

King County
Department Of Natural Resources And Parks
Water And Land Resources Division
Open Space Acquisitions Unit
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CONFORMED COPY

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KING COUNTY, WA

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

March 24, 2009

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

Parties **City of Newcastle and
King County**

Project: **Conservation Futures**

Amendment B

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF NEWCASTLE
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 NEWCASTLE 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 19th day of June, 1998.

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 May Creek Entrance open space acquisition project, and hereafter reads:

- On November 19, 2007, the King County Council passed Ordinance 15975, which appropriated a total of One Hundred and Four Thousand Dollars (\$104,000) in Conservation Futures Levy proceeds to the City of Newcastle for the May Creek Entrance acquisition Project. On April 7, 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.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment B, which lists a 2008 Conservation Futures Levy Allocation for the May Creek Entrance acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment B, which lists a 2008 Conservation Futures Levy proceeds allocation for the May Creek Entrance 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 B to be used for the Projects listed in Attachments A through B. 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 B. 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 B

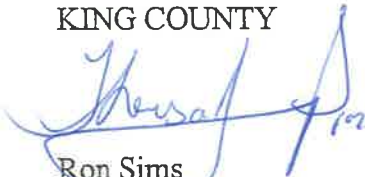
The attachments to the interlocal agreement are hereby amended by adding Attachment B, which is hereby attached to the interlocal agreement, incorporated therein and made a part thereof.

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



Ron Sims
King County Executive

CITY OF NEWCASTLE



John F. Starbard
City Manager

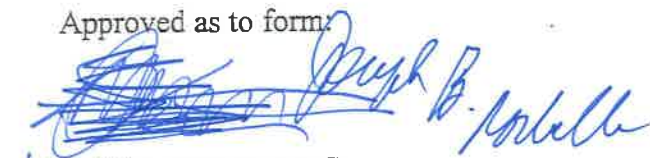
Date 3-24-09

Date 03/06/09

Acting under the authority of
Ordinance 16052:
Dated:

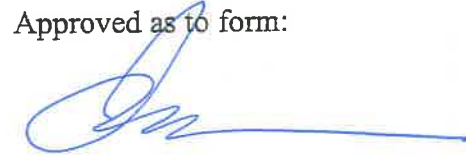
Acting under the authority of
Ordinance:
Dated:

Approved as to form:



DAN SATTERBERG
King County Prosecuting Attorney

Approved as to form:



City Attorney

ATTACHMENT B

**2008 CONSERVATION FUTURES LEVY
CITY OF NEWCASTLE ALLOCATION**

Jurisdiction	Project	Allocation
Newcastle	May Creek Entrance	\$104,000
TOTAL		\$104,000

Project Descriptions:

City of Newcastle - May Creek Entrance **\$ 104,000**

May Creek Entrance: This project consists of the acquisition of wooded property that is a missing link in the May Creek Trail in Newcastle. A portion of the property may also serve as a trailhead that provides safe access to the May Creek trail.