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KING COUNTY, WA

**King County**  
**Department Of Natural Resources And Parks**  
Water And Land Resources Division  
Open Space Acquisitions Unit  
**Attention: Pat Ross**  
**MS – KSC-NR-600**  
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Seattle, WA 98104-1614  
(206) 296-8337  
(206) 296-0192 FAX

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

**July 27, 2007**

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

**Parties City of Seattle and  
King County**

**Project: Conservation Futures**

**Amendment U**

**AMENDMENT TO THE CONSERVATION FUTURES  
INTERLOCAL COOPERATION AGREEMENT  
BETWEEN KING COUNTY AND THE CITY OF SEATTLE  
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 SEATTLE and KING COUNTY, and amends and attaches to and is part thereof the existing Interlocal Cooperation Agreement entered into between the parties on the 5th day of June, 1990, 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 the 2005 Conservation Futures Levy Fund Allocation, and hereafter reads:

“On November 21, 2005, the King County Council passed Ordinance 15333, which appropriated a total of Three Million Seven Hundred Ten Thousand Dollars (\$3,710,000) in Conservation Futures Levy proceeds to the City of Seattle. On April 17, 2006 the King County Council passed Ordinance 15423, 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 appropriated in Ordinance 15333.”

**Amendment 2: Article V. Conditions of Agreement**

Section 5.1 is amended to include Attachment U, which lists the 2005 Conservation Futures Levy Allocation to the City of Seattle for the following land acquisition projects: Burke Gilman Trail - Ballard Link, Discovery Park - Capehart Housing Site, Duwamish Head Greenbelt/Fairmount Ravine, and 12th Avenue Urban Center Gathering Space.

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

The first two sentences of this article are amended to include Attachment U, which lists the 2005 Conservation Futures Levy Allocation to the City of Seattle for the Burke Gilman Trail - Ballard Link, Discovery Park - Capehart Housing Site, Duwamish Head Greenbelt/Fairmount Ravine, and 12th Avenue Urban Center Gathering Space acquisition projects, and Article VII hereafter reads:

“Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through U to be used for the Projects listed in Attachments A through U. 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 U. The County assumes no obligation for the future support of the Projects described herein except as expressly set forth in this agreement.”

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

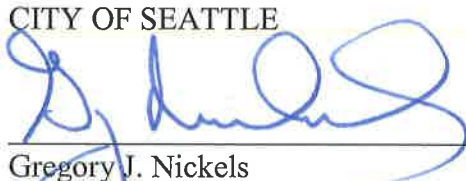
7/23/07  
\_\_\_\_\_  
Date

Acting under the authority of  
Ordinance 15423  
Dated: April 17, 2006

Approved as to form:

*Interim*   
\_\_\_\_\_  
~~Norm Maleng~~ *Daniel T. Satterberg*  
King County Prosecuting Attorney

CITY OF SEATTLE

  
\_\_\_\_\_  
Gregory J. Nickels  
Mayor

6/8/2007  
\_\_\_\_\_  
Date

Acting under the authority of  
Ordinance: 122358  
Dated: March 19, 2007

Approved as to form:

*By: Joseph B. Salullo, Assistant City Attorney*  
\_\_\_\_\_  
Thomas A. Carr  
City Attorney

ATTACHMENT "U"

2005  
CONSERVATION FUTURES LEVY  
CITY OF SEATTLE ALLOCATION

Jurisdiction	Project	Allocation
Seattle	Burke Gilman Trail - Ballard Link	\$150,000
Seattle	Discovery Park – Capehart Housing Site	\$2,700,000
Seattle	Duwamish Head Greenbelt/Fairmount Ravine	\$360,000
Seattle	12th Avenue Urban Center Gathering Space	\$500,000
<b>TOTAL</b>		<b>\$3,710,000</b>

**Project Descriptions:**

**City of Seattle – 315425 Burke Gilman Trail - Ballard Link**

This project is located south of Market Street between 26th Avenue NW and 28th Avenue NW and consists of the acquisition of a 200 foot long parcel that is the last portion of the Burke Gilman trail not in public ownership. Seattle proposes to purchase this additional width of trail right-of-way to allow the rail line to continue rail use and to safely provide trail users the continuous off-road experience of the Burke-Gilman Trail.

**City of Seattle – 315426 Discovery Park – Capehart Housing Site**

This project consists of the acquisition of a significant 23.9-acre inholding in Seattle’s Discovery Park, a park of regional significance. The project is located in the Magnolia neighborhood of Seattle, known as the Capehart tract housing site. It will be used as passive-use open space.

**City of Seattle – 315427 Duwamish Head Greenbelt/Fairmount Ravine**

This project consists of the acquisition of a 0.4-acre property located in the Duwamish Head Greenbelt, visible from downtown Seattle and Elliot Bay, and is a green gateway to the City. The property is adjacent to the current location of an eagle’s nest and has a view of Elliot Bay and downtown Seattle. A house on the property will be removed, although Conservation Futures will not be used to pay for the value of the house. Future use of the site would be for picnicking, wildlife viewing and urban green space.

**City of Seattle – 315429 12th Avenue Urban Center Gathering Space**

This project consists of providing funding for the acquisition of needed open space in a high-density designated urban neighborhood centered around 12th Avenue in Seattle. The project is intended to help fill a deficit of green space and park land in this neighborhood of Seattle. The project has been created out of the City’s neighborhood planning process.

Project funding contingency: Before funds are disbursed to Seattle for this project, Seattle will propose a final site location to the Conservation Futures Citizens Committee, which will make a recommendation to King County, before King County grants final site location and approval.