

# **Bond Case Briefs**

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## **BOUNDARIES - PENNSYLVANIA**

### **Adams Township v. Richland Township**

**Supreme Court of Pennsylvania - February 22, 2017 - A.3d - 2017 WL 694746**

Newer township brought action against older township for declaratory judgment, seeking judicial declaration that professional surveyor's proposed line represented the true boundary between the townships.

The Court of Common Pleas entered order establishing tax assessment line as boundary between the townships. Newer township appealed. The Commonwealth Court vacated and remanded. Older township petitioned for allowance of appeal, which was granted.

The Supreme Court of Pennsylvania held that:

- Reviewing court may not disturb a determination by a board of commissioners as to the location of a municipal boundary unless the board committed an error of law or its conclusion was not supported by competent evidence, disapproving of *Robinson Township v. Collier Township*, 9 Pa.Cmwlth. 193, 303 A.2d 575;
- As matter of first impression, the doctrine of acquiescence may be applied to resolve a municipal boundary dispute when the location of the municipal boundary is uncertain; and
- As matter of first impression, doctrine of acquiescence allowed board of commissioners to adopt tax assessment line, which townships and their residents had used as common boundary, as boundary between two townships after board determined that it was unable to ascertain original location of the boundary.