

**HOLIDAY CITY ORGANIZATION
PHASE TWO**



**1846 YORKTOWNE BOULEVARD
TOMS RIVER, NEW JERSEY 08753
PHONE (732) 255-2221**

DECLARATION OF COVENANTS AND RESTRICTIONS



INDEX

AGE REQUIREMENTS

PAGES 2 K, 14 (J), 24, 27, A, B, D, 28 D

ASSESSMENTS, DUES,

FEES

PAGES - 6, 7, 8, 11, 14, , 26 (EE), 27

CLUBS

PAGE - 14 (L)

COMMITTEES

ARCHITECTURAL - PAGES 19, 20
BUILDING - PAGE 17,
BY LAW, REVISION - PAGES 19, 26
NOMINATING - PAGE 13
FINANCE - PAGE 17,
GROUNDS AND LAKE - PAGE 18
POOL AND LAKE - PAGE 15 (M)
PUBLIC RELATIONS - PAGE 18
TRANSPORTATION - PAGE 17

DEFINITION

PAGES - 2, 3

EASEMENT

PAGES - 9, 26

EMPLOYEES

PAGES - 13 SECTION 14, PAGE 14 (F)

ENFORCEMENT

PAGE 29 SECTION 4

FINES

PAGE 28

FIRE OR DISASTER PAGE 17

LIVING UNIT: (ONE)

PAGE 28

MAINTENANCE

PAGES 26, 24 (M), (N), (P)

MEETINGS

PAGES - 12, 13
QUORUM - PAGES 7, 11

MEMBERSHIP

PAGES - 10, 29

NEWSLETTER - 2

NOTICES

PAGES - 21, 29 SECTION 2

PARTY WALLS

PAGES - 16, 17

PROPERTIES

COMMON - PAGES 8, 9
PROPERTY LINES - PAGES 3, 4, 5

REPORTS - PAGE 14 (L)

PERMITS - 20

RULES AND REGULATIONS

BIRDS - PAGE 25
BOATS - PAGE 25 (X)
CANOPIES "TENTS" PAGES 20 D.
CARPORTS AND GARAGES - PAGE 20
CHILDREN - PAGE 23 (E)
CLOTHES LINES - PAGE 23
DECKS - PAGE 21
DRIVEWAYS - PAGE 20
FENCES - PAGE 22 (A), 21 (I), (J)
FLEA MARKETS - PAGE 24
GARAGE SALES - PAGE 24
GARDEN VEGETABLE - PAGE 25
GUEST - PAGE 25 (W)
LAWNS - PAGE 24 (M), (N)
MONUMENTAL ENCLOSURES - 20
OIL TANKS - PAGE 26
PARKING - PAGE 25
PATIOS - PAGES 20, 21
PETS - PAGES 18 (D), 23 (B)
POOLS - PAGES 15 (M), 21 (F)
REGISTRATION - PAGE 25 (U)
ROOMS (ADDITION OF) PAGE - 20
RUBBISH - PAGES 23, 24, 25
SHEDS - PAGE 20
SIGNS - PAGE 23
TV AND SOUND - PAGES 23, 25 (S)
VEHICLES - PAGES 23, 24 (O), 25 (V)

TAX

ARTICLE II PAGE 28

TRANSFERS

PAGES 27, 28

TRUSTEES

APPOINT - PAGE 15 SECTION 18
PAGE - 16, 17, 18 (E)
AFFAIRS OF - PAGES 13, 14, 15
BOARD OF - PAGES 12, 13
ELECTION OF - PAGE 11
FULFILL DUTIES - PAGE 16
LIABILITY - PAGE 15
MEETINGS PAGE 13,
OFFICERS - PAGES 15, 16,
PRESIDENT - PAGE 15
REMOVAL - PAGE 13
SECRETARY - PAGE 16
TERM - PAGE 13 (A)
TREASURER - PAGE 16
VICE PRESIDENT - PAGE 15

VIOLATIONS

PAGES - 9 (C), 21, 22

VOTING

ABSENTEE - PAGES 10, 11 (G)
DATE AND TIME - PAGE 11
MEMBERSHIP - PAGE 10
PROXY - PAGE 10
QUORUM - PAGES 7, 11
RIGHTS - PAGES 10, 13 (B)

PHONE NUMBERS

POLICE AND FIRE EMERGENCY 911

CLUBHOUSE

(732) 255 - 2221

GAME ROOM

(732) 255 - 9890

POOL

(732) 255 - 2221

DOVER TOWNSHIP POLICE

(732) 349 - 0150

SEWER PROBLEMS 24 HR

(732) 240 - 3333 CALL THEM
BEFORE CALLING PLUMBER

DOVER PUBLIC WORKS

TO HAVE LARGE BULKY
ITEMS PICKED UP DRYERS,
REFRIGERATORS, ETC.
(732) 255 - 1000

AMENDMENTS

- CHANGE PAGE 26, FEES ARTICLE VII, RULES AND REGULATIONS
\$2,000.00 → THE OFFICE MUST BE NOTIFIED OF HOMES TO BE SOLD, THERE IS A
INITIAL FEE PER NEW HOMEOWNER EACH TIME A HOME IS
SOLD, AND A FEE OF \$300.00 IF IT IS TO BE RENTED AND EACH TIME
THERE IS A TENANT CHANGE. NEW HOMEOWNERS AND TENANTS
MUST REGISTER WITHIN TWO WEEKS OF CLOSING. A FINE OF \$50.00
WILL BE IMPOSED FOR NON-REGISTRATION.
- ADD HOMES MAY NOT BE RENTED FOR TWO (2) YEARS FROM DATE OF
PURCHASE. AFTER TWO (2) YEARS, IF THE HOUSE IS TO BE RENTED,
THERE IS A FEE OF \$500.00, AS WELL AS EACH TENANT CHANGE.
- ADD TO PAGE 20, ARTICLE VII, SECTION 7
(D) CANOPIES
ADD CANOPY TO BE 10 x 14 OR LESS. MAY BE USED FROM MAY 1 TO
SEPT. 30. IF NOT DOWN BY SEPT. 30, A PENALTY OF \$25.00 A DAY WILL
BE IMPOSED. NO CANOPY ON SIDE OF HOUSE OR ON COMMON GROUND.
- ADD TO PAGE 20, ARTICLE VII, SECTION 7
(G) TOOL SHEDS
ADD IN (NOT IN SIDE YARDS)
- ADD TO PAGE 21, ARTICLE VII, SECTION 7
(I) CEMENT PATIOS
ALSO PERMITTED IN REAR OF HOUSE SAME AS FRONT.
- ADD TO PAGE 21, ARTICLE VII, SECTION 7
(J) WOODEN DECKS
ADD TO REGULATION WOODEN PORCH CAN ALSO BE ERECTED IN
IN FRONT OF HOUSE ON LAKEVIEW AND SARATOGA MODELS, TO BE NO
MORE THAN 4 FEET DEEP BY 11 FEET LONG WITH ONE STEP OF PRESSURE
TREATED WOOD.
- CHANGE PAGE 12, MEETINGS, SECTION 7
BI-ANNUAL MEETINGS TO BE HELD ON THE FOURTH SATURDAY OF
APRIL AND OCTOBER, EFFECTIVE 2015.
- ADD TO PAGE 23, PARAGRAPH B. NO DOGS ARE ALLOWED ANYWHERE ON COMMON
GROUNDS, AS WELL AS THE CLUBHOUSE AND POOL.

- CHANGE** PAGE 28, PARAGRAPH E. ONE LIVING UNIT
NO OWNER OR PERSON WHO IS EITHER A MEMBER OR REQUIRED TO BE, A
MEMBER OF THE ORGANIZATION MAY OWN MORE THAN ONE LIVING UNIT...
- TO** AN OWNER, WHO OWNS AND OCCUPIES A HOME IN HOLIDAY CITY, PHASE II,
MAY PURCHASE AN ADDITIONAL LIVING UNIT IN HOLIDAY CITY, PHASE II.
- CHANGE** PAGE 20, PARAGRAPH G(3). TOOL SHEDS
NOT TO EXCEED 8 FT. WIDE, 10 FT. DEEP, AND 8 FT. HIGH.
- TO** SHEDS ARE NOT TO EXCEED 120 SQUARE FEET, 8 FEET HIGH. ONE SHED
PER RESIDENCE. SAME MUST BE APPROVED BY THE HOLIDAY CITY
ORGANIZATION, PHASE II ARCHITECTURAL TRUSTEE BEFORE ERECTING.
- CHANGE** PAGE 22, PARAGRAPH (A) FENCES ARE ALLOWED IN REAR OF
HOUSE ONLY, NOT TO EXCEED MORE THAN THREE (3) FEET IN
HEIGHT.
- TO:** FENCES ARE ALLOWED IN REAR OF HOUSE ONLY. NOT TO EXCEED
FOUR (4) FEET IN HEIGHT. FENCES MUST BE OPEN VIEW, DARK METAL
OR WHITE PVC. NO CHAINLINK, CHICKEN WIRE, WOOD OR SOLID
FENCES ARE ALLOWED. FENCES MUST BE WITHIN YOUR PROPERTY LINES
AND A SURVEY MAY BE NEEDED. OTHER SITUATIONS MAY APPLY
EPENDING ON REAR DOOR LOCATION
CHECK WITH THE ARCHITECTURAL COMMITTEE PRIOR
TO PURCHASE AND INSTALLATION FOR APPROVAL.
- ADD:** NO CLUB OR OTHER ENTITY IS PERMITTED TO SUPPLY ALCHOLIC
BEVERAGES TO ATTENDEES AT ANY FUNCTION SPONSORED BY SUCH
CLUB OR ENTITY. ALL ALCOHOL CONSUMED AT SUCH FUNCTIONS
MUST BE ON THE BYOB BASIS.

THIS AMENDED DECLARATION MADE THIS _____ DAY OF _____, BY THE
HOLIDAY CITY ORGANIZATION, HEREINAFTER REFERRED TO AS THE ORGANIZATION.

WHEREAS, THE ORGANIZATION IS THE BENEFICIARY OF ALL COVENANTS RECORDED BY HOVSONS INC., AND IS THE OWNER OF THE LAND AND PROPERTY IN *ARTICLE II* OF THE DECLARATION AND DESIRES TO AMEND EXISTING DECLARATION OF COVENANTS AND RESTRICTIONS WHICH HAVE BEEN PREVIOUSLY RECORDED WITH THE CLERK OF OCEAN COUNTY IN BOOK OF DEEDS 2711 AT PAGE 1 AND AT DEED BOOK 4741 AT PAGE 693 RESPECTIVELY, AND WHEREAS THE ORGANIZATION WISHES TO AMEND ALL EXISTING RECORDED COVENANTS BY THE FILING OF THIS AMENDED DECLARATION OF COVENANTS AND RESTRICTIONS SO THAT ALL PRESENTLY EXISTING COVENANTS WILL BE CONTAINED HEREIN.

NOW, THEREFORE, THE ORGANIZATION CLAIMS THAT THE REAL PROPERTY DESCRIBED IN *ARTICLE II* TOGETHER WITH SUCH ADDITIONS AS HEREINAFTER SHALL BE MADE, SHALL BE HELD, TRANSFERRED, SOLD, CONVEYED AND OCCUPIED SUBJECT TO THE COVENANTS AND RESTRICTIONS, EASEMENTS, CHANGE, AND LIENS HEREINAFTER SET FORTH.



ARTICLE I DEFINITIONS SECTION 1.

THE FOLLOWING WORDS WHEN USED IN THIS DECLARATION SHALL HAVE THE FOLLOWING MEANING:

- (A) "ORGANIZATION" SHALL MEAN AND REFER TO THE HOLIDAY CITY ORGANIZATION.
- (B) "THE PROPERTIES" SHALL MEAN AND REFER TO ALL SUCH EXISTING, AND ADDITIONS THERETO, AS ARE SUBJECT TO THE DECLARATION OR ANY SUPPLEMENTARY DECLARATION UNDER THE PROVISION OF THE ARTICLE SET FORTH HEREIN.
- (C) "COMMON PROPERTY" SHALL MEAN AND REFER TO THOSE AREAS OF LAND SHOWN ON ANY RECORDED SUBDIVISION PLOT OF THE PROPERTIES INTENDED TO BE DEVOTED TO THE COMMON USE AND ENJOYMENT OF THE OWNERS OF THE PROPERTY.
- (D) "LOT" SHALL MEAN AND REFER TO ANY PLOT OF LAND SHOWN ON ANY RECORDED SUBDIVISION MAP OF THE PROPERTIES WITH THE EXCEPTION OF COMMON PROPERTY AS HERETO DEFINED.
- (E) "LIVING UNIT" SHALL MEAN AND REFER TO ANY PORTION OF A BUILDING SITUATED UPON THE PROPERTY DESIGNATED AND INTENDED FOR USE AND OCCUPANCY AS A RESIDENCE BY A SINGLE FAMILY OF NOT MORE THAN FOUR (4) PERSONS.
- (F) "MULTI-FAMILY STRUCTURE" SHALL MEAN AND REFER TO ANY BUILDING CONTAINING TWO OR MORE LIVING UNITS UNDER ONE ROOF WHEN EACH SUCH LIVING UNIT IS SITUATED UPON ITS OWN INDIVIDUAL LOT.
- (G) "OWNER" SHALL MEAN AND REFER TO THE RECORD OWNER, WHETHER ONE OR MORE PERSONS AND ENTITIES, BUT EXCEPTING THEREFROM THE DEVELOPER, OF THE FEE SIMPLE TITLE TO ANY LOT OR LIVING UNIT SITUATED UPON THE PROPERTIES BUT, NOT WITHSTANDING ANY APPLICABLE THEORY OF THE MORTGAGE, SHALL NOT REFER TO THE MORTGAGEE OF A LIVING UNIT OF LOTS.
- (H) "MEMBER" SHALL MEAN AND REFER TO THOSE OWNERS WHO ARE MEMBERS OF THE ORGANIZATION AS PROVIDED IN *ARTICLE V* HEREOF.
- (I) "NON-OWNER RESIDENTS: RENTERS, ONE OF WHOM MUST BE OVER THE AGE OF FIFTY-FIVE (55) YEARS AND MUST BE USING THE PROPERTY AS THEIR PRIMARY RESIDENCE.
- (J) "PERMANENT RESIDENTS" OF A HOUSEHOLD MUST BE OVER THE AGE OF EIGHTEEN (18) YEARS AND SHALL BE ENTITLED AT THE DISCRETION OF THE BOARD OF TRUSTEES, TO THE USE OF THE CLUBHOUSE, LAKE AND GROUNDS OF THE ORGANIZATION, TO BE A MEMBER OF CLUBS AUTHORIZED BY THE TRUSTEES ATTEND QUARTERLY MEETINGS, BUT SHALL NOT BE ENTITLED TO HOLD ANY OFFICE OR SERVE ON ANY COMMITTEE, OR TO PARTICIPATE IN ANY DISCUSSIONS AT SAID MEETING OR BE ENTITLED TO VOTE AT SAME.
- (K) IN ORDER FOR A PERSON TO BE A PERMANENT RESIDENT OF ANY PROPERTY LOCATED IN THE AREA DESCRIBED IN ARTICLE 11 AND BE UNDER THE AGE OF FIFTY FIVE (55) YEARS, BUT OVER EIGHTEEN (18) YEARS THAT PERSON MUST ALSO RESIDE WITH A PERMANENT RESIDENT FIFTY FIVE (55) YEARS OF AGE OR OVER.
- (L) THE HOLIDAY CITY ORGANIZATION NEWSLETTER SHALL BE OFFICIAL NOTIFICATION OF ALL OFFICIAL NOTICES.

