

From: [Jose Alvarez](#)
To: [Jeffrey Delapena](#)
Cc: [Oliver Orjiako](#)
Subject: FW: Lewis Rice Wins Significant Victory for Oregon Landowners — Lewis Rice | Rails to Trails
Date: Wednesday, September 11, 2024 3:50:58 PM

Jeff,

Please add to the comp plan record.

Jose

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Wednesday, September 11, 2024 1:26 PM
To: Gary Medvigy <Gary.Medvigy@clark.wa.gov>; Karen Bowerman <Karen.Bowerman@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Glen Yung <Glen.Yung@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; CommDev OA Land Use <CommDevOALandUse@clark.wa.gov>
Subject: Fw: Lewis Rice Wins Significant Victory for Oregon Landowners — Lewis Rice | Rails to Trails

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Clark County Council

September 11, 2024

P.O.Box 5000
Vancouver, Washington 98666

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

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From: susan rasmussen <sprazz@outlook.com>

[Lewis Rice Wins Significant Victory for Oregon Landowners — Lewis Rice | Rails to Trails](#)

On Friday, May 8, attorneys Meghan S. Largent and Lindsay S. C. Brinton from Lewis Rice's Federal Takings & Rails to Trails Practice won a significant victory for five Oregon landowners who brought takings claims against the federal government. The claim resulted from the

Lewis Rice Wins Significant Victory for Oregon Landowners

On Friday, May 8, attorneys Meghan S. Largent and Lindsay S. C. Brinton from Lewis Rice's [Federal Takings & Rails to Trails Practice](#) won a significant victory for five Oregon landowners who brought takings claims against the federal government. The claim resulted from the conversion of the abandoned Port of Tillamook Bay Railroad into the Salmonberry Trail, a public recreation hiking and biking trail, which

crossed the landowners' property.

The landowners sued the federal government when it authorized the conversion of the Port of Tillamook Bay Railroad into the Salmonberry Trail in 2016. They alleged the land underlying the railroad easement belonged to them, and that the conversion of the railroad into a public recreational trail was not authorized under Oregon law.

In May 2020, Judge Nancy B. Firestone of the United States Court of Federal Claims ruled in the landowners' favor, holding that the easements over their property that were originally granted to the Pacific Navigation & Railway Company were limited to railroad purposes only and could not be used for public recreation.

As a result of Judge Firestone's decision, the federal government is liable for taking the Oregon landowners' property for public use. The landowners will now proceed before Judge Firestone to determine the amount of compensation they are owed for the taking of their land.

Click under "Resources" below for Judge Firestone's opinion.

Meghan represents landowners nationwide pursuing takings claims against the federal government for the taking of their property without just compensation. She litigates cases in the United States Court of Federal Claims on behalf of those whose property was taken by the federal government pursuant to the National Trails System Act, which authorizes abandoned railroad lines to be converted to public parks. In these rails to trails takings, Meghan focuses on both proving the taking has occurred as well as establishing the value of the property that was taken. Her goal is to obtain compensation from the government for land taken for the public recreational trail.

Lindsay represents landowners across the country pursuing their Fifth Amendment Takings claims against the federal government. She litigates cases in the United States Court of Federal Claims on behalf of those whose property was taken by the federal government pursuant to the National Trails System Act, which authorizes abandoned railroad lines to be converted to public parks. Lindsay's goal is to obtain compensation from the government for the taking of their land for the public recreational trail.