



Bargaining for Development: A Handbook on Development Agreements, Annexation Agreements, Land Development Conditions, Vested Rights, and the Provision of Public Facilities

David Callies, Daniel J. Curtin, Julie A. Tappendorf

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Bargaining for Development is a one-of-a-kind handbook that explores the policy and planning principles behind land development conditions, vested rights, and development/annexation agreements, and provides guidance for the practicing professional, government, and land development communities in evaluating the need for, and the drafting of, land development statutes, ordinances, and agreements.

The handbook's basic premises are two-fold. First, land development and annexation agreements offer an excellent vehicle for government and landowners to provide in detail for land developments. Second, because of the law pertaining to vested rights and land development conditions, the development community needs more assurances concerning the continued viability of their projects and the government community requires more in the way of public facilities than the common law grants to either. Vested rights to proceed with a development, including the multi-stage variety, are not easy to come by under the applicable legal principles. Public facilities not closely tied to a land development project through nexus and proportionality are similarly difficult to legally enforce. A development agreement provides for both.

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