

**AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN
THE CITY OF OLYMPIA
AND
WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES
FOR FIRE PROTECTION SERVICES**

This Amendment No. 2 documents the parties' mutual agreement to modify Interlocal Agreement No. K1798, dated July 9, 2013, (the Agreement) between the City of Olympia (CITY) and the state of Washington Department of Enterprise Services (DES). The Agreement is hereby amended pursuant to Section VII, Agreement Alterations and Amendments, as follows:

1. Section III *Consideration* is hereby modified to reflect the sale of three (3) state of Washington buildings; A) Department of Fish & Wildlife, Wildlife Annex, located at 516 Washington St NE sold to LOTT, Clean Water Alliance as of April 16, 2013 per Attachment 1 Quitclaim Deed; B) Department of Fish & Wildlife, Wildlife Office, located at 600 Washington St NE sold to the Port of Olympia as of April 16, 2013 per Attachment 2 Quitclaim Deed; and C) Department of Enterprise Services, Personnel Building, located at 600 Franklin St SE, sold to Urban Olympia 3 LLC as of December 20, 2013 per Attachment 3 Quitclaim Deed.

The total Consideration will be reduced by \$20,664.49 for the 2013-2015 biennial period. Section III *Consideration* is deleted and replaced in its entirety.

Attachment B *List of Building in the City of Olympia as of January 2013* is deleted and replaced in its entirety by Attachment B-1 *List of Buildings in the City of Olympia as of December 31, 2013*.

III. Consideration

The state of Washington agencies listed in V *Billing/Payment Procedures* shall collectively pay the CITY their portion of these costs. The state of Washington shall pay the CITY the amount of \$991,744.78 for FY 2014 and \$988,992.85 for FY 2015 under this Agreement according to calculations outlined in Exhibit "B-1". DES and the CITY have determined that the cost of accomplishing the work herein will not exceed \$1,980,737.63 for the 2013-2015 biennial period.

Costs are pro-rated and will be billed by the CITY to the various state agencies as outlined in Section V *Billing/Payment Procedures*.

2. Section V *Billing/Payment Procedures* is hereby modified to reflect the sale of the three (3) state of Washington buildings listed above. Section V *Billing/Payment Procedures* is deleted and replaced in its entirety

V. Billing/Payment Procedures

The CITY will invoice state agencies quarterly in July, October, January and April, per Billing Schedule below, on or before the 10th of the quarter month (July, October, January and April). The state agencies will pay the CITY within 30 days of receipt of properly executed invoice.

Billing Schedule					
State Agency	Qtr 1 Jul-13	Qtr 2 Oct-13	Qtr 3 Jan-14	Qtr 4 Apr-14	FY 2014 Total
Enterprise Services	221,179.95	221,179.95	219,803.97	219,804.00	881,967.87
SPSS	23,666.58	23,666.58	23,666.58	23,666.58	94,666.32
Fish & Wildlife	700.50	700.50	700.50	700.46	2,801.96
State Historical Society	750.53	750.53	750.53	750.51	3,002.10
Military Department	2,326.63	2,326.63	2,326.63	2,326.64	9,306.53
FY 2014 Total	\$248,624.19	\$248,624.19	\$247,248.21	\$247,248.19	\$991,744.78
State Agency	Qtr 1 Jul-14	Qtr 2 Oct-14	Qtr 3 Jan-15	Qtr 4 Apr-15	FY 2015 Total
Enterprise Services	219,803.97	219,803.97	219,803.97	219,804.03	879,215.94
SPSS	23,666.58	23,666.58	23,666.58	23,666.58	94,666.32
Fish & Wildlife	700.50	700.50	700.50	700.46	2,801.96
State Historical Society	750.53	750.53	750.53	750.51	3,002.10
Military Department	2,326.63	2,326.63	2,326.63	2,326.64	9,306.53
FY 2015 Total	\$247,248.21	\$247,248.21	\$247,248.21	\$247,248.22	\$988,992.85

* *Department of Enterprise Services quarterly invoices include the fees for Consolidated Technology Services, Jefferson Building, \$18,387.88 per quarter.*

DES's invoices shall be forwarded to:
 Department of Enterprise Services
 Finance Office
 PO Box 41460
 Olympia, WA 98504-1460

