

CITY CLERK'S OFFICE
SPOKANE, WA

AGENDA WORDING:

Designation of the Crescent Building, W., 701 Main, to the Spokane Register of Historic Places, & Management Agreement with the owners, W. 201 Northriver Drive Partnership Ltd.

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 owner has signed the nomination form, and has 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 the City Clerk
Notice of Management should be filed in the County Auditor's Office

Signatures of:

Kathleen, Daniel
Submitting Department

Laurie Klein Donnelly
Legal

R.C./mm
City Manager

Division Director

Finance

COUNCIL ACTION:

DISTRIBUTION AFTER COUNCIL ACTION:

APPROVED BY
SPOKANE CITY COUNCIL:
DEC 13 1993

Mailey J. Montgomery
CMC/AAE, SPOKANE CITY CLERK

W. 201 Northriver Drive Partnership
W. 201 Northriver Drive
Building Services Director
Historic Preservation Office
Planning Director
Zoning Director
Community Development
CCAF
Nancy Company, NW Room, Main Library

10C-1

9312290110

FILED OR RECORDED

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

DEC 29 9 53 AM '93

WILLIAM E. DONAHUE
 AUDITOR
 SPOKANE COUNTY WASH.
 DEPUTY

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

VOL. 1537 PAGE 702

NOTICE OF MANAGEMENT AGREEMENT

NOTICE IS HEREBY GIVEN that the property legally described as:

RES AND ADD SPO FALLS E½ lt 8 all 1t 9 & 10 Blck 13

Parcel Number: 35183.0408

is governed by a Management Agreement between the City of Spokane and the Owner,
 W. 201 North River Drive Partnership, of the subject property.

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: 11-17-93

Said Management Agreement was approved by the Spokane City Council on 12-13-93.
 I certify that the original Management Agreement is on file in the Office of the City Clerk under File No. OPR 93-974.

Spokane City Clerk



Dated: Dec. 13, 1993

44913073
 MAIL
 CITY CLERK'S OFFICE
 SPOKANE, WA

100

MANAGEMENT AGREEMENT

The Agreement is entered into this 3rd day of November, 1993, by and between the City of Spokane (hereinafter "City"), acting through its Historic Landmarks Commission ("Commission") and Goodale & Barbieri (hereinafter "Owner(s)"), the owner of the property located at 707 W. Main, commonly known as the Crescent Building.

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.

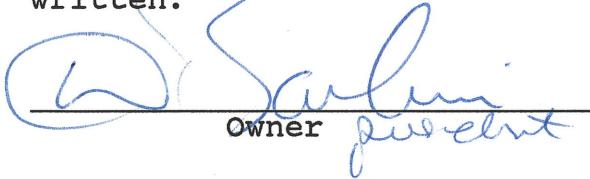
4. PROMISE OF OWNERS. Owner(s) agrees and promises to fulfill the following Management Standards for his/her property which is the subject of the Agreement. Owner intends to bind his/her land and all successors and assigns. The Management Standards are: "THE SECRETARY OF THE INTERIOR'S STANDARDS FOR 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 City ordinances governing historic landmarks.

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



Owner *Donald Barbieri*

Owner

STATE OF WASHINGTON:

:

County of Spokane :

On this day personally appeared before me Donald Barbieri 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 3rd day of November 1993.



David A. Peterson

Notary Public in and for
the State of Washington,
residing in Spokane.

My Commission Expires Aug 15, 1995

CITY OF SPOKANE

Roy D. Lewis
CITY MANAGER

Attest: Marilyn J. Montgomery
City Clerk

Approved as to form:

Laurie Flynn Connelly
Assistant City Attorney

EXHIBIT A

1. There shall be no additional review requirements.