

CA - Sayreville 19-Nov-74

Affidavit in Support of Sayreville's
Motion for said severance.

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CA001867V

ALAN J. KARCHER, ESQ.
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(201) 257 - 1515
Attorney for Defendants Mayor and Council
of the Borough of Sayreville

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY
DOCKET NO. C-4122-73

URBAN LEAGUE OF GREATER :
NEW BRUNSWICK, et al., :

Plaintiffs, :

vs. :

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

Defendants. :

Civil Action

SUPPORTING AFFIDAVIT

STATE OF NEW JERSEY:

: ss.

COUNTY OF MIDDLESEX:

ALAN J. KARCHER, of full age, being duly sworn according to
law, upon his oath deposes and says:

1. I am the Borough Attorney of the Borough of Sayreville
and have served in this capacity for the past two and a half years
or since January 1, 1972.

2. In such capacity I have been designated by the Mayor and Council to defend the Borough of Sayreville as one of the defendants in the above captioned matter.

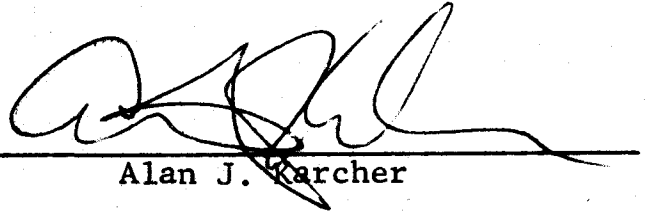
3. I have likewise been authorized by the borough officials to file a Notice for a severance of Sayreville from said suit and make this Affidavit in support of said Motion.

4. In my judgment the factual situation covering Sayreville is different, distinct and in fact unique rather than similar to the factual situation covering the remaining twenty-two municipalities.

5. Moreover I believe that Sayreville's heavy industrialization in comparison with the other municipalities make its situation also unique and different.

6. Finally the fact that Sayreville has adopted a PUD Ordinance (No. 1078A) and an amendment to said ordinance (No. 1144), both of which are the subject matter of litigation before the Court, makes it difficult if not impossible to try the merits of Sayreville's position if it continues to be joined as a defendant with the other twenty-two municipalities. While I am not counsel of record for the Borough of Sayreville in said pending litigation involving said ordinances, it is my judgment that the very fact that such litigation is pending would justify the Court in granting a severance to the Borough of Sayreville.

7. I make this Affidavit in support of Sayreville's Motion for said severance, knowing that the Court will rely upon the facts herein set forth.



Alan J. Rarcher

Subscribed and sworn to
before me this *19th* day
of November, 1974.



ELLA C. WHITSON
Notary Public of New Jersey
My Commission Expires Jan. 15, 1976