

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

AEG INVESTMENTS, LP, ET AL.,)	
)	
)	Case No. 19-710
Plaintiffs,)	Senior Judge Thomas C. Wheeler
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

JOINT TITLE STIPULATION AND JOINT STATUS REPORT

JOINT TITLE STIPULATIONS

These stipulations are expressly based on facts and information available and known to the parties at the time of this filing, and are subject to modification or revocation by either party should that party determine that a stipulation contains or is based on an inaccurate fact or application of law to fact. These stipulations relate to the nature of the interest conveyed to or acquired by the railroad company in the railroad corridor at issue in this case. These stipulations are not intended to be binding, and shall not be used or cited, in any other action or proceeding.

A. Conveyance from Adrian C. Honore to Seaboard Air Line Railway conveyed an easement for railroad purposes.

The parties stipulate that the portion of railroad right-of-way at issue in this case was created by a conveyance from Adrian C. Honore to Seaboard Air Line Railway in 1910. The parties further stipulate that this conveyance from Honore to Seaboard conveyed an easement limited to railroad purposes.

B. Ownership of property on May 14, 2019

The parties stipulate that each plaintiff identified in the second amended complaint (ECF No. 15) owned his or her respective property (as noted by parcel number in the second amended complaint) on May 14, 2019, the date the Surface Transportation Board issued the Notice of

Interim Trail Use, except the following Plaintiffs, for which the parties do not stipulate to ownership at this time:

17	Steven Joseph and Jennifer Ann Hartl	0070-07-0011
25	Judy H. Johnson	0089-16-0006

C. Claims where all issues as to title are resolved

The parties stipulate that all issues as to title are resolved for each plaintiff identified in the chart below.

Claim	Name	Parcel #
2	AEG Investments, LP	0089-01-0059
6	Edwin M. and Lynda M. Boyer	0071-09-0004
10	Charles Craig Cort and Susan T. Cort	0071-09-0019
15	Kyle Hadley	0089-08-0048 0089-08-0047 0089-08-0046
23	Clay W. and Nancy R. Johansson	0089-01-0054
33	Mark Senac	0071-16-0050
35	Robert Walden	0089-08-0044

JOINT STATUS REPORT

The parties propose the following schedule for resolution:

1. For those plaintiffs identified in Chart C above (claims where all issues as to title are resolved), the parties intend to move forward with the appraisal process. At this time, the parties do not believe it is necessary to partition this group of plaintiffs into a separate case.

2. For those plaintiffs not identified in Chart C above (claims where all issues as to title are not resolved), the parties intend to engage in additional discussions to determine whether agreement can be reached or RCFC 56 briefing is necessary. To enable these discussions, the parties propose filing a subsequent status report with the Court on or before December 20, 2019.

Respectfully submitted this 6th day of December, 2019.

Respectfully submitted,

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