

U. L. v. Carteret

Sep 12, 1984

Monroe

Letter from Hutt to Serpentelli re: order &
Judgment

Pgs 2

CA000337L

Law Offices

Hutt, Berkow & Jankowski

A PROFESSIONAL CORPORATION

*Gordon Berkow
Stewart M. Hutt
Joseph J. Jankowski
Janice H. Scherer
D. Bruce Unger
Ronald L. Szymanski
Wayne J. Peck*

*Park Professional Bldg.
459 Amboy Avenue
P.O. Box 648
Woodbridge, N.J. 07095*

September 12, 1984

*Reply to
P. O. Box 648

(201) 634-6400
Our File #*

Hon. Eugene D. Serpentelli, J.S.C.
Ocean County Court House
CN 2191
Toms River, New Jersey 08753

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Re: Urban League of Greater New Brunswick, et al SEP 14 1984
v. Borough of Carteret, et al.

(Great Meadows Company, et al. v.
Township of Monroe)

JUDGE SERPENTELLI'S CHAMBERS

Dear Judge Serpentelli:

I am writing with regard to the Order and Judgment as to Monroe and Cranbury Townships, in the above captioned matter, which Order was executed by Your Honor on August 13, 1984. In particular, I wish to direct Your Honor's attention to my letter dated August 7, 1984 in which I raise the question as to why the issue of priority among builders for a Builder's Remedy was limited to Cranbury. In a letter written to Mr. Gelber and dated August 20, 1984, the Court informed me that the above mentioned Order was limited to Cranbury on the issue of priorities because that issue is applicable only to Cranbury.

I respectfully call Your Honor's attention to the following factual situation in the Monroe Township Litigation.

Essentially there exists three sets of Plaintiffs. First, Monroe Development Associates owns approximately 60 acres of land and is the only Plaintiff-Builder to have participated in the first phase of trial (the other two sets of Plaintiffs having been only partially consolidated). Second, there is Lori Associates and HADB Associates which own approximately 142 acres and 167 acres respectively. Third, there are my clients, Great Meadows Company, Monroe Greens Associates and Guaranteed

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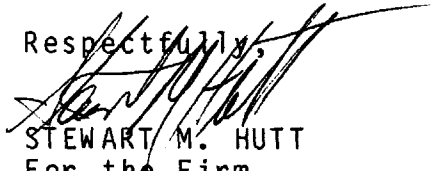
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Realty Associates, which own approximately 185 acres, 360 acres and 50 acres, respectively.

Therefore, the Builder-Plaintiffs in Monroe own a total of 962 acres. Since the fair share for Monroe is 774 units, there could very well be a priority dispute as to Builder's Remedies.

In light of the foregoing, it is respectfully submitted that the Court reconsider the request that the Master be ordered to make recommendations as to relative suitability of each builders site in Monroe Township.

Respectfully,


STEWART M. HUTT
For the Firm

SMH:a1

cc: Arnold K. Myatelka
Thomas Farino, Jr., Esq.
Carl Bisguaier
Bruce Gelber
Barbara Williams
Steven Denholtz
Roger Asch

Monroe
11/12/84