

Prepared by:


Caroline Record, Esq.

WHITING STATION AT CRESTWOOD HOMEOWNERS ASSOCIATION, INC.

**Amendments to the Declaration of Covenants and Restrictions and By-Laws
(Regarding Working Capital Contribution)**

P R E A M B L E

1. The Declaration of Covenants and Restrictions for Whiting Station at Crestwood Homeowners Association (the "Declaration") was recorded in the office of the Ocean County Clerk's Office on February 18, 1988 in Deed Book 4640 at Page 084 et seq, and the By-Laws of Whiting Station at Crestwood Homeowners Association, Inc. (the "By-Laws"), were recorded as a Schedule to the Declaration.

2. The Board of Trustees (the "Board") of the Association has recommended an amendment to the Declaration to increase the amount of the working capital contribution to be paid by a new Homeowner at closing.

3. Pursuant to Article VIII of the By-Laws, this Amendment to the By-Laws has been approved by the affirmative vote of fifty-one (51%) per cent of the votes entitled to be cast in person or by absentee ballot at a meeting of the Association duly held in accordance with the provisions of the By-Laws.

4. Pursuant to Article VI, Section 5 of the Declaration, this Amendment to the Declaration was approved by the affirmative vote of two-thirds (2/3) of the fully authorized membership, at a meeting duly held in accordance with the provisions of the By-Laws.

NOW THEREFORE BE IT RESOLVED on this 13 day of June, 2022 as follows:

Article IV, Section 10 of the Declaration is hereby amended as indicated by the underlined passage:

Section 10. Contribution to Working Capital. Each Homeowner shall at the time the title to the Home is acquired from a Homeowner, be obligated to pay to the Homeowners Association a one-time contribution equal to ~~one-sixth~~ (1/6) six (6) months of the current Annual Assessment, which contribution shall not be refundable or transferable and may be utilized at the discretion of the Board of Trustee for any lawful purpose which they may deem appropriate.

Article IV, Section 11 (E)(2) of the By-Laws is hereby amended as indicated by the underlined passage:

2. Discretionary Fund. Disbursements from this fund may be utilized at the discretion of the Board of Trustees for any lawful purpose which they may deem appropriate. Funding is provided by a one-time working capital assessment to new Members, an amount equal to six (6) months ~~one sixth (1/6)~~ of the current annual assessment, which contribution shall not be refundable or transferable.

NOTICE AND RECORDING. The Association's managing agent is authorized and directed to prepare correspondence, in appropriate form and substance, and thereafter circulate same, along with a copy of these Amendments, to all Owners. The Association also authorizes and directs its legal counsel to arrange for recordation of a copy of these Amendments with the Ocean County Clerk's Office in order to establish the recording of these Amendments in the chain of title.

ATTEST:

WHITING STATION AT CRESTWOOD
HOMEOWNERS ASSOCIATION, INC.

Low Onn Breaks
Low Onn Breaks, Secretary

Colleen Hartigan
Colleen Hartigan, President

STATE OF NEW JERSEY }
COUNTY OF OCEAN } SS:

I CERTIFY that on June 29, 2022, Lou Ann Breaks personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Whiting Station at Crestwood Homeowners Association, Inc., a nonprofit corporation of the State of New Jersey, named in this document;
- (b) this person signed this document as attesting witness for the proper corporate officer who is Colleen Hartigan, the President of the corporation;
- (c) this person knows the proper corporate seal of the corporation and the proper corporate seal was affixed;
- (d) this document was signed and delivered by the corporation as its voluntary act and deed by virtue of authority from its Board of Trustees; and
- (e) this person signed this acknowledgment to attest to the truth of these facts.
- (f) the Amendment to the Declaration of Covenants has been approved by the affirmative vote of two-thirds (2/3) of the Owners, in accordance with the provisions of the ByLaws.
- (g) the Amendment to the By-Laws has been approved by the affirmative vote of fifty one (51%) of the votes entitled to be cast in person or by absentee ballot in an election held on the 13th day of June, 2022.

Lou Ann Breaks
Secretary

Signed and sworn to before me
on June 29, 2022

Susan G. Testa
Notary Public



RECORD AND RETURN TO:
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