

Bond Case Briefs

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ANNEXATION - NEBRASKA

City of Springfield v. City of Papillion

Supreme Court of Nebraska - August 26, 2016 - N.W.2d - 294 Neb. 604 - 2016 WL 4491757

City filed suit, claiming that another city and county illegally annexed land that it had mapped for future growth and development.

The District Court dismissed the case for lack of standing. City appealed.

The Supreme Court of Nebraska held, as a matter of first impression, that County Industrial Sewer Construction Act granted city standing to challenge allegedly illegal annexation.

County Industrial Sewer Construction Act granted city standing to challenge other city's and county's annexation of land that infringed on the city's powers over areas mapped for future growth and development. City's right to exercise powers under the Act, associated with a municipality's area of future growth and development, was a personal, legal interest of the city's, regardless of whether it was actively exercising those rights at time the other city annexed the disputed territory.