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

**September 14, 2011**

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

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

Project: **Conservation Futures**

**Amendment J**



**AMENDMENT TO THE CONSERVATION FUTURES  
INTERLOCAL COOPERATION AGREEMENT  
BETWEEN KING COUNTY AND THE CITY OF KENT  
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 KENT 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 29<sup>th</sup> day of January, 1991.

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 Panther Lake acquisition, and hereafter reads:

- On November 19, 2007, the King County Council passed Ordinance 15975, which appropriated a total of Four Hundred Thousand Dollars (\$400,000) in Conservation Futures Levy proceeds to the City of Kent for the Panther Lake acquisition Project. On April 20, 2008 the King County Council passed Ordinance 16052, 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 15975.
- On November 24, 2008 the King County Council approved Ordinance 16312, which appropriated a total of Two Hundred and Fifty Thousand Dollars (\$250,000) in Conservation Futures Levy proceeds to the City of Kent for the Panther Lake acquisition Project. On April 6, 2009 the King County Council approved Ordinance 16442, 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 authorized in Ordinance 16312.
- On November 23, 2009, the King County Council passed Ordinance 16717, which appropriated a total of Five Hundred Thousand Dollars (\$500,000) in Conservation Futures Levy proceeds to the City of Kent for the Panther Lake 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 reference to Attachment J, which lists 2008, 2009, and 2010 Conservation Futures Levy Allocations for the Panther Lake acquisition project.

**Amendment 3: Article VII. Responsibilities of County**

The first two sentences of this article are amended to include references to Attachment J, which lists 2008, 2009, and 2010 Conservation Futures Levy Allocations for the Panther Lake acquisition project as follows:

Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through J to be used for the Projects listed in Attachments A through J. 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 J. 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 J**


The attachments to the interlocal agreement are hereby amended by adding Attachment J, 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: 9/12/11  
Acting under the authority of  
Ordinances 16052, 16442, and 16842.

Approved as to form:


  
\_\_\_\_\_  
for Dan Satterberg  
King County Prosecuting Attorney

CITY OF KENT

  
\_\_\_\_\_  
Suzette Cooke  
Mayor

Date 7/26/11  
Acting under the authority of  
~~Ordinance~~ **COUNCIL MOTION**

Approved as to form:

  
\_\_\_\_\_  
Jim Balaban  
City Attorney

**ATTACHMENT J**

**2008, 2009, and 2010 CONSERVATION FUTURES LEVY  
CITY OF KENT ALLOCATIONS for PANTHER LAKE**

<b>Jurisdiction</b>	<b>Project</b>	<b>Allocation</b>
Kent	2008: Panther Lake (Ordinance 15795)	\$ 400,000
	2009: Panther Lake (Ordinance 16312)	\$ 250,000
	2010: Panther Lake (Ordinance 16717)	\$ 500,000
<b>TOTAL</b>		<b>\$ 1,150,000</b>

**Project Description:**

**2008: 315772 Panther Lake: (Ordinance 15795) \$ 400,000**

This project will acquire open space on Panther Lake for public access and habitat preservation. The project is located in unincorporated King County northeast of Kent in Kent's urban annexation area.

**2009: 315772 Panther Lake: (Ordinance 16312) \$ 250,000**

2009: \$250,000 is added to this open space acquisition project and the scope is expanded to include three parcels located on SE 208<sup>th</sup> Street, south and west of the property funded in the 2008 budget.

**2010: 315772 Kent CFL Projects - Clark Lake: (Ordinance 16717) \$ 500,000**

2010: \$500,000 is added to this multiple parcel, City of Kent shoreline park acquisition project located on SE 204<sup>th</sup> Street and 113<sup>th</sup> Avenue SE<sup>th</sup>.

**City of KENT– Panther Lake \$ 1,150,000**