3. All other terms, conditions, and exhibits of the Agreement shall remain in full force and effect and are not altered or affected in any way unless specifically modified herein. The requirements of RCW 39.34.030 are satisfied by the underlying Agreement and are incorporated by reference herein.
4. Prior to its entry into force, this Amendment shall be filed with the Thurston County Auditor or posted upon a party's website or other electronically retrievable public source as provided by RCW 39.34.040.
5. Each party signatory hereto, having first had the opportunity to read this Amendment and discuss the same with independent legal counsel, in execution of this document hereby mutually agree to all terms and conditions contained herein, and as incorporated by reference in the original Agreement.
6. This Agreement shall take effect as of the date of filing or posting as required by RCW 39.34.040.
7. The undersigned acknowledge that they are authorized to execute this Amendment and bind their respective agencies to the obligations set forth herein.

City of Olympia

Department of Enterprise Services

SIGNATURE

SIGNATURE

STEPHAN H. BUXBAUM

THOMAS HENDERSON

NAME

NAME

MAYOR

ASSISTANT DIRECTOR

TITLE

TITLE

DATE

DATE

APPROVED AS TO FORM:

Darren Nienaber DCA

CITY ATTORNEY

Attachment 1

18 APR '13 719545

After recording return document to:

State of Washington
Department of Enterprise Services
Real Estate Services, Acquisition & Disposal Unit
P O Box 41468
Olympia WA 98504-1468

Thurston County Treasurer
Real Estate Excise Tax Paid None
By [Signature] Deputy

Document Title: Quitclaim Deed
Grantor: State of Washington, Department of Fish & Wildlife, acting through the Department of Enterprise Services
Grantee: LOTT, Clean Water Alliance
Legal Description: Lots 1 thru 8, Block B of Sylvester's Plat of Olympia
Assessor's Tax Parcel Number: ~~7850-95-00100~~ 7850-95-00100
THURSTON COUNTY TITLE CO
@ 162440E

QUITCLAIM DEED

The GRANTOR, State of Washington, Department of Fish & Wildlife, acting through the Department of Enterprise Services, for and in consideration of Four Hundred Sixty Five Thousand Eighty One Dollars and No Cents (\$465,081.00), conveys and quitclaims to the GRANTEE, LOTT, Clean Water Alliance, all interest in the following described real estate situated in the county of Thurston, State of Washington:

Lots 1 thru 8, Block B of Sylvester's Plat of Olympia, as recorded in Volume 1 of Plats, page 14, TOGETHER WITH vacated alley in said Block.

In Thurston County, Washington.

Dated this 16th day of April, 2013.

State of Washington
Department of Fish & Wildlife
Acting through the
Department of Enterprise Services

By: [Signature]
Title: Assistant Director Facilities
Date: 04-17-2013

By: [Signature]
Title: REAL ESTATE MANAGER
Date: 04-17-2013

APPROVED AS TO FORM.

Date: 4/17/13
By: [Signature]
Assistant Attorney General

Attachment 2

After recording return document to

State of Washington
Department of Enterprise Services
Real Estate Services, Acquisition & Disposal Unit
P O Box 41468
Olympia WA 98504-1468

Document Title: Quitclaim Deed
Grantor: State of Washington, Department of Fish & Wildlife, acting through the Department of Enterprise Services
Grantee: Port of Olympia
Legal Description: Lots 5 thru 8 in Block C of Sylvester's Plat
Assessor's Tax Parcel Number: 7850-96-00000

QUITCLAIM DEED

The GRANTOR, State of Washington, Department of Fish & Wildlife, acting through the Department of Enterprise Services, for and in consideration of Three Hundred Nineteen Thousand Two Hundred Dollars and No Cents (\$319,200.00), conveys and quitclaims to the GRANTEE, Port of Olympia, all interest in the following described real estate situated in the county of Thurston, State of Washington:

Lots 5, 6, 7, and 8 of fractional Block C of Olympia Tidelands, as filed in the office of the Commissioner of Public Lands at Olympia, Washington, and Lots 5, 6, 7, and 8 of fractional Block C of Sylvester's Plat of Olympia, as recorded in Volume 1 of Plats, page 14, TOGETHER WITH the vacated alley between Lots 6 and 7, AND TOGETHER WITH the South half of the vacated alley lying north of said premises.

In Thurston County, Washington.

