

**FORM NO. 25**

**PETITION FOR REVIEW  
TO BE USED WHERE REMANDING COURT RETAINS JURISDICTION**

ROSENCRANTZ and GULDENSTERN, P.A.  
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Attention: A. Rosencrantz, Esq.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, COUNTY  
Docket No.

UPHILL DEVELOPMENT CORP.,	:	
Plaintiff,	:	
vs.	:	Civil Action
PLANNING BOARD OF	:	PETITION FOR REVIEW OF
CITY OF CLIFFORD,	:	REMANDED PROCEEDINGS
Defendant.	:	

Plaintiff, Uphill Development Corp., a corporation of the State of New Jersey, having its principal office at 1005 Main Avenue, City of Clifford, County of \_\_\_\_\_, State of New Jersey, says:

1. By Complaint in Lieu of Prerogative Writ, filed in the Superior Court of New Jersey on March 14, 20\_\_, plaintiff sought review of the denial by the Planning Board of the City of Clifford of an application for subdivision approval of lands and premises in the City of Clifford known as Lot 1001 in Block 60, as shown on the Tax Map of the City of Clifford.

2. A Judgment and Order for Remand was entered in this Court on November 25, 20\_\_, entering judgment in favor of plaintiff and against defendant Planning Board as to all but one issue and remanding the matter to the Planning Board for consideration of said specific issues. The Court, by its order of said date, retained jurisdiction of the cause.

3. Thereafter, a hearing was held before the defendant Planning Board on said remanded matters on November 29, 20\_\_. At said hearing the Planning Board denied plaintiff's request for an exception from the provision of the Clifford ordinance that requires 200 feet between street intersections and said Board further failed to make any determination as to whether or not such an exception was or was not required.

4. The board's action was subsequently memorialized in a resolution adopted on December 27, 20\_\_.

5. Plaintiff contends that the Board's decision was arbitrary and capricious and contrary to the evidence before it, and that the action of the Board should be reversed and judgment entered in favor of plaintiff, requiring defendant to approve plaintiff's subdivision.

WHEREFORE, plaintiff petitions the Court to exercise its retained jurisdiction to review the actions of defendant Planning Board herein complained of and to fix and establish dates for submission of briefs and for argument before the Court.

Respectfully Submitted,  
ROSENCRANTZ AND GULDENSTERN

By: \_\_\_\_\_  
A. Rosencrantz  
Attorneys for Plaintiff  
Uphill Development Corp.