

TIMBER GLEN CONDOMINIUM ASSOCIATION, INC.

ADMINISTRATIVE RESOLUTION NO. _____

APPROVING AMENDMENT TO BY-LAWS

WHEREAS, Timber Glen Condominium Association, Inc. ("Association") was formed and exists, in part, by the recording of a Master Deed on May 24, 1988, in the Atlantic County Clerk's Office in Deed Book 4686, Page 136, et seq.; and

WHEREAS, the Master Deed included By-Laws of the Association; and

WHEREAS, the Master Deed and By-Laws have been amended from time to time; and

WHEREAS, the Planned Real Estate Development Full Disclosure Act ("PREDFDA"), N.J.S.A. 45:22A-45.1, et seq., was amended on July 13, 2017; and

WHEREAS, PREDFDA, as amended, permits a board of trustees of a community association to make amendment to the By-Laws by providing notice and a rejection ballot to unit owners as long as less than 10% of the unit owners return the rejection ballot within thirty days after mailing the notice and rejection ballot; and

WHEREAS, the Board of Trustees determined that to better administer and operate the Association, the By-Laws should be amended; and

WHEREAS, the Board of Trustees has amended the By-Laws as set forth below ("Amendment "); and

WHEREAS, the Board of Trustees approves this Amendment and authorizes that notice of the By-Laws Amendment be delivered to Unit Owners along with a rejection ballot; and

WHEREAS, there are 238 Units in the Association; and

WHEREAS, if 10% or more (23 or more) of the Unit Owners return the rejection ballots within 30 days after the mailing of the notice and rejection ballots, the Amendment shall be deemed defeated and the By-Laws will remain as currently written; and

WHEREAS, if less than 10% (22 or fewer) of the Unit Owners return rejection ballots within 30 days after the mailing of the notice and rejection ballots, the Amendment shall be deemed valid, in which case, the Board of Trustees shall instruct legal counsel to prepare and record the Amendment with the Atlantic County Clerk's Office and all Unit Owners will be provided a copy of the recorded Amendment; and

NOW, THEREFORE, BE IT RESOLVED that the following is hereby adopted:

1. **By-Laws Article V, Section B(vii) was amended to read:**

(vii) The Board of Trustees shall determine the amount of, and responsibility for payment of, any deductible for insurance maintained by the Association. In the event of a casualty loss affecting property covered by the Association's physical damage insurance which resulted from the negligent act or omission of a Unit Owner (or a tenant, occupant, visitor, invitee, or guest of the Unit, or originated from Unit or Unit Owner property, or originated from property, the maintenance of which is the responsibility of the Unit Owner, the Board of Trustees may assess the Unit Owner for such amounts incurred by the Association as follows: (i) if the loss constitutes a claim or covered loss under the Association's insurance policy, the Unit Owner shall be assessed for any amounts up to the deductible amount; or (ii) if the loss does not constitute a claim or covered loss under the Association's insurance policy, the Unit Owner shall be assessed for the costs incurred by the Association to remediate the Common Elements. In the event of a casualty loss affecting property covered by the Association's physical damage insurance the cause of which is not attributable to a Unit Owner or Unit, the Board of Trustees may assess the affected Unit Owners for such amounts incurred by the Association as follows: (i) if the loss constitutes a claim or covered loss under the Association's insurance policy, the affected Unit Owner(s) shall be assessed for any amounts up to the deductible amount based on each Unit Owner's relative damage, or (ii) if the loss does not constitute a claim or covered loss under the Association's insurance policy, the costs incurred by the Association to remediate the Common Elements shall be a common expense of the Association.

To place and keep in force all insurance coverage required to be maintained by the Association. The provision for insurance and the establishment of the Board as insurance trustee shall be as set forth in detail in the Master Deed, and the Board shall administer and provide insurance coverages set forth therein.

2. The Board of Trustees authorizes that notice of the Amendment and a rejection ballot be mailed to all Unit Owners.

3. Thirty days after the notice and the rejection ballot are mailed to Unit Owners, the rejection ballots returned shall be counted.

a. If 23 or more rejection ballots are returned, the Amendment shall be defeated and the By-Laws shall remain as currently written.

b. If 22 or fewer rejection ballots are returned, the Amendment shall be valid and after execution by the Board of Trustees it shall be forwarded to the Atlantic County Clerk's Office for recording. All Unit Owners shall be provided a copy of the recorded Amendment.

4. Notwithstanding any of the above, the Association may exercise all rights and remedies available to it under law in equity and/or pursuant to its Master Deed and By-Laws.

5. Should any provision hereof be determined to be invalid, the remaining provisions hereof shall remain in full force and effect.

6. Any provision contained within any previously adopted resolution of the Association, which conflicts with any provisions set forth herein, shall be deemed void and the provision contained herein shall govern.

IN WITNESS WHEREOF, the undersigned have executed this Resolution of the Association the day and year listed below.

ATTEST:

TIMBER GLEN CONDOMINIUM
ASSOCIATION, INC.


Rosemary McGloin

By: 
Stephen Hazzard, President


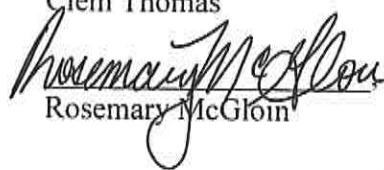
TIMBER GLEN CONDOMINIUM ASSOCIATION, INC.

Resolution Type: Administrative No. _____

Pertaining To: Approving Amendment to By-Laws

Duly adopted at a meeting of the Board of Trustees of Timber Glen Condominium Association, Inc. held this _____ day of _____, 2019.

Officer Vote:

	YES	NO	ABSTAIN	ABSENT
 _____, President Stephen Hazzard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____, Vice President Clem Thomas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____, Secretary Rosemary McGloin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____, Treasurer Doug Clark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____, Trustee Frank Tummillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:


_____, Secretary
Rosemary McGloin

Date _____

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