

Bond Case Briefs

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ANNEXATION - INDIANA

Town of Zionsville v. Town of Whitestown

Supreme Court of Indiana - January 22, 2016 - N.E.3d - 2016 WL 280899

The Town of Whitestown brought a declaratory judgment action against the Town of Zionsville, seeking a declaration that the prior reorganization of Zionsville and the Township of Perry – pursuant to the Indiana Government Modernization Act (GMA) – was contrary to law and that Whitestown could initiate certain annexations. Defendant town filed counterclaim for declaratory judgment. The Superior Court granted summary judgment to Whitestown. Transfer was granted.

The Supreme Court of Indiana reversed, holding that:

- Upon reorganization, Zionsville had power to further reorganize;
- Perry and Zionsville met adjacency requirement for reorganization;
- Separate voting tallies were not required for Perry and Zionsville to reorganize; and
- Perry and Zionsville were protected from invasive annexations.