

Bond Case Briefs

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EMINENT DOMAIN - FEDERAL

Snee v. United States

United States Court of Federal Claims - January 23, 2026 - Fed.Cl. - 2026 WL 184337

Owners of property adjacent to railroad corridor filed rails-to-trails action against United States, seeking just compensation for taking of their properties allegedly effected by Surface Transportation Board (STB) issuing notice of interim trail use (NITU) converting railroad right-of-way to public recreational trail, under National Trails System Act. Parties cross-moved for partial summary judgment.

The Court of Federal Claims held that:

- Under New York law, centerline presumption was not rebutted for owners for which railroad held easements pursuant to deeds lacking clear language limiting scope of conveyance;
- Under New York law, centerline presumption was rebutted for owners for which railroad held easements pursuant to deeds containing clear language limiting scope of conveyance;
- Existence of pre-existing trail did not affect totality-of-circumstances analysis used to determine whether railroad would have consummated abandonment in absence of NITU;
- Owners demonstrated railroad would have abandoned rail corridor absent NITU, as required to show causation for takings claim; and
- Genuine issue of material fact remained as to actual value of easement property at time of taking, precluding summary judgment.