

AMG

6-12-81

Answer & separate defenses to complaint
of intervenor Skytop Land Corp.

Pgs. 2

AM000020A

5-95-98

FILED

JUN 17 2 00 PM 1981
SOMERSET COUNTY
L.R. OLSON, CLERK

FILED

JUN 12 1981

DEPT

M. Louis Ambrose
Clerk

KUNZMAN, COLEY, YOSPIN & BERNSTEIN, P.A.
15 Mountain Blvd.
Warren, N.J. 07060
(201) 757-7800
Attorneys for Defendant

Entered

A.M.G. REALTY COMPANY, a partnership, &
SKYTOP LAND CORP., a New Jersey
Corporation,

Plaintiff - Intervenor,

vs.

THE TOWNSHIP OF WARREN, a municipal
corporation of the State of New
Jersey,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
SOMERSET COUNTY
DOCKET NO. L-23277-80

Civil Action

ANSWER AND SEPARATE DEFENSES TO
COMPLAINT OF INTERVENOR, SKYTOP
LAND CORP.

The defendant, Township of Warren, a municipal corporation of the State of New Jersey, having its principal place of business at 46 Mountain Boulevard, Warren, New Jersey, by way of answer to the complaint of intervenor, Skytop Land Corp., says:

1. The defendant has insufficient knowledge and belief with regard to the allegations contained in paragraphs 1 and 4 of the complaint and leaves the intervenor to its proofs.

2. The defendant admits the allegations contained in paragraph 3 of the complaint.

3. The defendant denies the allegations contained in paragraphs 2, 5, 6 and 7 of the complaint.

WHEREFORE, defendant demands judgment dismissing the complaint and for costs and attorneys' fees.

SEPARATE DEFENSES

FIRST SEPARATE DEFENSE: Plaintiff has failed to exhaust its administrative remedies.

SECOND SEPARATE DEFENSE: Plaintiff is barred by the statute of limitations (45 days) from maintaining the present litigation.

THIRD SEPARATE DEFENSE: Plaintiff is estopped from maintaining the present litigation.

FOURTH SEPARATE DEFENSE: Plaintiff is barred by laches from maintaining the present litigation.

FIFTH SEPARATE DEFENSE: The Township of Warren has provided for least cost housing within its borders.

KUNZMAN, COLEY, YOSPIN & BERNSTEIN, P.A.

BY: 

John E. Coley, Jr.

Attorney for Defendant, Township
of Warren

I do hereby certify that a copy of the within answer was served within the time prescribed under Rule 4:6.

KUNZMAN, COLEY, YOSPIN & BERNSTEIN, P.A.

BY: 

John E. Coley, Jr.

Attorney for Defendant, Township
of Warren