

King County
Department of Natural Resources and Parks
Water and Land Resources Division
Open Space Acquisitions Unit
Attention: Lori Bryant
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KING COUNTY, WA

Amendment to Conservation Futures
Interlocal Cooperation Agreement
Between King County and the City of Bothell for
Open Space Acquisition Projects

November 2, 2011

Department: DNRP/WLRD Open Space Acquisitions Unit

**Parties: City of Bothell and
King County**

Project: Conservation Futures

Amendment E

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF BOTHELL
FOR OPEN SPACE ACQUISITION PROJECTS**

Preamble

The King County Council, through Ordinance 9128, has established a Conservation Futures Levy Fund and appropriated proceeds to King County, the City of Seattle and certain suburban cities through the procedures set forth in Ordinance 8867, as amended by Ordinance 14714. This amendment is entered into to provide for the allocation of additional funds made available for open space acquisition.

THIS AMENDMENT is entered into between the CITY OF BOTHELL and KING COUNTY, and amends and attaches to and is part thereof of the existing Interlocal Cooperation Agreement entered into between the parties on the 26th day of December, 1990, as previously amended.

The parties agree to the following amendments:

Amendment 1: Article 1. Recitals

A paragraph is hereby added to the Recitals Section to provide for a Conservation Futures Levy Fund allocation for the Fries Family LLC (North Creek) Fries Family LLC (North Creek) open space acquisition project, and hereafter reads:

- On November 23, 2009, the King County Council passed Ordinance 16717, which appropriated a total of Two Hundred Thousand Dollars (\$200,000) in Conservation Futures Levy proceeds to the City of Bothell for the Fries Family LLC (North Creek) acquisition Project. On May 24, 2010 the King County Council passed Ordinance 16842, authorizing the King County Executive to enter into interlocal agreements with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 16717.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment E, which lists a 2010 Conservation Futures Levy Allocation for the Fries Family LLC (North Creek) acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment E, which lists a 2010 Conservation Futures Levy proceeds allocation for the Fries Family LLC (North Creek) acquisition Project:

Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through E to be used for the Projects listed in Attachments A through E. The City may request additional funds; however, the County has no obligation to provide funds to the City for the Projects in excess of the total amounts shown in Attachments A through E. The County assumes no obligation for the future support of the Projects described herein except as expressly set forth in this agreement.

AMENDMENT 4: Attachment E

The attachments to the interlocal agreement are hereby amended by adding Attachment E, which is hereby attached to the interlocal agreement, incorporated therein and made a part thereof.

In all other respects, the terms, conditions, duties and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

This document shall be attached to the existing Interlocal Cooperation Agreement.

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces set forth below:

KING COUNTY




Dow Constantine
King County Executive

Date 10/28/11

Acting under the authority of
Ordinance: 16842
Dated: May 24, 2010

Approved as to form:



DAN SATTERBERG
King County Prosecuting Attorney

CITY OF BOTHELL



~~Mayor~~ Robert S. Stowe
City Manager

Date 10/14/11

Acting under the authority of
~~Ordinance:~~ motion approved by
~~Dated:~~ Bothell City Council
on October 4, 2011

Approved as to form:



Joseph M. Bell
City Attorney

ATTACHMENT E

**2010 CONSERVATION FUTURES LEVY
CITY OF BOTHELL ALLOCATION**

<u>Jurisdiction</u>	<u>Project</u>	<u>Allocation</u>
Bothell	Fries Family LLC (North Creek)	\$200,000
TOTAL		\$200,000

Project Description:

Fries Family LLC (North Creek)

This is a multiple-parcel project located in Bothell west of I-405, immediately south of the Snohomish County line. The property contains woodlands with urban wildlife and serves as a highly visible regional separator at the boundary of King and Snohomish Counties that is highly visible from I-405.

City of Bothell - Fries Family LLC (North Creek)

\$ 200,000