

## RESOLUTION 2011-06

Note: Signed March 8, 2011 Grant of Conservation Restriction/Easement Attached end of Resolution

WELLINGTON MANOR HOMEOWNERS' ASSOCIATION, INC., RESOLUTION  
REGARDING THE FILING OF A GRANT OF CONSERVATION  
RESTRICTION/EASEMENT

**WHEREAS**, the Declarations of Covenants, Conditions, Easements and Restrictions for Wellington Manor and the By-Laws of the Association empower the Board of Trustees with all powers necessary for the proper conduct and administration of the Association, including the lands which comprise the property of the Association; and

**WHEREAS**, when the homes at Wellington Manor were originally constructed, the developer was required to obtain a permit from the State of New Jersey Department of Environmental Protection that would allow the developer to destroy some wetlands in order to build the project; and

**WHEREAS**, as a result of this, the State of New Jersey Department of Environmental Protection imposed special obligations on the developer, the Wellington Manor Homeowners' Association, Inc., and the individual homeowners in order to protect the remaining wetlands and the buffer, or transition area, adjacent to the wetlands; and

**WHEREAS**, much of the property comprising Wellington Manor is under these restrictions; and

**WHEREAS**, the developer obtained a plan of Conservation Easement for Wellington Manor at Hopewell, Hopewell Township, Mercer County, New Jersey as prepared by Princeton Junction

Engineering, P.C., dated May 5, 2008, revised through October 21, 2010; and

**WHEREAS**, the approval process required the filing of a Grant of Conservation Restriction/Easement, which has been filed on behalf of the Association with the Mercer County Clerk; and

**WHEREAS**, the Grant of Conservation Restriction/Easement required the Association to provide notice of the Deed Restriction to all holders of any easements in the conservation easement area; and

**WHEREAS**, in accordance with the terms of the Conservation Restriction/Easement, if the State of New Jersey Department of Environmental Protection determines that a breach, default or violation of the terms of the Conservation Restriction/Easement has occurred or that a violation is threatened, the Department of Environmental Protection shall give written notice to Wellington Manor Homeowners' Association, Inc., of such violation, setting forth the specifics thereof, and demanding corrective action sufficient to cure the violation; and

**WHEREAS**, were violations to occur and the State of New Jersey Department of Environmental Protection to give notice to Wellington Manor Homeowners' Association, Inc., the Association would be required to take steps to prevent the violation, including notifying individual homeowners who may be in violation of the terms of the Conservation Restriction/Easement; and



**WHEREAS**, the Board of Trustees feels that it is proper to establish and promulgate this Resolution regarding its obligations and responsibilities under the terms of the Conservation Restriction/Easement.

**NOW THEREFORE BE IT RESOLVED:**

1. Given that the State of New Jersey Department of Environmental Protection would notify the Wellington Manor Homeowners' Association, Inc., in the event of a violation of the Conservation Restriction/Easement, the Board of Trustees of the Association is responsible for the taking steps to correct violations by homeowners and members of the Association. As such, the Board of Trustees will take whatever steps it deems reasonably necessary to do so, including the sending of notices, the imposition of fines, and the withholding of Association privileges, all as set forth in the governing documents of the Association.
2. Upon adoption, the Board of Trustees shall have this Resolution filed with the Mercer County Clerk.

**IN WITNESS WHEREOF**, the Wellington Manor Homeowners' Association, Inc. has caused these presents to be signed and attested by its proper officers this 13 day of March, 2012.

ATTEST:

Wellington Manor Homeowners'  
Association, INC., a New  
Jersey non-profit corporation

Howard Schwartz  
HOWARD SCHWARTZ, Secretary

Sanford B. Bing  
SANFORD BING, President

STATE OF NEW JERSEY:

: ss  
COUNTY OF Mercer :

BE IT REMEMBERED, that on the 13 day of March, 2012, before me, the subscriber, a notary public of the State of New Jersey, personally appeared HOWARD SCHWARTZ, who being by duly sworn on her oath, deposes and makes proof to my satisfaction that she is the Secretary of the Association named in the within Instrument and SANFORD BING, is the President of said Association; the execution, as well as the make of this Instrument, has been duly authorized by a proper resolution of said Association; that the deponent well knows the corporate seal of said Association; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President and Secretary and for the voluntary act and deed of said Association, in presence of deponent, who thereupon subscribed her name thereto as attesting witness.

Sworn and subscribed  
to before me on the above date.

Elena Septer

Howard Schwartz, Secretary  
HOWARD SCHWARTZ, Secretary

ELENA SEPTER  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires August 20, 2013

RECORD AND RETURN TO:

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