

Consent Order - dissolving restraints
in certain locations

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Filed

4-14-86

FILED
CLERK
SUPERIOR COURT

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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX/OCEAN COUNTY

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

Civil No. C 4122-73
(Mount Laurel)

vs.]

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

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 14 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.



EUGENE D. SERPENTE, A.J.S.C.

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

Order.


Eric Neisser
Attorney for
Urban League Plaintiffs


Frank A. Santoro
Attorney for
Borough of South Plainfield

Date: 4/1/86

Date: 4/7/86