



5280221  
Page: 1 of 1  
09/26/2005 11:12A  
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*  
*5<sup>th</sup> 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:*

ARLINGTON HTS 2ND H&C L1TO5& 44TO48 B24

*Parcel Number: **36334.0801**, is governed by a Management Agreement between the City of Spokane and the Owner, Martindale Place, LLC (Hillyard High School), 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" (36 CFR Part 67) and other standards promulgated by the Historic Landmarks Commission.*

*Said Management Agreement was approved by the Spokane City Council on **08.29.05**. I certify that the original Management Agreement is on file in the Office of the City Clerk under File No. **OPR 2005-0628**.*

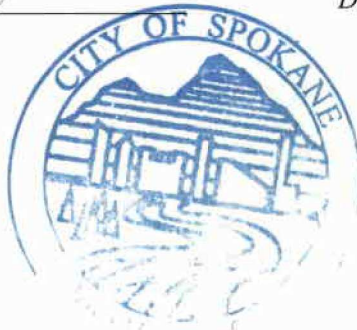
*I certify that the above is true and correct.*

*Spokane City Clerk*

*[Signature]*  
Dated: 9/21/05

*Historic Preservation Officer*

*[Signature]*  
Dated: 8-17-05



### **MANAGEMENT AGREEMENT**

The Management Agreement is entered into this 20<sup>th</sup> day of September, 2004, by and between the City of Spokane (hereinafter "City"), acting through its Historic Landmarks Commission ("Commission"), and Martindale Place, LLC (hereinafter "Owner(s)"), the owner of the property located at 5313 N. Regal St., commonly known as the **HILLYARD HIGH SCHOOL** in the City of Spokane.

WHEREAS, the City of Spokane has enacted Chapter 6.05 of the Spokane Municipal Code (SMC) and Spokane has enacted Chapter 1.48 of the Spokane County Code (SCC), both regarding the establishment of the Historic Landmarks Commission with specific duties to recognize, protect, enhance and preserve those buildings, districts, objects, sites and structures which serve as visible reminders of the historical, archaeological, architectural, educational and cultural heritage of the city and county is a public necessity and.

WHEREAS, both Ch. 6.05 SMC and Ch. 1.48 SCC provide that the City/County Historic Landmarks Commission (hereinafter "Commission") is responsible for the stewardship of historic and architecturally significant properties in the City of Spokane and Spokane 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 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.

3. ALTERATION OR EXTINGUISHMENT. The covenant and servitude and all attendant rights and obligations created by this Agreement may be



*Jim C. Klee*  
Owner

*J*  
Owner

CITY OF SPOKANE

*[Signature]*  
DEPUTY MAYOR

ATTEST:

*Terri L. Broderick*  
City Clerk

Approved as to form:

*Michael P. Puch*  
Assistant City Attorney



STATE OF WASHINGTON :  
: ss  
County of Spokane :

On this day 21<sup>ST</sup> day of JUNE, <sup>2005</sup>~~2004~~, before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared Jim C DeleGatus, to me known 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.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Kim Clark  
Notary Public in and for the State  
of Washington, residing at Spokane  
My commission expires 8-22-07

STATE OF WASHINGTON )  
 ) ss.  
County of Spokane )

On this 20<sup>th</sup> day of September, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared JACK LYNCH and TERRI PFISTER, to me known to be the Deputy Mayor and the City Clerk, respectively, of the CITY OF SPOKANE, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Melanie D Coe  
Notary Public in and for the State  
of Washington, residing at Spokane  
My commission expires 8-5-09