

King County
Department of Natural Resources and Parks
Water and Land Resources Division
Open Space Acquisitions Unit
Attention: Lori Bryant
MS – KSC – NR – 0600
201 SOUTH JACKSON STREET, SUITE 600
Seattle, WA 98104
(206) 296-7775
(206) 296-0192 FAX

CONFORMED COPY

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

February 29, 2012

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

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

Project: **Conservation Futures**

Amendment C

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF KENMORE
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 KENMORE 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 14th day of June, 2004.

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 Swamp Creek Acquisition project, and hereafter reads:

- On November 15, 2010, the King County Council passed Ordinance 16984, which appropriated a total of One Hundred and Thirty Thousand Dollars (\$130,000) in Conservation Futures Levy proceeds to the City of Kenmore for the Swamp Creek Acquisition Project. On June 27, 2011 the King County Council passed Ordinance 17125, 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 16984.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment C, which lists a 2011 Conservation Futures Levy Allocation for the Swamp Creek Acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment C, which lists a 2011 Conservation Futures Levy proceeds allocation for the Swamp 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 C to be used for the Projects listed in Attachments A through C. 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 C. 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 C

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

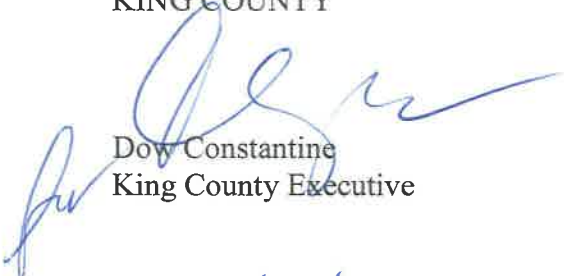
In all other respects, the terms, conditions, duties and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

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

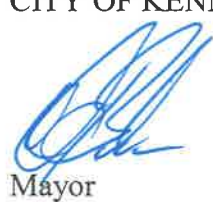
IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces set forth below:

KING COUNTY

CITY OF KENMORE



Dow Constantine
King County Executive



Mayor

Date 2/27/2012

Date Dec 14, 2011

Acting under the authority of
Ordinance 17125:

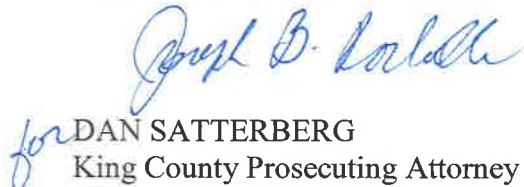
Acting under the authority of
Ordinance:

Dated:

Dated:

Approved as to form:

Approved as to form:



for DAN SATTERBERG
King County Prosecuting Attorney



City Attorney

ATTACHMENT C

**2011 CONSERVATION FUTURES LEVY
CITY OF KENMORE ALLOCATION**

<u>Jurisdiction</u>	<u>Project</u>	<u>Allocation</u>
Kenmore	Swamp Creek Acquisition	\$130,000
TOTAL		\$130,000

Project Description:

315803 City of Kenmore - Swamp Creek Acquisition

This is a two parcel, 4.12 acre open space acquisition project located on 73rd Avenue NE near NE 185th Street in Kenmore. The property is located near the Kenmore Heronry and contains wetlands and a portion of Swamp Creek.