

MAY 10 2013



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**SUPPLEMENTAL DECLARATION OF COVENANTS, RESTRICTIONS,  
EASEMENTS, CHARGES AND LIENS**

THIS DECLARATION, made this 12<sup>th</sup> day of April, 2013, by the MONMOUTH HEIGHTS COMMUNITY ASSOCIATION, a non-profit Corporation incorporated under the laws of the State of New Jersey having its principal office in the Township of Manalapan, County of Monmouth and State of New Jersey, hereinafter referred to as the Association.

**WITNESSETH:**

WHEREAS, the Declaration of Covenants, Restrictions, Easements, Charges and Liens made on September 23, 1966 by Levitt and Sons, Incorporated, was filed in the Office of the Clerk of Monmouth County in Book 3504 of Deeds at page 100, etc., on January 4, 1967; and

WHEREAS, a certain Supplemental Declaration of Covenants, Restrictions, Easements, Charges and Liens was filed in the Office of the Clerk of Monmouth County in Deed Book 4264 at Page 350 on October 24, 1980; and

WHEREAS, a certain Supplemental Declaration of Covenants, Restrictions, Easements, Charges and Liens was filed in the Office of the Clerk of Monmouth County in Deed Book 4836 at page 512 on March 15, 1988;

WHEREAS, a certain Supplemental Declaration of Covenants, Restrictions, Easements, Charges and Liens was filed in the Office of the Clerk of Monmouth County in Deed Book 5071 at page 881 on June 11<sup>th</sup>, 1991;

WHEREAS, said Declaration of Covenants, Restrictions, Easements, Charges and Liens provided that the Monmouth Heights Community Association be incorporated for the purpose of exercising the functions set forth in the Declaration of Covenants, Restrictions, Charges and Liens including but not limited to maintaining and administering the community facilities, administering and enforcing the Covenants and Restrictions and levying, collecting and disbursing the assessments and charges therein created for the benefit of the property and each owner thereof which would be affected by the Declaration of Covenants, Restrictions, Easements, Charges and Liens aforesaid; and

WHEREAS, the Association through its Board of Trustees gave due and timely notice to the Members of a meeting to be held on February 11<sup>th</sup>, 2013, the purpose of which was to increase the annual assessment set forth in Article V, Section 3, as previously amended, from \$185.00 to \$235.00 for fiscal year 2013; from \$235.00 to \$285.00 for fiscal year 2014, and beginning in 2015 by \$5.00 increments each year thereafter in perpetuity; and

WHEREAS, the quorum having been met and two-thirds of the vote of each class of members voting in person or by proxy having voted in favor of the increase in the annual assessment from \$185.00 to \$235.00 for fiscal year 2013; from \$235.00 to \$285.00 for fiscal year 2014, and beginning in 2015 by \$5.00 increments each year thereafter in perpetuity; and

NOW THEREFORE, it is hereby declared that Article V, Section 3 of the Declaration of Covenants, Restrictions, Easements, Charges and Liens made on September 23, 1966 and recorded in the office of the Monmouth County Clerk in Deed Book 3504 at page 100, and is further amended by Supplemental Declaration dated October 17, 1980 which was recorded in the office of the Monmouth County Clerk in Deed Book 4264, page 350 and as further amended by Supplemental Declaration dated March 8, 1988 which was recorded in the office of the Monmouth County Clerk on March 15, 1988 in Deed Book 4836, page 512, and as further amended by Supplemental Declaration dated April 29<sup>th</sup>, 1991 which was recorded in the office of the Monmouth County Clerk on June 11<sup>th</sup>, 1991 and they are hereby supplemented and amended to reflect that the maximum annual assessment shall be not more than \$235.00 per year in 2013, not more than \$285.00 per year in 2014, and beginning in 2015 shall increase by \$5.00 increments each year thereafter in perpetuity.


ATTEST:

  
Aileen Mazza, Secretary

  
Evan Breslow, President

BE IT REMEMBERED, that on April 12, 2013, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared Aileen Mazza who, being duly sworn on her oath, deposes and makes proof to my satisfaction, that she is the Secretary of Monmouth Heights Community Association, the Association named in within Instrument; that Evan Breslow is the President of said Association, that the execution, as well as the making of this Instrument, has been duly authorized by a proper resolution of the Board of Directors of said Association; that deponent well knows the corporate seal of said Association; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said association, in the presence of deponent, who thereupon subscribed his name thereto as attesting witness.

Sworn to and Subscribed before me, the date aforesaid.

  
Mollie Kamen  
Notary Public, State of New Jersey

  
Aileen Mazza

RECORD and RETURN:  
Lawrence H. Shapiro, Esq.  
Ansell, Grimm & Aaron, P.C.  
1500 Lawrence Avenue  
Ocean, New Jersey 07712

(Monmouth Heights Community Assn.)

MOLLIE KAMEN  
ID # 2408895  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/1/2016

M CLAIR FRENCH, CITY CLK  
MONMOUTH COUNTY, N.J.  
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