

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN THE CITY OF NORTH BEND AND SI VIEW METROPOLITAN PARK
DISTRICT FOR DEVELOPMENT, MAINTENANCE, SCHEDULING AND
OPERATIONS OF TOLLGATE PARK**

This First Amendment is entered in this ___ day of _____, 2013 between the City of North Bend, a Washington municipal corporation (City) and Si View Metropolitan Park District, a Washington park district (District).

- A. The City and the District entered into an interlocal cooperation agreement on April 21, 2010 (Agreement) providing for the District to make certain improvement to certain City owned real estate commonly known as Tollgate Farm-Central Meadow (Property) consistent with a Master Plan adopted by the City Council;
- B. The District passed a bond issue for park amenities and parking and has commenced design and preliminary work on the Property.
- C. The Agreement provided that the City would provide a certain percentage of City collected park impact fees to the District to be used “against the outstanding bond levy principal balance”.
- D. RCW 82.02.050 directs that park impact fees shall be used for capital park public facilities.
- E. The District has requested and the parties have agreed that the District may use park impact fees for construction costs associated with the park improvements.

NOW, THEREFORE, the parties agree as follows:

- 1. Park Impact Fees. Section 7 of the Agreement shall be amended as follows:

City Contribution. To the extent that the City collects Park Impact Fees from developers during the term of this agreement and any portion of those Park Impact Fees are attributable to construction of the Improvements, the City shall transfer those impact fees to the District not less than one time per year and the District shall apply the full amount of any such transfer either directly against the outstanding bond levy principal balance or against actual construction costs associated with the Improvements more fully described in Exhibit A-1 and A-2 to this Agreement.

- 2. Full Force and Effect. Except as amended by this Amendment, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have executed this Amendment as of the day and year first written above.

CITY OF NORTH BEND

SI VIEW METROPOLITAN PARK DISTRICT

By: _____
Kenneth G. Hearing, Mayor

By: _____
Travis Stombaugh, Executive Director

Date: _____

Date: _____

Attest: _____
Susie Oppedal, City Clerk

Attest: _____

Approved As To Form:

Approved As To Form:

Michael R. Kenyon, City Attorney

Bruce Disend, District Attorney