

**VOLUME 1958
NUMBER 1
JANUARY**

REPRINTED FROM

**WISCONSIN
LAW REVIEW**

■ **CHARACTERISTICS OF LAND REQUIRED
FOR INCORPORATION OR EXPANSION
OF A MUNICIPALITY**

Richard W. Cutler

Characteristics of Land Required For Incorporation or Expansion of a Municipality

RICHARD W. CUTLER*

I. POST-WAR URBAN SPRAWL

One of the outstanding national phenomena of the thirteen years since the close of World War II has been the rapid and disorganized manner by which the population of metropolitan cities has spilled over into the surrounding countryside. The mass migration to the dreamed-of "green belt" in the suburbs has led in turn to the ever-accelerating conversion of once unspoiled farm land into large-scale residential subdivisions, dropped helter-skelter across the landscape, without adherence to any over-all planning as to the consequences for traffic, schools, water supply, or other important governmental services. This leapfrog growth has been appropriately called the "urban sprawl."¹ All of us are familiar with the trend and some of its less appealing aesthetic consequences, but the population statistics themselves are quite staggering: Between 1950 and 1955, 95% of all the population growth in the United States took place within the 150 metropolitan complexes consisting of central cities of 50,000 population or more and their suburbia.² In Wisconsin, the combined population of Milwaukee County and neighboring Waukesha rose from 960,000 in 1950 to 1,175,000 in 1956,³

* B.A. 1938, LL.B. 1941, Yale University; City Attorney, Brookfield, Wisconsin, 1954 ———; member, Wisconsin, New York, and Connecticut Bars; member, Metropolitan Study Commission for Milwaukee County established by the 1957 Legislature; Wood, Brady, Tyrrell & Bruce, Milwaukee, Wisconsin.

¹ For a detailed discussion of all phases of the post-war urbanization of the countryside near our larger cities, see seven feature articles in N. Y. Times, Jan. 27 through Feb. 3, 1957 all of which appear in § 1, p. 1. Between Boston and Washington in 1955 there remained only two areas which could be called rural. One was two miles long and the other seventeen. "Rural" is defined as having less than 25% farm population and less than 100 persons per square mile. *Interurbia, The Changing Face of America*, a speech delivered by W. C. McKeehan, Vice President, J. Walter Thompson Company, to Association of Commerce, Milwaukee, Oct. 15, 1957, pp. 2, 12.

² BOLLENS, STATE AND METROPOLITAN PROBLEMS II (Report submitted to 1956 Council of State Governments.)

³ FEDERAL RESERVE BANK OF CHICAGO, ANNUAL REPORT 28, (1956).