

**FOURTH AMENDMENT
TO
SERVICE PROVIDER AGREEMENT
FOR
RIGHT OF WAY LEGAL SERVICES – CAPITAL BLVD / TROSPER RD
IMPROVEMENT PROJECT**

This Fourth Amendment ("Amendment") is dated effective this _____ day of _____, 2023, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and KENYON DISEND, PLLC, a Washington professional limited liability company ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective February 10, 2020, as amended by a First Amendment dated November 23, 2021, a Second Amendment dated June 14, 2022, and a Third Amendment dated October 20, 2022, whereby the SERVICE PROVIDER agreed to provide legal services ("Agreement").

B. Section 14 of the Agreement provided that the Agreement may only be amended by written agreement signed by the parties.

C. The CITY and the SERVICE PROVIDER desire to amend the Agreement to continue the services described in Section 1 of the Agreement by extending the term of the Agreement and increasing the hourly rates paid to the SERVICE PROVIDER during the extended term.

NOW, THEREFORE, the parties agree to the following terms and conditions:

1. TERM.

Section 2 of the Agreement shall be amended to extend the term of the Agreement until December 31, 2024.

2. COMPENSATION.

In consideration of the SERVICE PROVIDER continuing to provide the services described in Section 1 of the Agreement during the extended term, Section 4.C. shall be amended to increase hourly rates as shown in Exhibit "A-4" starting January 1, 2024.

3. FULL FORCE AND EFFECT.

All other terms and conditions of the Agreement not modified by this Amendment shall remain in full force and effect.

DATED the effective date set forth above.

CITY:
CITY OF TUMWATER
555 Israel Road SW
Tumwater, WA 98501

SERVICE PROVIDER:
KENYON DISEND, PLLC
11 Front Street South
Issaquah, WA 98027-3820

Debbie Sullivan
Mayor

Signature (Notarized – see below)
Printed Name: Hilary Evans
Title: Managing Partner

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

State of Washington

County of King

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

(Signature)
Notary Public in and for the State of Washington
My appointment expires _____

KENYON DISEND, PLLC
2024 HOURLY RATE SCHEDULE

ATTORNEYS:

Michael R. Kenyon	\$480.00
Lisa M. Marshall	\$425.00
Hillary J. Evans	\$345.00
Robert D. Zeinemann	\$325.00
Kendra S. Rosenberg	\$325.00
Alexandra L. Kenyon	\$280.00

PARALEGALS:

Margaret C. Starkey	\$220.00
Terry T. Curran	\$180.00
Antoinette M. Mattox	\$180.00