

End of the Line for Some Rails-to-Trails Plaintiffs, Others Move Ahead

Following abandonment of a portion of the easement on which the railroad line runs, in 2009 the Iowa Natural Heritage Foundation purchased the line for interim use as a hiking and biking trail under Section 8(d) of the Trail Act.

That purchase was made on behalf of the Dickinson County Trails Board and the Osceola County Conservation Board. In 2010 the landowners who owned the land over which the abandoned easement lies filed a complaint in the U.S. Court of Federal Claims, seeking just compensation for the taking of their reversionary interests resulting from the changed, non-railroad use of the railroad easement.

Later that year, the U.S. Court of Federal Claims certified a class of 279 plaintiffs in a rails-to-trails taking cases who together owned 360 parcels of land in Iowa. The railroad corridor at issue in the case is a 36.9-long railway that runs through Dickinson and Osceola Counties. The railroad line was originally created by the Iowa Northwestern Railroad.

Following completion of discovery, the parties filed joint motions for partial summary judgment on liability. The court then ordered the parties to file charts identifying the status of each parcel and the parties' positions regarding each parcel. The charts revealed that the parties disputed liability on only 58 of the 360 parcels. Oral argument was then held for those 58 disputed parcels.

Ultimately the court granted and denied parts of the plaintiffs' motion for partial summary judgment on some of the parcels, and granted and denied parts of the Government's motion for partial summary judgment. The court has ordered the parties to submit status reports to resolve all remaining issues.

The opinion can be read [here](#).