



KAPLAN KIRSCH ROCKWELL

East Side Rail-to-Trail Corridor

Our client—King County, Washington, and a consortium of governmental bodies—coordinated the railbanking for and then acquired a railroad right-of-way on which they intend to construct a recreational trail and accommodate other public uses. Kaplan Kirsch & Rockwell represented King County in contested proceedings before the Surface Transportation Board (STB) to secure approval as the trail sponsor under the National Trails Act. Since then, we have represented King County's efforts to defend the trail from attacks by neighboring landowners asserting reversionary property interests in the railbanked right-of-way and two attempts by start-up railroads to obtain rights to use the right-of-way based on speculative plans to provide freight rail service in suburban Seattle. We succeeded in protecting our clients' interests, allowing the local governments to continue implementing their plans for public use of the right-of-way. *GNP Rly, Inc.—Acquisition and Operation Exemption—Redmond Spur and Woodinville Subdivision*, STB Finance Docket No. 35407 (Surface Transportation Board June 15, 2011); *Ballard Terminal Railroad Company, L.L.C.—Acquisition and Operation Exemption—Woodinville Subdivision*, STB Docket No. FD 35731 (Surface Transportation Board Dec. 30, 2014).

Related Practices

Rail and Transit Litigation
Railbanking

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