



OCEAN COUNTY CLERK'S OFFICE
RECORDING DOCUMENT
COVER SHEET

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INSTR #: 2020039735
OR BK 17858 PG 1050
RECORDED 04/17/2020 08:08:17 AM
SCOTT M. COLABELLA, COUNTY CLERK
OCEAN COUNTY, NEW JERSEY

OFFICIAL USE ONLY

DATE OF DOCUMENT: (Enter Date as follows:00/00/0000)

04/02/2020

TYPE OF DOCUMENT: (Select Doc Type from Drop-Down Box)

DEED NOTICE

OFFICIAL USE ONLY - REALTY TRANSFER FEE

FIRST PARTY NAME: (Enter Last Name, First Name)

Tuckerton Meadows Townhouse Association, Inc.

SECOND PARTY NAME: (Enter Last Name, First Name)

ALL ADDITIONAL PARTIES: (Enter Last Name, First Name)

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY

BLOCK:

LOT:

MUNICIPALITY: (Select Municipality from Drop-Down Box)

TUCKERTON

CONSIDERATION:

MAILING ADDRESS OF GRANTEE: (Enter Street Address, Town, State, Zip Code)

Street
Address

Town

State

Zip

THE FOLLOWING SECTION IS FOR
ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES,
SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY

ORIGINAL BOOK:

ORIGINAL PAGE:

OCEAN COUNTY CLERK'S OFFICE RECORDING DOCUMENT COVER SHEET

Please do not detach this page from the original document as it
contains important recording information and is part of the permanent record.

58-04-85 Hyberg

Prepared by:


ERIC D. MANN/ESQ.

TUCKERTON MEADOWS TOWNHOUSE ASSOCIATION, INC.

AMENDED POLICY RESOLUTION

FINES

WHEREAS, the Tuckerton Meadows Townhouse Association, Inc., is a non-profit corporation of the State of New Jersey and is governed by a Declaration of Covenants, Conditions and Restrictions ("Declaration"), recorded on December 4, 1987 in the Office of the Recording Officer of Ocean County in Book 4618 of Deeds, at Page 874; and

WHEREAS, Article 4 of the By-Laws of the Tuckerton Meadows Townhouse Association, Inc., provides that the property, affairs and business of the Association shall be managed by the Board of Directors, which shall have all those powers granted to it by the Certificate of Incorporation, the Declaration and the By-Laws; and

WHEREAS, Article 5, Section 5.1.6 of the By-Laws grants the Board of Directors the power to adopt, amend and publish rules and regulations covering the details of the operation and use of the Common Property; and

WHEREAS, the Board of Directors is responsible for the operation, maintenance, renewal, replacement, insurance, care, and upkeep of Common Areas and all other property, real or personal, of the Association or for which it is responsible as set forth in the Declaration and elsewhere; and

WHEREAS, pursuant to Article 5, Section 5.1.8 of the By-Laws the Board of Directors has the specific power to levy fines against any Member for violations of the Declaration or By-Laws, which fines may be enforced against any Member involved as if the fine were a Common Expense owed by the particular Member; and

WHEREAS, a Fine Policy was recorded with the Ocean County Clerk on November 15, 2019 as Instrument No. 2019116215 in Book 17682, page 1362; and

WHEREAS, the Board of Directors desires to amend the policy to reflect the terms of the Declaration of Covenants and Restrictions;

NOW, THEREFORE, be it RESOLVED on this 2nd day of April, 2020 that the Association adopt this amendment to the fine policy as specifically set forth in this resolution.

The fine policy of the Tuckerton Meadows Townhouse Association, Inc. is as follows:

1. In order to enforce the terms of the Declaration and By-Laws of the Association (the "governing documents"), the Board of Directors has the authority pursuant to the governing documents to levy and impose fines against any Member who is in violation of any provision of the governing documents. Pursuant to this authority the Board of Directors may impose fines for any violation of any provision contained in the governing documents as follows:

Upon the violation an initial notice will be sent to the offending Member giving fifteen (15) days to cure the violation with no fines or penalties assessed. If fifteen (15) days have passed after the initial notice has been received and the offending Member has not cured the violation, a second notice will be sent assessing a fine not to exceed \$100.00 for an initial violation and giving the offending Member seven (7) days to cure the violation. If seven (7) days have passed after the second notice has been received and the offending Member has not cured the violation, a third notice will be sent assessing a fine not to exceed \$250.00. If the offending Member does not cure the violation within seven (7) days of receiving the third notice, a \$25.00 fine may be assessed weekly until the owner has cured the violation. However, in lieu of weekly fines the Board may assess fines consistent with Article 5, Section 5.21 of the Declaration.

