

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

**9204140431**

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

**NOTICE OF MANAGEMENT AGREEMENT**

NOTICE IS HEREBY GIVEN that the property legally described as:  
Dwight, Mary E. House: Browne's Addition, Lot 10-11 Block 21. W. 1905 Pacific.

Parcel Number: 25241.1801

is governed by a Management Agreement between the City of Spokane and the Owner, Mary E. Dwight Estate (Louis Barbieri, Executor), of the subject property. Said Management Agreement was approved by the Spokane City Council on 8/31/87.

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 Original  
Management Agreement is on file in  
the Office of the City Clerk under  
File No. OPR 87-505.

Spokane City Clerk

Marilyn J. Montgomery

Dated: 4-13-92

I certify that the above is true and correct.

Historic Preservation Officer

Katherine W. Small

Dated: 3-12-92

M A N A G E M E N T A G R E E M E N T

OPR 87-505

This Agreement is entered into this 24th day of August, 1987, by and between the City of Spokane (hereinafter "City"), and Mary E. Dwight Estate, by Louis L. Barbieri, Executor, (hereinafter "Owner(s)"), the owner of property located at West 1905 Pacific Avenue, Browne's Addition, Lot 10-11, Block 21, commonly known as the Mary E. Dwight Residence, in the City/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 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/her benefitted 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 Owner's property an Historic Landmark or District, or Conservation Landmark or District on the Spokane Register of Historic Places, with all the rights, duties, and privileges attendant thereto. The Owner(s) agrees 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 or Conservation Landmark of District on the Spokane Register of Historic Places. This promise is dependent upon Owner's promise to agree to and fulfill the Management Standards, to be monitored by the Commission, and is not enforceable in the absence thereof.

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 the Agreement. Owner intends to bind his 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 property within a designated district;
- (B) The exterior appearance of the landmark or property within a designated district;
- (C) Demolition of the landmark or property within a designated district; or
- (D) New construction attached to the landmark or within a

designated district.

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 recordation of the building.

DATED this 26<sup>th</sup> day of August 1987.  
Mary E Dwight Estate  
Louis L Barbieri

OWNER

OWNER

STATE OF WASHINGTON )  
County of Spokane )

On this day personally appeared before me Louis L Barbieri to me known to be the individual/s/ described in and who executed the within and foregoing instrument, and acknowledge 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 26<sup>th</sup> day of August, 1987.

L L Barbieri  
Notary Public in and for the State  
of Washington, residing at Spokane

CITY OF SPOKANE

Tammy L Nash  
City Manager

ATTEST: Elizabeth Davidson  
Deputy City Clerk

APPROVED AS TO FORM:

B Burns  
Assistant City Attorney