

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

4023 SAWYER ROAD I, LLC, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 19-757L
)	
UNITED STATES OF AMERICA,)	Judge Edward H. Meyers
)	
Defendant.)	

**NOTICE OF APPEAL IN RELATED CASE
*BARRON v. UNITED STATES***

Barron v. United States, Case No. 21-2181, involved a determination by this Court of whether conveyances in the early 1900s from Sarasota Land Company, A.C. and Flora Clough, Moses Neihardt, Oscar and Alice Burton, and a 1926 Condemnation Decree to railroads granted the railroad title to the fee simple absolute estate in the strip of land across which a railroad right-of-way was constructed and operated or, alternatively, whether the railroad acquired an easement to operate a railroad across this strip of land but the grantor and his or her successors retained ownership of the fee simple estate in the land subject to the easement.

On October 31, this Court held in *Baron* that these conveyances and the 1926 Condemnation Decree granted the railroad title to the fee simple estate in the strip of land. *Barron*, ECF Nos. 59 and 61. This Court also acknowledged that the railroad acquired only an easement in the land of those owners whose predecessor-in-title was Adrian Honoré and that these owners' claims for compensation should proceed to trial to determine the value of the property taken. *Id.*

These same conveyances (Sarasota Land Company, Clough, Neihardt, Burton, and the 1926 Condemnation Decree) are also the source of the railroad's interest in the strip of land which is the subject of the pending motion for summary judgment in this case set for argument on December 12.

On November 8, the dismissed plaintiffs in *Barron* (those owners whose predecessors-in-title were Sarasota Land Company, A.C. Clough, Moses Neihardt, O.A. Burton, or Tankersley and Davis whose land was subject to the 1926 Condemnation Decree) filed a notice of appeal to the United States Court of Appeals for the Federal Circuit. That appeal is now pending in the Federal Circuit as *Barron v. United States*, Case No. 25-1179.

Because the pending summary judgment in this case (ECF No. 111) involves some of the same legal issues that are now pending in the Federal Circuit, the plaintiffs file this notice of the *Barron v. United States* appeal advising this Court that these issues are before the Federal Circuit.

Respectfully submitted,

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