2. Prior to the imposition of an initial fine for a specific offense, the Association shall, through its managing agent or representative, give the offending Member written notice of the actions to be taken and of the alleged basis for that action. This notice shall include a provision advising the offending Member of his or her right to present the dispute to the Board, a committee established by the Board, or other body authorized by law for alternative dispute resolution. Any party who does not believe that the alternative dispute resolution procedure provided has satisfactorily resolved the matter shall not be prevented from seeking a judicial remedy in a court of competent jurisdiction. All notices relating to the rule violation shall be mailed, by both regular and certified mail, return receipt requested, to the address which appears on the books of the Association or to such other address as is designated in writing by the Member.

3. The initial notice advising the Member of the purported violation shall provide that the fine described will be assessed unless the violation is cured or if the Member requests alternative dispute resolution within fifteen (15) days of receipt of the notice. If fifteen (15) days have passed from the date of receipt of the initial notice and the violation has not been cured nor the appropriate dispute resolution procedures requested, the Board of Directors shall impose the initial fine in an amount no greater than \$100.00 for any initial violation.

4. Any fines levied by the Board of Directors shall be considered assessments levied against the particular Member, collection of which may be enforced by the Board of Directors in the same manner as common assessments.

5. In the event the Board of Directors institutes legal action for collection of any fines, the Member against whom the fine has been assessed shall be responsible for payment of reasonable counsel fees and costs, as well as interest.

6. The Board of Directors shall make all reasonable attempts to insure due process pursuant to the Declaration, the By-Laws and state law.

7. This Fine Policy is intended to supplement the Declaration, By-Laws and Resolutions of the Tuckerton Meadows Townhouse Association and shall not, nor are they intended to supersede or invalidate any other provisions contained in the Declaration or By-Laws of the Association.


8. This Resolution shall become immediately effective and applicable to all Members of the Tuckerton Meadows Townhouse Association upon adoption by the Board of Directors. This Resolution shall be properly filed and recorded with the Ocean County Clerk's Office and shall serve as notice to all Members of its contents. Notice of the same may also be posted at the property. A copy of this resolution shall be filed with the Association office and shall be available for inspection.

9. This Amended Resolution shall supercede the previously recorded policy resolution in its entirety.

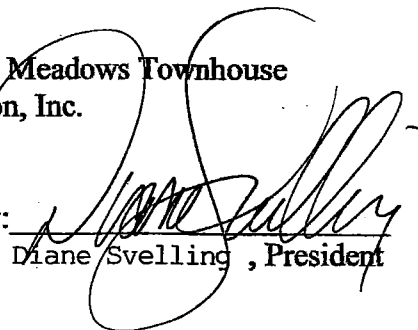
ATTEST:

Tuckerton Meadows Townhouse
Association, Inc.

By:


Carol A. Fudalej, Secretary

By:

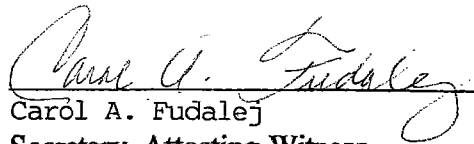
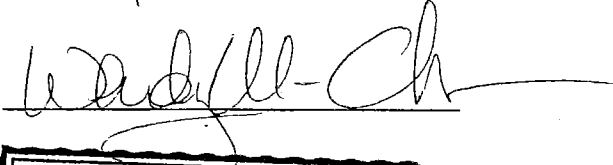

Diane Svelling, President

STATE OF NEW JERSEY; COUNTY OF OCEAN: ss.

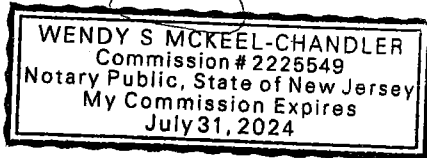
I CERTIFY that on April 2, 2020, Carol A. Fudalej personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of the Tuckerton Meadows Townhouse Association, Inc., the corporation named in the attached document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Diane Swelling, the President of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

Sworn to and subscribed before me on April 2, 2020.



Carol A. Fudalej
Secretary, Attesting Witness



Record and return to:
Hyberg White & Mann
2111 New Road, Suite 105
Northfield, NJ 08225