ARTICLE II

HOLIDAY CITY PROPERTY LINES

SECTION 1.

EXISTING PROPERTY THE LAND PROPERTY WHICH IS AND SHALL BE HELD, TRANSFERRED, SOLD, CONVEYED AND OCCUPIED SUBJECT TO THIS DECLARATION IS LOCATED IN THE TOWNSHIP OF DOVER, COUNTY OF OCEAN AND STATE OF NEW JERSEY, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A STAKE IN THE NORTHERLY RIGHT-OF-WAY LINE OF CHURCH ROAD (33 FEET WIDE), SAID STAKE BEING DISTANT AT RIGHT ANGLES 16.50 FEET FROM THE CENTER-LINE OF CHURCH ROAD AND DISTANT 136.12 FEET ON A COURSE SOUTH 85° 58' 41" EAST FROM THE INTERSECTION FROM THE NORTHERLY RIGHT-OF-WAY LINE OF CHURCH ROAD (33 FEET WIDE) AND THE NORTHERLY RIGHT-OF-WAY LINE OF SILVERTON ROAD (33 FEET WIDE) THENCE.

1) ALONG THE WESTERLY LINE OF PROPERTY NOW OR FORMERLY OF ROSAILE F. HUTCHINSON KNOWN AS TAX MAP LOT 15, BLOCK 192, NORTH 03° 42' 13" EAST, 1496.29 FEET TO A CONCRETE MONUMENT SET IN THE NORTHERLY LINE OF THE FORMER FISHER FARM, SAID LINE ALSO BEING THE NORTHERLY LINE OF A SURVEY OF 163.28 ACRES RECORDED AT PERTH AMBOY IN BOOK S-11, PAGE 154 THENCE.

2) ALONG THE NORTHERLY LINE OF THE FORMER FISHER FARM, ALSO BEING THE NORTHERLY LINE OF 163.28 ACRES, SOUTH 73° 38' 10" EAST 653.49 FEET TO A CONCRETE MONUMENT. SAID MONUMENT BEING DESCRIBED THE SOUTHWEST CORNER OF HOLIDAY CITY, SECTION 5, MAP OF WHICH WAS DULY FILED IN THE OCEAN COUNTY CLERK'S OFFICE ON NOVEMBER 4, 1966 AS MAP # F.-353 THENCE.

- 3) ALONG THE WESTERLY LINE OF HOLIDAY CITY, SECTION 5, NORTH 05 38' 12" WEST, 1362.90 FEET TO A CONCRETE MONUMENT, THENCE .
- 4) STILL ALONG THE LINE OF HOLIDAY CITY, NORTH 76 06' 50" EAST, 609.65 FEET TO A CONCRETE MONUMENT, THENCE.
- 5) ALONG THE EASTERLY LINE OF TRACK OF 99.33 ACRES, ALSO THE EASTERLY LINE 34.55 ACRES RECORDED AT PERTH AMBOY IN BOOK S-23, PAGE 43, NORTH 37 50' 40" WEST, 422.47 FEET TO A CONCRETE MONUMENT SET AT THE SOUTHEAST CORNER OF 30.18 ACRES RECORDED AT PERTH AMBOY IN BOOK S-18, PAGE 207, THENCE.
- 6) ALONG THE SOUTHERLY LINE OF 30.18 ACRES, SOUTH 86 09' 20" WEST, 854.36 FEET TO A CONCRETE MONUMENT SET AT THE SOUTHWEST CORNER OF 30.18 ACRES, THENCE.
- 7) ALONG THE WESTERLY LINE OF 30.18 ACRES, NORTH 45 05' 04" WEST, 1313.40 FEET TO A CONCRETE MONUMENT SET AT THE NORTHWEST CORNER OF 30.18 ACRES SAID POINT ALSO BEING THE THIRD CORNER OF 99.33 ACRES. SAID CONCRETE MONUMENT LYING DISTANT 104.55 FEET ON A COURSE SOUTH 35 09' 20" WEST FROM A POINT IN THE DOVER, LAKEWOOD TOWNSHIP LINE, THENCE.
- 8) ALONG THE NORTHERLY LINE OF 99.33 ACRES, SOUTH 57 09' 20" WEST, 311.98 FEET TO A CONCRETE MONUMENT IN THE EASTERLY LINE OF 35.35 ACRES, THENCE
- 9) ALONG THE EASTERLY LINE OF A TRACK OF 35.35 ACRES, NORTH 17 53' 40" WEST 60.76 FEET TO A CONCRETE MONUMENT, THE NORTHWESTERLY CORNER OF SAID 35.35 ACRES, THENCE.
- 10) ALONG THE NORTHERLY LINE OF SAID 35.35 ACRES, SOUTH 56 48' 20" WEST, 316.80 FEET TO A CONCRETE MONUMENT, THE NORTHWESTERLY CORNER OF 35.35 ACRES THENCE.
- 11) ALONG THE WESTERLY LINE OF SAID 35.35 ACRES SAID LINE ALSO BEING THE WESTERLY LINE OF 99.30 ACRES, SOUTH 36 09' 20" WEST, 1740.42 FEET TO A CONCRETE MONUMENT. SAID CONCRETE MONUMENT LYING DISTANT 67.98 FEET ON A COURSE NORTH 36 09' 20" EAST FROM AN OLD STONE. SAID STONE BEING THE SOUTHEAST AND BEGINNING CORNER OF A TRACT OF 89.30 ACRES RETURNED TO MICHAEL ORTLEY, JANUARY 3, 1818, AND RECORDED AT PERTH AMBOY IN BOOK S-18 PAGE 197, THENCE
- 12) ALONG THE SOUTHERLY LINE OF 99.33 ACRES, SOUTH 83 21' 19" EAST, 863.06 FEET TO A CONCRETE MONUMENT SET AT THE NORTHWEST CORNER OF LOT 14 OF THE 1844 DIVISION OF JOHN IRONS THENCE.
- 13) ALONG THE WESTERLY LINE OF LOT 14 OF THE DIVISION OF JOHN IRONS, SOUTH 01 09' 54" EAST 874.56 FEET TO A CONCRETE MONUMENT, THENCE.

14) SOUTH 41 21' 50 " WEST, 113.84 FEET TO A CONCRETE MONUMENT SET AT THE THIRD CORNER OF 163.84 ACRES, THENCE.

15) ALONG THE SOUTHERLY LINE OF 163.28 ACRES, SOUTH 49 38' 10" EAST, 1844.02 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SILVERTON ROAD (33 FEET WIDE), THENCE .

16) ALONG THE NORTHERLY RIGHT- OF-WAY LINE OF SILVERTON ROAD, SOUTH 62 17' 44" EAST, 107.69 FEET TO A STAKE. SAID STAKE BEING THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SILVERTON ROAD AND THE NORTHERLY RIGHT-OF-WAY LINE OF CHURCH ROAD, THENCE.

17) ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF CHURCH ROAD, SOUTH 85 58' 41" EAST, 136.12 FEET TO A STAKE, THE POINT AND PLACE OF BEGINNING.

CONTAINING 157.05 ACRES ALL OF WHICH LAND PROPERTY SHALL BE HEREIN- AFTER REFERRED TO AS "EXISTING PROPERTY"

SECTION 2.

ADDITION TO EXISTING PROPERTY.

ADDITIONAL LANDS MAY BE SUBJECT TO THIS DECLARATION IN THE FOLLOWING MANNER:

(A) THE ORGANIZATION SHALL HAVE THE RIGHT TO BRING WITHIN THE SCHEME OF THIS DECLARATION ADDITIONAL PROPERTIES, PROVIDED THAT SUCH ADDITIONS ARE IN AC- CORD WITH A GENERAL PLAN OF DEVELOPMENT.

IT IS THE INTENTION OF THE ORGANIZATION THAT ANY PERSON THAT MAY BE SUBSEQUENTLY ADDED TO THE EXIST- ING PROPERTIES SHALL HAVE VOTING RIGHTS IN THE ORGANI- ZATION, RIGHT OF ENJOYMENT TO ALL OF THE COMMON PROP- erties, AND OTHER BENEFIT OR BENEFITS, INCIDENT TO MEM- BERSHIP EQUAL TO THE THEN MEMBERS OF THE RECORD OR- GANIZATION.

THE ADDITIONS AUTHORIZED UNDER THIS AND SUCCEED- ING SUBSECTIONS SHALL BE MADE BY FILING OF RECORD A SUPPLEMENTARY DECLARATION OF COVENANTS AND RESTRIC- TIONS WITH RESPECT TO THE ADDITIONAL PROPERTIES WHICH SHALL EXTEND THE SCHEME OF THE COVENANTS AND RESTRIC- TIONS OF THE DECLARATION AS MAY BE NECESSARY TO RE- FLECT A DIFFERENT CHARACTER OF THE ADDED PROPERTIES, SO LONG AS THE CHANGES ARE NOT INCONSISTENT WITH THE SCHEME OF THIS DECLARATION. IN NO EVENT, HOWEVER, SHALL ANY SUPPLEMENTARY DECLARATION REVOKE THE EX- ISTING DECLARATION OF COVENANTS AND RESTRICTION.



ARTICLE III COVENANT FOR MAINTENANCE ASSESSMENT

SECTION 1.

CREATION OF THE LIEN AND PERSONAL OBLIGATION OF ASSESSMENT.

THE OWNER OF ANY LOT (OR LIVING UNIT) WITHIN THE PROPERTIES, EXCEPTING THEREFROM THE ORGANIZATION, BY ACCEPTANCE OF A DEED THEREFOR, WHETHER OR NOT IT SHALL BE SO EXPRESSED IN ANY SUCH DEED OR OTHER CONVEYANCE, BE DEEMED TO COVENANT AND AGREE TO PAY THE ORGANIZATION:

- 1) ANNUAL ASSESSMENTS OR CHARGES, PAYABLE QUARTERLY;
- 2) SPECIAL ASSESSMENTS TO BE FIXED, ESTABLISHED AND COLLECTED FROM TIME TO TIME AS HEREINAFTER PROVIDED.
- 3) ALSO ANY FINES ASSESSED FOR NON-COMPLIANCE OF RULES AND REGULATIONS. THE ANNUAL AND SPECIAL ASSESSMENTS AND FINES, TOGETHER WITH SUCH INTEREST THEREOF AND COSTS OF COLLECTION THEREOF, INCLUDING ATTORNEY FEES, AS HEREINAFTER PROVIDED, SHALL BE A CHARGE ON THE LAND AND SHALL BE A CONTINUED LIEN UPON THE PROPERTY AGAINST WHICH EACH ASSESSMENT IS MADE. EACH SUCH ASSESSMENT, TOGETHER WITH SUCH INTEREST THEREON AND COSTS OF COLLECTION THEREOF, AS HEREINAFTER PROVIDED, SHALL ALSO BE THE PERSONAL OBLIGATION OF THE PERSON WHO WAS THE OWNER OF SUCH PROPERTY AT THE TIME WHEN THE ASSESSMENT FELL DUE.
- 4) THE ORGANIZATION SHALL BE EXEMPT AT ALL TIMES FROM THE ASSESSMENTS AS PROVIDED IN SECTIONS 1 AND 4 OF ARTICLE III HEREIN, FOR ANY PROPERTIES TO WHICH IT HOLDS TITLE.

SECTION 2.

PURPOSE OF ASSESSMENT. THE ASSESSMENT LEVIED BY THE ORGANIZATION SHALL BE USED EXCLUSIVELY FOR THE PURPOSE OF PROMOTING THE RECREATION, HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE PROPERTIES AND IN PARTICULAR FOR THE IMPROVEMENT AND MAINTENANCE AND ACQUISITION OF PROPERTIES, CHATTELS, SERVICES AND FACILITIES DEVOTED TO THE PURPOSE AND RELATED TO THE USE AND ENJOYMENT OF THE COMMON PROPERTIES (NOTWITHSTANDING THE FACT THAT THE DEVELOPER MAY RETAIN TITLE THERETO PURSUANT TO ARTICLE IV, SECTION 2 INFRA) INCLUDING, BUT NOT LIMITED TO, PAYMENT OF TAXES AND INSURANCE THEREON AND REPAIR, REPLACEMENT AND ADDITIONS THERETO, AND FOR THE COST OF LABOR, EQUIPMENT, MATERIALS, MANAGEMENT AND SUPERVISION THEREOF.

SECTION 3.

BASIS AND COST. UNTIL THE BOARD OF TRUSTEES, TOGETHER WITH THE MEMBERS OF THE ORGANIZATION DETERMINE THAT A GREATER ASSESSMENT BASIS IS NEEDED, THE ASSESSMENT SHALL BE \$_____ PER MONTH PER UNIT EFFECTIVE DATE _____.

THE DUES ARE PAYABLE QUARTERLY ON JAN. 1st, APRIL 1st, JULY 1st, AND OCT. 1st OF EACH YEAR. A GRACE PERIOD OF 30 DAYS IS PERMITTED. AFTER 30 DAYS HAVE ELAPSED, A LATE CHARGE OF \$5.00 WILL BE ASSESSED FOR EACH DELINQUENT PAYMENT AND ADDED TO THE OUTSTANDING BALANCE. IF ANY PAYMENT OF DUES IS NOT MADE WITHIN SIX MONTHS OF THE ORIGINAL DUE DATE, *CONTINUED NEXT PAGE*

INTEREST WILL ALSO BE ADDED AT THE RATE OF 12% PER ANNUM. AT THAT TIME A LIEN MAY BE FILED AND LEGAL COST WILL BE ADDED TO THE INDEBTEDNESS. PARTIAL PAYMENTS WILL BE CREDITED TO THE OLDEST UNPAID PORTION OF THE ACCOUNT.

ANY WRITTEN NOTICES SENT BY MAIL TO NOTIFY HOME OWNERS OF DELINQUENT DUES OR ASSESSMENTS, OR A WRITTEN NOTICE OF THE VIOLATION OF THESE COVENANTS WILL BE SUBJECT TO A CHARGE OF \$2.00 FOR REGULAR MAIL AND \$4.00 SERVICE CHARGE FOR CERTIFIED MAIL.

SECTION 4.

SPECIAL ASSESSMENT FOR CAPITAL IMPROVEMENT IN ADDITION TO THE ANNUAL ASSESSMENT AUTHORIZED BY SECTION 3, THE ORGANIZATION MAY LEVY IN ANY ASSESSMENT YEAR A SPECIAL ASSESSMENT, APPLICABLE TO THAT YEAR ONLY, FOR THE RECONSTRUCTION, UNEXPECTED REPAIR OR REPLACEMENT OF A DESCRIBED CAPITAL IMPROVEMENT UPON PROPERTY RELATED THERETO, PROVIDED THAT ANY SUCH ASSESSMENT SHALL HAVE THE ASSENT OF A MAJORITY OF THE VOTES OF MEMBERS WHO ARE VOTING IN PERSON OR BY PROXY AT A MEETING DULY CALLED FOR THIS PURPOSE, NOTICE OF WHICH SHALL BE SENT TO ALL MEMBERS BY THE ORGANIZATION IN A METHOD DEEMED REASONABLE BY THE ORGANIZATION AND SAID NOTICE SHALL SET FORTH THE PURPOSE OF THE MEETING.

SECTION 5.

