

After Recording Return to:
Department of Public Works
Program Planning, M/S 607

Document Title: Amendment Number 2, Interlocal Agreement #9709190470, the “Interlocal Agreement between Snohomish County and the Washington State Department of Transportation Relating to Policies and Procedures for Interjurisdictional Review of Land Development Impacts Related to Transportation, and for Reciprocal Impact Mitigation for Interjurisdictional Transportation System Impacts”

PARTIES

This amendment is entered into pursuant to Chapter 36.70A RCW (the Growth Management Act), Chapter 36.70B (Local Project Review), Chapter 36.75 RCW (Roads and Bridges), Chapter 43.21C RCW (SEPA), Chapter 39.34 RCW (the Interlocal Cooperation Act), Title 47 RCW (Public Highways and Transportation), Chapter 58.17 RCW (Subdivisions) and Chapter 82.02 RCW (Excise Taxes) by the Washington State Department of Transportation, hereinafter "STATE", and Snohomish County, hereinafter "COUNTY", a political subdivision of the State of Washington.

PURPOSE AND RECITALS

WHEREAS, on September 17, 1997, the STATE and COUNTY executed Interlocal Agreement No. 9709190470 (“AGREEMENT”), relating to policies and procedures for interjurisdictional review of land development impacts related to transportation and for reciprocal impact mitigation for interjurisdictional transportation system impacts, and

WHEREAS, on April 12, 2000 the AGREEMENT was amended to clarify several points and update the list of programmed WSDOT projects contained in Exhibit C of the AGREEMENT, and

WHEREAS, the parties wish to again amend the list of projects contained in Exhibit C and make one other minor amendment to the AGREEMENT,

NOW, THEREFORE in consideration of the promises and mutual covenants contained in the AGREEMENT, as amended, the STATE and the COUNTY agree to the amendments following:

AMENDMENTS

1. A new section 2.7 is added to read:

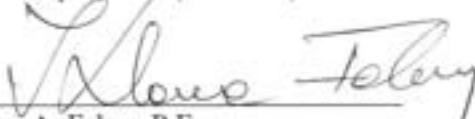
The STATE and the COUNTY mutually agree that all mitigation payments from a development will be expended on projects in Exhibit C within the development's transportation service area (TSA) so that the development will receive more benefit from the improvements, and so that the improvements will benefit the area impacted by the development. "Transportation service area" means a geographic area of the county, as defined by the COUNTY transportation needs report, identified for the purpose of evaluating the transportation impacts of development, determining proportionate shares of needed transportation improvements and allocating revenue to transportation improvement projects.

2. The current Exhibit C is deleted and replaced with a new Exhibit C attached hereto and incorporated herein by this reference.

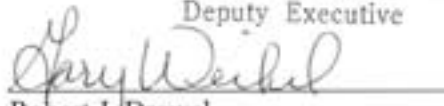
3. This amendment shall become effective following the approval of the amendment by the official action of the governing bodies of each of the parties hereto, the signing of the amendment by the duly authorized representative of each of the parties hereto, and recording of the executed amendment with the County Auditor.

IN WITNESS WHEREOF, the parties have signed this Amendment Number 2, effective on the signing below by the authorized representatives of STATE and COUNTY.

Washington State Department
of Transportation (WSDOT)


Klara A. Fabry, P.E.
Assistant Regional Administrator, WSDOT
Dated 1-16-03

Snohomish County

GARY WEIKEL
Deputy Executive

Robert J. Drewel
Snohomish County Executive
Dated 2-26-03

Approved as to form:


Ann E. Salay 1-21-03
Assistant Attorney General for WSDOT

Approved as to form:

 1/10/03
Courtney E. Flora
Deputy Prosecuting Attorney Civil Division

D-2