

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **ANNEXATION - SOUTH DAKOTA**

### **Save Our Neighborhood-Sioux Falls v. City of Sioux Falls**

**Supreme Court of South Dakota - June 18, 2014 - N.W.2d - 2014 S.D. 35**

Landowner members of “Save Our Neighborhood” sought to invalidate an annexation resolution adopted by the City of Sioux Falls under SDCL 9-4-1, annexing property to be developed for a Walmart store. The land was unplatted and zoned for agricultural use. Its owner voluntarily petitioned for its annexation to Sioux Falls. Save Our Neighborhood asserted that SDCL 9-4-5 required the City to obtain approval from the Lincoln County Board of County Commissioners before legally adopting a resolution to annex unplatted agricultural land.

The Supreme Court of South Dakota held that the Legislature did not intend SDCL 9-4-5 to apply to a resolution adopted for a voluntary petition for annexation under SDCL 9-4-1.