

Issue	Known Problems Experienced With State Rails To Trails & Park Takings
1	Failure of state to inform landowners of their rights
2	Failure of state by keeping project agenda, conception & planning obscure before going public
3	Failure of state to include and integrate local property owners in agenda, conception & planning
4	Failure of state through use of deception & piecemeal development
5	Failure of state in using false fronts
6	Failure of state in abusing eminent domain
7	Increased liability to state, adjoining property owners & trail coalition groups
8	Increased crime, lewdness, loitering, drugs, injury, trespass upon surrounding property along trails and parks
9	Increased damage to state and adjoining property
10	Courts allowing use of 4th Amendment (right to be secure) violation of search & seizure & trespass on property
11	Increase pollution along trail, e.g. garbage, human & animal feces, urine smell, waste, noise, etc.
12	Courts opening legal doors for property owners to sue trail groups on trespass and slander of title
13	Increasing experiences of trail expansion (project creep, i.e. nose under the tent)
14	Hidden wording on railroad restart clauses, railroad could reclaim its former right-of-way, 16 U.S.C. § 1247(d).
15	Utility providers along trail experiencing increased liability suits
16	Private property adjacent and near trails devalued
17	A City of Portland study shows living next to a trail is worse than living next to a cemetery in devaluation
18	High courts are awarding property owners attorney fees and costs if state pursues litigation and loses
19	Steep terrain and natural blockages of trail often force project abandonment due to high costs
20	Experiences of title impairment with trails
21	Collateral impact of threat of failure of future litigation forces potential condemnation of adjoining property
22	Eminent domain use is becoming nationally discouraged and viewed as force over common sense
23	Trail funding has a negative collateral impact on state and adjoining property owners
24	Reversionary title problems
25	Rising awareness of violation of private property owner fundamental rights by community and high courts
26	Hidden funding agendas surfacing after completion of project
27	Growing history of recreational liability upon state, property owners, utility providers, motorists & other trail users
28	Hidden state and/or environmental extremism agendas surfacing during and/or after construction
29	Flaws surfacing in Rails To Trails Act
30	Growing resentment by rural land owners over unnecessary use of force by state
31	City, County, State & federal government have a growing dark history of violating property owners unalienable rights
32	Abuse of eminent domain threats is duress under the threat of violence or other harm to restrain free choice
33	Misstatements, undervaluing, misrepresentations, concealment, fraud, & reckless indifference by government, green groups & benefiting non government groups (*)
34	* Note - Misrepresentation made to prevent or block further inquiry also constitutes fraud.