

Bond Case Briefs

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INCORPORATION - ALABAMA

In re Incorporation of Caritas Village, Ala. v. Fuhrmeister

Supreme Court of Alabama - January 10, 2014 - So.3d - 2014 WL 92630

A petition was filed to incorporate village. The Probate Court denied the petition. Appeal was filed.

The Supreme Court of Alabama held that affidavits, which included declarations of intent to reside in village, did not satisfy the population requirement for petitioning to incorporate a village.

The declarants' statements of intent to declare residency in village did not meet the purpose of incorporating small municipalities as it did not indicate a body of inhabitants who shared with the proposed municipality a community of interest grounded in their place of residency.