CHANGE IN ASSESSMENT RATE. IN THE EVENT IT IS DETERMINED BY THE BOARD OF TRUSTEES THAT THE EXISTING ASSESSMENT RATE DOES NOT MEET THE DEMAND AND COSTS OF MAINTAINING THE COMMON PROPERTIES, SAID BOARD OF TRUSTEES SHALL SET A NEW RATE, TOGETHER WITH THE REASON THEREFOR, AND SHALL PRESENT THE NEW RATE AT A FORMAL MEETING DULY CALLED FOR THAT PURPOSE. THE NEW RATE SHALL BE ADOPTED BY THE ORGANIZATION IF A MAJORITY OF ALL THE MEMBERS PRESENT ASSENT THERETO, AS PROVIDED IN SECTION 6 OF THIS ARTICLE.

SECTION 6.

THE QUORUM REQUIRED FOR ANY ACTION AUTHORIZED UNDER SECTIONS 3, 4 AND 5 AND SECTION 6 OF ARTICLE 7 SHALL BE AS SET FORTH IN SECTION 4 OF ARTICLE 5.

SECTION 7.

EFFECT OF NON-PAYMENT OF ASSESSMENT, IN THE EVENT ONE OR MORE OF THE MONTHLY PAYMENTS OF THE ASSESSMENT OR OTHER FINES OR ASSESSMENT ARE NOT PAID AT THE END OF THE ASSESSMENT YEAR (THE DATE TO BE FIXED BY THE BOARD OF TRUSTEES), THEN SUCH ASSESSMENT OR FINE SHALL BECOME DELINQUENT AND SHALL, TOGETHER WITH SUCH INTEREST AND COST OF COLLECTION, INCLUDING ATTORNEY FEES, AS HEREINAFTER PROVIDED, THEREUPON BECOME A CONTINUING LIEN ON THE PROPERTY WHICH SHALL BIND SUCH PROPERTY IN THE HANDS OF THE OWNER, HIS SUCCESSORS IN TITLE AND ASSIGNS.

IF THE ASSESSMENT PAYMENT IS NOT PAID WITHIN THIRTY (30) DAYS AFTER THE DELINQUENCY DATE, THE ASSESSMENT SHALL BEAR INTEREST FROM THE DATE OF DELINQUENCY AT THE RATE OF TWELVE (12) PER CENT PER ANNUM, AND THE ORGANIZATION MAY BRING ACTION AT LAW AGAINST THE OWNER

CONTINUED NEXT PAGE

PERSONALLY OBLIGATED TO PAY THE SAME OR TO FORECLOSE THE LIEN AGAINST THE PROPERTY, AND THERE SHALL BE ADDED TO THE AMOUNT OF SUCH ASSESSMENT THE COST OF PREPARING AND FILING THE COMPLAINT IN SUCH ACTION; AND IN THE EVENT A JUDGMENT IS OBTAINED, SUCH JUDGMENT SHALL INCLUDE INTEREST ON THE ASSESSMENT AS ABOVE PROVIDED AND A REASONABLE ATTORNEY'S FEE TO BE FIXED BY THE COURT, TOGETHER WITH THE COST OF THE ACTION.

SECTION 8.

SUBORDINATION OF THE LIEN TO MORTGAGES. THE LIEN OF THE ASSESSMENT PROVIDED HEREIN SHALL BE SUBORDINATE TO THE LIEN OF ANY MORTGAGE OR MORTGAGED NOW OR HEREAFTER PLACED UPON THE PROPERTIES SUBJECT TO ASSESSMENT; PROVIDED, HOWEVER, THAT SUCH SUBORDINATION SHALL APPLY ONLY TO THE ASSESSMENTS WHICH HAVE BECOME DUE AND PAYABLE PRIOR TO A SALE OR TRANSFER OF SUCH PROPERTY PURSUANT TO A DECREE OF FORECLOSURE, OR ANY OTHER PROCEEDING IN LIEU OF FORECLOSURE. SUCH SALE OR TRANSFER SHALL NOT RELIEVE SUCH PROPERTY FROM LIABILITY FOR ANY ASSESSMENT THEREAFTER BECOMING DUE, NOR FROM THE LIEN OF ANY SUCH SUBSEQUENT ASSESSMENT.

SECTION 9.

EXEMPT PROPERTY THE FOLLOWING PROPERTY SUBJECT TO THIS DECLARATION SHALL BE EXEMPTED FROM THE ASSESSMENTS, CHARGES AND LIENS CREATED HEREIN:
(A) ALL PROPERTIES TO THE EXTENT OF ANY EASEMENT OR OTHER INTEREST HEREIN DEDICATED AND ACCEPTED BY THE LOCAL PUBLIC AUTHORITY AND DEVOTED TO PUBLIC USE;

(B) ALL COMMON PROPERTIES AS DEFINED IN ARTICLE 1, SECTION 1,

(C) ALL PROPERTIES EXEMPTED FROM TAXATION BY LAW OF THE STATE OF NEW JERSEY, UPON THE TERMS AND TO THE EXTENT OF SUCH LEGAL EXEMPTION;

(D) ALL PROPERTIES OWNED BY THE ORGANIZATION AS AFORESAID. NOTWITHSTANDING ANY PROVISIONS HEREIN, NO LAND OR IMPROVEMENTS DEVOTED TO DWELLING USED SHALL BE EXEMPT FROM SAID ASSESSMENTS, CHARGES OR LIENS.



ARTICLE IV

PROPERTY RIGHT IN THE COMMON PROPERTIES

SECTION 1.

MEMBERS EASEMENTS OF ENJOYMENT. SUBJECT TO THE RULES OF THE ARCHITECTURAL CONTROL AND REGULATIONS COMMITTEE AND TO THE PROVISIONS OF SECTION 3, EVERY MEMBER SHALL HAVE A RIGHT AND EASEMENT OF ENJOYMENT IN AND TO THE COMMON PROPERTIES AND SUCH EASEMENT SHALL PASS WITH THE TITLE TO EVERY LOT (OR LIVING UNIT). ANY VIOLATION OF THESE COVENANTS BY A TENANT WILL BE CONSIDERED A VIOLATION BY THE HOME OWNER AND ANY FINES INCURRED BY A TENANT, FOR FAILURE TO COMPLY WITH THESE COVENANTS, WILL BE THE FINANCIAL RESPONSIBILITY OF THE HOME OWNER.

SECTION 2.

TITLE TO COMMON PROPERTIES THE ORGANIZATION SHALL RETAIN THE LEGAL TITLE TO COMMON PROPERTIES.

SECTION 3.

EXTENT OF MEMBERS EASEMENTS. THE RIGHTS AND EASEMENT OF ENJOYMENT CREATED HEREBY SHALL BE SUBJECT TO THE FOLLOWING;

- (A) THE RIGHT OF THE ORGANIZATION, IN ACCORDANCE WITH ITS ARTICLES, TO BORROW MONEY FOR THE PURPOSE OF IMPROVING THE COMMON PROPERTIES AND IN AID THEREOF TO MORTGAGE SAID PROPERTIES;
- (B) THE RIGHT OF THE ORGANIZATION TO TAKE SUCH STEPS AS ARE REASONABLY NECESSARY TO PROTECT THE ABOVE DESCRIBED PROPERTIES AGAINST FORECLOSURE
- (C) THE RIGHT OF THE ORGANIZATION, AS PROVIDED IN ITS ARTICLES, TO SUSPEND THE ENJOYMENT RIGHTS OF ANY MEMBER FOR ANY PERIOD DURING WHICH ANY ASSESSMENT REMAINS UNPAID, AND FOR ANY PERIOD NOT TO EXCEED THIRTY (30) DAYS FOR ANY INFRACTION OF ITS PUBLISHED RULES AND REGULATIONS;
- (D) THE RIGHT OF THE ORGANIZATION TO TAKE SUCH STEPS AS ARE REASONABLY NECESSARY TO PROTECT THE ABOVE DESCRIBED PROPERTIES AGAINST FORECLOSURE;
- (E) THE RIGHT OF INDIVIDUAL MEMBERS TO THE EXCLUSIVE USE OF OPEN SPACES AS PROVIDED IN ARTICLE IV HEREOF;
- (F) THE RIGHT OF THE ORGANIZATION TO DEDICATE OR TRANSFER ALL OR ANY PART OF THE COMMON PROPERTIES TO ANY PUBLIC AGENCY, AUTHORITY OR UTILITY, FOR SUCH PURPOSES AND SUBJECT TO SUCH CONDITIONS AS MAY BE AGREED TO BY THE MEMBERS; PROVIDED THAT NO SUCH DEDICATION OR TRANSFER, OR DETERMINATION AS TO THE PURPOSES OR AS TO THE CONDITIONS THEREOF, SHALL BE EFFECTIVE UNLESS AN INSTRUMENT SIGNED BY MEMBERS ENTITLED TO CAST A MAJORITY OF THE VOTES, IN ACCORDANCE WITH ARTICLE V, SECTION 4, OF EACH CLASS OF MEMBERSHIP HAS BEEN RECORDED, AGREEING TO SUCH DEDICATION TRANSFER, PURPOSE, OR ACTION THEREUNDER IS SENT TO EVERY MEMBER AT LEAST THIRTY (30) DAYS IN ADVANCE OF ANY ACTION.



ARTICLE V ASSOCIATION VOTING RIGHTS

IF NOT STATED HEREIN

SHALL BE CONDUCTED IN ACCORDANCE WITH ROBERT'S RULES OF ORDER

SECTION 1.

MEMBERSHIP. EVERY PERSON OR ENTITY WHO IS A RECORDED OWNER OF A FEE OR UNDIVIDED FEE INTEREST IN ANY LOT (S) (OR LIVING UNIT) WHICH IS SUBJECT BY COVENANTS OF RECORD TO ASSESSMENT BY THE ORGANIZATION SHALL BE A MEMBER OF THE ORGANIZATION PROVIDED THAT ANY SUCH PERSON OR ENTITY WHO HOLDS SUCH INTEREST MERELY AS A SECURITY FOR THE PERFORMANCE OF AN OBLIGATION, SHALL NOT BE A MEMBER.

SECTION 2.

VOTING RIGHTS. MEMBERS SHALL BE ENTITLED TO ONE (1) VOTE FOR THE LOT IN WHICH THEY HOLD THE INTEREST REQUIRED MEMBERSHIP UNDER SECTION 1 HEREOF. IN THE EVENT TWO (2) OR MORE PERSONS HOLD AN INTEREST IN ONE LOT, THEY SHALL BE ENTITLED TO ONE (1) VOTE TOGETHER, REPRESENTING THE ONE LOT.

SECTION 3.

VOTES MAY BE CAST EITHER IN PERSON OR BY PROXY. PROXIES MUST BE IN WRITING AND PROPERLY EXECUTED. NO PROXY MAY BE VOTED FOR OTHER THAN THE SPECIFIC MATTERS INDICATED BY THE PROXY UNLESS SUCH PROXY CONTAINS A PROVISION THAT IT MAY BE VOTED AFFIRMATIVELY OR AGAINST ANY OTHER MATTER THAT MAY BE BROUGHT BEFORE THE MEETING FOR WHICH IT WAS ISSUED OR ANY ADJOURNMENT THEREOF.

SHOULD AN ELIGIBLE VOTER BE ABSENT AT THE TIME OF A MEETING OR THE ELECTION OF TRUSTEES AND NOT WISH TO AUTHORIZE A PROXY TO VOTE ON HIS BEHALF, HE MAY VOTE BY MAIL OR IN PERSON BY MEANS OF AN *ABSENTEE BALLOT*. ABSENTEE BALLOTS MUST BE RECEIVED AT THE CLUBHOUSE BEFORE 2 P.M. THE DAY BEFORE THE ELECTION. ABSENTEE BALLOTS WILL BE AVAILABLE TWO (2) WEEKS BEFORE THE ELECTION.

THE SECRETARY OF THE TRUSTEES WILL FURNISH TO THE CHAIRMAN OF TELLERS A LIST OF THE NAMES AND MAILING ADDRESSES ON RECORD OF ALL PERSONS LEGALLY ENTITLED TO VOTE.

- 1) ONE ABSENTEE PRINTED BALLOT MAY BE OBTAINED OR SENT TO MEMBERS, IN GOOD STANDING, BY OFFICE STAFF, UPON REQUEST, TOGETHER WITH FULL INSTRUCTION FOR MARKING AND RETURNING BY THE REQUIRED DATE:
- 2) ALSO A SPECIALLY RECOGNIZABLE, SELF-ADDRESSED RETURN ENVELOPE WILL BE AVAILABLE WITH THE NAME AND ADDRESS OF THE HOLIDAY CITY ORGANIZATION TO THE CHAIRMAN OF TELLERS, OR OTHER PERSON DESIGNATED TO RECEIVE THE MARKED BALLOT.

3) AN INNER RETURN ENVELOPE WITH A SPACE FOR THE VOTER'S SIGNATURE AND ADDRESS PLACED ON ITS FACE INSTEAD OF ON THE BALLOT SHOULD BE SENT TO THE VOTER WITH THE BALLOT, IN ADDITION TO THE SELF ADDRESSED OUTER RETURN ENVELOPE DESCRIBED ABOVE.

4) THE CHAIRMAN OF TELLERS, OR OTHER PERSON DESIGNATED TO RECEIVE THE MARKED BALLOTS SHOULD HOLD THEM IN THE OUTER ENVELOPES, UNOPENED, TILL THE TIME OF COUNTING.

5) IN ORDER TO ENSURE THE ACCURACY AND THE SECRECY OF ABSENTEE BALLOTS. AT THE COUNTING OF THE BALLOTS ALL INNER ENVELOPES ARE FIRST REMOVED FROM THE OUTER ENVELOPES. THE SIGNATURE ON THE INNER ENVELOPES IS CHECKED AGAINST THE LIST OF QUALIFIED VOTERS; THE BALLOT IS REMOVED AND PLACED, STILL FOLDED, INTO A RECEPTACLE. WHEN ALL INNER ENVELOPES HAVE THUS BEEN PROCESSED, THE BALLOTS ARE TAKEN FROM THE RECEPTACLE AND THE VOTES ARE COUNTED.

SECTION 4.

QUORUM EXCEPT AS OTHERWISE REQUIRED, THE PRESENCE OF SEVENTY-FIVE (75) MEMBERS SHALL CONSTITUTE A QUORUM AT ANY MEETING. A MAJORITY OF THESE MEMBERS PRESENT AND VOTING SHALL BE SUFFICIENT TO TRANSACT ANY BUSINESS PROPERLY BROUGHT BEFORE SUCH A MEETING. IN THE EVENT THERE ARE INSUFFICIENT VOTING MEMBERS PRESENT TO CONSTITUTE A QUORUM AS HEREIN PROVIDED, THEN IN THAT EVENT, A SPECIAL MEETING MAY BE CONVENED FOR THE TRANSACTING OF BUSINESS AT ANY TIME WITHIN THIRTY (30) DAYS, PROVIDED AT LEAST SIXTY (60) MEMBERS ARE PRESENT AND IN ATTENDANCE.

SECTION 5.

