SOUNDTRANSIT

Resolution No. R2025-16

To Acquire Real Property Interests Required for the West Seattle Link Extension Project

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	07/10/2025 07/24/2025	Recommend to Board Final action	Terri Mestas, Deputy CEO, Capital Delivery Brad Owen, Executive Director, Capital Delivery Bernadette McDermott, Executive Director, Center of Excellence **Clint Dameron, Acting Director, Real Property** **Rhonda Thomsen, Sr. Real Property Project Manager**

Proposed action

Authorizes the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the West Seattle Link Extension project.

Key features summary

- This action authorizes the acquisition of all or part of three parcels located in Seattle for the West Seattle Link Extension Project (WSLE). Acquisitions consist of full fee acquisitions, permanent easements, and temporary construction easements for the WSLE project.
- The properties are needed for the construction, operation, and maintenance of the WSLE project. The planned project will extend light rail 4.1 miles into West Seattle with four new stations. Owners of the two residential parcels are experiencing medical circumstances that necessitate acquisition and relocation as soon as possible. Because of their inability to sell their property to anyone other than Sound Transit, these parcels have been prioritized for acquisition based on the project's approved scope, consistent with the Federal Transit Administration's Record of Decision and Sound Transit's Board Resolution defining the Project to be Built.
- The acquisition of the subject properties will require business and residential relocations. Sound Transit will work with those impacted to assure they have access to relocation advisory services and other eligible relocation benefits. As stated above, the residential properties will be relocated as soon as possible. The third parcel has an early need for a bi-directional load test to inform design that will not require business relocation. There may be a later acquisition, pending design, for project guideway construction that will require multiple business relocations.
- The real properties identified in this requested action are included in Exhibit A.
- This action also authorizes the future disposition of any real property interests included in this action to the extent required for relocating utilities as necessary or desirable for the projects, satisfying permit conditions or mitigation requirements, curing damages to real property caused by the project,

or disposing of real property for the purpose of minimizing Sound Transit's costs of operations and maintenance.

Background

WSLE project was approved for funding by voters under the ST3 Plan. The projects will provide fast, reliable light rail connections to dense residential and job centers throughout the region. The extension to West Seattle will operate from SODO to West Seattle's Alaska Junction neighborhood with four stations and will eventually connect to the Everett Link Extension.

In July 2022, through Motion No. M2022-57, the Sound Transit Board identified the preferred alternative for WSLE and requested further studies of refinements to the preferred alternative. Refinements from the further studies were incorporated into the WSLE Final Environmental Impact Statements (EIS).

The West Seattle and Ballard Link Extensions (WSBLE) were evaluated together in the WSBLE Draft EIS published in January 2022. As described in the WSBLE Draft EIS, the two extensions will function as two separate lines, with the WSLE connecting to Everett and the Ballard Link Extension (BLE) connecting to Tacoma.

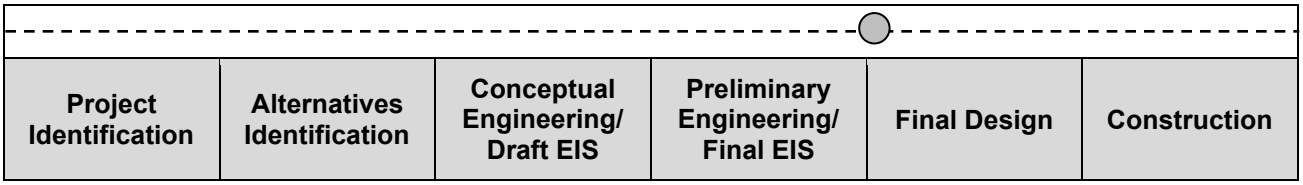
The extensions were initially on the same environmental review timeline. However, given additional environmental review needed for project refinements for BLE resulting from the Sound Transit Board action in March 2023, through Motion No. M2023-18, environmental review for the two extensions are now on different timelines.

WSLE Final EIS was published in September 2024 and the Board selected the project to be built in October 2024. The final Record of Decision for WSLE was issued by the Federal Transit Administration on April 29, 2025.

Following Board approval of necessity, staff will pursue acquisition of the properties. Sound Transit's authorizing legislation grants the agency the power of eminent domain to accomplish such acquisitions. Condemnation will be initiated should negotiations between Sound Transit and the property owner reach an impasse.

Dispositions of real property interests may occur to the extent required for relocating utilities as necessary or desirable for the project, satisfying permit conditions or mitigation requirements, curing damages to real property caused by the project, or disposing of real property for the purpose of minimizing Sound Transit's costs of operations and maintenance.

Project status



Projected completion date for Design Phase: Q4 2028

Current project status, performance metrics, and additional information are located on page 17 of the May 2025 System Expansion Monthly Status Report.

