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National R.R. Passenger Corp. v. McDonald

United States Court of Appeals, Second Circuit - February 24, 2015 - F.3d - 2015 WL 755839

National Railroad Passenger Corporation (Amtrak) commenced action against New York State Department of Transportation to challenge authority of New York State to condemn property that it owned. The United States District Court entered summary judgment in state's favor, and Amtrak appealed.

The Court of Appeals held that limitations period for suit accrued no later than when Amtrak had actual knowledge of public hearing related to planned taking.

Under New York law, limitations period for Amtrak's claim that state's taking of its property was preempted by federal law accrued no later than when Amtrak had actual knowledge of public hearing related to planned taking, rather than when title to property actually vested in state, even though state failed to give Amtrak formal notice strictly according to state statutory procedures and did not serve Amtrak at statutory address where it was to receive service of process, where state official had sent email informing Amtrak that state agency would hold public hearing on subject of condemning Amtrak's land, and agency published determinations and findings necessary for condemnation of land.