

UL v CA

Monroe.

07/19/85

Notice of Motion for an
Order temporarily restraining A Monroe Twp.

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Attorneys for Urban League Plaintiffs
on behalf of the ACLU of New Jersey

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION-
MIDDLESEX COUNTY

URBAN LEAGUE OF GREATER NEW)
BRUNSWICK)
Plaintiffs)
v.)
MAYOR AND COUNCIL OF THE BOROUGH)
OF CARTERET, et al.,)
Defendants)

No. C 4122-73
NOTICE OF MOTION

TO: The Honorable Eugene D. Serpentelli A.J.S.C.
Ocean County Court House
CN 2191
Toms River, New Jersey 08754

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Township of Monroe
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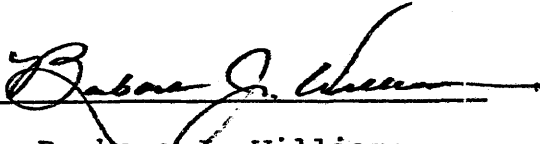
John M. Mayson, Clerk
Superior Court
Hughes Justice Complex
P. O. Box 971
Trenton, New Jersey 08625

Carl D. Silverman, Esq.
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1640 Vauxhall Road
Union, New Jersey 07083

TAKE NOTICE that on August 2, 1985 at 10:00 a.m. or as soon thereafter as counsel may be heard, counsel for plaintiffs will move before The Honorable Eugene D. Serpentelli A.J.S.C., at the Ocean County Court House, Toms River, New Jersey for an Order temporarily restraining Defendant Monroe Township and all its entities, employees, agents and others acting in concert with them from granting final Council approval of the application of Union Valley Corporation for the 2400 unit age-restricted Concordia Planned Retirement Community extension or any part of it or granting any other necessary approvals, unless such approval clearly indicates on its face that it does not vest any rights with respect to the claims of the Urban League plaintiffs in this litigation, and from issuing any building permits for the project, pending further Order of this Court adjudicating the adequacy of the proposed Compliance Plan; directing the Master to include in her report on the Compliance Plan: a) an assessment of the impact of approval of the Concordia extension without a set-aside as set forth in the Planning Board's June 27, 1985 Resolution upon the viability of the Balantrae PRC proposed in

the Compliance Plan and b) should she determine that the Concordia extension would undermine the viability of the proposed Balantrae project, a proposed alternative use of the Balantrae site that would be viable and assure production of 466 lower income units or a proposed alternative site to provide those units; and further directing Monroe Township Planning Board and Council, pending further Order of this Court, to provide the Urban League plaintiffs with 10 days advance written notice, addressed to Barbara Williams, Esq., Eric Neisser, Esq., Constitutional Litigation Clinic, Rutgers Law School, 15 Washington Street, Newark, New Jersey 07102, of agendas of all meetings of the two bodies and of any application or any proposed action on any application for development of more than 20 acres in Monroe Township.

Plaintiffs will rely on the affidavits of Barbara J. Williams, Esq. and Allan Mallach and the Memorandum of Law annexed hereto.


Barbara J. Williams

Dated: July 19, 1985