

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



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PAGE-001 OF 005
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KING COUNTY, WA

Amendment to Conservation futures
Interlocal Cooperation Agreement
Between King County and the City of North Bend for
Open Space Acquisition Projects

September 27, 2010

Department: DNRP/WLRD Open Space Acquisitions Unit

**Parties: City of North Bend and
King County**

Project: Conservation Futures

Amendment C

**AMENDMENT TO THE CONSERVATION FUTURES
INTERLOCAL COOPERATION AGREEMENT
BETWEEN KING COUNTY AND THE CITY OF NORTH BEND
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 NORTH BEND 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 5h day of February, 2002, as previously amended.

The parties agree to the following amendments:

Amendment 1: Article 1. Recitals

A paragraph is hereby added to the Recitals Section to provide for Conservation Futures Levy Fund allocations for the Tanner Trail Phase II & III Project, and hereafter reads:

- On November 24, 2008, the King County Council passed Ordinance 16312, which appropriated a total of One Hundred Thousand Dollars (\$100,000) in Conservation Futures Levy proceeds to the City of North Bend for the Tanner Trail Phase II & III acquisition Project. On April 6, 2009 the King County Council passed 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 in Ordinance 16312.

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include references to Attachment C, which lists a 2009 Conservation Futures Levy Allocation for the Tanner Trail Phase II & III acquisition Project.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are appended to include Attachment C, which lists a 2009 Conservation Futures Levy Allocation for the Tanner Trail Phase II & III 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 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 NORTH BEND


Dow Constantine
King County Executive


Kenneth G. Hearing
Mayor

Date: 9/23/00


Date: _____

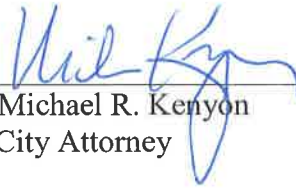
Acting under the authority of
Ordinance 16442

Acting under the authority of
Ordinance:

Approved as to form:

Approved as to form:


for DAN SATTERBERG
King County Prosecuting Attorney


Michael R. Kenyon
City Attorney

ATTACHMENT C

2009 CONSERVATION FUTURES LEVY
CITY OF NORTH BEND ALLOCATION

Jurisdiction	Project	Allocation
North Bend	Tanner Trail Phase II & III	\$ 100,000
TOTAL		\$ 100,000

Project Description:

NBD Tanner Trail Phase II & III

This is a proposed trail acquisition project on almost two miles of a former railroad right of way on the south side of North Bend Way, between the current trail terminus of Tanner Trail at Torgusen Park, and Interstate 90.

City of North Bend

\$ 100,000