Dated this 16th day of April, 2013

State of Washington
Department of Fish & Wildlife
Acting through the
Department of Enterprise Services

By: Thomas R. Hendon
Title: Assistant Director Facilities
Date: 04-17-2013

By: Donald J. Bufa
Title: REAL ESTATE MANAGER
Date: 04-17-2013

APPROVED AS TO FORM:

Date: April 16, 2013
By: B. Fall
Assistant Attorney General

Attachment 3

When returned return to:
URBAN OLYMPIA 3 LLC
407 ADAMS STREET, STE 102
OLYMPIA, WA 98501

QUIT CLAIM DEED

Escrow No.: 00164386

THE GRANTOR STATE OF WASHINGTON, DEPARTMENT OF ENTERPRISE SERVICES for and in consideration of TWO MILLION, SIX HUNDRED THOUSAND AND NO/100ths dollars (\$2,600,000.00) conveys, and quit claims to URBAN OLYMPIA 3 LLC, a Washington limited liability company the following described real estate, situated in the County of THURSTON, State of Washington together with all after acquired title of the grantor(s) herein:

Lots 1 to 6, inclusive, in Block 36 of Sylvester's Plat of Olympia, as recorded in Volume 1 of Plats, page 14; together with the North-South alley lying between Lots 2 and 3 and also that portion of the East-West alley lying between Lots 3, 4, 5 and 6, as vacated by Ordinance No. 4606.

Abbreviated Legal: Lots 1 through 6, Blk 36, Sylvester's Plat

Tax Parcel Number(s): 7850-36-00100

Dated this 20th day of December, 2013.

STATE OF WASHINGTON
DEPT OF ENTERPRISE SERVICES

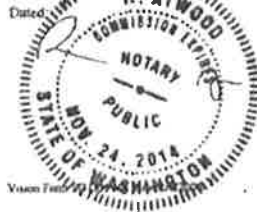
Donald J. Becka
DONALD J. BECKA, Real Estate Manager
Real Estate Services

12/20/13

STATE OF WASHINGTON
COUNTY OF THURSTON

} ss

I certify that I know or have satisfactory evidence that DONALD J. BECKA is the person who appeared before me, and said person acknowledged that HE signed this instrument, on oath stated that HE IS authorized to execute the instrument and acknowledged it as the REAL ESTATE MANAGER, REAL ESTATE SERVICES of THE STATE OF WASHINGTON DEPARTMENT OF ENTERPRISE SERVICES to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.



Robin Atwood
Printed name of notary:
Notary Public in and for the State of Washington
Residing at *Thurston WA*
My appointment expires: *11-24-14*

DES Interagency Agreement No. K1798 Exhibit B-1

List of State Buildings in the City of Olympia

Updated as of December 31, 2013

STATE AGENCY OWNER AND BUILDING NAMES	ADDRESS OF BUILDING	Gross SF	%	COSTS FY14	COSTS FY15
Department of General Administration					
Achives (Storage)	1129 Washington St SE	51,317	0.0099	9,906.94	9,906.94
Ayer Press House	1417 Columbia St SW	3,727	0.0007	700.49	700.49
Columbia St. Garage	121 Union Av SW	71,000	0.0138	13,809.67	13,809.67
Conservatory (Greenhouse)	1115 Water St SW	11,300	0.0022	2,201.54	2,201.54
Employment Security	212 Maple Park Av SE	86,300	0.0167	16,711.71	16,711.71
GA Garage	124 Union Av SW	67,100	0.0130	13,009.11	13,009.11
General Administration	210 11 th Av SW	283,865	0.0550	55,038.56	55,038.56
Governor's Mansion	501 13 th Av SW	21,400	0.0041	4,102.87	4,102.87
Highway Licenses	1125 Washington St SE	193,900	0.0376	37,626.36	37,626.36
Irving R. Newhouse Building	215 Sid Snyder Av SW	25,084	0.0049	4,903.44	4,903.44
Insurance	302 Sid Snyder Av SW	66,502	0.0129	12,909.04	12,909.04
John A Cherberg	304 15th Av SW	100,377	0.0194	19,413.60	19,413.60
John L. O'Brien	504 15 th Av SW	100,700	0.0195	19,513.67	19,513.67
Legislative	416 Sid Snyder Av SW	255,564	0.0495	49,534.70	49,534.70
Natural Resources Building	1111 Washington St SE	387,558	0.0751	75,152.65	75,152.65
NRB Garage	1111 Washington St SE	394,200	0.0764	76,453.56	76,453.56
Office Building Two	1115 Washington St SE	379,204	0.0750	73,551.53	73,551.53
Old Capitol	614 Washington St SE	120,500	0.0233	23,316.33	23,316.33
Plaza Garage	200 14th AV SE	846,100	0.1640	164,115.01	164,115.01
Powerhouse	900 Water St SW	10,000	0.0019	1,901.33	1,901.33
Joel M. Pritchard Building	415 15th Av SW	55,485	0.0107	10,707.50	10,707.50
ProArts	206-208 11th Ave	11,243	0.0022	2,201.54	2,201.54
Carlyon Press House	201 Sid Snyder Av SW	5,600	0.0011	1,100.77	1,100.77
State Farm	1068 Washington Street	1,539	0.0030	300.21	300.21
Temple of Justice	415 12th Av SW	85,900	0.0166	16,611.64	16,611.64
Transportation	310 Maple Park Av SE	204,767	0.0397	39,727.83	39,727.83
DOT Garage	310 Maple Park Av SE	157,800	0.0306	30,621.45	30,621.45
Information - Visitor Center	103 Sid Snyder Ave SW	1,500	0.0030	300.21	300.21

