

# **Bond Case Briefs**

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## **ANNEXATION - WISCONSIN**

### **Town of Lincoln v. City of Whitehall**

**Court of Appeals of Wisconsin - April 17, 2018 - N.W.2d - 2018 WL 1842075 - 2018 WI App 33**

Town, which had received favorable findings from Department of Administration, brought action against city seeking declaratory judgment that city's annexation ordinances, which had been adopted pursuant to grassroots process of direct annexation by unanimous approval, that detached territory from town were invalid.

The Circuit Court granted city's motion to dismiss all but contiguousness claim, and thereafter granted summary judgment for city on contiguousness claim. Town appealed.

The Court of Appeals held that:

- Town, when commencing a court action to protest a direct annexation by unanimous approval following review by the Department of Administration, is limited to challenging contiguity and county parallelism;
- Annexed territory was sufficiently contiguous to city;
- City was not the real controlling influence behind design and configuration of annexation; and
- Annexed territory was not of an exceptional shape and thus was not invalid as arbitrary.