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11/12/2002 10:32A
Spokane Co, WA

To be Recorded by:
Office of the 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:

City of Spokane map -

Manito Park 2nd Exc E5.5ft L4; E33ft L5 B17

Parcel Number, 35294.0904, is governed by a Management Agreement between the City of Spokane and the Owners, Mr. and Mrs. David M. Brown (Hathaway-Suksdorf House) 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

Musa Z Brown

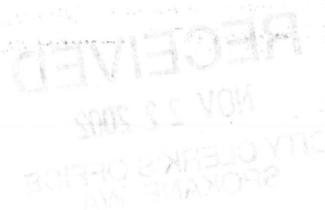
Dated: 10-23-02

Said Management Agreement was approved by the Spokane City Council on November 4, 2002.
I certify that the original Management Agreement is on file in the Office of the City Clerk under File No. OPR 02-928.

(Acting)
Spokane City Clerk

Shirley M. Appinger

Dated: 11/05/02



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BSP-50 093

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CITY CLERK'S OFFICE
SPOKANE, WA

FINDINGS OF FACT AND DECISION FOR CITY COUNCIL REVIEW
Hathaway-Suksdorf House, 720 East 24th

SUMMARY

The Spokane City/County Landmarks Commission, **Hathaway-Suksdorf House, 720 East 24th** in Rockwood Neighborhood, for listing in the Spokane Register of Historic Places because it is found to meet the criteria for listing (as established by city ordinance) as approved by the Landmarks Commission on June 19, 2002. The property is owned by David and Nancy Brown.

FINDINGS OF FACT Spokane Municipal Code 06.05.110 (Historic Landmark and Historic District--Designation).

AGE

1. “Generally a building, structure, object, site, or district which is more than fifty years old may be designated an historic landmark or historic district if it has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, county, state, or nation.”

Built in 1940, the **Hathaway-Suksdorf House** meets the 50-year age criteria established for listing in the Spokane Register.

INTEGRITY

2. “The property must also possess integrity of location, design, materials, workmanship, and association.”
Integrity is “the ability of a property to convey its significance...to retain historic integrity a property will always possess several, and usually most, of the aspects.”

The **Hathaway-Suksdorf House** retains its original location, association, workmanship, its historic design and most of its materials. Its location and association as single-family residence are unchanged.

SIGNIFICANCE

3. The property must...fall into one or more of the following categories (A,B,C,D,E,F):

The **Hathaway-Suksdorf House** is eligible for consideration under Category C as an excellent example of the French Eclectic style.

FINAL DESIGNATION DECISION

The Spokane Landmarks Commission approved a motion to recommend the **Hathaway-Suksdorf House** for listing in the Spokane Register of Historic Places, based on the Findings of Fact, as set forth in this document.

Significant Features: all exterior portions of the building.

PROTECTION MEASURES

Controls

No significant feature (as noted above) may be altered, whether or not a building permit is required, without first obtaining a Certificate of Appropriateness from the Landmarks Commission pursuant to the provisions of C26353. The following exclusion is allowed:

In-kind maintenance and repair.

Programs: The following programs, which are administered by the City's Historic Preservation Department, are available to the property owners (no grants are available):

1. Eligibility for application to the Special Valuation tax incentive program.
2. Eligibility for application to the Open Space Special Assessment tax incentive program.
3. Eligibility for application for Historic Building Code Relief.
4. Eligibility for historic site maker (to be paid for by the property owner).
5. A contract with the City of Spokane, agreeing that the City-County Landmarks

Commission will monitor the property and provide design review assistance.

MANAGEMENT AGREEMENT
City of Spokane

The Agreement is entered into this 25 day of June, 2002, by and between the City of Spokane (hereinafter "City"), acting through its Historic Landmarks Commission ("Commission"), and **David and Nancy M. Brown**, (hereinafter "Owner(s)", the owners of the property located at 720 E. 24th Avenue, commonly known as the **Hathaway-Suksdorf House**, in the City 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 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 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 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 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 City ordinances governing historic landmarks.

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

Nancy N. Brown
Owner

David M. Brown
Owner

STATE OF WASHINGTON:

County of Spokane :

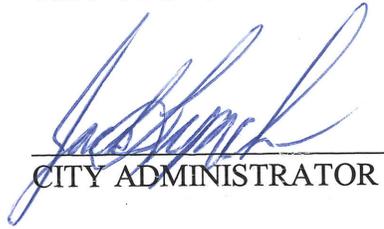
On this day personally appeared before me Nancy N. Brown and David M. Brown to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 25th day of June, 2002.



Donis Stragier
Residing in Spokane

CITY OF SPOKANE



CITY ADMINISTRATOR

ATTEST: 
(Acting) City Clerk

Approved as to form:



Assistant City Attorney



Exhibit A

no exhibit A