

COPY

Prepared by: MKE  
MARY K. ORSINI, ESQ.

**CLEARBROOK STUART VILLAGE CONDOMINIUM ASSOCIATION NO. 18-A, INC.  
("ASSOCIATION")**

*Resolution Increasing Membership Fee*

WHEREAS, the Association was established and exists as a non-profit corporation by virtue of the New Jersey Condominium Act, *N.J.S.A. 46:8B-1, et seq.*, and by virtue of a certain Master Deed recorded in the Office of the Clerk of Middlesex County on March 21, 1989, at Deed Book 3770, Page 110 *et seq.*, as may be amended;

WHEREAS, at the Association's January 7<sup>th</sup>, 2016 meeting of the Board of Directors, where a quorum of the Board was present, the Board passed the Resolution Increasing Membership Fee which is attached as **Exhibit A**; and

WHEREAS, the Board has determined that it is in the Association's best interest to have the Resolution Increasing Membership Fee filed in the office of the Clerk of Middlesex County;

NOW THEREFORE, the Association hereby submits the Resolution Increasing Membership Fee, which is attached as Exhibit A, to be recorded in the Middlesex County Clerk's Office.

**CLEARBROOK STUART VILLAGE  
CONDOMINIUM ASSOCIATION NO. 18-A, INC.**

[sign] Barbara Gottfried

[print] Barbara Gottfried  
Secretary

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PAGES  
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Exhibit A

*Resolution Increasing Membership Fee*

CLEARBROOK STUART VILLAGE CONDOMINIUM ASSOCIATION NO. 18-A, INC.  
("ASSOCIATION")

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**WHEREAS**, the Association was established and exists as a non-profit corporation by virtue of the New Jersey Condominium Act, *N.J.S.A. 46:8B-1, et seq.*, and by virtue of a certain Master Deed recorded in the Office of the Clerk of Middlesex County on March 21, 1989, at Deed Book 3770, Page 110 *et seq.*, as may be amended.

**WHEREAS**, *N.J.S.A. 46:8B-14(c)* provides, "The association, acting through its officers or governing board, shall be responsible for the performance of the following duties, the costs of which shall be common expenses: . . . The adoption, distribution, amendment and enforcement of rules governing the use and operation of the condominium and the condominium property and the use of the common elements, including but not limited to the imposition of reasonable fines, assessments and late fees upon unit owners, if authorized by the master deed or bylaws, subject to the right of a majority of unit owners to change any such rules."

**WHEREAS**, Section 11 of the Master Deed provides "[e]ach unit owner or occupant shall comply with the provisions of this Master Deed, the By-Laws and the rules and regulations of both the Condominium Association and the Clearbrook Community Association or their representatives, and with any other documents, amendments or supplements to the foregoing now or hereafter lawfully adopted. Failure to comply with any such provisions, rules or regulations shall be grounds for injunctive relief by the Grantor, the Condominium Association, Clearbrook Community and any other Unit Owner."

**WHEREAS**, Section 7 of the Master Deed provides, "[t]he administration of the Common Elements of the Condominium and the Community and recreational facilities shall be by the [Association] and the Clearbrook Community Association in accordance with the provisions of the Condominium Act, this Master Deed, the Certificate of Incorporation and the By-Laws of the Condominium and Community Associations . . . and any other documents, amendments or supplements to the foregoing . . ."

**WHEREAS**, Article V of the Master Deed provides, "[e]very person or entity who is a record owner of a fee interest in any Unit which is subject to the Master Deed aforesaid is subject to assessment by the Association, and qualifies in accordance with the By-Laws, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Ownership of any such Unit shall be the sole qualification for membership. Upon termination of the interest of the Unit Owner, his membership shall automatically terminate and shall be transferred and shall inure to the new Unit Owner succeeding him in interest."

WHEREAS, Article III, Section 1 of the By-Laws provides, “[t]he property, affairs and business of the Condominium Association shall be managed by the Board of Directors, which shall have all those powers granted to it by law and by the Articles of Incorporation of the Condominium Association.”

WHEREAS, Article III Section 1 of the By-Laws provides, “[t]he property, affairs and business of the Condominium Association shall be managed by the Board of Directors, which shall have all those powers granted to it by law and by the Articles of Incorporation of the Condominium Association.

WHEREAS, Article VIII of the By-Laws provides, “[t]he Condominium Association shall have the power, at its sole option, to enforce the terms of this instrument or any rule or regulation promulgated pursuant thereto, by any or all of the following: self help; by sending notice to the offending party to cause certain things to be done or undone; by restoring the Condominium Association to its original position and charging the breaching party with the entire cost or any part thereof; by taking any other action before any court, summary or otherwise, as may be provided by law; by complaint to the duly constituted authorities. The foregoing shall be construed to be in addition to any other powers granted herein and by the Condominium Act, not in limitation thereof.”

