Bond Case Briefs

Municipal Finance Law Since 1971

ANNEXATION - NEW JERSEY

Whiteman v. Township Council of Berkeley Township

Supreme Court of New Jersey - July 10, 2025 - A.3d - 2025 WL 1900914

Residents of barrier island community filed complaint in lieu of prerogative writs, seeking judicial review of township council's denial of their petition for deannexation from township.

The Superior Court, Law Division, entered judgment for residents and ordered deannexation. Township appealed. The Superior Court, Appellate Division, affirmed. Certification was granted.

The Supreme Court held that:

- Trial court's finding that township's denial of residents' deannexation petition was arbitrary and unreasonable under deannexation statute due to bias was supported by competent, relevant, and reasonably credible evidence;
- Substantial evidence supported trial court's finding that residents of barrier island community met their burden of establishing that township's denial of their deannexation petition was detrimental to economic and social well-being of a majority of residents of area sought to be deannexed; and
- Trial court's finding that deannexation of barrier island community would not have caused substantial economic or social harm to township was supported by competent, relevant, and reasonably credible evidence.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com