



# Department of Justice

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## **COURT REJECTS PRIVATE CLAIM TO DISPUTED PARK LAND IN OCALA NATIONAL FOREST**

Ocala, Florida - U.S. Attorney A. Brian Albritton announces that Senior U.S. District Judge Wm. Terrell Hodges has rejected a civil suit by David Nourachi claiming private ownership of valuable federal park land in the Ocala National Forest. The court issued its opinion after a two-day bench trial in which Nourachi claimed he had bought the property from Marion County in 2002.

Nourachi sued the United States through the Department of Agriculture, Forest Service, to establish his alleged title to the property based on the language in a 1937 deed that conveyed the park land to the government. Nourachi argued that the deed had not conveyed to the government roughly ten and a half acres of park property that fronted on Lake Bryant. Nourachi contended that Marion County then sold that acreage to him in 2002. The property had been privately appraised as being worth several hundred thousand dollars, and it encompassed valuable improvements that the federal government had made decades before.

At trial, the United States presented surveying evidence dating back to the 1800's to establish the boundaries of the property in question, including the shoreline of Lake Bryant. Using this historical surveying data, the government was able to explain to the

Court exactly what had been conveyed to the Forest Service in 1937, which included the acreage that Nourachi claimed was his. In addition, an expert surveyor completed a comprehensive survey of the entire township containing the disputed tract and confirmed that the 1937 deed in fact had conveyed all of the disputed property to the United States. The United States also offered into evidence historical records from the 1930's that explained the government's acquisition of the property and conclusively established the precise outline of the parcel in question.

United States Attorney Albritton stated, "The central mission of the Forest Service is to maintain and administer more than 193 million acres of federal park land, and this valuable lakefront property is a small but important part of that portfolio of public land holdings. The United States takes very seriously any attempt by private citizens to encroach upon public land holdings and will vigorously defend against such encroachments to the full extent of the law."

The client agency in the case is the Department of Agriculture, Forest Service. The case was handled by Assistant United States Attorneys Randy Harwell and Javier Guzman.