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EMINENT DOMAIN - DISTRICT OF COLUMBIA

National Railroad Passenger Corp. (Amtrak) v. 3.44 Acres More or Less of Land

United States District Court, District of Columbia - September 20, 2017 - F.Supp.3d - 2017 WL 4179878

National Railroad Passenger Corporation (Amtrak) filed suit to condemn two parcels of land. Landowner moved for partial summary judgment, challenging Amtrak's statutory authority to take one of the parcels, and Amtrak cross-moved for partial summary judgment.

The District Court held that:

- Standard for Amtrak to exercise its eminent domain power, necessary for intercity passenger rail transportation, means that condemned property must have significant relationship to Amtrak's goals, and
- Amtrak's exercise of eminent domain power to acquire landowner's parcel of land was permissible under statute that granted such power.

For a property to be eligible for condemnation under Amtrak's statutory power to acquire by eminent domain interests in property that are necessary for intercity passenger rail transportation, it must have a significant relationship or direct nexus to Amtrak's goals, which, as set forth by statute, include minimizing federal subsidies, and maximizing the use of its resources, including the most cost-effective use of employees, facilities, and real property; this standard of necessity, is less strict than less-resort need, because that standard would be impossible to implement without vitiating Amtrak's power to take property, and the standard requires more than mere usefulness, because under that standard almost any condemnation could be plausibly justified as useful for a transportation provider.

Amtrak is not a government entity with general authorization to exercise the sovereign's power of eminent domain on behalf of the sovereign itself, but rather, Amtrak is a government-sponsored corporation that has power to take property within confines of the terms of its statutory grant of such power, and as such, Amtrak's decision to exercise its limited power is subject to less deferential review than that afforded to a governmental entity.

Amtrak's exercise of eminent domain power to acquire land parcel, sitting adjacent to train station, which contained an office building and underground parking garage, was permissible pursuant to statute that granted Amtrak power to take property necessary for intercity passenger rail transportation. The parcel bore a significant relationship to Amtrak's transportation goals, as ownership of the office building afforded Amtrak with flexibility to decide how to most efficiently execute the expansion aspect of its master plan for the adjacent train station, and Amtrak had interest in acquiring fee simple to the parcel to solidify its current use of the office building for staff and to access the street underpass for vehicle access to the train station and the underground parking.

