Bond Case Briefs

Municipal Finance Law Since 1971

MANDAMUS - NEW YORK

South Blooming Grove Fire District v. Village of South Blooming Grove

Supreme Court, Appellate Division, Second Department, New York - January 29, 2025 - N.Y.S.3d - 2025 WL 322155 - 2025 N.Y. Slip Op. 00454

Fire district commenced article 78 proceeding against village seeking mandamus to compel authorization of land transfer and grant of easements that fire district alleged had been agreed upon by the parties.

The Supreme Court, Orange County, granted village's motion to dismiss the petition. Fire district appealed.

The Supreme Court, Appellate Division, held that village board of trustees' enactment of resolution authorizing land transaction was not a purely ministerial act for which mandamus was the proper remedy.

Village board of trustees' enactment of resolution authorizing land transaction consisting of land transfer and certain easements between village and fire district was not a purely ministerial act for which mandamus was the proper remedy for village's alleged failure to authorize agreed-upon land transfer and grant of easements; village was not required to enact or enforce resolution, and there was no otherwise clear legal right to land transaction.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com