

MOTION NO. 560

MOTION PROVIDING BINDER IN CONNECTION WITH COMPLIANCE ASSURANCE WITH THE RELOCATION ASSISTANCE PROVISIONS OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970.

WHEREAS, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P. L., 91-646, (hereinafter called the "Act") establishes uniform policies for the fair and equitable treatment of individuals, partnerships, corporations, or associations (hereinafter called "displaced persons") who are displaced as a result of Federal and Federally assisted programs, and

WHEREAS, the Act is applicable to various programs and projects (hereinafter called the "undertaking(s)") receiving financial assistance from a Federal Agency such as the Department of Housing and Urban Development (hereinafter called "HUD"); and

WHEREAS, this governing body seeks financial assistance pursuant to undertaking(s) identified below, subject to the Act and administered by HUD; and

WHEREAS, the activities for which such assistance is sought will involve land acquisition occurring on or after January 2, 1971, the effective date of the Act; and

WHERE, Section 305 of the Act requires the receipt of certain assurances before the head of a Federal agency can provide financial assistance to pay all or part of the cost of any undertakings(s) which will result in land acquisition as defined in the Act.

NOW, THEREFORE, be it resolved by the County Council of King County, Washington, as follows:

A. This governing body hereby agrees that (1) within 90 days of the date hereof it will provide an opinion of its chief legal counsel with respect to its ability to comply under state or local law with the requirements of Section 305 of the Uniform Relocation

Assistance and Real Property Act of 1970 (Public Law 91-646, hereafter called the "Act"); and (2) in the event that it is determined that this body is able to comply with Section 305, it shall execute and provide the assurances set forth in said Section 305. This body further agrees (1) where the State Attorney General has issued an opinion on a question of interpretation of state law which is at issue in making a determination of its ability to comply with the requirements of Section 305 of the Act, it shall be guided by such opinion; and (2) nothing herein or in any contract or agreement of which this Binder is made part shall be construed to delay such Agency's obligation to comply with the requirements of Section 305 with respect to the displacement of such displaced persons occurring after July 1, 1972.

B. This document is hereby made a part of and is incorporated in the financial assistance agreement(s) between this public body and HUD for the undertaking(s) identified below and shall be deemed to supersede any provisions(s) in said agreement(s) to the extent that such provisions(s) may conflict with the assurances or agreement(s) provided hereunder.

C. This Binder Motion and agreement is applicable to the following project(s) or programs(s) identified above as being undertaking(s) of this public body:

| <u>Project or Program Identification</u> | <u>Identification of Financial Assistance Agreement Number</u> |
|---|--|
| So. Central W. Lk. Sammamish | OSA-91 |
| Shoreline Neighborhood Parks #4, 7, 9, 11, 12, and 15 | OSA-93 |
| South Area Park (Stage I) | OSA-102 |
| East Norway Hill Community Park | OSA-117 |
| South Central Park No. 12 | OSA-117 |
| Kent Neighborhood Park No. 3 | OSA-117 |

| <u>Project or Program Identification</u> | <u>Identification of Financial Assistance Agreement Number</u> |
|--|--|
| Highline Neighborhood Park No. 2 | OSA-117 |
| Northeast Lake Washington Beach Park | OSA-120 |
| East Central Lake Sammamish | OSA-120 |

D. The Chairman of the King County Council is hereby authorized and directed to execute this document and the clerk of the Council is authorized and directed to attest the execution of this document, affix or attach the seal thereto, and to furnish such counterparts as may be required by the Secretary of Housing and Urban Development.

E. This Motion pertains to an emergency matter and shall become effective immediately.

PASSED by the Council at a regular meeting thereof on the 12th day of July, 1971.

Robert B. Kenner
Chairman of the County Council

ATTEST:

Lee Kraft
Clerk of the Council