

Bond Case Briefs

Municipal Finance Law Since 1971

ANNEXATION - ILLINOIS

I-57 and Curtis, LLC v. Urbana and Champaign Sanitary District

Appellate Court of Illinois, Fourth District - August 26, 2020 - N.E.3d - 2020 IL App (4th) 190850 - 2020 WL 5036097

Landowner brought action against sanitary district, city, and other municipal defendants seeking to invalidate an intergovernmental contract that governed annexations of territory to the sanitary district.

The Circuit Court granted defendants' motion for judgment on the pleadings. Landowner appealed.

The Appellate Court held that:

- Sewer agreement transferred no power from sanitary district to city, and thus sewer agreement did not violate Intergovernmental Compact Act;
- Sanitary district had statutory authority to require landowner to enter into annexation agreement with city as condition of granting landowner' petition for annexation to sanitary district;
- Defendants did not perpetrate mere subterfuge to allow city to allegedly force annexation of landowner' property by blocking access to sanitary district sewer unless landowner annexed property into city;
- As a matter of apparent first impression, landowner had no protectable property interest in subdivision approval;
- Landowner had no protectable property interest in approval of its petition for annexation to the sanitary district; and
- City did not unconstitutionally burden landowner's right to vote.