

AFTER RECORDING RETURN TO:
Clerk of the King County Ferry District
W 1039, 516 Third Avenue
Mail Stop KCC-CC-1039
Seattle, Washington 98104-3272

SECOND ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN KING COUNTY
AND THE KING COUNTY FERRY DISTRICT REGARDING ADMINISTRATIVE AND
SUPPORT SERVICES

Grantor(s): KING COUNTY, a home rule charter County in the State of
Washington

Grantee(s): KING COUNTY FERRY DISTRICT, a Washington municipal
corporation

Short Legal Description: N/A

Assessor's Property Tax
Parcel/Account Number(s): N/A

Reference Number(s) of
Documents Assigned or
Released: 20080528000043

THIS SECOND ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN KING COUNTY AND THE KING COUNTY FERRY DISTRICT REGARDING ADMINISTRATIVE AND SUPPORT SERVICES (this "**Second Addendum**") is hereby entered into by and between KING COUNTY, a home rule charter County in the State of Washington (the "County") and the KING COUNTY FERRY DISTRICT, a municipal corporation of the State of Washington (the "District"), and shall be effective upon approval by the County and the District (collectively referred to as the "Parties").

WHEREAS, the County formed the District, in accordance with RCW 36.54.110 *et seq.*, by adopting Ordinance 15739; and

WHEREAS, the Parties entered into the Interlocal Agreement Between King County and the King County Ferry District Regarding Administrative and Support Services, dated effective May 23, 2008, and regarding the operation of ferry service (the "Ferry Service Interlocal"); and

WHEREAS, the Ferry Service Interlocal is in effect until December 31, 2010 and the District had the option to extend the term of the Ferry Service Interlocal once for two additional years; and

WHEREAS, the Parties desire to extend the Ferry Service Interlocal for only one more year and to amend the Ferry Service Interlocal accordingly;

NOW, THEREFORE, the following terms, conditions and covenants are hereby incorporated into, and made a part of, the Ferry Service Interlocal:

1. The Parties agree to amend paragraph 9.1 to the Ferry Service Interlocal to read as follows:

This Agreement shall take effect upon its signing by both parties and shall remain in effect until December 31, 2011 (2010) ~~unless terminated earlier as provided herein. The District may extend this Agreement once for two (2) years by sending notice to the County of its intention to extend the Agreement on or before June 30, 2010 provided, that after April 30, 2011, either party may terminate this Agreement before December 31, 2011 by giving written notice to the other party at least one hundred and twenty (120) days prior to the effective date of termination.~~

2. The Parties agree to amend paragraph 9.3 to the Ferry Service Interlocal to read as follows:

If a party fails to perform its obligations as described in this Agreement, the parties shall use their good faith efforts to resolve the failure to perform using the dispute resolution process of section 10. If the dispute cannot be remedied, written notice of such termination shall be given by the party terminating this Agreement to the other party not less than one hundred and twenty (120) ~~eighty (80)~~ days prior to the effective date of termination; except that if the District fails to make payment as required herein, the County may provide written notice of termination not less than thirty (30) days prior to the effective date of termination.

3. Effective Date. This Second Addendum shall take effect upon its signing by both parties.

4. No Further Amendments or Additions. Except as specifically amended by this Second Addendum, the Ferry Service Interlocal remains un-amended and in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Second Addendum to be executed.

KING COUNTY

By: _____
Dow Constantine
King County Executive

Dated

Approved as to Form:

Dan Satterberg
King County Prosecuting Attorney

By: _____
Senior Deputy Prosecuting Attorney

Dated

KING COUNTY FERRY DISTRICT

By: _____
Jan Drago, Board Chair

Dated

Approved as to form:

Rod P. Kaseguma, District Attorney

Dated