

SILLS CUMMIS EPSTEIN & GROSS P.C.
650 College Road East
Princeton, New Jersey 08540
(609) 227-4600
Attorneys for Plaintiff
Roselle Park VP, LLC

ROSELLE PARK VP, LLC

Plaintiff,

v.

BOROUGH OF ROSELLE PARK, the
PLANNING BOARD OF THE
BOROUGH OF ROSELLE PARK, and
the BOROUGH COUNCIL OF THE
BOROUGH OF ROSELLE PARK,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - UNION COUNTY
DOCKET No: UNN-L-338-07

Civil Action

ORDER

This matter having come before the Court on motion by Plaintiff for partial summary judgment, on notice to all parties, and Jeffrey Surenian, Esq. (Jeffrey Surenian & Associates, special counsel for the Defendants); and Robert A. Kasuba, Esq. (Sills Cummis Epstein & Gross P.C., counsel for Plaintiff), appearing, and the Court having reviewed the submissions of the parties and considered oral argument and finding good cause exists for the entry of this Order,

It is on the _____ day of August, 2007:

1. ORDERED that the Romerovski Site Redevelopment Plan, concerning that property known as Block 213, Lot 1 and Block 314, Lot 1 according to the tax map of the Borough of Roselle Park (the "Property"), prepared by Heyer Gruel & Associates, dated March 2007 (the "Redevelopment Plan") is invalid to the extent that it

prevents the development of a rental apartment project and requires a condominium or cooperative form of ownership for the development of the Property.

2. IT IS FURTHER ORDERED that this Order shall not be construed as preventing or inhibiting residential uses on the Property.

3. IT IS FURTHER ORDERED that this Order does not foreclose further modification or invalidation of the Redevelopment Plan or imposition of any other site specific relief regarding the Property as may be required by this Court to bring the Borough of Roselle Park into compliance with its Mount Laurel obligation.

4. IT IS FURTHER ORDERED that counsel for the Plaintiff shall provide all counsel of record with a copy of this Order within 7 days of receipt and, until the Redevelopment Plan is amended to conform to this Order, a copy of this Order shall be annexed to publicly available copies of the Redevelopment Plan, including electronic versions available on the Borough's website.

HON. JOHN PISANSKY, J.S.C.

Opposed _____

Unopposed _____

SILLS CUMMIS EPSTEIN & GROSS P.C.
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Newark, New Jersey 07102
(973) 643-7000
Attorneys for Plaintiff
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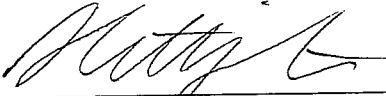
Civil Action

**CERTIFICATION OF
SERVICE**

I hereby certify that on this date, I caused to be served by FedEx one (1) copy of the papers in support of Plaintiff's motion for partial summary judgment regarding Counts Two and Three of the Amended Complaint, comprised of its Notice of Motion, Statement of Undisputed Material Facts, Brief, Certification of Ronald S. Ladell, Esq., dated July 3, 2007, Certification of Robert A. Kasuba, dated July 3, 2007 and proposed form of Order on the following:

Jeffrey R. Surenian, Esq.
Jeffrey Surenian & Associates, LLC
Rivers Edge Professional Building
2052 Route 35, Suite 201
Wall, NJ 07719

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



ANDREW LETTINGTON, ESQ.

Dated: July 5, 2007