

**AMENDMENT NO. 1 TO
THE AGREEMENT BETWEEN SNOHOMISH COUNTY AND
THE MUKILTEO WATER AND WASTEWATER DISTRICT**

THIS AMENDMENT NO. 1 to the Agreement Between Snohomish County and Mukilteo Water and WasteWater District, dated September 23, 2003, (the "Agreement") is made and entered into by and between Snohomish County, a political subdivision of the State of Washington (the "COUNTY"), and MUKILTEO WATER AND WASTEWATER DISTRICT, a Washington special purpose district (the "DISTRICT").

A. Pursuant to Section 8 (E) the Agreement is set to expire on December 31, 2022;

For and in consideration of the mutual benefits conferred on both parties, the parties agree as follows:

Section 1. Section 8(E) of the Agreement is amended to read as follows:

A. This Agreement shall terminate on June 30, 2023, unless extended by agreement of the Parties. The District may cancel this Agreement for cause on sixty (60) days' written notice to the County. For purposes of this Agreement "cause" means (1) the County's failure to comply with the District's or the City of Everett's rules and regulations governing wastewater discharge, or other local, state or federal rules and regulations governing wastewater discharge; or (2) the County's failure to pay monthly service charges as they come due. Unless the District has given prior approval in writing, this Agreement shall terminate immediately upon (1) an assignment or transfer in violation of paragraph 8 D; (2) sale of the Agreement Area; or (3) any change of use of the Agreement Area.

Section 2 All other terms and conditions of the Agreement shall remain in full force and effect except as expressly modified by this Amendment No. 1.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 as of the date of the last party to sign.

COUNTY:

Snohomish County, a political subdivision
of the State of Washington

By _____
Title: County Executive
Ken Klein
Executive Director

Approved as to Form:

/s/ George Marsh, 11/21/2022
Deputy Prosecuting Attorney

DISTRICT:

Mukilteo Water and Wastewater
District

By _____
Title: General Manager

Approved as to Form:

District Counsel