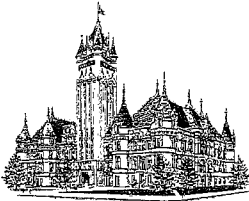


---

S P O K A N E C O U N T Y

---



OFFICE OF COUNTY COMMISSIONERS

August 16, 2010

**Mr. Albert Tripp, City Manager  
City of Airway Heights  
1208 South Lundstrom  
Airway Heights, Washington 99001**

Re: *Memorandum of Understanding with regard to Annual Payment payable to City of Airway Heights and Spokane County under Intergovernmental Agreement with regard to the Spokane Tribe's Annexation of approximately 145 acres*

Dear Mr. Tripp:

The City of Airway Heights, Spokane County, and the Spokane Tribe of Indians ("Tribe"), jointly referred to as the Parties, executed a document entitled "Intergovernmental Agreement" as well as an amendment thereto entitled "Amendment No. 1 to Intergovernmental Agreement" (the "Agreement"). The Agreement addresses, among other matters, the Parties respective commitments in conjunction with the City of Airway Heights' annexation of approximately 145 acres of real property ("Property") owned by the Tribe.

Paragraph 5 of the Agreement is captioned "Fees for Services and Impacts" and provides in subparagraph 5.0.1 that the Tribe shall pay the City of Airway Heights and Spokane County an annual payment. The Agreement does not specify how that annual payment will be allocated between the City of Airway Heights and Spokane County.

This correspondence will act as a Memorandum of Understanding ("MOU") between the City of Airway Heights and Spokane County as to how and when the annual payment made by the Tribe under the Agreement will be allocated between the City of Airway Heights and Spokane County.

The City of Airway Heights and Spokane County agree that the annual payment made under the Agreement shall be allocated as follows:

**Until the date which the City receives agreement from the United States to the annexation of the Property as provided for in RCW 35A.14.310:** City of Airway Heights - 20%, Spokane County - 80%.

**After the date which the City receives agreement from the United States to the annexation of the Property as provide for in RCW 35A.14.310:** City of Airway Heights - 80%, Spokane County - 20%.

If the Tribe's annual payment is made payable to the City of Airway Heights and Spokane County jointly, both parties agrees to timely endorse the check. The party depositing the check agrees to remit to the other party its proportionate share of any annual payment as set forth above. If the Tribe's annual payment is made payable to either the City of Airway Heights or Spokane County separately, the payee agrees to reimburse the other party its proportionate share of the annual payment as set forth above.

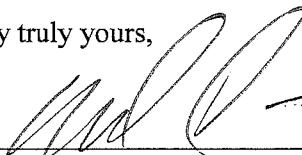
Mr. Albert Tripp, City Manager  
August 16, 2010  
Page 2

Payments shall take place as soon as practical, but no longer than seven (7) business days after deposit of the check.

The provisions of this MOU shall take effect upon the effective date of the Agreement and shall remain in effect for the term of the Agreement.

The City of Airway Heights' execution of this MOU in the space set forth hereinafter will act as its agreement with all the terms and conditions set forth hereinabove.


Very truly yours,

  
MARK RICHARD, Chair

  
BONNIE MAGER, Vice-Chair

  
TODD MIELKE, Commissioner

ATTEST:

  
Daniela Erickson  
Clerk of the Board

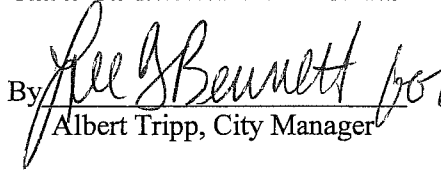


(Authorized under Spokane County Resolution Number 10-0716)


\*\*\*\*\*

Reviewed, accepted, and agreed to on this 17<sup>th</sup> day of August, 2010.

CITY OF AIRWAY HEIGHTS

By   
Albert Tripp, City Manager

ATTEST:

  
City Clerk/Treasurer