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King County Water and Land Resources  
Open Space Acquisitions Unit  
201 South Jackson Street, Suite 600  
Seattle, WA 98104

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PAGE-001 OF 005  
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Amendment to Conservation Futures  
Interlocal Cooperation Agreement  
Between King County and the City of Bothell for  
Open Space Acquisition Projects

**May 2, 2014**

Department: **DNRP/WLRD Open Space Acquisitions Unit**

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

Project: **Conservation Futures**

**Amendment F**

Reference No. of  
Related Document: **20111102000944**

**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 26<sup>th</sup> 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 Conservation Futures Levy Fund allocations for the Fries Family LLC (North Creek Woods) open space acquisition project, and the Fries Family LLC – North Creek open space acquisition project, and hereafter reads:

- On June 18, 2012 the King County Council passed Ordinance 17349, which appropriated a total of One Hundred Eighty-One Thousand, Six Hundred and Ninety Four Dollars (\$181,694) in Conservation Futures Levy proceeds to the City of Bothell for the Fries Family LLC (North Creek Woods) acquisition Project. On February 11, 2013 the King County Council passed Ordinance 17524, 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 17349.
- On November 13, 2012 the King County Council passed Ordinance 17476, which appropriated a total of Five Hundred Thousand Dollars (\$500,000) in Conservation Futures Levy proceeds to the City of Bothell for the Fries Family LLC - North Creek acquisition Project. On February 11, 2013 the King County Council passed Ordinance 17534, 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 17476.

**Amendment 2: Article V. Conditions of Agreement**

Section 5.1 is amended to include Attachment F, which lists a 2012 Conservation Futures Levy proceeds allocation for the Fries Family LLC (North Creek Woods) acquisition Project, and a 2013 Conservation Futures Levy proceeds 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 F, which lists a 2012 Conservation Futures Levy proceeds allocation for the Fries Family LLC (North Creek Woods) acquisition Project, and a 2013 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 F to be used for the Projects listed in Attachments A through F. 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 F. 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 F**

The attachments to the interlocal agreement are hereby amended by adding Attachment F, 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 4/29/2014

Acting under the authority of  
Ordinance 17524,  
Dated: February 2, 2013; and  
Ordinance 17534,  
Dated March 4, 2013

Approved as to form:



DAN SATTERBERG  
King County Prosecuting Attorney

CITY OF BOTHELL



Mayor

Date

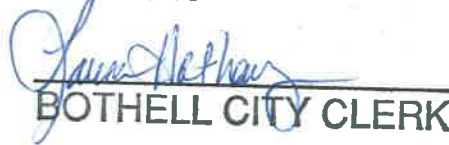
Acting under the authority of  
Ordinance: 17524  
Dated: Feb. 2, 2013 &  
Ordinance 17534  
March 4, 2013

Approved as to form:



City Attorney

ATTEST:

  
BOTHELL CITY CLERK

**ATTACHMENT F**

**2012 and 2013 CONSERVATION FUTURES LEVY  
CITY OF BOTHELL ALLOCATIONS**

<u>Jurisdiction</u>	<u>Project</u>	<u>Allocation</u>
Bothell	Fries Family LLC (North Creek Woods) (Ordinance 17349, 2012 Proceeds)	\$ 181,694
Bothell	Fries Family LLC - North Creek (Ordinance 17476, 2013 Proceeds)	\$ 500,000
<b>TOTAL</b>		<b>\$ 681,694</b>

**Project Descriptions:**

(Ordinance 17349, 2012 Proceeds)

1047239 Bothell – (North Creek Woods)

\$ 181,694 in Conservation Futures funds will be reallocated to this project from the completed Lake Forest Park Towne Center Park project, which has unanticipated project funds not necessary for project completion. This project will acquire additional woodland property in the headwaters of North Creek, immediately west of Interstate 405 and highly visible from the interstate.

(Ordinance 17476, 2013 Proceeds)

1047239 Bothell - WLCF BTH Fries Family - North Creek

2013: \$500,000 is allocated to this project, which will acquire additional woodland property in the headwaters of North Creek, immediately west of Interstate 405 and highly visible from the interstate.

**City of Bothell - Fries Family LLC - North Creek**

**\$ 681,694**