

Amendment # 1 to the
INTERLOCAL COOPERATION AGREEMENT

Between

Edmonds School District #15

And

City of Mountlake Terrace, Snohomish County, WA

For

Rental Credit Towards the Use of Mountlake Terrace High School Multi-Use Turf Field

Dated December 6, 2007

I. PARTIES

This Amendment (hereinafter, "Amendment #1") to the Interlocal Agreement dated December 6, 2007, ("Agreement") is entered into by and between the Edmonds School District #15 and the City of Mountlake Terrace, Snohomish County, WA, both municipal corporations under the laws of the State of Washington, hereafter referred to as "District" and "City" respectively.

II. RECITALS

WHEREAS, the original Agreement will expire on December 31, 2017; and

WHEREAS, the City contributed \$100,000 toward the construction the Multi-Use Turf field in exchange for equitable rental credits over ten years; and

WHEREAS, the actual City use of the Multi Use Turf field has fallen below equitable levels since 2012; and

WHEREAS, Article 1. GENERAL CONDITIONS; Section 1.5 Amendments allows both parties to amend the Agreement through mutual written consent;

NOW THEREFORE, the District and the City, in consideration of the mutual promises and respective benefits, hereby agree as follows:

III. AMENDMENTS

1. Section 1.3 TERM of the Agreement is hereby amended to read as follows:

"1.3 TERM This Agreement shall be effective as of January 1, 2008, and expires on December 31, 2020, unless earlier terminated as provided herein."

IV. GENERAL PROVISIONS

1. Counterparts. This Amendment # 1 may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument and, collectively, constitute the entire Amendment # 1.

2. Conflict; No Further Modification. In the event of any conflict between the terms and conditions of the Agreement and the terms and conditions of this Amendment # 1, the terms and conditions of this Amendment #1 shall prevail.

3. Remaining Terms of Agreement. Except as specifically set forth in this Amendment #1, all other terms and conditions, covenants and provisions of the Agreement and Exhibits shall remain unmodified and in full force and effect.

4. Effect of Amendment. All further references to the Agreement shall be deemed to mean the Agreement as modified hereby. This Amendment #1 shall not constitute a novation of the Agreement, but shall constitute an amendment thereof. The Parties (instead District and City??) agree to be bound by the terms, conditions and covenants of the Agreement, as amended by this Amendment #1 as though such terms and conditions were set forth therein.

5. Effective Date of Amendment. This Amendment #1 shall become effective upon its execution by the City and the District.

IN WITNESS WHEREOF, the City and the District hereto have executed this Amendment #1 on the dates indicated below:

CITY OF MOUNTLAKE TERRACE

EDMONDS SCHOOL DISTRICT #15

By: _____
Scott Hugill
City Manager

By: _____
E. Kristine McDuffy, Ed.D.
Superintendent

DATE: _____

DATE: _____

ATTEST:

Virginia V. Olsen, City Clerk

APPROVED AS TO FORM:

Gregory G. Schrag, City Attorney