

TO: City Council
FROM: Brandon Hicks, Transportation & Engineering Director
DATE: December 2, 2025
SUBJECT: Ordinance O2025-015 – Eminent Domain for X Street

1) Recommended Action:

Adopt Ordinance No. O2025-015 – Eminent Domain for X Street.

This ordinance was recommended for adoption on the considerations calendar by the Public Works Committee at their November 20, 2025 meeting.

2) Background:

The X Street Roundabout is the fourth transportation project derived from the Capitol Boulevard Corridor Study. The first project was the Capitol Boulevard Feasibility Study. The second project was the Interstate 5 / Trosper Road / Capitol Boulevard Reconfiguration project. The third project was the Capitol Boulevard Design project, which completed a substantial portion of the design for the remaining projects in the Corridor Study positioning the City to be more competitive in future grant applications. The transportation projects derived from the Capitol Boulevard Corridor Study aim to reduce congestion and provide safer travel for all modes.

City of Tumwater staff and right-of-way consultant Tierra Right of Way Services have been in contact with impacted property owners and have been working on documents to prepare for acquisition of right-of-way needed to construct the X Street Roundabout project. Some of the acquisitions are complicated and we may not be able to acquire the necessary property rights through standard negotiations. The timing of the project is critical due to funding, safety, and congestion. Our current schedule is to obligate construction funding by June of 2026 to ensure federal grant funding is not lost and regional obligation commitments are met. Acceptance of federal transportation grant funding requires willingness to acquire property rights through eminent domain, if necessary.

This Ordinance authorizes the City Attorney of the City of Tumwater or his or her designee to prosecute one or more actions in the Superior Court of the State of Washington in and for Thurston County, under the right of eminent domain for the purpose of acquiring real property and related interests and improvements necessary for the X Street Roundabout project; directing that compensation for the same shall be paid from such funds as have been designated for such project or from the General Fund of the City of Tumwater; and declaring the taking of such real property and related interests and improvements to be necessary for a public use.

3) Policy Support:

Create and Maintain a Transportation System Safe for All Modes of Travel

- Provide a safe, efficient, and cost-effective transportation system.

4) Alternatives:

- ☐ Do not place the Ordinance on the December 2, 2025 Council consideration calendar and accept the risk of potentially losing grant funding or of the region not meeting obligation commitments
-

5) Fiscal Notes:

The total cost estimate is approximately \$6.8 million for right of way and construction phases; the City has been awarded five separate grants totaling to approximately \$5.4 million for the project, local funds are programmed in the Transportation CFP budget.

6) Attachments:

- A. Ordinance No. O2025-015
- B. X Street Right of Way Exhibit