ELECTION OF TRUSTEES

- (A) SHALL BE HELD AT THE CLUBHOUSE BETWEEN 2 PM. AND 7 PM. ON THE SECOND TUESDAY IN APRIL OF EACH YEAR.
- (B) EACH VOTING OWNER MUST SIGN THE REGISTER IN THE APPROPRIATE PLACE, BEFORE RECEIVING A BALLOT, EXCEPT IN THE CASE OF ABSENTEE BALLOTS. THE BALLOT MUST BE EXECUTED AT DESIGNATED VOTING PLACES OR BOOTHS, AFTER WHICH THE VOTING OWNER SHALL FOLD THE BALLOT AND PLACE IT IN A DESIGNATED BOX.
- (C) THE BALLOTS SHALL BE TALLIED THAT EVENING AFTER 7 P.M. BY THE TELLERS IN THE PRESENCE OF EACH CANDIDATE OR THE REPRESENTATIVE OF EACH CANDIDATE, NO OTHER PERSON IS TO BE IN ATTENDANCE EXCEPT BY AUTHORIZATION OF THE TRUSTEES. CANDIDATES OR REPRESENTATIVE CAN NOT TALLY VOTES.
- (D) IN CASE OF A TIE VOTE, OR TWO (2) OR LESS VOTES SEPARATING THE CANDIDATES, A RECOUNT WILL BE CONDUCTED IMMEDIATELY THAT SAME EVENING OF THE TYING CANDIDATES.
- (E) IN CASE OF A TIE VOTE, A NEW ELECTION WILL BE HELD BETWEEN THE TYING CANDIDATES ONLY WITHIN 30 DAYS, ALL MEMBERS WILL BE NOTIFIED BY MAIL OR ORGANIZATION NEWSLETTER.
- (F) ALL BALLOTS SHALL BE RETAINED BY THE SECRETARY OF THE TRUSTEES FOR AT LEAST ONE MONTH AFTER THE ELECTION OR VOTING.
- (G) ABSENTEE BALLOTS MUST BE RECEIVED BEFORE 2 PM. THE DAY BEFORE ELECTION.

SECTION 6.

DEFAULT OF ASSESSMENTS. IN THE EVENT AN OWNER IS IN DEFAULT OF PAYMENT OF QUARTERLY SPECIAL ASSESSMENTS FOR A FULL YEAR, HIS VOTING RIGHTS SHALL BE FORFEITED. *CONTINUED NEXT PAGE*

THIS FORFEITURE IN NO WAY RELIEVES SAID OWNER OF ANY OBLIGATIONS AND DUTIES AS SET FORTH IN THE OTHER PROVISIONS OF THESE REGULATIONS, OR THE PROVISIONS OF THE DECLARATION OF COVENANTS AND RESTRICTIONS.

SECTION 7.

MEETINGS.

QUARTERLY MEETINGS SHALL BE HELD ON THE FOURTH SATURDAY OF JANUARY, APRIL, JULY AND OCTOBER, AT TIMES AND PLACES FIXED BY THE TRUSTEES. SPECIAL MEETINGS OF THE ORGANIZATION SHALL BE HELD AT PLACES PERMITTED BY LAW AND AT TIMES FIXED BY THE TRUSTEE. THE FOURTH SATURDAY IN JANUARY IS DESIGNATED AS THE DATE OF THE ANNUAL MEETING. ALL MEETINGS, WHETHER REGULAR, SPECIAL AND /OR COMMITTEE, SHALL BE CONDUCTED ESSENTIALLY IN ACCORDANCE WITH ROBERT'S RULES OF ORDER.

SECTION 8.

WRITTEN NOTICE OF *ANNUAL MEETINGS* SHALL BE GIVEN BY THE SECRETARY IN A METHOD DEEMED REASONABLE BY THE TRUSTEES AND/OR OFFICERS. SUCH WRITTEN NOTICE SHALL SET FORTH THE PURPOSE (S) OF THE MEETING, AND SHALL BE GIVEN NOT LESS THAN FIFTEEN (15) DAYS BEFORE THE DATE OF SUCH MEETING. WAIVER OF NOTICE MAY BE MADE BY AN OWNER IN WRITING. PRESENCE AT THE MEETING SHALL BE CONSIDERED WAIVER OF ANY FORMAL NOTICE TO THE OWNER.

MEETINGS CALLED FOR ELECTION OF TRUSTEES, ON ASSESSMENT FOR APPROVAL OF BUYING , SELLING, MORTGAGING, LEASING, BORROWING OR ANY OTHER ACT WHICH MAY ALTER OR CHANGE THE ASSETS OF THE ORGANIZATION, SHALL BE CONFINED TO NO OTHER BUSINESS THAN THOSE MATTERS SET FORTH IN THE NOTICE OF SUCH MEETING.

SECTION 9.

SPECIAL MEETINGS; THE PRESIDENT OF THE ORGANIZATION SHALL, IF DIRECTED BY THE TRUSTEES, CALL A SPECIAL MEETING OF THE OWNERS. NOTICE OF A SPECIAL MEETING SHALL BE MADE NO LATER THAN FIVE (5) DAYS BEFORE SAID MEETING. NO OTHER MEETINGS SHALL BE CALLED OTHER THAN PROVIDED HEREIN, EXCEPT THAT IN THE EVENT THAT ONE HUNDRED (100) OF ALL OWNERS DESIRE TO CALL A SPECIAL MEETING BY PETITION, GIVING THEIR NAMES AND ADDRESSES AND THEY INDICATE THEIR DESIRE AND STATE THE PURPOSE TO THE TRUSTEES, THE PRESIDENT SHALL BE REQUIRED TO CALL SUCH SPECIAL MEETING. VALIDATION OF SIGNATURES SHALL BE AUTHENTICATED THROUGH THE OFFICE OF THE SECRETARY OF THE ORGANIZATION.

SECTION 10.

BOARD OF TRUSTEES; AS PROVIDED IN THE CERTIFICATE OF INCORPORATION OF HOLIDAY CITY ORGANIZATION AND THE DECLARATION OF COVENANTS AND RESTRICTIONS, THE DUTIES, SELECTION OF, AND THE TERM OF THE BOARD OF TRUSTEES SHALL BE REGULATED BY THESE COVENANTS. A TRUSTEE SHALL BE APPOINTED AS A LIAISON OFFICER TO EACH ORGANIZATION COMMITTEE .

SECTION 11.

THE BOARD OF TRUSTEES

(A) SHALL BE SEVEN (7) IN NUMBER. THE TERM OF OFFICE FOR EACH TRUSTEES SHALL COMMENCE AFTER UNFINISHED BUSINESS AT THE QUARTERLY MEETING OF THE FOURTH SATURDAY IN APRIL FOLLOWING THE ELECTION. AS EACH TERM OF OFFICE EXPIRES, THE NEWLY ELECTED TRUSTEES SHALL SERVE FOR A PERIOD OF THREE (3) YEARS UNLESS TERMINATED UNDER SECTION 12 OF THIS ARTICLE.

(B) EACH VOTING OWNER OF THE ORGANIZATION, DURING AN ELECTION OF TRUSTEES TO THE BOARD OF TRUSTEES, SHALL HAVE ONLY ONE VOTE FOR EACH TRUSTEE TO BE ELECTED. NO MORE THAN ONE MEMBER PER HOUSEHOLD CAN SERVE AS A MEMBER.

SECTION 12.

REMOVAL A TRUSTEE MAY BE REMOVED FOR GOOD CAUSE BY A MAJORITY VOTE OF ALL OWNERS PRESENT AND ELIGIBLE TO VOTE AT A SPECIAL MEETING. IN THE EVENT OF A VACANCY BY DEATH, RESIGNATION, REMOVAL OR OTHER CAUSE, THE TRUSTEES SHALL APPOINT A TRUSTEE TO FILL THE UNEXPIRED TERM OF THE VACANCY.

SECTION 13.

MEETINGS OF THE BOARD OF TRUSTEES SHALL BE HELD ON THE FIRST AND THIRD MONDAY OF EACH MONTH EXCEPT JULY AND AUGUST, WHEN THEY SHALL MEET ONCE A MONTH. NOTICE OF THE MEETING SHALL BE GIVEN TO EACH TRUSTEE. A COPY OF THE MINUTES OF THE PREVIOUS REGULAR BOARD MEETING SHALL BE GIVEN TO EACH TRUSTEE AT LEAST ONE WEEK BEFORE THE MEETING. THE PRESIDENT MAY CALL A TRUSTEES MEETING AT ANY TIME WITHIN REASON. PRESENCE OF FIVE (5) TRUSTEES SHALL BE CONSIDERED A QUORUM. WAIVER OF NOTICE MAY BE MADE BY ANY MEMBER, IN WRITING. PRESENCE AT THE MEETING SHALL BE CONSIDERED WAIVER OF ANY FORMAL NOTICE TO THE TRUSTEES. ALL MEETINGS OF THE TRUSTEES MAY BE ATTENDED BY ANY MEMBER OF THE ORGANIZATION, BUT THEY MAY NOT SPEAK OR INTERRUPT THE MEETING UNLESS THE PRESIDENT GRANTS THEM THE FLOOR.

SECTION 14.

NOMINATING COMMITTEE: THE PRESIDENT SHALL APPOINT A COMMITTEE TO BE KNOWN AS THE NOMINATING COMMITTEE AND WHOSE FUNCTION SHALL BE TO SUBMIT A REASONABLE NUMBER OF CANDIDATES FOR THE VACANCIES IN THE BOARD OF TRUSTEES. EXCEPT AS PROVIDED IN THE CERTIFICATE OF INCORPORATION, EACH CANDIDATE FOR THE BOARD OF TRUSTEES MUST BE A MEMBER OF THE ORGANIZATION, A PROPERTY OWNER AND A RESIDENT FOR AT LEAST ONE (1) FULL YEAR, IN GOOD STANDING AND HAVE ATTENDED AT LEAST TWO (2) QUARTERLY MEETINGS IN THE YEAR PRIOR TO ELECTION. NO PAID EMPLOYEE OF THE ORGANIZATION MAY SERVE AS A TRUSTEE.

SECTION 15.

AFFAIRS OF THE ORGANIZATION SHALL BE GOVERNED BY THE BOARD OF TRUSTEES, EXCEPT AS OTHERWISE PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS, CERTIFICATE OF INCORPORATION OR IN OTHER ARTICLES. THE FOLLOWING SHALL BE PART OF THE DUTIES AND POWERS OF THE BOARD, WITHOUT, HOWEVER, LIMITATION:

(A) MAINTAIN, CARE FOR, REPAIR, REPLACE, RECONSTRUCT, IMPROVE AND PROTECT THE COMMON FACILITIES OF THE ORGANIZATION, INCLUDING ALL REALTY, BUILDINGS, ETC.

- (B) DIRECT THE COLLECTION OF ALL ASSESSMENTS, BOTH QUARTERLY AND SPECIAL, FROM THE OWNERS AND TO USE SAID MONIES FOR THE OPERATION AND MAINTENANCE AND IMPROVEMENTS OF THE COMMON FACILITIES, AND TO PAY FOR ALL TAXES AND CHARGES AGAINST SAID COMMON FACILITIES.
- (C) BUY, SELL, MORTGAGE, LEASE, RENT, BORROW OR DO ANY OTHER ACT WHICH MAY ALTER OR CHANGE THE ASSETS OF THE ORGANIZATION, PROVIDED, HOWEVER, THAT PRIOR AUTHORIZATION HAS BEEN OBTAINED FROM THE OWNERS AT A MEETING HELD IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 4 OF ARTICLE V ; PROVIDED, HOWEVER, THAT IN THE EVENT THE ORGANIZATION IS DESIROUS OF SUBSTANTIALLY ALTERING OR CHANGING THE CAPITAL STRUCTURE, OR PROPERTY OWNERSHIP OF THE ORGANIZATION, AND SUCH CHANGE IS NOT IN THE ORDERLY COURSE OF BUSINESS OR NOT FROM FUNDS SPECIFICALLY DESIGNATED FOR THAT PURPOSE, THE ORGANIZATION OWNERS MUST CONSENT TO SAID ACT BY A VOTE ACCORDING TO THE PROVISIONS OF ARTICLE V.
- (D) PREPARE, PRIOR TO EACH ANNUAL MEETING, A BALANCE SHEET, STATEMENT OF INCOME AND EXPENSE, AND BUDGET FOR THE ORGANIZATION REFLECTING THE AMOUNTS INTENDED TO BE NECESSARY TO MEET THE COST OF MAINTENANCE. IN THE EVENT IT IS CONCLUDED BY THE BOARD THAT A SPECIAL ASSESSMENT WILL BE NECESSARY, SAID CONCLUSION, TOGETHER WITH REASONS THEREFORE, SHALL BE PRESENTED TO THE ORGANIZATION, THE OWNERS SHALL VOTE ON THE ASSESSMENT ACCORDING TO THE PROVISIONS OF ARTICLE V. EXPENDITURES FOR ALL PURPOSES IN ANY FISCAL OR CALENDAR YEAR SHALL NOT EXCEED THE INCOME FROM ALL SOURCES FOR THAT YEAR, INCLUDING ALL SURPLUS FUNDS, IF ANY, FROM THE PRESENT AND PRIOR YEARS.
- (E) COLLECT ANY ADDED ASSESSMENTS MADE UNDER ARTICLE V.
- (F) TO EMPLOY AND DISMISS ALL EMPLOYEES, AGENTS, AND SERVANTS OF THE ORGANIZATION, AND TO DETERMINE THE COMPENSATION FOR SAID EMPLOYEES.
- (G) TO CARRY OUT THE DETERMINATIONS OF ALL COMMITTEES.
- (H) TO COLLECT DELINQUENT ASSESSMENTS AND TO EMPLOY THE PROVISIONS AND POWERS SET FORTH IN THE DECLARATION TO COLLECT, FORECLOSE, EXECUTE, OR LEVY AGAINST ANY OWNER OR LOT WHICH IS DELINQUENT.
- (I) TO KEEP A DETAILED BOOK OF ACCOUNT, OF RECEIPTS AND EXPENDITURES, AND TO EMPLOY COMPETENT LEGAL COUNSEL AND ACCOUNTANTS TO MAINTAIN THE LEGAL STATUS OF THE ORGANIZATION.
- (J) TO ASSURE THAT THE PROVISIONS OF THE ORGANIZATION, AS EMBODIED IN THE ARTICLES OF INCORPORATION AND THE DECLARATION ARE CARRIED OUT, SPECIFICALLY, BUT NOT BY WAY OF LIMITATION, THOSE PROVISIONS LIMITING OWNERSHIP AND MEMBERSHIPS TO PERSONS FIFTY-FIVE (55) YEARS OF AGE AND OVER.
- (K) TO INSURE AGAINST LOSS FROM FIRE, VANDALISM, OR ANY OTHER CAUSE, OF ANY COMMON PROPERTIES OR FACILITIES; AND TO MAINTAIN PUBLIC LIABILITY INSURANCE INSURING THE ORGANIZATION AND ITS OWNERS AGAINST ANY CLAIMS ARISING FROM INJURIES OR DAMAGES OCCURRING ON THE COMMON FACILITIES OR PROPERTIES
- (L) ANY CLUB, GROUP OR OTHER ORGANIZATION THAT IS FORMED BY A GROUP OF MEMBERS OF THE HOLIDAY CITY ORGANIZATION FOR THE PLEASURE, COMPANIONSHIP OR OTHER LAWFUL PURPOSE, THAT EXPECTS OR INTENDS TO USE THE FACILITIES OF THE HOLIDAY CITY ORGANIZATION FOR ITS MEETINGS OR OTHER PURPOSES, MUST OBTAIN IN WRITING, THE APPROVAL OF THE TRUSTEES OR AN OFFICER DESIGNATED TO ACT FOR THE TRUSTEES. ANY SUCH CLUB, GROUP OR ORGANIZATION USING

HOLIDAY CITY ORGANIZATION FACILITIES SHALL FILE AN ANNUAL REPORT, INCLUDING A FINANCIAL STATEMENT, WITH THE BOARD OF TRUSTEES NOT LATER THAN TWO (2) CALENDAR WEEKS PRIOR TO THE END OF THE CALENDAR YEAR.