Fiscal information

The most recent West Seattle Link Extension preliminary cost estimate from 2024 – representing the agency's estimate at this stage of project development and design – has been projected to be between

$6.7 billion and $7.1 billion (2024$). To address rising project costs, the agency is developing a workplan to assess project affordability and explore programmatic, financial, and project level strategies to improve the agency's financial position. The impact of the recent preliminary cost estimate is not yet known and will be evaluated as part of this process.

The authorized project allocation for the West Seattle Link Extension project is $331,740,863. Within the $137,981,863 right of way phase, $10,993,856 has been previously committed; there is $126,988,007 of uncommitted funds in the right of way phase, which is sufficient to complete the action. In accordance with Sound Transit policy, budgets for specific parcels will be discussed with the Board in executive session. Consistent with the current estimate at completion for real property acquisition, this action and acquisitions of remaining certified properties are affordable within the adopted project budget.

This action authorizes right of way expenditures on a project that exceeds the financial plan value according to the 2024 preliminary cost estimate, and therefore potentially impacts the timely deliverability of other system expansion projects. As a result, authorization of this action requires an affirmative two-thirds majority vote of the Board due to Resolution No. R2021-05, Section 6.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

Since publishing the Draft EIS, the External Engagement team has emailed project updates to interested parties who have signed up through our website and the team has met with property owners and stakeholders upon request. The updates and meetings include project information, what to expect during the acquisition and relocation process and our forecasted project timeline.

The Real Property and External Engagement teams regularly have one-on-one briefings with property owners to answer questions and in some cases to request rights of entry for fieldwork that will inform the ongoing design of the project.

In September 2023, the External Engagement team emailed property owners who may qualify for early acquisition. Staff offered to meet with them about the design in relation to their property, explain the project timeline, and answer any questions about the potential for early acquisition. Many of those property owners responded and met with staff.

The External Engagement team has regular meetings with the community groups along the alignment, to share project information and answer questions. The Real Property team typically attends, to cover acquisition and relocation inquiries. In October and November 2023 and in March 2024, the teams hosted station planning open houses in SODO and West Seattle, engaging with property owners, tenants, and other interested attendees.

In compliance with state law regarding public notification, Sound Transit will mail a certified letter to the property owners affected by this action. Legal notice of this proposed Board action will be published in the Seattle Times newspaper on July 7, 2025 and July 14, 2025.

Time constraints

A one-month delay would not create a significant impact to the project schedule. However, a delay may negatively impact the residential property owners. Furthermore, a delay would require staff to repeat the notification and publication requirements described above, adding staff and publication costs.

Prior Board/Committee actions

Resolution No. R2025-03: Authorized the chief executive officer to acquire certain real property interests, contingent on receipt of any and all necessary federal approvals, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as potentially necessary for the West Seattle Link Extension project.

Resolution No. R2024-22: Selected the Project to be Built for the West Seattle Link Extension Project.

Resolution No. R2024-20: Authorized the chief executive officer to acquire certain real property interests, contingent on receipt of any and all necessary federal approvals, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as potentially necessary for the West Seattle Link Extension project.

Resolution No. R2024-07: Authorized the chief executive officer to acquire certain real property interests, contingent on receipt of any and all necessary federal approvals, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as potentially necessary for the West Seattle Link Extension project and as applicable for the Ballard Link Extension project.

Resolution No. R2021-05: Established a flexible and accountable framework to implement ST2 and ST3 projects not yet in construction and restricted the authorization of final design, right of way, or construction expenditures on any individual project which would cause delay to the Affordable Schedule for other projects unless the project's funding gap has been offset.

Environmental review – KH 6/30/25

Legal review – DLB 7/3/25

SOUNDTRANSIT

Resolution No. R2025-16

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the West Seattle Link Extension project.

WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under chapters 81.104 and 81.112 of the Revised Code of Washington (RCW) for the Pierce, King, and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, Sound Transit is authorized to plan, construct, and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and

WHEREAS, in general elections held within the Sound Transit district on November 5, 1996, November 4, 2008, and November 8, 2016, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, in order to use the property determined to be necessary for the construction, operation and maintenance of project improvements required under the voter approved high capacity transportation system plans, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain rights in the property for public purposes, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants; and

WHEREAS, the West Seattle Link Extension project is a component of Sound Transit's high capacity system; and

WHEREAS, Sound Transit has identified certain real properties as necessary for the construction and permanent location of the West Seattle Link Extension and such properties are reasonably described in Exhibit A of this resolution; and

WHEREAS, in order to use the property determined to be necessary for the construction, operation, and permanent location of the West Seattle Link Extension, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain lands and rights in property for public purposes, and reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants; and

WHEREAS, Sound Transit has commissioned or will commission appraisals to determine the fair market value of the properties, and will negotiate in good faith with the owners of the properties authorized to be acquired by negotiated purchase or condemned, with the intent of reaching agreements for the voluntary acquisition of the property for fair market value; and

WHEREAS, the funds necessary to acquire the property by voluntary purchase or to pay just compensation adjudged due after condemnation and the funds necessary to reimburse eligible relocation and reestablishment expenses shall be paid from Sound Transit general funds.

