

Bond Case Briefs

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ANNEXATION - INDIANA

Town of Cedar Lake v. Certain Cedar Lake 2014 Annexation Territory Landowners

Court of Appeals of Indiana - October 11, 2017 - N.E.3d - 2017 WL 4532110

Landowners petitioned to set aside proposed annexation of property by town.

Following a bench trial, the Superior Court set aside the annexation. Town appealed.

The Court of Appeals held that sufficient evidence supported trial court's conclusion that town failed to establish that annexation territory was needed and could have been used in the reasonably near future.

Sufficient evidence in remonstrance proceeding challenging proposed annexation supported trial court's conclusion that town failed to establish that annexation territory was needed and could have been used in the reasonably near future. Evidence indicated that four proposed projects in annexation territory were merely possible rather than probable, would have undetermined effect on annexation parcel even upon completion, no developers had yet expressed interest in annexation territory or purchased any land, and no specific development was expected to occur in annexation territory within next three to five years.