

Bond Case Briefs

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ANNEXATION - KENTUCKY

Southeast Bullitt Fire Protection District v. City of Shepherdsville

Court of Appeals of Kentucky - February 6, 2015 - Not Reported in S.W.3d - 2015 WL 510935

Fire protection district filed a petition for declaratory judgment asking the court to invalidate fifteen separate annexation ordinances based on City's failure to comply with various statutes governing municipal annexations. The trial court granted summary judgment in favor of City and District appealed.

The Court of Appeals held that:

- Fire protection districts have standing to challenge the annexation of property from within their districts;
- Written waivers of the property owners in each annexation had not cured any proposed defects in the notice requirements of KRS 81A.412, as the waivers were executed after the annexations; and
- The trial court improperly granted summary judgment in favor of City, as District was entitled to conduct discovery regarding its allegations of boundary and filing defects in the annexations.