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Department of Natural Resources and Parks
Water and Land Resources Division
Open Space Acquisitions Unit
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Amendment to Conservation Futures
Interlocal Cooperation Agreement
Between King County and the City of Des Moines for
Open Space Acquisition Projects

September 21, 2012

Department: DNRP/WLRD Open Space Acquisitions Unit

**Parties: City of Des Moines and
King County**

Project: Conservation Futures

Amendment D

**Reference No. of
Related Document: 9611228034**

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF DES MOINES
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. 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 DES MOINES 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 5th day of June, 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 Des Moines Barnes Creek Corridor acquisition Project, and hereafter reads:

- On November 15, 2010 the King County Council passed Ordinance 16984, which appropriated a total of Four Hundred Seventy-Two Thousand and Thirty-Four dollars (\$472,034) in Conservation Futures Levy proceeds to the City of Des Moines for the Des Moines Barnes Creek Corridor acquisition Project. On June 27, 2011 The King County Council passed Ordinance 17125, authorizing the King County Executive to enter into an interlocal agreement with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds appropriated in Ordinance 16984.
- On November 9, 2011 the King County Council passed Ordinance 17232, which appropriated a total of Fifty Thousand dollars (\$50,000) in Conservation Futures Levy proceeds to the City of Des Moines for the Des Moines Barnes Creek Corridor acquisition Project. On June 18, 2012 The King County Council passed Ordinance 17345, authorizing the King County Executive to enter into an interlocal agreement with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds appropriated in Ordinance 17232.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment D, which lists 2011 and 2012 Conservation Futures Levy Allocations for the Des Moines Barnes Creek Corridor acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include references to Attachment D, which lists 2011 and 2012 Conservation Futures Levy proceeds Allocations for the Des Moines Barnes Creek Corridor 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 D, to be used for the Projects listed in Attachments A through D. 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 D. 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 D

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

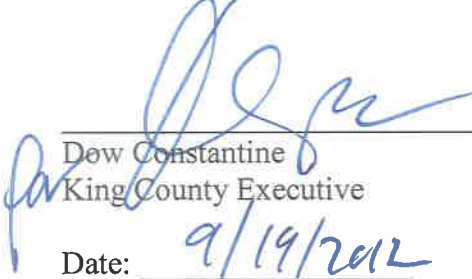
In all other respects, the terms, conditions, duties and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

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

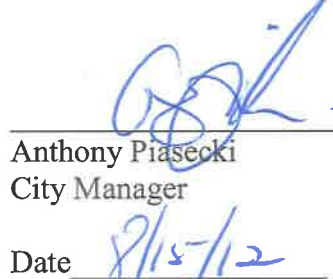
IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces set forth below:

KING COUNTY

CITY OF DES MOINES



Dow Constantine
King County Executive
Date: 9/19/2012




Anthony Piasecki
City Manager
Date: 8/15/12
Acting under the direction of Des Moines City Council taken at an open public Meeting on August 9, 2012.


Acting under the authority of Ordinances: 17125 and 17345

Approved as to form:

Approved as to form:



Dan Satterbeg
King County Prosecuting Attorney



Pat Bosmans
City Attorney

ATTACHMENT D

**2011 and 2012 CONSERVATION FUTURES LEVY
CITY OF DES MOINES ALLOCATION**

Jurisdiction	Project	Allocation
Des Moines	Des Moines Barnes Creek Corridor	\$ 472,034
Des Moines	Des Moines Barnes Creek Corridor	\$ 50,000
TOTAL		\$ 522,034

Project Descriptions:

(Ordinance 17125):

Des Moines - Barnes Creek Corridor

This project consists of 25 acres of wooded open space and ravine originally intended as a state highway corridor but now offered as surplus. It is located between South 220th Street and Kent-Des Moines Road in Des Moines. The property contains a portion of Des Moines Creek, which contains Coho, and will provide a local trail and habitat for urban wildlife.

(Ordinance 17345):

Des Moines - Barnes Creek Corridor

2012: \$50,000 is allocated to this trail corridor acquisition project, which consists of up to 25 acres of wooded open space and ravine originally intended as a state highway corridor, but now being surplus by the state. It is located between South 220th Street and Kent-Des Moines Road in Des Moines.

City of Des Moines - Barnes Creek Corridor

\$ 522,034