List of State Buildings in the City of Olympia
Updated as of December 31, 2013

STATE AGENCY OWNER AND BUILDING NAMES	ADDRESS OF BUILDING	Gross SF	%	COSTS FY14	COSTS FY15
Capitol Park Building	1063 Capitol Wy S	57,500	0.0111	11,107.78	11,107.78
600 Franklin <i>Adjustment to reflect sale of building as of December 2013</i>	600 Franklin St SE	28,578	0.0055	5,503.86 (2,751.93)	5,503.86 (5,503.86)
				2,751.93	0.00
State Daycare on Perry	232 Perry Street	7,138	0.0014	1,400.98	1,400.98
Union Avenue Building	120 Union Av SE	12,900	0.0025	2,501.75	2,501.75
Washington State Building	1007 Washington St SE	14,580	0.0028	2,801.96	2,801.96
Capitol Ct. Building	1110 S. Capital Way	40,948	0.0079	7,905.54	7,905.54
James M. Dolliver Building	801 Capital Way S	23,385	0.0045	4,503.15	4,503.15
Subtotal-Department of General Administration		4,184,561	0.8106	808,416.35	805,664.42
				Total 2013-2015	1,614,080.77

SPSCC Community College					
SPSCC Community College System, SPCC	2011 Mottman SW	488,043	0.0946	94,666.32	94,666.32
Subtotal-SPSCC Community College		488,043	0.0946	94,666.32	94,666.32
				Total 2013-2015	189,332.64

Department of Fish & Wildlife					
Wildlife Annex <i>Adjustment to reflect sale of building as of April 2013</i>	516 Washington St NE	31,250	0.0061	6,104.28 (6,104.28)	6,104.28 (6,104.28)
				0.00	0.00
Wildlife Office <i>Adjustment to reflect sale of building as of April 2013</i>	600 Washington St NE	720	0.0001	100.07 (100.07)	100.07 (100.07)
				0.00	0.00
Wildlife Office	600 Capitol Wy N	14,500	0.0028	2,801.96	2,801.96
Subtotal-Department of Fish & Wildlife		46,470	0.0090	2,801.96	2,801.96
				Total 2013-2015	5,603.92

Washington State Historical Society					
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List of State Buildings in the City of Olympia
Updated as of December 31, 2013

STATE AGENCY OWNER AND BUILDING NAMES	ADDRESS OF BUILDING	Gross SF	%	COSTS FY14	COSTS FY15
WSHS, State Capitol Museum	211 21st Avenue SW	15,483	0.0030	3,002.10	3,002.10
Subtotal-Washington State Historical Society		15,483	0.0030	3,002.10	3,002.10
Total 2013-2015				6,004.20	

Military Department					
Armory	515 Eastside St SE	41,083	0.0080	8,005.61	8,005.61
Armory-Vehicle Storage	515 Eastside St SE	6,656	0.0013	1,300.91	1,300.91
Subtotal-Military Department		47,739	0.0093	9,306.52	9,306.52
Total 2013-2015				18,613.04	

Consolidated Technology Services					
Jefferson Building	1500 Jefferson	379,184	0.0735	73,551.53	73,551.53
Subtotal-Consolidated Technology Services		379,184	0.0735	73,551.53	73,551.53
Total 2013-2015				147,103.06	

Total for 2013-2015 City of Olympia Fire Protection Services		5,161,480		1,980,737.63	
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