

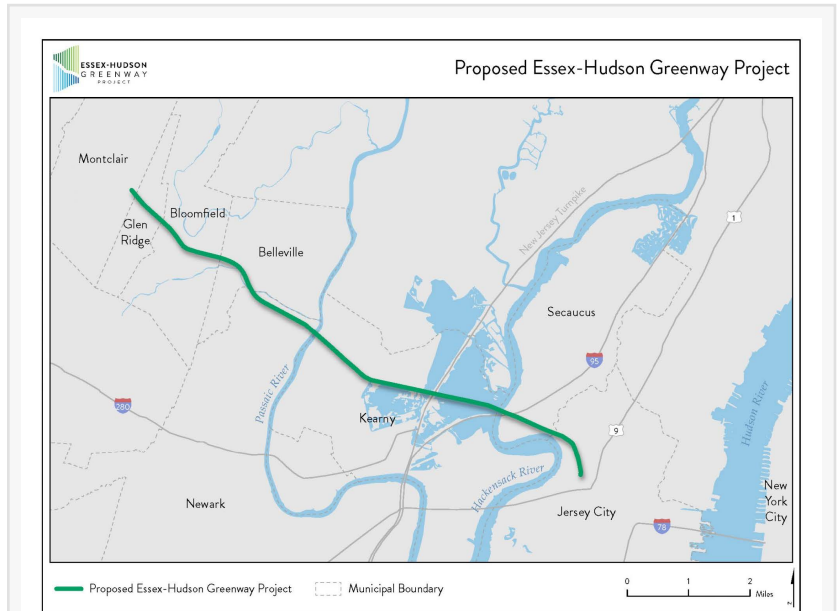
# Landowners along Essex-Hudson Greenway in New Jersey recover over \$2.4 million from Federal Government

MONTCLAIR, NEW JERSEY, UNITED STATES, February 28, 2024

/EINPresswire.com/ -- [Stewart, Wald & Smith](#), a Missouri law firm solely focused on Rails-to-Trails litigation has recovered \$2,479,886.72 from the federal government on behalf of several landowners due to the conversion of the defunct Norfolk Southern Railway Company railroad to a portion of the Essex-Hudson Greenway trail located in Montclair and Bloomfield New Jersey.

The landowners involved in the litigation owned land along an 8.6-mile stretch of former rail line from milepost 2.9, in the City of Jersey City, NJ to milepost 11.5, in the Township of Montclair.

[The Open Space Institute Land Trust, Inc.](#) officially requested to use the railroad corridor for the recreational trail. The United States Surface Transportation Board, a federal agency that oversees freight railroad activity in the United States, approved the project under the [National Trails System Act \("Trails Act"\)](#) and issued a Notice of Interim Trail Use ("NITU") on September 29, 2020.



Essex-Hudson Greenway Project

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Rails to Trails Law Firm - Stewart, Wald & Smith

A lawsuit against the federal government was possible because the federal Trails Act permits the conversion of abandoned railroad corridors into recreational hiking and biking trails, which simultaneously preserves the corridor for possible future railroad use, a federal process known as railbanking. The process prevents the land burdened by the railroad easement from reverting to the adjoining landowners, and gives the trail sponsor a new easement, thereby blocking the rights of the landowners to regain their property within the corridor.

Stewart, Wald & Smith filed the lawsuit, *Silva v. United States*, Case No. 20-1330 in the United States Court of Federal Claims, on October 6, 2020. After over 3 years of litigation, the landowners reached a settlement with the federal government.

Following their initial successes, Stewart, Wald & Smith continues to inform additional landowners who were not part of the prior lawsuit about their property rights. The firm believes there are still landowners along the stretch of railroad corridor from Jersey City to Montclair who could still be compensated for their loss of land and privacy along the rail-trail conversion.

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