



It is not often that real property disputes go to the United States Supreme Court, but in *Marvin M. Brandt Revocable Trust v. United States*, the government brought an action to quiet title in land.

In 1976, the government conveyed 83.32 acres of land to the parents of Marvin Brandt, subject to a right of way granted to a railroad company. In 2004, the railroad company formally abandoned the rail line. The government claimed that it had an implied reversionary interest in the right of way, which would cause a transfer of the railroad company's interest back to the government in the event that it was abandoned. The Supreme Court ruled in March of this year that the right of way was limited to an easement to the railroad that was terminated by the railroad's abandonment and, thus, leaving the landowner's land unburdened.

The moral of the story is that when you are granting easement rights or other interests in real property, you need to carefully address what your rights are and what happens if you change or abandon those rights.