WHEREAS, on May 19, 2010, the Association filed an Addendum to the Master Deed and By-Laws addressing membership fees (“May 19, 2010 Addendum”). The May 19, 2010 Addendum was recorded in Book 6134, Page 284, and reads as follows:

Capital Contribution Requirement: Upon the taking of title to any unit at Clearbrook Condominium Association Section 18A, the purchaser shall be required to pay a one time, non refundable [*sic*], capital contribution of 1% of the purchase price, but not less than \$1000 to Clearbrook Condominium Association Section 18A. The aforementioned contribution amount shall Supercede [*sic*] and cancel all previous contribution amounts on file.

The aforementioned capital contribution shall be paid with respect to each unit purchased and shall become due, owing and payable to Clearbrook Condominium Association Section 18A upon closing of title.

WHEREAS, the Board agrees that it shall increase the Membership Fee described in the May 19, 2010 Addendum.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board hereby adopts, ratifies, and confirms the following provisions related to increasing the Membership Fee:

1. The Membership Fee described in the May 19, 2010 Addendum is hereby increased to \$2,000.00 for all unit owners, irrespective of the purchase price of the unit.

2. The provisions of this resolution shall apply only to those transfers of unit title occurring after the date hereof.

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

4. Any provision contained within any previously adopted resolution by the Association that conflicts with any provisions set forth herein shall be deemed void and the provision contained herein shall govern.

CLEARBROOK STUART VILLAGE CONDOMINIUM ASSOCIATION No. 18-A, INC

Resolution Pertaining to: **Increasing Membership Fee**

Duly adopted at a meeting of the Board of Directors of Clearbrook Stuart Village Condominium Association No. 18A, Inc. held this 7<sup>th</sup> day of JANUARY 2016.

Officer/Director PRINT NAME	Vote: YES	NO	ABSTAIN	ABSENT	SIGNATURE
<u>Stanford BRIM</u>	<input checked="" type="checkbox"/>	_____	_____	_____	<u>[Signature]</u>
<u>Joseph Manzo</u>	<input checked="" type="checkbox"/>	_____	_____	_____	<u>[Signature]</u>
<u>Vince NASTA</u>	<input checked="" type="checkbox"/>	_____	_____	_____	<u>[Signature]</u>
<u>Caron Adams</u>	<input checked="" type="checkbox"/>	_____	_____	_____	<u>[Signature]</u>
<u>HERMINE SAHLMAN</u>	_____	<input checked="" type="checkbox"/>	_____	_____	<u>Hermine Sahلمان</u>
<u>Catherine Fuoco</u>	_____	<input checked="" type="checkbox"/>	_____	_____	<u>Catherine Fuoco</u>
<u>MURRAY CHANCES</u>	<input checked="" type="checkbox"/>	_____	_____	_____	<u>Murray Chances</u>
<u>Barbara Gottfried</u>	<input checked="" type="checkbox"/>	_____	_____	_____	<u>Barbara Gottfried</u>
<u>GERARDINE McDuysen</u>	_____	_____	_____	<input checked="" type="checkbox"/>	_____

Attest:

(sign) Barbara Gottfried

(date) Jan 7, 2016

(print) Barbara Gottfried  
Secretary

File:

Book of Minutes – Book of Resolutions:	Book No.	Page No.
Policy	_____	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution Effective: \_\_\_\_\_, 2016

STATE OF NEW JERSEY }  
  } SS.:  
COUNTY OF MIDDLESEX }

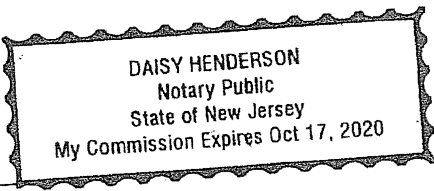
I CERTIFY that on January 21, 2016, Barbara Cottick  
personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Clearbrook Stuart Village, A Condominium Association, Section No. 18-A, 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 corporation officer who is Vince Nasta, 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 Directors;

[sign] Barbara Cottick  
[print] Barbara Cottick  
Secretary

[NOTARIZE]  
Signed and sworn to before me this 21  
Day of January, 2016

Daisy Henderson



**RECORD AND RETURN TO:**  
Attn: Mary K. Orsini, Esq.  
Cutolo Mandel LLC  
151 Highway 33 East, Suite 204  
Manalapan, New Jersey 07726