

# **Bond Case Briefs**

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## **ANNEXATION - TENNESSEE**

### **Silliman v. City of Memphis**

**Court of Appeals of Tennessee - July 2, 2014 - Slip Copy - 2014 WL 3016659**

The trial court set aside a consent order regarding an annexation on the basis of the subsequent passage of legislation allegedly affecting the agreed-upon annexation. Property owners appealed.

The Court of Appeal reversed and reinstated the consent order, holding that Tennessee Code Annotated Section 6-51-122(a)(1)(A) established an annexation moratorium prohibiting annexations by ordinance wherein the municipality's annexation ordinance becomes operative from April 15, 2013 through May 15, 2014. In this case, the City's annexation Ordinance became operative thirty-one days after the order was entered sustaining the validity of the Ordinance in the quo warranto action, i.e., July 9, 2008. Because the City's Ordinance became operative prior to the moratorium established by the Tennessee General Assembly, the trial court erred in setting aside the consent order on the basis of Rule 60.02(5).