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20 March (1986)

- Notice of Application for imposition of conditions on transfer of litigation to fair hearing council

- Order Dissolving Restraints

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ATTORNEYS FOR Plaintiffs/C-3719

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
GENERAL EQUITY PART
MIDDLESEX/OCEAN COUNTIES
(MOUNT LAUREL)
DOCKET NO. C-4122-73

URBAN LEAGUE OF
GREATER NEW BRUNSWICK,
et al.,

Plaintiffs,

-vs-

MAYOR AND COUNCIL OF THE
BOROUGH OF CARTERET,
et al.,

Defendants.

: CIVIL ACTION
:
: NOTICE OF APPLICATION
FOR IMPOSITION OF
: CONDITIONS ON TRANSFER
OF LITIGATION TO FAIR
: HOUSING COUNCIL.

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TO: The Honorable Eugene D. Serpentelli
Assignment Judge, Superior Court
Ocean County Court House
Toms River, New Jersey 08754

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Clerk, Superior Court
Hughes Justice Complex
Trenton, New Jersey 08625

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PLEASE TAKE NOTICE that applicants Lawrence J. Massaro, Vincent P. Orazi, and Gene S. and Debra Mohan hereby give notice of their intention to apply to the Superior Court, Chancery Division, Ocean County, the Honorable Eugene D. Serpentelli, J.S.C., designated judge, for conditions to be imposed upon transfer of the above-captioned action and specifically upon that portion of the litigation concerning the Borough of South Plainfield; to wit:

(1) Lifting the restraints upon conveyance of certain properties imposed by this Honorable Court by order of July 3, 1985; and

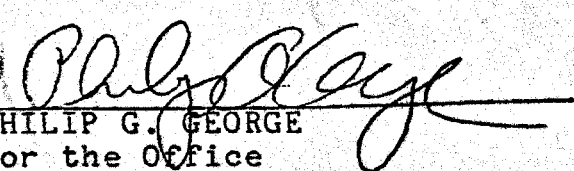
(2) Permitting closing of title to Lot 6 in Block 433, Lot 26 in Block 310, Lot 1.01 in Block 427 and Lot 4.01 in Block 433, Lot 3 in Block 398, and Lot 2.01 in Block 398 to proceed forthwith.

In support of this application, applicants will rely on the papers already of record in this matter. A proposed form of order is enclosed with this application. If objection is raised hereto, applicants request oral argument.

Dated: March 20, 1986

JOHN GEORGE
Attorney for Applicants

by:


PHILIP G. GEORGE
for the Office

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Defendants.

: CIVIL ACTION

: ORDER

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THIS MATTER having been opened to the Court by John George, Esq., attorney for applicants, on notice to all parties, and the Court having considered the application of applicants for imposition of certain restraints upon transfer of the within litigation to the Fair Housing Council in conformance with the New Jersey Supreme Court's decision in Hills Development Co. v. Township of Bernards, et al., ___ N.J. ___ (A-122 et seq.)(1936).

and it appearing that the dissolution of restraints imposed by order of this Court on July 3, 1985, regarding transfer of certain properties now owned by the Borough of South Plainfield will not hinder said transfer, and for good cause shown, now, therefore, it is

ORDERED, this _____ day of _____, 1986, as follows:

(1) The restraints imposed upon the transfer of Borough-owned properties imposed by this Honorable Court on July 3, 1985 are hereby dissolved; and

(2) Closing of title to Lot 6 in Block 438, Lot 26 in Block 310, Lot 1.01 in Block 427 and Lot 4.01 in Block 448, and Lot 3 in Block 398, and Lot 2.01 in Block 398, all as shown on the current tax map of the Borough of South Plainfield, Middlesex County, NJ may proceed forthwith.

EUGENE D. SERPENTELLI, J.S.C.