FLINT COOPER

RAILS-TO-TRAILS OVERVIEW

2,260 = TOTAL RAIL-TRAILS

There are currently 2,260 rail-trails scattered across the United States, totaling 24,722 miles of rail-trails.

THE NATIONAL TRAILS SYSTEM ACT

This 1983 law permits railbanking of disused railroad corridors. Railbanking allows a railroad corridor to be converted into a recreational trail, while preserving the right-of-way for future rail use.

INVERSE CONDEMNATION

Occurs when the government takes property, but does not notify the owner or compensate the owner, as required by the Fifth Amendment.

EASEMENT VS. FEE SIMPLE

Occurs when the government takes property, but does not notify the owner or compensate the owner as required by the Fifth Amendment.

IT'S TIME TO TAKE ACTION

Take action by retaining Flint Cooper to represent you in filing a claim against the federal government for compensation for the property taken for the trail.

Welcome to Flint Cooper. If you are interested in our firm representing you, please use your mobile device and simply scan the QR code to learn more or sign up now within seconds.

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RAILS-TO-TRAILS OVERVIEW

1 Abandonment Request

A railroad applies to the Surface Transportation Board (STB) for approval to abandon a railway.

2 Abandonment Exemption

The STB grants the railroad's abandonment request.

3 NITU Request

The trail sponsor has ten (10) days to ask the STB to issue a Notice of Interim Trail Use (NITU).

4 NITU Issued

The STB issues the NITU, which authorizes conversion of the railway into a recreational trail.

5 File Suit

Once the NITU is issued, landowners with property abutting the railway may file suit against the federal goverment for compensation under the Fifth Amendment.

6 Appraisal

If the government's liability is proved, an appraiser will appraise the property to determine the amount of damages suffered.

7 Conclusion

If the client and the government are satisfied with the appraisal, the case can proceed to settlement. If unsatisfied, the case may proceed to a valuation trial.