

Landowners Along Eastrail File Lawsuit Against Federal Government Over Rail-Trail Conversion

WOODINVILLE, WASHINGTON, UNITED STATES , January 29, 2024

/EINPresswire.com/ -- [Stewart, Wald & Smith, LLC](#), a leading Rails-to-Trails law firm that has successfully represented hundreds of landowners in cases involving the Eastrail, in addition to thousands more landowners across the country, have returned to King County, Washington to again defend landowners' rights.

Recently, the firm filed Creekside Park Owners' Association et al. v. United States in the United States Court of Federal Claims, Case No. 23-00772 on behalf of landowners in Woodinville, Washington, related to a northward

extension of the existing Eastrail. The firm previously and successfully brought multiple cases in the United States Court of Federal Claims that involved the Eastrail— Haggart. v. U.S. (Case No. 09-103L), Smith v. U.S. (Case No. 14-387L), and Access Golf, LLC. v. U.S. (Case No. 12-248L)—which collectively recovered more than \$200 million in money damages from the federal government for the taking of landowners' property within the former railroad corridor.

In Creekside Park, landowners own property located along 2.58 miles of abandoned railroad corridor from Woodinville, Washington, north to the Snohomish County and King County line. This extension continues the Eastrail that begins in the Renton area and runs through Woodinville.

The Eastrail extension through Woodinville was implemented through the federal railbanking program. Through railbanking, The Surface Transportation Board ("STB"), a federal agency that oversees all railroad activity and abandonment proceedings for railroads in the United States, is authorized to allow a public third-party entity, typically a county, municipality, state entity, or



stewart
wald &
smith LLC

Rails to Trails Law Firm - Stewart, Wald & Smith

public interest group, to formally request and acquire the land within the corridor, even though that land would otherwise revert to adjacent landowners at the time of railroad corridor's abandonment. This process is "legal" because the "[Rails-to-Trails Act](#)", a federal statute Congress enacted in 1983 that amended the existing Trails Act, allows a railroad that would otherwise abandon its corridor to alternatively transfer its rights to another entity for recreational hiking and biking trail use and preserve the corridor for future rail use ("railbanking").

Back when the Rails-to-Trails Act first took effect, landowners brought several federal lawsuits to prevent the Act's operation, but the Supreme Court ultimately decided that the Rails-to-Trails Act is legal. However, the Supreme Court also decided that, in railbanking situations and based on the Fifth Amendment to the Constitution, the federal government is required to pay landowners money damages for taking their property rights.

In Woodinville, the STB authorized a trail conversion and issued a notice of interim trail use on May 23, 2023. This is the date the federal government "took" the land and therefore owed money damages to adjacent landowners. The notice of interim trail use prompted Stewart, Wald & Smith to file Creekside Park, a federal lawsuit for qualifying adjacent landowners in Woodinville, and the firm is hopeful to achieve successful results similar to those already reached for hundreds of landowners in King County.

Jackie Tebbe

Stewart, Wald & Smith, LLC

+1 314-720-0220

[email us here](#)

Visit us on social media:

[Facebook](#)

[Twitter](#)

[LinkedIn](#)

[Instagram](#)

[YouTube](#)

This press release can be viewed online at: <https://www.einpresswire.com/article/684070056>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2024 Newsmatics Inc. All Right Reserved.