- (M) THE BOARD OF TRUSTEES SHALL HAVE THE RIGHT TO PROMULGATE REASONABLE RULES AND REGULATIONS WITH RESPECT TO THE USE OF ALL OF THE COMMON ORGANIZATION PROPERTY AND FACILITIES, AND MAY WITHDRAW ITS AUTHORIZATION OR APPROVAL FOR THE USES OF THE FACILITIES AT ANY TIME. THE BOARD OF TRUSTEES THROUGH THE OFFICERS MAY PROMULGATE ADDITIONAL RULES REGARDING VISITORS AND SHALL REQUIRE ENFORCEMENT OF ALL SUCH RULES.
- (N) THE TRUSTEES IN THEIR JUDGMENT MAY AUTHORIZE THE USE OF THE FACILITIES OF THE ORGANIZATION BY AN OWNER IN THE ORGANIZATION FOR THE PURPOSE OF CELEBRATION OF BIRTHDAYS, WEDDINGS, ANNIVERSARIES, ETC.

SECTION 16.

TRUSTEES LIABILITY ; THE INDIVIDUAL MEMBERS OF THE BOARD OF TRUSTEES AND OR OFFICERS AND APPOINTED COMMITTEES, SHALL NOT BE PERSONALLY LIABLE FOR ANY ACT OR ACTS OF THE ORGANIZATION AS A RESULT OF ANY SUCH ACT OR ANY AGREEMENT OR COMMITMENT ENTERED INTO ON BEHALF OF THE ORGANIZATION. THE INDIVIDUAL MEMBERS OF THE BOARD OF TRUSTEES AND OFFICERS OF THE ORGANIZATION SHALL HAVE NO LIABILITY TO ANY UNIT OWNERS FOR ERROR OF JUDGMENT, NEGLIGENT OR OTHERWISE, EXCEPT FOR WILLFUL MISCONDUCT AND EXCEPT AS OTHERWISE PROVIDED HEREIN.

SECTION 17.

OFFICERS OF THE ORGANIZATION SHALL BE PRESIDENT, VICE-PRESIDENT, RECORDING SECRETARY, TREASURER, AND THE TRUSTEES. THE PRESIDENT AND VICE-PRESIDENT SHALL BE SELECTED FROM THE BOARD OF TRUSTEES AT THE TRUSTEES MEETING IN MAY OF EACH YEAR AND SHALL SERVE FOR ONE (1) YEAR AND UNTIL THEIR SUCCESSOR IS SELECTED. ONLY TRUSTEES SHALL VOTE AT THE TRUSTEES MEETING.

SECTION 18.

THE TRUSTEES AT THE MAY MEETING EACH YEAR SHALL APPOINT A TREASURER AND A RECORDING SECRETARY FROM THE BOARD OF TRUSTEES.

SECTION 19.

THE PRESIDENT SHALL PRESIDE AT ALL MEETINGS OF THE ORGANIZATION AND THE BOARD OF TRUSTEES, AND SHALL HAVE ALL THE POWERS AND DUTIES VESTED BY LAW AND BY THE CERTIFICATE OF INCORPORATION. TRUSTEES MAY EXECUTE DEEDS, AND EXERCISE SUCH POWERS AS MAY BE CONFERRED UPON THE PRESIDENT OF A NON-PROFIT ORGANIZATION UNDER THE LAWS OF THE STATE OF NEW JERSEY. A TRUSTEE MAY NOT SERVE AS PRESIDENT FOR MORE THAN THREE (3) CONSECUTIVE YEARS.

SECTION 20.

THE VICE PRESIDENT SHALL PERFORM ANY DUTIES ASSIGNED TO HIM BY THE PRESIDENT, AND IN THE ABSENCE OF THE PRESIDENT PERFORM THE DUTIES OF THE PRESIDENT.

SECTION 21.

THE TRUSTEES SECRETARY SHALL ATTEND ALL MEETINGS OF THE ORGANIZATION AND SHALL RECORD ALL VOTES AND TAKE MINUTES OF THE PROCEEDINGS, SHALL DRAFT RESOLUTIONS AND INCLUDE ALL PROCEEDINGS IN A MINUTE BOOK; AND SHALL PERFORM OTHER DUTIES INCIDENT TO THE OFFICE OF RECORDING SECRETARY, SHALL ALSO BE RESPONSIBLE FOR THE SAFEKEEPING OF ALL RECORDS AND MINUTES AND SHALL MAKE THE ORGANIZATION MINUTES AVAILABLE TO ALL OWNERS FOR INSPECTION AND EXAMINATION AT REASONABLE TIMES AND PLACES.

THE OFFICE SECRETARY SHALL BE RESPONSIBLE FOR KEEPING THE MEMBERSHIP LIST UP-TO-DATE WITH NAMES, LATEST ADDRESSES AND TELEPHONE NUMBERS, IF ANY. THIS LIST SHALL BE HELD IN THE OFFICE OF THE CLUBHOUSE OF THE ORGANIZATION, AND SHALL BE OPEN FOR INSPECTION TO ALL OWNERS AND MEMBERS OF THE ORGANIZATION.

SECTION 22.

THE TREASURER SHALL OVERSEE THE RECEIPT AND DEPOSIT IN APPROPRIATE BANK ACCOUNTS OF ALL MONIES OF THE ORGANIZATION, AND SHALL DISBURSE SUCH FUNDS AS DIRECTED BY RESOLUTION OF THE BOARD OF TRUSTEES PROVIDED, HOWEVER, THAT DISBURSEMENTS MADE IN THE ORDINARY COURSES OF BUSINESS SHALL NOT NEED RESOLUTIONS. THE TREASURER SHALL KEEP PROPER BOOKS OF ACCOUNT AND CAUSE ANNUAL AUDIT OF THE ORGANIZATION'S BOOKS TO BE MADE BY A CERTIFIED PUBLIC ACCOUNTANT AT THE COMPLETION OF EACH CALENDAR YEAR. HE / SHE SHALL ALSO PREPARE AN ANNUAL BUDGET AND PRESENT IT TO THE ORGANIZATION.

SECTION 23.

FULFILL DUTIES: IF ANY OFFICER CANNOT FULFILL HIS / HER DUTIES DUE TO ILLNESS, INCAPACITY, RESIGNATION OR OTHER CAUSES, THE BOARD OF TRUSTEES SHALL APPOINT AN INTERIM OFFICER TO CARRY ON THE DUTIES OF THAT OFFICE



ARTICLE VI

SECTION 1.

GENERAL RULES OF LAW TO APPLY. EACH WALL WHICH IS BUILT AS PART OF THE ORIGINAL CONSTRUCTION OF THE HOMES UPON THE PROPERTIES AND PLACED ON THE DIVIDING LINE BETWEEN LOTS SHALL CONSTITUTE A PARTY WALL ; AND TO THE EXTENT NOT INCONSISTENT WITH THE PROVISION OF THIS ARTICLE, THE GENERAL RULES OF LAW REGARDING PARTY WALLS AND OF LIABILITY FOR PROPERTY DAMAGE DUE TO NEGLIGENT OR WILLFUL ACTS SHALL APPLY THERETO.

SECTION 2.

SHARING OF REPAIR AND MAINTENANCE. THE COST OF REASONABLE REPAIR AND MAINTENANCE OF A PARTY WALL SHALL BE SHARED BY THE OWNERS WHO MAKE USE OF THE WALL IN PROPORTION TO SUCH USE.

SECTION 3.

DESTRUCTION BY FIRE OR OTHER CASUALTY. IF A PARTY WALL IS DESTROYED OR DAMAGED BY FIRE OR OTHER CASUALTY, ANY OWNER WHO HAS USED THE WALL MAY RESTORE IT AND IF THE OTHER OWNERS THEREAFTER MAKE USE OF THE WALL, THEY SHALL CONTRIBUTE TO THE COST OF RESTORATION THEREOF IN PROPORTION TO SUCH USE, WITHOUT PREJUDICE, HOWEVER, TO THE RIGHT OF ANY SUCH OWNERS TO CALL FOR A LARGER CONTRIBUTION FROM THE OTHER UNDER ANY RULE OF LAW REGARDING LIABILITY FOR NEGLIGENCE OR WILLFUL ACTS OR OMISSIONS.

IF A HOUSE IS DESTROYED BY FIRE OR NATURAL DISASTER, OR BY ANY OTHER MEANS, A HOUSE OF THE SAME DESIGN AND ARCHITECTURE MUST BE REBUILT ON SAID LOT WITHIN A REASONABLE AMOUNT OF TIME.

SECTION 4.

RIGHT TO CONTRIBUTE RUNS WITH LAND. THE RIGHT OF ANY OWNER TO CONTRIBUTE FROM ANY OTHER OWNER UNDER THIS ARTICLE SHALL BE APPURTENANT TO THE LAND AND SHALL PASS TO SUCH OWNER'S SUCCESSORS IN TITLE.



ARTICLE VII COMMITTEES

EACH COMMITTEE CHAIRPERSON SHALL BE APPOINTED BY THE PRESIDENT. EACH CHAIRPERSON SHALL SELECT AT LEAST FOUR (4) OR AS MANY OTHER PERSONS TO SERVE ON THAT COMMITTEE AS THEY DEEM NECESSARY AND AS APPROVED BY THE BOARD OF TRUSTEES. EACH COMMITTEE SHALL HAVE THE RIGHT TO PROMULGATE REASONABLE RULES AND REGULATIONS FOR THAT COMMITTEE THAT ARE NOT IN CONFLICT WITH THE COVENANTS AND REGULATIONS AND ARE APPROVED BY THE ORGANIZATION. ALL COMMITTEES AND ANY OTHER COMMITTEE DEEMED BY THE TRUSTEES, SHALL BE CREATED TO SERVE FOR ONE YEAR AND MAY BE RE-APPOINTED.

SECTION 1.

FINANCE COMMITTEE. A FINANCE COMMITTEE SHALL BE APPOINTED BY THE PRESIDENT TO REGULATE AND ADMINISTER THE FISCAL POLICIES OF THE ORGANIZATION, AND SHALL BE RESPONSIBLE TO THE BOARD OF TRUSTEES OF THE ORGANIZATION TO PROVIDE SAID BOARD WITH FINANCIAL INFORMATION AND THE STATUS OF THE ORGANIZATION AT LEAST ANNUALLY.

SECTION 2.

TRANSPORTATION COMMITTEE. A TRANSPORTATION COMMITTEE SHALL BE APPOINTED BY THE PRESIDENT TO DEVISE WAYS AND MEANS OF PROVIDING TRANSPORTATION FACILITIES TO RESIDENTS, AND FOR THE REGULATION AND ADMINISTRATION OF SUCH FACILITIES, ONCE ACQUIRED.

SECTION 3.

BUILDING COMMITTEE. A BUILDING COMMITTEE SHALL BE APPOINTED BY THE PRESIDENT TO MAKE FREQUENT STUDIES OF BUILDING STRUCTURES AND GROUNDS OF THE COMMON PROPERTIES, EXCEPT FOR THE GROUNDS DESIGNATED AS BEACHES AND LAKES, AND SHALL REPORT ANY MATTERS NEEDING ATTENTION TO THE PRESIDENT FOR ACTION OR TRANSMITTAL TO THE BOARD OF TRUSTEES FOR THEIR ACTION.

SECTION 4.

GROUND AND LAKE COMMITTEE. SHALL BE APPOINTED BY THE PRESIDENT TO REGULATE THE USE AND ENFORCE RULES REGARDING THE USE OF THE LAKES FOR BATHING, STRUCTURES AND FIXTURES RELATING THERETO, AND SHALL REPORT ANY MATTERS NEEDING ATTENTION TO THE PRESIDENT OF THE ORGANIZATION FOR ACTION. IT SHALL TAKE WATER SAMPLES FROM TIME TO TIME AND HAVE THEM ANALYZED, IF ANY, AS MAY BE REQUIRED.

(A) THERE SHALL BE NO PARKING IN THE AREA OF THE BEACHES ON EITHER SIDE OF THE STREET BETWEEN SIGNS SET TO MARK SUCH AREAS.

(B) NO POWER DRIVEN BOATS SHALL BE ALLOWED ON EITHER LAKE. NO ONE SHALL BE ALLOWED ON THE BEACH OR IN A HOLIDAY CITY BOAT WITHOUT A HOLIDAY BADGE, AND NO HOLIDAY CITY BOAT SHALL BE USED WITHOUT A BADGE-WEARING RESPONSIBLE ADULT PRESENT IN THE BOAT.

(C) NO ASSEMBLY OF CHILDREN SHALL BE PERMITTED ON THE BEACH OR IN THE CLUBHOUSE WITHOUT PROPER AND APPROVED SUPERVISION. NOR SHALL AN UNACCOMPANIED CHILD OR CHILDREN BE ALLOWED IN THE CLUBHOUSE, ON THE BEACH OR IN THE WATER. ANY UNRULY CHILD MUST BE REMOVED BY THE GRANDPARENTS, PARENTS OR HOSTS WHEN NOTIFIED TO MAKE SUCH REMOVAL.

(D) NO ANIMAL OF ANY KIND SHALL BE ALLOWED IN THE CLUBHOUSE OR ON THE BEACHES. NO PET ANIMAL SHALL BE PERMITTED TO RUN AT LARGE AND MUST BE ON A LEASH AT ALL TIMES WHEN OFF THE OWNER'S PROPERTY, AND SHALL BE CURBED WHEN EXERCISED OR TAKEN TO A RUNWAY OUTSIDE THE CONFINES OF HOLIDAY CITY.

(E) THE OFFICERS, OR COMMITTEE WITH APPROVAL OF THE PRESIDENT, MAY APPOINT AN OFFICIAL WHO SHALL HAVE THE RIGHT AND POWER TO REQUEST THOSE PARKING IN THE AREA OF THE BEACH, THOSE WITHOUT HOLIDAY CITY BADGES, AND THOSE DISTURBING THE BEAUTY, PEACE, HARMONY AND SAFETY OF THE AREA, TO LEAVE. THE OFFICIAL SHALL HAVE THE RIGHT, UNDER SANCTION OF THE BOARD OF TRUSTEES, TO CALL POLICE TO ASSIST HIM IN THESE MATTERS.

SECTION 5.

PUBLIC RELATIONS COMMITTEE. OF NOT LESS THAN FOUR (4) NOR MORE THAN SEVEN (7) MEMBERS SHALL BE APPOINTED BY THE BOARD OF TRUSTEES WHO SHALL ACT AS LIAISON BETWEEN THE TRUSTEES, OFFICERS AND THE ORGANIZATION. ITS DUTIES SHALL INCLUDE, BUT NOT LIMITED TO, THE FOLLOWING: ASSIST THE TRUSTEES AND OFFICERS IN KEEPING THE ORGANIZATION INFORMED OF PENDING OR CONTEMPLATED ACTIONS OF THE TRUSTEES, OFFICERS, AND COMMITTEES. IT SHALL ACCEPT, INVESTIGATE AND PURSUE ALL LEGITIMATE INQUIRIES ON BEHALF OF THE ORGANIZATION AND SHALL KEEP THE OFFICERS AND TRUSTEES INFORMED OF MAJORITY ATTITUDES AND OPINIONS OF THE OWNERS ON MAJOR MATTERS, AS SAMPLED FROM TIME TO TIME.

