

King County Water and Land Resources
Open Space Acquisitions Unit
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Seattle, WA 98104

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

April 1, 2014

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

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

Project: **Conservation Futures**

Amendment M

Reference No. of
Related Document: **20130315000920**

**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 29th 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 funding reduction and Project scope change for the Clark Lake acquisition Project, and hereafter reads:

- On July 9, 2013, the King County Council passed Ordinance 17619, which dis-appropriated a total of One Hundred and Twenty Five Thousand Dollars (\$125,000) in Conservation Futures Levy proceeds from the City of Kent Clark Lake acquisition Project, and expanded the scope of the Clark Lake Project to include two additional properties totaling one acre. On December 2, 2013 the King County Council passed Ordinance 17704, 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 17619.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include reference to Attachment M, which lists a 2013 Conservation Futures Levy funding reduction and Project scope change for the Clark Lake acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include references to Attachment M, which lists a Conservation Futures Levy funding reduction and Project scope change for the Clark 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 M to be used for the Projects listed in Attachments A through M. 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 M. 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 M

The attachments to the interlocal agreement are hereby amended by adding Attachment M, 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 KENT



Dow Constantine
King County Executive




Suzette Cooke
Mayor


Date: 3/25/2014
Acting under the authority of
Ordinance 17704

Date 2/19/14
Acting under the authority of
Ordinance:

Approved as to form:

Approved as to form:


for _____
Dan Satterberg
King County Prosecuting Attorney



City Attorney

ATTACHMENT M

**2013 CONSERVATION FUTURES LEVY
CITY OF KENT FUNDING REDUCTION AND SCOPE CHANGE
for the CLARK LAKE PROJECT**

Jurisdiction	Project	Allocation
Kent	Clark Lake	(\$ 125,000)
TOTAL		(\$ 125,000)

Project Descriptions:

1047222 Clark Lake

(\$ 125,000)

This is a City of Kent project to acquire remaining inholdings at Clark Lake Park, located on SE 240th Street on the east Kent Plateau. There are three remaining parcels in the park for which CFT funds have been available for over five years, however there are currently not willing seller of those parcels. The last two remaining small inholdings in the park, which together total one acre will be added to the project scope, as one of them is a willing seller. \$125,000 will be reallocated from this project to the City of Kent Huse project, which has a project funding shortfall.

City of KENT– Clark Lake Acquisition:

(\$ 125,000)