NOW THEREFORE BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority as follows:

SECTION 1. The chief executive officer is hereby authorized to:

A. Execute such agreements as are customary and necessary for the acquisition of interests in the real property described in Exhibit A (said property to be used for West Seattle Link Extension) and incorporated herein by reference, and for the reimbursement of eligible relocation and reestablishment expenses, notwithstanding the provisions of Resolution No. R2021-05 restricting the authorization of final design, right of way, or construction expenditures on any individual project which would cause delay to the Affordable Schedule for other projects unless the project's funding gap has been offset. In accordance with Sound Transit's Real Property Acquisition and Relocation Policies, Procedures and Guidelines, the acquisition price of the properties may not exceed the fair market value to be determined through the appraisal process; provided that in the event the total of the acquisition, relocation, and reestablishment costs of the properties for the West Seattle Link Extension exceeds Sound Transit's approved budget for right-of-way acquisition (plus contingency), then the chief executive officer must obtain approval from the appropriate committee or the Board, per Resolution No. R2023-30, before the acquisition of the property for the West Seattle Link Extension by purchase or by condemnation and the reimbursement of eligible relocation and reestablishment expenses.

B. Settle condemnation litigation or enter administrative settlements (a settlement in lieu of initiating condemnation litigation) for the acquisition of interests in the real property described in Exhibit A. Such settlements shall be made only upon the finding of legal counsel that the settlement is consistent with the law and is reasonable, prudent, and in the public interest. Such settlements may not exceed established project budgets. For all other settlements proposed, the chief executive officer must obtain prior approval of the appropriate committee or the Board, per Resolution No. R2023-30.

C. Make minor amendments to the legal descriptions of the properties described in Exhibit A, as may be necessary to correct scrivener's errors and/or to conform the legal description to the precise boundaries of the property required for the project.

D. Execute into agreements for the disposition of interests in the real property identified in Exhibit A for: (1) the relocation of utilities as necessary or desirable for the West Seattle Link Extension; (2) the satisfaction of permit conditions or mitigation requirements; (3) the curing of damages to real property acquired pursuant to Exhibit A and caused by the implementation of the West Seattle Link Extension; or (4) returning real property identified in Exhibit A to previous owners for the purpose of minimizing Sound Transit's costs of operations and maintenance; provided that the foregoing dispositions of real property must be compatible with and must not interfere with regional transit system uses and must avoid the creation of unbuildable, residual parcels whenever possible.

SECTION 2. The Sound Transit Board deems the West Seattle Link Extension to be a public use for a public purpose. The Board deems it necessary and in the best interests of the citizens residing within Sound Transit's boundaries to acquire interests in the real property identified in Exhibit A as being necessary for the construction, operation, and permanent location of West Seattle Link Extension, and affected owners and tenants be reimbursed eligible relocation and reestablishment expenses associated with displacements from the properties.

SECTION 3. The Sound Transit Board finds that the public health, safety, necessity, convenience, and welfare demand and require that interests in the real property described

in Exhibit A be immediately acquired, condemned, appropriated, taken and damaged for the construction, operation, and permanent location of the West Seattle Link Extension.

SECTION 4. In addition to the authority granted the chief executive officer in Section 1 above, condemnation proceedings are hereby authorized to acquire all, or any portion thereof, of the properties and property rights and/or rights in those of the properties described in Exhibit A to the extent permitted by law, for the purpose of constructing, owning, and operating a permanent location of the West Seattle Link Extension.

SECTION 5. The funds necessary to acquire the property by purchase or to pay just compensation adjudged due after condemnation shall be paid from Sound Transit general funds.

ADOPTED by no less than a two-thirds majority vote of the entire membership of the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 24, 2025.

Dave Somers
Board Chair

Attest:

Kathryn Flores
Board Administrator

Resolution No. R2025-16
Exhibit A

West Seattle Link Extension Project

Item:	Row #:	Tax Parcel #:	Taxpayer(s):	Property Address:
1	WS5186	9297301255	Susan Youles	3224 SW Genesee St Seattle, WA 98126
2	WS5190	9297301245	Katherine Detore	3218 SW Genesee St Seattle, WA 98126
3	WS10034	76666701220	Port of Seattle	1011 SW Klickitat Ave Seattle, WA 98126