

*Monmouth Heights*

AT FREEHOLD RECREATIONAL ASSOCIATION, INC.

P. O. BOX 763  
FREEHOLD, N. J. 07728

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CERTIFICATE OF INCORPORATION  
OF MONMOUTH HEIGHTS AT FREEHOLD  
RECREATIONAL ASSOCIATION, INC.

This is to certify that we, HENRY H. SPERAY, DOMINICK MAGARELLI, URSULA HOPE, ROBERTA HOAGLAND AND LUCILLE ANTONIELLO do hereby associate ourselves into a corporation, under and by virtue of the provisions of Title 15, Corporations and Associations Not For Profit, Revised Statutes, State of New Jersey, and the several supplements thereto and acts amendatory thereof, and do severally agree to the following provisions:

ARTICLE I: The name of the corporation is: MONMOUTH HEIGHTS AT FREEHOLD RECREATIONAL ASSOCIATION, INC.

ARTICLE II: The purposes for which the corporation is formed and the objects to be promoted by it are as follows:

A. To promote recreational and athletic activities for the residents of "Monmouth Heights at Freehold", a residential development situated in Freehold Township, Monmouth County, New Jersey together with such additional lands as may be brought within the scheme of a certain Declaration of Covenants, Restrictions, Easements, Charges and Liens (hereinafter referred to as the "Declaration") made by Levitt and Sons, Incorporated, a Delaware corporation, on March 25, 1969 and recorded in the Office of the Clerk of Monmouth County in Book 3660 at page 714; and for this purpose:

- (1) To own, acquire, build, operate and maintain facilities for swimming, tennis courts, commons, and other recreational and athletic facilities, including building, structures and personal properties incident thereto, hereinafter referred to as the "Common Areas";
- (2) To enforce any and all covenants, restrictions and agreements applicable to the Common Areas and the residential lots within the above described residential community (the enforcement of which is not specifically and exclusively reserved to other), particularly the aforesaid Declaration;

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- (3) To fix and levy assessments or charges for the management, operation, improvement and maintenance of the aforesaid Common Areas.
- B. To make and perform any contracts and to do any acts and things and exercise any powers suitable, convenient, proper or incidental for the accomplishment of any objects enumerated herein.
- C. The corporation shall be authorized to exercise all of the powers, rights and privileges granted to non-profit corporations by the laws of the State of New Jersey now or hereinafter in force, for the accomplishment of the objects enumerated herein.

ARTICLE III: The corporation shall have power to dispose of its real properties only as authorized under the aforesaid Declaration applicable to such properties.

ARTICLE IV: The total unpaid debts of the corporation at any given time (including outstanding loans to the corporation) shall not exceed the total of the maximum annual assessments that may be levied for the then current year pursuant to the aforesaid Declaration.

ARTICLE V: The corporation may be dissolved only with the assent given in writing and signed by the members entitled to cast two-thirds of the votes of each class of its membership. Written notice of a proposal to dissolve setting forth the reason therefor and the disposition to be made of the assets (which shall be consonant with Article VI hereof) shall be mailed to every member at least sixty (60) days in advance of any action taken.

ARTICLE VI: Upon dissolution of the corporation, its assets, both real and personal, shall be dedicated to an appropriate governmental body or agency to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the corporation. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and

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assigned to any non-profit corporation, association, trust or other organization to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the corporation. No such disposition of the corporation's properties shall be effective to divest or diminish any right or title of any member vested in him under the aforesaid Declaration unless made in accordance with the provisions of such Declaration.

ARTICLE VII: These Articles may be amended pursuant to law, provided that no amendment shall be effective to impair or dilute any rights of members that are governed by the Declaration (as, for example, membership and voting rights) which are part of the property interests created thereby.

ARTICLE VIII: The activities of this corporation will be conducted principally in Freehold Township, Monmouth County, New Jersey

ARTICLE IX: The business and conduct of this corporation shall be regulated, subject to the will of the membership, by Board of Trustees comprised of from three (3) to nine (9) individuals, who need not be members of the corporation. The names and addresses of the Trustees selected for the first year of the existence of this corporation are as follows:

Henry H. Sperry	182 Trenton Court, Staten Island New York
Dominick Magarelli	284 Harris Avenue, Middlesex, New Jersey 08846
Ursula Hope	29 Edwards Lane, Englishtown, New Jersey 07726

ARTICLE X: The address of the principal office of the corporation shall be: c/o Levitt and Sons, Incorporated, Route 130 and Willingboro Parkway, Willingboro, New Jersey. The resident agent of the corporation upon whom process may be served, is Donald B. Stiller at said principal office (Zip Code 08046)



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ARTICLE XI: The corporation shall exist perpetually.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this  
29th day of June, 1970.

S/ Henry H. Sperry  
HENRY H. SPERRY

S/ Dominick Magarelli  
DOMINICK MAGARELLI

S/ URSULA HOPE  
URSULA HOPE

S/ Roberta L. Hoagland  
ROBERTA L. HOAGLAND

S/ Lucille Antonietello  
LUCILLE ANTONIETTO

STATE OF NEW JERSEY )  
                                  )  
COUNTY OF MONMOUTH )

Be it remembered that on this 7th day of July, 1970, before me, a Notary Public of the State of New Jersey, personally appeared Henry H. Sperry, Dominick Magarelli and Ursula Hope who I am satisfied are the persons named in and who executed the foregoing certificate, and I having first made know to them the contents thereof, they did each acknowledge that they signed, sealed and delivered the same as their voluntary act and deed, for the uses and purposes therein expressed.

S/ Carren E. Munn  
Carren E. Munn  
Notary Public of New Jersey  
My Commission Expires  
March 4, 1975.

STATE OF NEW YORK )  
                                  )  
COUNTY OF NASSAU )

Be it remembered that on this 29th day of June, 1970, before me a

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Notary Public of the State of New York, personally appeared Roberta Hoagland and Lucille Antoniello who I am satisfied are the persons named in and who executed the foregoing certificate, and I having first made known to them the contents thereof, they did each acknowledge that they signed, sealed and delivered the same as their voluntary act and deed, for the uses and purposes therein expressed.

S/ Kathleen M. Travis  
Kathleen M. Travis  
Notary Public, State of New York  
No. 30-4014444  
Qualified in Nassau County  
Commission Expires March 30, 1971