TRUSTEES AND OFFICERS SHALL COOPERATE FULLY AND FURNISH ALL INFORMATION REQUESTED BY THE PUBLIC RELATIONS COMMITTEE ON ANY MATTER AFFECTING THE GOOD AND WELFARE OF THE ORGANIZATION. THIS COMMITTEE, WITH THE CONSENT OR REQUEST OF THE OFFICERS OR TRUSTEES, MAY ACT BEFORE PUBLIC BODIES AND APPEAR ON CIVIC MATTERS ON BEHALF OF THE HOLIDAY CITY ORGANIZATION.

SECTION 6.

DECLARATION OF COVENANTS AND RESTRICTIONS REVISION COMMITTEE.

(A) THE DUTIES (HEREINAFTER REFERRED TO AS REVISION COMMITTEE) SHALL BE TO PREPARE, SCREEN AND REVISE ALL PROPOSED AMENDMENTS, ADDITIONS AND / OR REVISIONS TO THESE COVENANTS AND RESTRICTIONS PRESENTED BY ANY MEMBER OF THE ORGANIZATION, IN WRITING.

(B) ALL AMENDMENTS, ADDITIONS AND / OR REVISIONS TO THESE COVENANTS AND RESTRICTIONS, PREPARED BY THE REVISION COMMITTEE. SHALL BE REVIEWED BY THE TRUSTEES AND PRESENTED BY THE REVISION COMMITTEE AT THE NEXT QUARTERLY MEETING OR A SPECIAL MEETING OF THE ORGANIZATION CALLED FOR THAT PURPOSE. THE REPORT SHALL DESIGNATE, ALL ARTICLES AND SECTIONS OF THE COVENANTS AND RESTRICTIONS AFFECTED, AND GIVE THE PRECISE LANGUAGE TO BE USED IN THE PROPOSED AMENDMENT OR REVISION, AND IN EFFECTING THE CHANGES IN ALL ARTICLES AND SECTIONS, TOGETHER WITH RECOMMENDATIONS FOR APPROVAL OR DISAPPROVAL.

(C) AFTER PRESENTATION TO THE BOARD, OF THE PROPOSAL BY THE REVISION COMMITTEE, THE BOARD OF TRUSTEES SHALL BE RESPONSIBLE FOR ASCERTAINING THAT THE PROPOSED AMENDMENT (S) AND /OR REVISION (S) ARE PROPER UNDER THE LAW.

(D) CORRECTION OF TYPING ERRORS, OMISSIONS OR OBVIOUS MISTAKES MAY BE MADE BY THE REVISION COMMITTEE UPON APPROVAL OF THE BOARD OF TRUSTEES AND SHALL HAVE THE SAME EFFECT AS THOUGH VOTED UPON AND APPROVED BY THE OWNERS ELIGIBLE TO VOTE.

(E) WHERE A VALID QUESTION OF INTERPRETATION IS INVOLVED, THE REVISION COMMITTEE SHALL PREPARE A CLARIFICATION, AND AFTER REVIEW OF THE CLARIFICATION BY THE BOARD OF TRUSTEES, A WAIVER OF THE REQUIREMENT FOR SUBSEQUENT READING SHALL BE AUTOMATICALLY MADE, AND THE CLARIFICATION SHALL BE SUBMITTED FOR APPROVAL BY THE OWNERSHIP ELIGIBLE TO VOTE AT THE QUARTERLY MEETING, OR SPECIAL MEETING CALLED FOR THAT PURPOSE PROVIDING THAT DELIVERY OF NOTICE REQUIREMENT OF THIS SECTION HAVE BEEN MET.

SECTION 7.

ARCHITECTURAL CONTROL AND REGULATION COMMITTEE.

THIS COMMITTEE, APPOINTED BY THE PRESIDENT OF THE ORGANIZATION, SHALL BE COMPOSED OF THREE (3) OR MORE MEMBERS. AND APPROVED BY THE BOARD OF TRUSTEES.

(A) NO BUILDING, FENCE, WALL OR OTHER STRUCTURE SHALL BE ERECTED OR MAINTAINED UPON THE PROPERTIES, NOR SHALL ANY EXTERIOR ADDITION TO OR CHANGE OR ALTERATION THEREIN BE MADE UNTIL THE PLANS AND SPECIFICATIONS SHOWING THE NATURE, KIND, SHAPE, HEIGHT, COLOR, MATERIALS AND LOCATIONS OF THE SAME SHALL HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING AS TO HARMONY OF EXTERNAL DESIGN AND LOCATION IN RELATION TO SURROUNDING STRUCTURES AND TOPOGRAPHY BY THE ARCHITECTURAL CONTROL AND REGULATIONS COMMITTEE.

IN THE EVENT THAT THE PROPOSED IMPROVEMENT IS DISAPPROVED BY THE COMMITTEE, THE OWNER SHALL HAVE THE RIGHT TO SUBMIT THE MATTER TO THE BOARD OF TRUSTEES.

IF THE COMMITTEE FAILS TO DISAPPROVE WITHIN (30) DAYS AFTER SAID PLANS ARE SUBMITTED TO IT, APPROVAL WILL NOT BE REQUIRED AND IT WILL BE DEEMED THAT THE OWNER HAS COMPLIED FULLY WITH THE ARTICLE.

THE BOARD OF TRUSTEES AND /OR THE ARCHITECTURAL CONTROL AND REGULATION COMMITTEE, UNDER THE DIRECTION OF THE BOARD OF TRUSTEES, SHALL BE AND IS EMPOWERED TO MAKE, DEVISE AND PROMULGATE SPECIFIC RULES AND REGULATIONS CONCERNING THE ERECTION AND CONSTRUCTION OF BUILDINGS, FENCES, WALL, ADDITIONS, OTHER STRUCTURES AND THE GENERAL EXTERIOR MAINTENANCE OF LOTS AND LIVING UNITS. OUTSIDE CONTRACTORS ARE NOT PERMITTED TO WORK ON SUNDAYS EXCEPT IN AN EMERGENCY. NO PERMITS NECESSARY FROM THE HOLIDAY CITY ORGANIZATION FOR THE REPLACEMENT OF : SIDING, WINDOWS, ROOFS, LEADERS AND GUTTERS AND PAINTING OF EXTERIOR OF HOUSE.

(A) COVERED PATIOS

- 1) MAY BE ERECTED AT REAR OF HOUSE ONLY.
- 2) MAY NOT EXCEED 12 FT. IN DEPTH FROM FOUNDATION.
- 3) METAL CONSTRUCTION ONLY, COLOR TO HARMONIZE WITH SIDING.
- 4) POST TO BE ANCHORED IN CONCRETE BASE AT TWO POINTS.

(B) PATIO ENCLOSURES

- 1) MAY BE ERECTED AT REAR OF HOUSE ONLY.
- 2) MAY NOT EXCEED 12 FT. IN DEPTH FROM FOUNDATION.
- 3) DETAILS AND SPECIFICATIONS OF MATERIALS TO BE USED, TYPE OF WINDOWS TO BE INSTALLED ETC. MUST BE SUBMITTED TO THE ARCHITECTURAL CONTROL AND REGULATIONS COMMITTEE FOR APPROVAL BEFORE CONSTRUCTION.
- 4) COLOR TO HARMONIZE WITH SIDING.

(C.) MONUMENTAL ENCLOSURES

MUST NOT EXCEED 36" IN HEIGHT.

(D.) CANOPIES "TENTS"

CANOPIES MAY BE USED IN REAR OF HOUSE ONLY FOR PARTIES, ETC. ON WEEKENDS AND HOLIDAYS, AND MUST BE REMOVED THE FOLLOWING DAY. A PERMIT MUST BE OBTAINED FROM THE CLUBHOUSE. SCREENED SUMMER HOUSES, TEMPORARY OR PERMANENT ARE PROHIBITED. A FINE OF \$25.00 PER DAY WILL BE IMPOSED IF VIOLATED

(E.) CARPORTS AND GARAGES

RULED OUT WHERE NOT INCORPORATED IN PRESENT DWELLING.

(F.) BASKETBALL HOOPS. NO BASKETBALL HOOPS OF ANY KIND PERMITTED AT ANY TIME. A FINE OF \$25.00 PER DAY WILL BE IMPOSED IF VIOLATED.

(G.) TOOL SHEDS

- 1) SAME COLOR AS HOUSE.
- 2) MUST BE ERECTED IN REAR OF HOUSE ONLY, AT LEAST 5 FEET FROM THE FOUNDATION AS INCONSPICUOUSLY AS POSSIBLE.
- 3) NOT TO EXCEED 8 FT. WIDE, 10 FT. DEEP, AND 8 FT. HIGH.
- 4) NO SHEDS PERMITTED ON COMMON PROPERTY.

(H.) DRIVEWAYS THE WIDTH OF ANY DRIVEWAY SHALL NOT EXCEED SEVENTEEN (17) FEET. NO GROUND AREA OF ANY PROPERTY MAY BE PAVED FOR THE PURPOSE OF PARKING OR STORING OF ANY VEHICLE, TRACTOR OR BOAT.

(I) ADDITION OF ROOMS

IN REAR OF HOUSE ONLY, MAY NOT EXCEED 12 FEET FROM ORIGINAL FOUNDATION OR EXCEED THE WIDTH OF THE HOUSE INCLUDING STAIRS. NO ADDITION TO OR ALTERATION MAY BE MADE UNTIL THE PLANS AND SPECIFICATIONS SHOWING NATURE, KIND, SHAPE, HEIGHT, COLOR, MATERIALS AND LOCATION ETC. OF THE SAME SHALL HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING AS TO THE HARMONY OF EXTERNAL DESIGN.

(I) CEMENT PATIOS MAY BE INSTALLED IN FRONT OF A HOUSE AND MAY NOT EXCEED DIMENSIONS OF 9' DEEP BY 18' WIDE EXTENDING FROM FOUNDATION. THE PATIO MAY BE ENCLOSED WITH A RAILING. A RAILING OF THE SAME MATERIAL MAY BE INSTALLED ON ONE SIDE OF DRIVEWAY AND SHALL NOT EXCEED 36" IN HEIGHT. WRITTEN AUTHORIZATION MUST BE OBTAINED FROM THE TRUSTEES BEFORE PROCEEDING WITH THE INSTALLATION OF THE PATIO. THE ERECTION OF A PATIO CONTAINING LARGER DIMENSION THAN THAT SET FORTH HEREIN MAY BE REMOVED THROUGH LEGAL PROCEEDINGS INSTITUTED BY THE TRUSTEES. IN THAT EVENT THE HOME OWNER SHALL BE RESPONSIBLE FOR ALL COST AND EXPENSES INCURRED BY THE ORGANIZATION. FURTHERMORE A FINE OF \$25.00 PER DAY WILL BE IMPOSED UNTIL THE VIOLATION IS ABATED.

(J.) WOODEN DECKS A WOODEN DECK IS PERMITTED, PROVIDED THAT IT IS ERECTED IN THE REAR OF THE DWELLING AND CONSTRUCTED WITH PRESSURE TREATED LUMBER. THE SIZE OF THE DECK SHALL BE NO LARGER THAN 12 FEET FROM FOUNDATION AND NOT TO EXCEED THE WIDTH OF THE HOUSE INCLUDING STAIRS. ALSO, ANY RAILING WHICH IS ATTACHED TO THE DECK SHALL NOT EXCEED THIRTY-SIX (36) INCHES IN HEIGHT.

VIOLATION NOTIFICATION

THE BOARD OF TRUSTEES AND/OR THE ARCHITECTURAL CONTROL AND REGULATIONS COMMITTEE SHALL ENFORCE ALL RULES AND REGULATIONS CONCERNING THE GENERAL ARCHITECTURE AND EXTERIOR MAINTENANCE OF LOTS AND LIVING UNITS AS FOLLOWS;

WHEN A VIOLATION IS DETERMINED TO EXIST, THE PROPERTY OWNER CAN BE NOTIFIED IN PERSON AND IF NOT CORRECTED SHALL BE NOTIFIED IN WRITING BY CERTIFIED MAIL, OR BY REGULAR MAIL TO THE LAST KNOWN ADDRESS OF THE PROPERTY OWNER. THAT:

- (A) A VIOLATION EXISTS;
- (B) THE SPECIFIC RULE OR REGULATION VIOLATED.
- (C) THE SPECIFIC NATURE OF THE VIOLATION;
- (D) THAT THE PROPERTY OWNER HAS THIRTY (30) DAYS IN WHICH TO CORRECT SAME IN ORDER TO AVOID THE IMPOSITION OF A FINE, A LIEN ON THE PROPERTY AND PUBLICATION OF THE VIOLATION IN THE HOLIDAY CITY ORGANIZATION NEWSLETTER.

IN THE EVENT THE VIOLATION IS NOT CORRECTED WITHIN THIRTY (30) DAYS, THE BOARD OF TRUSTEES AND/OR THE ARCHITECTURAL CONTROL AND REGULATION COMMITTEE SHALL, IN THEIR DISCRETION, IMPOSE A FINE OF \$25.00 PER DAY FOR EACH DAY OF VIOLATION. THE PROPERTY OWNER SHALL BE NOTIFIED BY CERTIFIED MAIL, OR BY REGULAR MAIL TO THE LAST KNOWN ADDRESS OF THE PROPERTY OWNER THAT

- (A) THE FINE HAS BEEN IMPOSED;
- (B) THE FINE IS A LIEN ON THE PROPERTY;
- (C) THE PROPERTY OWNER HAS THIRTY (30) DAYS IN WHICH TO CORRECT SAME IN ORDER TO AVOID THE IMPOSITION OF ANOTHER FINE AND ANOTHER LIEN ON THE PROPERTY.

IN THE EVENT THE VIOLATION IS NOT CORRECTED WITHIN THE SECOND THIRTY (30) DAYS PERIOD, THE BOARD OF TRUSTEES AND/OR THE ARCHITECTURAL CONTROL

AND REGULATIONS COMMITTEE SHALL, IN THEIR DISCRETION, IMPOSE A FINE OF THREE DOLLARS (\$3.00) PER DAY FOR EACH DAY THE VIOLATION CONTINUES TO EXIST UNTIL THE VIOLATION IS CORRECTED. THE PROPERTY OWNER SHALL BE NOTIFIED BY CERTIFIED MAIL, OR BY REGULAR MAIL TO THE LAST KNOWN ADDRESS OF THE PROPERTY OWNER. THAT:

(A) A FINE OF THREE DOLLARS (3.00) PER DAY HAS BEEN IMPOSED FOR EACH DAY THE VIOLATION CONTINUES TO EXIST UNTIL THE VIOLATION IS CORRECTED:

(B) THE FINE IS A LIEN ON THE PROPERTY.

IN THE EVENT THE VIOLATIONS CONTINUE TO EXIST FOR A PERIOD OF NINETY (90) DAYS FOLLOWING THE IMPOSITION OF THE PER DIEM FINE, THE BOARD OF TRUSTEES AND/OR THE ARCHITECTURAL CONTROL AND REGULATIONS COMMITTEE SHALL, IN THEIR DISCRETION:

(A) CONTINUE TO IMPOSE THE PER DIEM FINE UNTIL THE VIOLATION IS CORRECTED;

(B) INSTITUTE LEGAL PROCEEDINGS TO COMPEL THE PROPERTY OWNER TO CORRECT THE VIOLATION.

