

notice of motion to transfer acter
to COAH

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R.D.

FRANK A. SANTORO
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SOUTH PLAINFIELD, N. J. 07080
(201) 561-6868
ATTORNEY FOR Defendants

SUPERIOR COURT OF
NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY
Civil Action
No. C-4122-73

Plaintiff

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

vs.

Defendant

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

vs.

BOROUGH OF SOUTH PLAINFIELD
BY ITS MAYOR AND COUNCIL,
et al.,
Defendants.

LAW DIVISION
MIDDLESEX COUNTY
No. 56349-81

Docket No. C-4122-73

CIVIL ACTION

NOTICE OF MOTION TO
TRANSFER ACTION TO
COUNCIL ON AFFORDABLE
HOUSING AND OTHER
RELIEF

August *RB*

PLEASE TAKE NOTICE that on Tuesday, ~~July~~ *August* 23, 1985 at ~~2:00 p.m.~~
upon short notice determined by the Court, the Borough of South
Plainfield, defendants in the above matter shall move before the
Hon. Eugene D. Serpentelli at the Court House, Toms River,
New Jersey for an Order:

(1) Permitting the Borough of South Plainfield to transfer the matter of the adoption of Affordable Housing Ordinances Nos. 1009 and 1010, which said ordinances were introduced by defendants at a public hearing July 8, 1985, to the Council on Affordable Housing under the applicable provisions of the "Fair Housing Act".

(2) To dissolve the restraints imposed upon defendants under Court Order dated July 3, 1985 in so far as those restraints prevent the defendants from issuing building permits, site plan and subdivision approvals and consummating current and pending land sale transactions involving the sale and/or exchange and transfer of Borough owned lands for all real estate located in the Borough not subject to the "least cost housing" provisions of Ordinance 1009.

(3) Such other and further relief that the Court deems equitable and just.

In support of this motion, defendants will rely upon the certification of Frank A. Santoro, Esq., attorney for defendants, and a Memorandum of Law in support. A proposed form of Order is attached.



FRANK A. SANTORO
Attorney for Defendants
Borough of South Plainfield

Dated: July 18, 1985

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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