

Bond Case Briefs

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ANNEXATION - MISSISSIPPI

In re City of Oxford

Supreme Court of Mississippi - July 17, 2014 - So.3d - 2014 WL 3513037

Property owner petitioned for the inclusion of real property scheduled to become multi-million dollar medical facility into the contiguous municipal limits. In the Petition, owner alleged that she was the sole qualified elector residing in the proposed inclusion area (PIA), and therefore she fulfilled the two-thirds-electror requirement of Mississippi Code Section 21-1-45. The Chancery Court approved the petition, and objectors appealed.

At issue in the appeal was whether the qualified-electror requirement of Section 21-1-45 is met at the time of filing the petition or the time of trial.

The Supreme Court of Mississippi held that the requirement that two thirds of qualified electors residing in territory sign petition for annexation must be determined by ascertainment of number of persons living in area to be annexed who, on date of filing of petition, were registered voters in area.