

UL v. Carteret (S. Plainfield) 10 April (1986)

Consent Order w/ reference to the
release of restraints on pending land sales
(proposed)

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OF COUNSEL
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April 10, 1986

Hon. Eugene D. Serpentelli
 Assigment Judge
 County of Ocean
 Ocean County Court House
 Toms River, New Jersey 08754

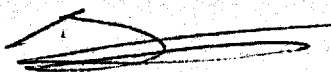
RE: Urban League of Greater New Brunswick
 vs. The Mayor & Council of the Borough of Carteret
 (Consent Order - South Plainfield - Gene Mohan)

Dear Judge Serpentelli:

Eric Neisser, Esq. on behalf of Urban League and I, on behalf of The Borough of South Plainfield, have finally worked out a mutually satisfactory form of Consent Order with reference to the release from the restraints on pending land sales with reference to Mr. Mohan's purchase of Lot 2, Block 397 located in the Borough of South Plainfield. Such Consent Order is herewith enclosed and would appreciate if Your Honor would forward to me in the enclosed, self-addressed envelope a conformed copy of same signed by Your Honor in the appropriate place.

Thank you for your kind consideration and cooperation.

Very truly yours,



FRANK A. SANTORO

FAS/jmp
 enclosures

CC: Eric Neisser, Esq. (w/e)
 CC: John George, Esq. (w/e)
 CC: Charles Haus, Chief Financial Officer,
 Borough of South Plainfield (w/e)

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ATTORNEYS FOR URBAN LEAGUE PLAINTIFFS

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX/OCEAN COUNTY

URBAN LEAGUE OF GREATER
NEW BRUNSWICK, et al.,

Plaintiffs,

vs.

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

Defendants.

Civil No. C 4122-73
(Mount Laurel)

CONSENT ORDER
(South Plainfield)

This matter having been opened to the Court by John George, Esq. on behalf of Gene Mohan, of 3210 Orchard Drive, South Plainfield, New Jersey, the contract purchaser from the defendant Borough of South Plainfield of Block 397, Lot 2, located on Harvard Avenue, seeking relief from this Court's restraints of July 19, 1985, as continued by Order of October 11, 1985, against land sales by the Borough, and the Borough Council having authorized by resolution dated February 24, 1986, a copy of which is attached hereto, the Borough's Chief Financial Officer to open separate escrow accounts as may be required by this Court to enable the Borough to finalize pending land sale transactions, and the Urban League plaintiffs and defendant Borough having agreed that the sale

of Block 397, Lot 2 should be finalized as long as the proceeds of said sale shall be placed in a separate escrow account pending final disposition of the funds by further Order of this Court,

IT IS HEREBY O R D E R E D this _____ DAY OF APRIL 1986

1. The restraints in the Orders of July 19, 1985 and October 11, 1985 against the sale of Borough owned land are hereby dissolved solely with regard to Block 397, Lot 2 on Harvard Avenue, and title to such lot may close on condition that the Chief Financial Officer of the Borough of South Plainfield immediately places all of the proceeds of that sale into an interest-bearing separate escrow account pending further Order of this Court.

2. Counsel for the Borough shall serve a copy of this Order within two days of signing upon counsel for the Urban League plaintiffs, counsel for Gene Mohan, and the Chief Financial Officer and the Mayor and Council of the Borough.

3. Counsel for the Borough shall file with the Court and serve on counsel for the Urban League plaintiffs within two days after closing of title, a copy of the closing statement and appropriate proof that the proceeds have been placed in escrow. The Urban League plaintiffs may, within five days of such service or of the date such service was required, file a motion on short notice for appropriate relief if this order is not complied with.

We hereby consent to the form, substance and entry of this

Order.

Eric Neisser

Eric Neisser
Attorney for
Urban League Plaintiffs

Frank A. Santoro

Frank A. Santoro
Attorney for
Borough of South Plainfield

Date: 4/1/86

Date: 4/7/86