

**AMENDMENT 1 to
INTERLOCAL AGREEMENT FOR COOPERATIVE PLANNING, DESIGN, AND
CONSTRUCTION OF A FOOTHILLS TRAIL NON-MOTORIZED BRIDGE ACROSS THE
WHITE RIVER**

In accordance with Section 12 of the Interlocal Agreement for Cooperative Planning, Design, and Construction of a Foothills Trail Non-Motorized Bridge across the White River ("Agreement") between King County, Pierce County, City of Enumclaw, City of Buckley, Washington State Department of Transportation, the parties agree to amend the Agreement as follows:

1. Delete the text found in section 6.2 at page 6 of the Agreement and replace with the following:

"Each Party agrees that its obligations under this section extend to any claim, demand, and/or cause of action brought by or on behalf of any of its employees, or agents. The foregoing indemnity is specifically and expressly intended to constitute a waiver of each Party's immunity under Washington's Industrial Insurance act, RCW Title 51, as respects the other Parties only, and only to the extent necessary to provide the indemnified Party with a full and complete indemnity of claims made by the indemnitor's employees. The Parties acknowledge that these provisions were specifically negotiated and agreed upon by them."

All other terms of the original Lease remain the same.

This Amendment shall be executed on behalf of each Party and may be executed in any number of counterparts, each of which shall be an original, but those counterparts will constitute one and the same instrument. The Parties agree they each may rely on facsimile or electronic version of signatures and agree that that delivery by an executing Party to the other Parties by facsimile or electronically is acceptable as notice notwithstanding Section 10 of the Agreement. This Amendment will be effective on the date of the last signature by an authorized Party representative.

The City of Buckley

By: Pat Johnson

Title: Mayor

Date: 3/3/14

The City of Enumclaw

By: [Signature]

Title: Mayor

Date: 3.14.2016

APPROVED AS TO FORM
[Signature]
Buckley City Attorney

APPROVED AS TO FORM
[Signature]
Enumclaw City Attorney



Pierce County

By: *Pat McCarty*
Title: County Executive
Date: 12/11/15

King County

By: *[Signature]*
Title: Deputy DNR
Date: 10/2/2015

APPROVED AS TO FORM

[Signature]
Deputy Prosecuting Attorney

APPROVED AS TO FORM

[Signature]
Deputy Prosecuting Attorney

Washington State Department of Transportation

By: *[Signature]*
Title: Regional Administrator
Date: 11/12/15

APPROVED AS TO FORM

[Signature]
State Attorney