

King County
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 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 D**

Reference No. of
Related Document: **20120229001227**

**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 9, 2011 the King County Council passed Ordinance 17232, which appropriated a total of Three Hundred Thousand dollars (\$300,000) in Conservation Futures Levy proceeds to the City of Kenmore for the Swamp Creek Addition 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 a 2012 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 D, which lists a 2012 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 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




Dow Constantine
King County Executive

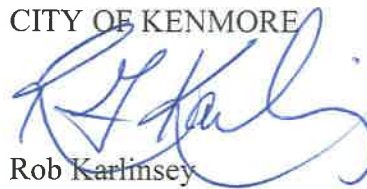
Date 12/26/12

Acting under the authority of
Ordinance 17345:
Dated:

Approved as to form:


for DAN SATTERBERG
King County Prosecuting Attorney

CITY OF KENMORE



Rob Karlinsey
City Manager

Date:

~~Acting under the authority of
Ordinance:
Dated:~~

Approved as to form:


City Attorney

ATTACHMENT D

**2012 CONSERVATION FUTURES LEVY
CITY OF KENMORE ALLOCATION**

Jurisdiction	Project	Allocation
Kenmore	Swamp Creek Addition	\$ 300,000
TOTAL		\$ 300,000

Project Description:

(Ordinance 17345):

315803 Kenmore - Swamp Creek Addition

2012: \$300,000 is provided for acquisition of up to two parcels totaling .63 acres on Swamp Creek, located on 73rd Avenue NE near NE 192nd Street in Kenmore. The properties are located near the Kenmore Heronry, and contain wetlands and portions of Swamp Creek.

City of Kenmore - Swamp Creek Addition

\$ 300,000