(C) THE IMPOSITION OF ALL FINES SHALL CONSTITUTE A LIEN ON THE SUBJECT'S PROPERTY AND SHALL BE ASSESSED AGAINST THE SUBJECT PROPERTY, AND ADDED TO THE ANNUAL MAINTENANCE ASSESSMENT OR CHARGE TO WHICH SUCH PROPERTY IS SUBJECT UNDER ARTICLE VIII HEREOF AND SHALL BECOME DUE AND PAYABLE IN ALL RESPECTS THE SAME AS THE SAID ANNUAL MAINTENANCE ASSESSMENT.

(D) THE COST OF ALL LEGAL PROCEEDINGS AND REASONABLE ATTORNEY'S FEES SHALL ALSO BE PAID BY THE PROPERTY OWNER.

(E) ALL FINES ASSESSED ARE THE SOLE DISCRETION OF THE BOARD OF TRUSTEES AND OR THE ARCHITECTURAL CONTROL AND REGULATIONS COMMITTEE. HOWEVER, ALL FINES SHALL BE IMPOSED WITH DISCRETION, THEY SHALL HAVE THE DISCRETION NOT TO IMPOSE A FINE OR TO SUSPEND A FINE OR TO SUSPEND A FINE THAT HAS BEEN IMPOSED IN CASE OF: EMERGENCY, DEATH, UNDUE HARDSHIP, INCLEMENT WEATHER AND ALL OTHER CIRCUMSTANCES WHEREIN THE IMPOSITION OF A FINE WOULD BE UNJUST OR INEQUITABLE. THE SOLE PURPOSE OF THE IMPOSITION OF FINES IS TO COMPEL CORRECTION OF VIOLATIONS BY WILLFUL VIOLATORS.

(F) VIOLATIONS SHALL BE DEEMED TO BE WILLFUL IF CORRECTION OF THE VIOLATIONS IS NOT COMMENCED WITHIN THIRTY (30) DAYS OF MAILING OF THE SECOND NOTICE TO THE LAST KNOWN ADDRESS OF THE PROPERTY OWNER.

RULES AND REGULATIONS

(A) FENCES:

NO FENCES (EXCEPT AS HEREIN STATED) OF ANY KIND, INCLUDING HEDGES OR OTHER LIVING FENCES, MAY BE ERECTED BETWEEN RESIDENTIAL PROPERTIES. FENCES ARE ALLOWED IN REAR OF HOUSE ONLY, NOT TO EXCEED MORE THAN THREE (3) FEET IN HEIGHT. NO CHAIN LINK OR CHICKEN WIRE TO BE USED AND NOT TO BE BUILT ON COMMON GROUNDS. FENCING MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE. WHERE SUCH FENCING EXIST, THE PROPERTY OWNER WILL BE GIVEN THIRTY (30) DAYS AFTER NOTIFICATION TO CORRECT THE SITUATION IF SUCH CORRECTION IS NOT MADE WITHIN THIRTY (30) DAYS A FINE OF \$25.00 PLUS \$3.00 PER DAY, WILL BE LEVIED.

- (B) PETS:** ALL PETS MUST BE KEPT ON A LEASH AT ALL TIMES AND CURBED WHEN OFF THE OWNER'S PROPERTY. PETS ARE NOT ALLOWED IN THE BEACH, CLUB HOUSE OR POOL AREA AT ANY TIME. EXCEPT SEEING EYE DOGS. THE DOVER TOWNSHIP DOG ORDINANCE REQUIRES A DOG OWNER TO PICKUP THEIR DOG'S DROPPINGS AND PROVIDES FOR A FINE OF UP TO \$1,000 PER OFFENSE. NO DOG IS PERMITTED ON PRIVATE PROPERTY WITHOUT PERMISSION OF THE PROPERTY OWNER. PLEASE CONTROL BARKING DOGS.
- (C) CLOTHES LINES** SHOULD BE ERECTED IN THE REAR OF THE HOUSE ONLY, AS INCONSPICUOUSLY AS POSSIBLE. NO CLOTHES OR WASHING OF ANY KIND MAY BE DISPLAYED OUTSIDE ON SUNDAY. ANY VIOLATION WILL BE SUBJECT TO A \$10.00 FINE.
- (D) RUBBISH** NO RUBBISH TO BE PUT AT CURB UNTIL THE DAY BEFORE PICK-UP DAYS; USE SUITABLE CONTAINERS; FOLLOW DOVER TOWNSHIP RULES FOR DISPOSING OF LEAVES, GRASS CLIPPINGS AND RECYCLABLES. NO LEAVES, GRASS CLIPPINGS OR DEBRIS SHOULD BE DUMPED ON COMMON PROPERTY. ARRANGEMENTS FOR A SPECIAL PICK-UP OF ANYTHING TOO LARGE FOR THE REGULAR PICK-UP MAY BE MADE BY CALLING THE ROAD DEPARTMENT AT (732) 255-1000. ANY VIOLATION MAY BE SUBJECT TO \$100.00 FINE BY DOVER TOWNSHIP AND/OR A \$10.00 FINE BY HOLIDAY CITY ORGANIZATION.
- (E) CHILDREN** USING THE LAKE, POOL, CLUBHOUSE OR COMMON PROPERTIES MUST BE ACCOMPANIED BY THE OWNER OR THE RESIDENT TENANT. UNRULY CHILDREN MAY BE REQUESTED TO LEAVE. A FINE OF \$25.00 SHALL BE IMPOSED ON THE HOME OWNER FOR EACH OCCURRENCE OF A VIOLATION.
TOYS, BABY CARRIAGES, BICYCLES OR OTHER CHILDREN RELATED ITEMS MAY NOT BE LEFT OUTDOOR OVERNIGHT, NOR ALLOWED TO CLUTTER SIDEWALKS. CHILDREN OR YOUNG ADULT ITEMS OF A PERMANENT, SEMI-PERMANENT OR CASUAL NATURE MAY NOT BE ERECTED, INSTALLED OR STORED ON OR AROUND ANY PROPERTIES. A FINE OF \$25.00 PER DAY SHALL BE IMPOSED FOR EACH OCCURRENCE.
- (F) SWIMMING OR WADING POOLS** PORTABLE OR PERMANENT ARE PROHIBITED. A FINE OF \$25.00 PER DAY SHALL BE IMPOSED FOR EACH OCCURRENCE.
- (G) RESPECT OTHER OWNER'S PROPERTY** AND GENERAL APPEARANCE IN THE PLANTING OF SHRUBS AND TREES.
- (H) NO COMMERCIAL SIGNS** TO BE DISPLAYED. VIOLATIONS WILL BE SUBJECT TO A \$10.00 FINE.
- (I) T.V.** PLEASE KEEP SOUND OF T.V. OR SOUND EQUIPMENT DOWN TO A REASONABLE LEVEL. TOWNSHIP ORDINANCE PROHIBITS EXCESSIVE NOISE.
SATELLITE DISHES ARE PERMITTED 18 INCHES OR UNDER.
- (J) VEHICLES** NO VEHICLES OF ANY KIND, INCLUDING BOATS, TRACTORS, TRAILERS, ETC. UNLESS SPECIFICALLY EXEMPTED ELSEWHERE IN THESE COVENANTS, MAY BE STORED OR PARKED ANYWHERE ON PROPERTIES: EXCEPT MOTOR VEHICLES THAT ARE NOT OTHERWISE PROHIBITED. THESE VEHICLES MUST BE PARKED IN AND ON DRIVEWAY PAVEMENT OR AT CURBSIDE. A FINE OF \$25.00 PER DAY SHALL BE IMPOSED FOR EACH VIOLATION.

(K) FLEA MARKETS OR GARAGE SALES,

1. PUBLIC OR PRIVATE, MAY NOT BE HELD WITHIN THE CONFINES OF HOLIDAY CITY WITHOUT PRIOR WRITTEN PERMISSION OF THE BOARD OF TRUSTEES.
2. IN THE EVENT THAT A GARAGE SALE IS TO BE HELD, EVERY EFFORT MUST BE MADE TO PREVENT TRESPASSING ON NEIGHBORING PROPERTY BY THE USE OF BARRIERS OR ROPE OR OTHER MATERIALS.
3. FLEA MARKETS OR GARAGE SALES MAY NOT BE HELD ON SUNDAYS.
4. HOURS MAY BE BETWEEN 9:00 AM. AND 3:00 PM. 3 TIMES A YEAR. PER ADDRESS. ANY VIOLATION OF ABOVE MAY BE SUBJECT TO A \$25.00 FINE.

(L) AGE REQUIREMENTS

1. OWNERS AND TENANTS MUST SIGN A DOCUMENT INDICATING THE AGE OF ALL RESIDENTS AND THAT THE PROPERTY IS THE PRINCIPAL RESIDENCE OF ONE PERSON OVER FIFTY FIVE (55) YEARS OF AGE. ADDITIONAL DOCUMENTS MAY BE REQUESTED AT ANY TIME THE TRUSTEES ARE OF THE OPINION THAT THERE IS A VIOLATION OF THE AGE LIMITATION.
2. IN ORDER FOR A HOME TO BE OCCUPIED ON A PERMANENT OR PART TIME BASIS, INCLUDING WEEKENDS OR HOLIDAYS, BY ANY PERSON UNDER THE AGE OF 55, EXCEPT A SPOUSE, THE QUALIFYING RESIDENT OVER AGE 55, WHO IS THE OWNER OR RENTER OF RECORD, MUST BE IN RESIDENCE AT THE TIME. A PERSON UNDER 55 YEARS OF AGE MAY CONTINUE OCCUPANCY PROVIDED THAT PERSON HAS REGISTERED WITH THE TRUSTEES FOR A PERIOD OF TIME IN EXCESS OF SIX (6) MONTHS.
3. A FINE OF \$25.00 PER DAY WILL BE IMPOSED FOR EACH DAY OF VIOLATIONS 1 AND 2 OF SECTION (L).

(M) MOWING LAWNS, TRIMMING TREES OR SHRUBS ON SUNDAY IS PROHIBITED. THE OWNER AND /OR TENANT IS RESPONSIBLE FOR COMPLIANCE. ANY VIOLATION WILL BE SUBJECT TO A \$25.00 FINE.

(N) LAWNS AND BUSHES MUST BE MAINTAINED AND NOT PERMITTED TO GROW OUT OF CONTROL . OWNERS AND / OR TENANTS WILL BE NOTIFIED AND GIVEN FIVE (5) DAYS TO COMPLY, AT WHICH TIME THE TRUSTEES WILL HAVE THE LAWN MOWED OR THE SHRUBS TRIMMED AND THE OWNER WILL BE ASSESSED THE COST OF THE WORK, PLUS A \$25.00 SERVICE CHARGE.

(O) VEHICLES NO UNREGISTERED OR COMMERCIAL VEHICLE EXCEEDING 8000 POUNDS WILL BE PERMITTED TO BE PARKED IN DRIVEWAYS WITH THE EXCEPTION OF AN OCCASIONAL VISITOR. A FINE OF \$25.00 PER DAY WILL BE IMPOSED FOR EACH DAY OF VIOLATION.

(P) NO CONSTRUCTION OR MAINTENANCE NO OUTDOOR CONSTRUCTION OR MAINTENANCE WILL BE PERMITTED ON SUNDAY INCLUDING BUT NOT LIMITED TO ROOFING, SIDING OR WINDOW INSTALLATION. ANY VIOLATION WILL BE SUBJECT TO A FINE OF \$75.00

(Q) STORM SEWERS ALL STORM SEWERS IN HOLIDAY CITY DRAIN INTO OUR LAKES. DISPOSAL OF OIL, ANTI-FREEZE OR ANY OTHER FOREIGN MATTER IS PROHIBITED. VIOLATORS MAY BE FINED \$500.00.

- (R) **DEBRIS** RESIDENTS ARE PROHIBITED FROM THROWING ANY FOREIGN MATTER INTO THE LAKE OR ON COMMON GROUNDS OF THE ORGANIZATION, INCLUDING LEAVES, BRANCHES, GRASS CLIPPINGS, CAN, BOTTLES OR GARBAGE. A FINE OF \$125.00 WILL BE IMPOSED FOR EACH OCCURRENCE.
- (S) **SATELLITE DISHES** ARE NOT TO EXCEED 18"
- (T) **LEASE** WHEN PROPERTY IS TO BE LEASED, BOTH THE LEASEE AND THE LEASOR MUST MEET WITH THE TRUSTEES PRIOR TO SIGNING LEASE. IF SUCH A MEETING IS NOT HELD, THE LEASE SHALL BE NULL AND VOID. TWO (2) TRUSTEES OR THEIR REPRESENTATIVES, WILL BE REQUIRED AT SUCH MEETING.
- (U) **REGISTER WITH ORGANIZATION** HOME OWNER OR RENTERS MUST REGISTER WITH THE ORGANIZATION WITHIN 30 DAYS OF THE CLOSING DATE OF THE PURCHASE OF A NEW HOME OR FROM THE DATE OF THE SIGNING OF A LEASE. FAILURE TO DO SO WILL SUBJECT THE HOME OWNER TO A FINE OF \$25.00 FOR EACH DAY OF NONCOMPLIANCE.
- (V) **PARKING HANDICAP** PARKING SPACES ARE FOR THE USE OF PROPERLY IDENTIFIED VEHICLES ONLY. VIOLATORS WILL BE SUBJECT TO A \$25.00 FINE.
- (W) **GUEST** THE LENGTH OF STAY OF ANY GUEST SHALL NOT EXCEED TWO WEEKS. AN INTERVAL OF TWO WEEKS OR LESS BETWEEN VISITS WOULD BE CONSIDERED A CONTINUATION OF THE ORIGINAL VISIT.
- (X) **BOATS**
- 1) BOATS OR BOAT TRAILERS WILL NOT BE PERMITTED TO BE STORED ON RESIDENTIAL PROPERTIES OR COMMON GROUNDS EXCEPT AS NOTED.
 - 2) LAKE USABLE BOATS UNDER 14 FEET WHICH ARE POWERED BY HAND, FEET OR ELECTRIC MOTOR MUST BE REGISTERED WITH THE ORGANIZATION AND MAY BE STORED ON COMMON PROPERTY SURROUNDING THE LAKE, PROVIDED PRIOR PERMISSION HAS BEEN OBTAINED FROM THE BOARD OF TRUSTEES. BOATS WILL BE STORED AT THE OWNERS RISK AND WILL BE STORED IN AREAS DESIGNATED BY THE BOARD OF TRUSTEES. A FINE OF \$25.00 WILL BE IMPOSED FOR EACH DAY OF VIOLATION.
- (Y) **POOL AND LAKE** THE RULES AND REGULATIONS GOVERNING THE USE OF THE SWIMMING POOL AND LAKE ARE INCORPORATED HEREIN BY REFERENCE AND ARE AS FULLY ENFORCEABLE AS ANY OTHER IN THESE COVENANTS.
- (Z) **VEGETABLE GARDENS** ARE PERMITTED IN REAR OF THE HOUSE AND ARE LIMITED TO 150 SQUARE FEET. IN ADDITION COMMON GROUNDS MAY BE USED WITH THE WRITTEN APPROVAL OF THE TRUSTEES AS TO SIZE AND LOCATION. FENCING AROUND GARDENS MAY NOT EXCEED THREE FEET IN HEIGHT. A GARDEN MAY BE PLANTED ALONG THE SIDE OF THE HOUSE. IT MAY NOT BE EXTENDED BEYOND 36 INCHES OF FOUNDATION. A FINE OF \$25.00 WILL BE IMPOSED FOR EACH DAY OF VIOLATION.
- (AA.) **BIRDS FEEDING** BIRDS, DUCKS OR GEESE IN OR AROUND THE LAKE IS PROHIBITED THIS INCLUDES ALL PROPERTIES SURROUNDING THE LAKE. VIOLATORS WILL BE SUBJECT TO A FINE NOT TO EXCEED \$25.00 FOR EACH VIOLATION.
- (BB.) **CLUBHOUSE PARKING LOT** ENTRANCE INTO THE CLUBHOUSE PARKING LOT THROUGH THE EXIT DRIVEWAY IS PROHIBITED. VIOLATORS WILL BE SUBJECT TO A FINE OF \$25.00.

(CC.) HOMES ON PROPERTY SHALL NOT BE USED FOR STORAGE

OF FURNITURE, MERCHANDISE OR COMMODITIES. THEY ARE FOR LIVING USE ONLY. VEHICLES LOADED WITH FURNITURE AND COMMODITIES MUST NOT BE PARKED ON DRIVEWAYS OR LAWNS FOR THE PURPOSE OF SALE OR STORAGE. FAILURE TO COMPLY WILL SUBJECT THE OWNER AND/OR A RENTER TO A FINE OF \$25.00 FOR EACH DAY OF NON-COMPLIANCE.

(DD.) OIL TANKS AND PROPANE TANKS

INSTALLED ABOVE GROUND MUST BE PLACED ON SIDE OF HOUSE 8 FT. OR MORE FROM FRONT OF HOME. THE TANK MUST BE CONCEALED FROM VIEW BY ORNAMENTAL BRICK WORK, SHRUBBERY OR LATTICE, PRESSURE TREATED OR PLASTIC FENCING, INSTALLED TO THE HEIGHT OF THE TANK. TANK SIZE MUST NOT EXCEED 290 GALLONS. BEFORE INSTALLATION THE OWNER MUST NOTIFY THE TRUSTEES FOR APPROVAL. FAILING TO COMPLY, A FINE OF \$10.00 PER DAY UNTIL THE VIOLATION IS CORRECTED.

(EE.) FEES

NEW HOMEOWNERS WILL BE REQUIRED TO PAY A ONE TIME MEMBERSHIP FEE OF \$2,000.00

(FF.) REVISIONS OR AMENDMENTS

ANY RULE OR REGULATION SUBMITTED AND APPROVED BY THE MEMBERSHIP AND BECOMING A PART OF THESE COVENANTS SHALL BE IN FORCE FOR A PERIOD OF NO LESS THAN TWO (2) YEARS BEFORE ANY REVISIONS OR AMENDMENTS CAN BE PRESENTED FOR CONSIDERATION.



**ARTICLE VIII
EASEMENTS**

EASEMENTS THE SELLER AND ORGANIZATION SHALL HAVE AN EASEMENT IN, OVER AND UPON THE PREMISES OF THE OWNER OF EACH LOT OR LIVING UNIT, FOR UTILITIES, FUEL, OIL AND OTHER SERVICE LINES, AND TO CARRY OUT THE PROVISIONS OF THIS DECLARATION. AT THE TIME OF THE TAKING OF TITLE TO THE SAID PREMISES THE SELLER SHALL RETAIN AND RESERVE AN EASEMENT FOR THE COMMON WALKWAYS FOR THE SUBJECT PREMISES AND THOSE PREMISES ADJOINING THE SUBJECT PREMISES.



ARTICLE IX

EXTERIOR MAINTENANCE.

-- **SECTION 1.** THE OWNER OF EACH LOT OR LIVING UNIT SHALL BE SOLELY RESPONSIBLE FOR THE EXTERIOR MAINTENANCE OF THE LOT AND/OR LIVING UNIT OWNED BY HIM / HER AND SHALL BE SOLELY RESPONSIBLE FOR THE EXPENSES AND COSTS INCLUDING THE FOLLOWING: PAINT, REPAIR, REPLACE AND CARE FOR ROOFS, GUTTERS, DOWNSPOUTS, EXTERIOR BUILDING SURFACES, WALKS, TREES, SHRUBS AND OTHER EXTERIOR IMPROVEMENTS.

IN THE EVENT HOWEVER, THAT THE OWNER ALLOWS THE LOT OR LIVING UNIT TO BECOME UNSIGHTLY IN THE OPINION OF THE ORGANIZATION, THEN THE ORGANIZATION SHALL GIVE SAID OWNER FIVE (30) DAYS WRITTEN NOTICE REQUESTING THAT THE CONDITION BE CORRECTED. IN THE EVENT THAT SAID OWNER DOES NOT CORRECT THE CONDITION WITHIN FIVE (5) DAYS THE ORGANIZATION SHALL PROVIDE EXTERIOR MAINTENANCE TO CORRECT SAID CONDITION.

SECTION 2.

ASSESSMENT OF COST THE COST OF SUCH EXTERIOR MAINTENANCE SHALL BE ASSESSED AGAINST THE LOT UPON WHICH SUCH MAINTENANCE IS DONE AND SHALL BE ADDED TO AND BECOME PART OF THE ANNUAL MAINTENANCE OR CHARGE TO WHICH SUCH LOT OR LIVING UNIT IS SUBJECT UNDER ARTICLE III HEREOF AND, AS PART OF SUCH ANNUAL ASSESSMENT OR CHARGE, IT SHALL BE A LIEN AND OBLIGATION OF THE OWNER AND SHALL BECOME DUE AND PAYABLE IN ALL RESPECTS AS PROVIDED IN ARTICLE III HEREOF; PROVIDED THAT THE BOARD OF TRUSTEES OF THE ORGANIZATION WHEN ESTABLISHING THE ANNUAL ASSESSMENT AGAINST EACH LOT OR LIVING UNIT FOR ANY ASSESSMENT YEAR AS REQUIRED UNDER ARTICLE III HEREOF, MAY ADD THERETO THE ESTIMATED COST OF THE EXTERIOR MAINTENANCE FOR THAT YEAR BUT SHALL THEREAFTER MAKE SUCH ADJUSTMENT WITH THE OWNER AS IS NECESSARY TO REFLECT THE ACTUAL COST THEREOF.



ARTICLE X SUBSEQUENT TRANSFER

WHEREAS, EACH ORIGINAL SALE WAS INDUCED BY THE CONCEPT OF A DEVELOPMENT FOR ADULTS, THE FOLLOWING COVENANTS AND RESTRICTION SHALL, AS EACH AND EVERY OTHER COVENANTS AND RESTRICTION EXPRESSED IN THIS DECLARATION, RUN WITH AND BIND THE LAND AND SHALL ENSURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE ORGANIZATION AS WELL AS EACH LOT OR LIVING UNIT OWNER:

(A.) NO MEMBER OF THE ORGANIZATION AS DEFINED IN THIS DECLARATION SHALL BE LESS THAN FIFTY-FIVE (55) YEARS; PROVIDED, HOWEVER, THAT IN THE EVENT A LOT OR LIVING ENTIRETY, ONLY ONE OF THE SPOUSES MUST MEET THE REQUIREMENT OF THIS ARTICLE. A SURVIVING SPOUSE WHO OCCUPIES THE DWELLING AND IS UNDER AGE 55, THAT HAS RECEIVED OWNERSHIP OF THE PROPERTY BY A TENANCY BY THE ENTIRETY OR BY WILL OR INTESTACY, MAY REMAIN AS A RESIDENT, WITH ALL RIGHTS AND PRIVILEGES, AS IF SUCH SPOUSE HAS ATTAINED THE AGE OF 55.

(B.) IN THE EVENT THAT AN OWNER OF A LOT OR LIVING UNIT DIES, TESTATE OR INTES- TATE, LEAVING AS AN HEIR OR DEVISEE, ONE OR MORE PERSONS WHO HAVE NOT AT- TAINED THE AGE OF FIFTY- FIVE (55) YEARS AND THEREBY DO NOT SATISFY THE AGE REQUIREMENT OF THE ORGANIZATION, THESE RESTRICTIONS SHALL IN NO WAY RE- STRICT OWNERSHIP BY SAID HEIR OR HEIRS OF SAID LOT OR LIVING UNIT. PROVIDED,

HOWEVER, THAT SAID HEIR OR HEIRS SHALL NOT OCCUPY SAID LOT OR LIVING UNIT UNTIL HE OR SHE MEETS THE QUALIFICATIONS OF THE ORGANIZATION.

(C.) NO TRANSFER, SALE, GIFT, DEVISE, ASSIGNMENT OR GRANT OF A LOT OR LIVING UNIT SHALL BE MADE UNTIL THE EXISTING OWNER OR OWNERS WHO DESIRE TO TRANSFER, MAKES FULL DISCLOSURE TO THE ORGANIZATION THAT THE PROSPECTIVE PURCHASER MEETS ALL OF THE QUALIFICATIONS INCIDENT TO MEMBERSHIP IN THE ORGANIZATION. THIS PROVISION IN NO WAY LIMITS OR ABROGATES ANY OPTION RIGHTS EXISTING IN THE ORGANIZATION TO PURCHASE ANY OF THE LOTS OR LIVING UNITS. THIS PROVISION IS NOT INTENDED TO DEPRIVE ANY OWNER-MEMBER OF HIS RIGHTS, PRIVILEGES AND IMMUNITIES UNDER THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF NEW JERSEY. THE INTENTION OF THE DEVELOPER AND THE ORGANIZATION IS TO MAINTAIN A COMMUNITY THAT CATERS TO THOSE OF RETIREMENT AGE. NO TRANSFER SHALL BE MADE UNTIL THE ORGANIZATION HAS GIVEN CONSENT AS DEFINED IN SECTION 4, ARTICLE XII.

(D.) NO SALE, TRANSFER, GIFT, DEVISE, ASSIGNMENT, OR PLEDGE SHALL BE MADE OF A LOT OR LIVING UNIT COVERED BY THESE RESTRICTIONS TO ANY PROSPECTIVE PURCHASER WHO HAS OR WHO INTENDS TO HAVE LIVING IN THE UNIT, A CHILD UNDER THE AGE OF 18 YEARS, AS A MEMBER OF THE FAMILY, BOARDER, OR ANY OTHER RELATIONSHIP THAT WOULD BE PERMANENT IN NATURE.

(E.) ONE LIVING UNIT

NO OWNER OR PERSON WHO IS EITHER A MEMBER OR REQUIRED TO BE A MEMBER OF THE ORGANIZATION MAY OWN MORE THAN ONE LIVING UNIT IN THE PROPERTIES WHICH ARE SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTION OF THE ORGANIZATION.



ARTICLE XI

MUNICIPALITY THE OWNER OF A LOT OR LIVING UNIT, BY ACCEPTANCE OF THE DEED CONVEYING OWNERSHIP FROM GRANTOR, ACCEPTS SAID INSTRUMENT SUBJECT TO THE RIGHT OF THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, AND THE HOLIDAY CITY ORGANIZATION TO REDEEM ANY TAX SALE CERTIFICATE OR ASSIGNMENT THEREOF, ISSUED BY THE MUNICIPALITY AND TO ACQUIRE BY REASON OF SUCH REDEMPTION ANY AND ALL RIGHTS ACCRUING THEREBY IN CONFORMITY WITH PROVISION N. J. S. 54: 5-54 ANY CONVEYANCE OR ALIENATION BY THE GRANTEE, HIS HEIRS, SUCCESSORS, ADMINISTRATORS AND ASSIGNS TO THE CONTRARY NOTWITHSTANDING.

FINE

A FINE SHALL BE IMPOSED AGAINST ANY HOME OWNER FOR ANY COSTS AND EXPENSES OF ANY KIND OR NATURE INCURRED BY THE ORGANIZATION, INCLUDING BUT NOT LIMITED TO, LEGAL FEES AND COURT COSTS FOR ENFORCING ANY COVENANT OR ANY RULES OR REGULATIONS. THE FINE SHALL BE THE SAME AS THE COSTS AND EXPENSES INCURRED.

ARTICLE XII DURATION

SECTION 1.

MEMBERSHIP ALL PROPERTY OWNERS SHALL AUTOMATICALLY BECOME MEMBERS OF THE ORGANIZATION. MEMBERSHIP IN THE ORGANIZATION SHALL GIVE THE BENEFITS AS DEFINED IN OTHER PROVISIONS OF THIS DECLARATION. NO PROPERTY OWNER SHALL HAVE THE RIGHT TO TERMINATE HIS/OR HER MEMBERSHIP IN THE ORGANIZATION EXCEPT BY SALE OR TRANSFER OF THE LOT OR LIVING UNIT, OR BY WRITTEN CONSENT OF THE ORGANIZATION.

SECTION 2.

LENGTH OF TIME OF COVENANTS. THE COVENANTS AND RESTRICTIONS OF THIS DECLARATION SHALL RUN FOR A PERIOD OF FIFTEEN (15) YEARS AND SHALL RUN WITH AND BIND THE LAND AND SHALL ENDURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE ORGANIZATION OR THE OWNER OF ANY LAND SUBJECT TO THIS DECLARATION, THEIR RESPECTIVE LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS, AND ASSIGNS, FOR A PERIOD OF FIFTEEN (15) YEARS FROM THE DATE THIS DECLARATION IS RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AN AMENDMENT TO SAID COVENANTS AND RESTRICTIONS IS REQUESTED AT EITHER A REGULAR OR SPECIAL MEETING CALLED FOR SUCH PURPOSE AND SUCH AMENDMENT IS ASSENTED TO BY A MAJORITY OF THE VOTES OF MEMBERS WHO ARE VOTING IN PERSON OR BY PROXY.

SECTION 3.

NOTICES . ANY NOTICE REQUIRED TO BE SENT TO ANY MEMBER OR OWNER OF THE PROVISIONS OF THIS DECLARATION SHALL BE DEEMED TO BE PROPERLY SENT WHEN MAILED POSTPAID TO THE LAST KNOWN ADDRESS OF THE PERSON WHO APPEARS AS MEMBER, OR OWNER, ON THE RECORDS OF THE ORGANIZATION AT THE TIME OF SUCH MAILING.

SECTION 4.

ENFORCEMENT. ENFORCEMENT OF THESE COVENANTS AND RESTRICTIONS SHALL BE, IF NECESSARY, BY A PROCEEDING AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING THE SAME, BY RESTRAINING SUCH PERSON OR PERSONS, OR BY A SUIT FOR DAMAGES RESULTING FROM SAID VIOLATION. THE ORGANIZATION SHALL HAVE THE RIGHT TO ENFORCE ANY LIEN UPON EITHER THE LOT OR LIVING UNIT BY THE PROPER PROCEEDINGS AVAILABLE EITHER IN LAW OR IN EQUITY. THE ORGANIZATION SHALL HAVE THE RIGHT TO ENFORCE EACH AND EVERY PROVISION OF THIS DECLARATION, THE ORGANIZATION SHALL, BEFORE ANY OWNER SELLS A LOT OR LIVING UNIT, BE NOTIFIED OF THE INTENTION OF THE OWNER TO SELL. THE PROSPECTIVE PURCHASER'S NAME AND ADDRESS WILL BE PROVIDED TO THE ORGANIZATION AND THE CONTRACT FOR SALE BETWEEN SELLER AND PURCHASER SHALL NOT BE ENTERED INTO UNTIL THE ORGANIZATION HAS GIVEN ITS ASSURANCE TO THE SELLER THAT THE PURCHASER MEETS ALL OF THE CONDITIONS AND PROVISIONS OF MEMBERSHIP IN THE ORGANIZATION.

SECTION 5.

SEVERABILITY. INVALIDATION OF ANY ONE OF THESE COVENANTS AND RESTRICTIONS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.