



OCEAN COUNTY CLERK'S OFFICE
RECORDING DOCUMENT
COVER SHEET



SCOTT M. COLABELLA
OCEAN COUNTY CLERK
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RECORDED 12/06/2022 09:02:35 AM
SCOTT M. COLABELLA, COUNTY CLERK
OCEAN COUNTY, NEW JERSEY

OFFICIAL USE ONLY

DATE OF DOCUMENT: (Enter Date as follows:00/00/0000)

11/17/2022

TYPE OF DOCUMENT: (Select Doc Type from Drop-Down Box)

DEED

OFFICIAL USE ONLY - REALTY TRANSFER FEE

FIRST PARTY NAME: (Enter Last Name, First Name)

Holiday Heights Homeowners Association, Inc.

SECOND PARTY NAME: (Enter Last Name, First Name)

ALL ADDITIONAL PARTIES: (Enter Last Name, First Name)

RETURN NAME AND ADDRESS:

Paul Leodori, Esq.

Boudwin Ross Roy Leodori PC ← RR

10000 Midlantic Drive, Suite 100E

Mt. Laurel, New Jersey 08054

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY

BLOCK:

LOT:

MUNICIPALITY: (Select Municipality from Drop-Down Box)

BERKELEY

CONSIDERATION:

MAILING ADDRESS OF GRANTEE: (Enter Street Address, Town, State, Zip Code)

Street
Address

Town

State

Zip

THE FOLLOWING SECTION IS FOR
ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES,
SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY

ORIGINAL BOOK:

4531

ORIGINAL PAGE:

0756

all 90 cash

OCEAN COUNTY CLERK'S OFFICE RECORDING DOCUMENT COVER SHEET

Please do not detach this page from the original document as it
contains important recording information and is part of the permanent record.

Prepared by:



Paul A. Leodori, Esq.
Boudwin Ross Roy Leodori PC
10000 Midlantic Drive, Suite 100E
Mt. Laurel, New Jersey 08054

Rules And Regulations Passed Pursuant To And In Accordance With The Declaration Of Covenants And Restrictions Filed By the Developer and Recorded in the Ocean County Clerk's Office on March 31, 1987 in Deed Book 4531 at Page 0756; Amendment Of Declaration Of Covenants And Restrictions Holiday Heights Homeowners Corporation Recorded in the Ocean County Clerk's Office on September 18, 1998 in Deed Book 5617, Page 0791; Amendment Of Declaration Of Covenants And Restrictions Holiday Height Homeowners Corporation Recorded in the Ocean County Clerk's Office on August 12, 2003 in Deed Book 11603, Page -0317; Declaration Of Covenants And Restrictions Holiday Heights Homeowners Corporation Recorded in the Ocean County Clerk's Office on November 7, 2003 in Deed Book 11764 at Page 1400 and following; and Amendment Of Declaration Of Covenants And Restrictions Holiday Heights Homeowners Corporation Recorded in the Ocean County Clerk's Office on November 21, 2006 in Deed Book 13419 at Page 1418; Amendment Of Declaration Of Covenants and Restrictions Holiday Heights Homeowners Corporation recorded in the Ocean County Clerk's Office On October 2, 2012 in Deed Book 15328 at Page 122 and following.

**RESOLUTION OF HOLIDAY HEIGHTS HOMEOWNERS ASSOCIATION, INC. FOR
RULES AND REGULATIONS REGARDING FEDERAL HOUSING FOR OLDER
PERSONS ACT (HEREINAFTER "HOPA") FORM**

WHEREAS, the Board of Directors of the Holiday Heights Homeowners Association, Inc. (hereinafter referred to as the "Association") is empowered to pass rules and regulations in accordance with Article IX, Par. 4 of the Holiday Heights By-Laws;

WHEREAS, the Association is governed by the Certificate of Incorporation, By-Laws, Declaration Of Covenants And Restrictions, Rules And Regulations and any amendments thereto (hereinafter collectively referred to as the "Governing Documents").

WHEREAS, Article IX, of the Association By-Laws provides in pertinent part that the "affairs of the Association shall be managed, administered and governed by the Board of Directors. The powers and duties of said charge shall include, but not be limited to: . . . 4. To adopt, amend and publicize such Rules and Regulations as the Board may deem necessary for the functioning of the Association, for the operation and use of the Property and for Homeowner activities as may be deemed proper and that are consistent with these By-Laws and the Declaration."

WHEREAS, the Association Board of Directors seeks to establish Rules And

Regulations regarding the responsibilities of any Owner of a Lot or Living Unit; and

WHEREAS, the Federal Housing for Older Persons Act, 42 U.S.C. § 3601 et seq. (hereinafter referred to as "HOPA") requires regular updates, at least once every two years, through surveys or other means in order to verify and maintain the status as an age restricted (55 and over) community.

WHEREAS, this Resolution was duly introduced and was thereafter adopted by the Association Board of Directors at a regularly scheduled meeting of the Association Board of Directors on NOVEMBER 15, 2022, at which a quorum was present, by a majority vote of the Association Board of Directors present and eligible to vote on this matter.

NOW, THEREFORE on this 15th day of NOVEMBER, 2022, upon motion duly made and seconded, the Association Board of Directors resolves that the following Association Rules And Regulations will be adopted and observed by all Owners of a Lot and/or Living Unit subject to the Governing Documents of the Association as follows:

1. Owners of any Lot or Living Unit shall complete all forms required by the Association in order to verify, in accordance with HOPA, that the occupants and Owner(s) are fifty-five (55) years of age or older, or, their spouse or domestic partner is fifty-five (55) years of age or older, or, that all other occupants of their Living Unit are age-appropriate pursuant to the Governing Documents;

2. All persons who seek to obtain or otherwise acquire title to any Lot or Living Unit, prior to obtaining or otherwise acquiring title to any Lot or Living Unit, shall complete all forms required by the Association in order to verify, in accordance with HOPA, that the occupants and Owner(s) are fifty-five (55) years of age or older, or, their spouse or domestic partner is fifty-five (55) years of age or older, or, that all other occupants of their

applicable Living Unit are age-appropriate pursuant to the Governing Documents;

3. All information requested by the Association relative to affirming compliance with HOPA and the Governing Documents, including proof of age must be provided by the Owner(s) or prospective Owner(s) when requested by the Association;

4. Acceptable forms of proof of age include: driver's license, passport, and/or official and verifiable governmental forms of identification.

5. All tenants, non-owner residents and/or occupants must also comply with the terms and conditions of this Resolution and provide to the Association, prior to occupying a Living Unit, two (2) forms of picture identification demonstrating that each prospective lessee, non-owner resident or occupant is either eligible to occupy the Living Unit pursuant to the Governing Documents or otherwise are fifty-five (55) years of age or older unless they are husband and wife, civil partners or domestic partners in which case a marriage certificate or other written documentation satisfactory to the Association which proves the persons to be regarded as married, partners in a civil union, or domestic partners recognized under New Jersey law;

6. If an Owner, tenant, non-owner resident and/or occupant of a Living Unit fails to comply with this Resolution within thirty (30) days after receiving written notice from the Association, they shall be jointly and severally liable for and responsible to pay the Association a fine in the amount of \$500.00 and otherwise reimburse the Association for all attorneys' fees and costs incurred by the Association to address the non-compliance with this Resolution;

7. If a fine of \$500.00 is imposed for non-compliance of this Resolution, each and every day thereafter shall be treated as a separate violation which will result in the imposition of a \$25.00 per day fine for which the Owner, tenant, non-owner resident and/or

occupant of a Living Unit shall be jointly and severally liable for and responsible to pay the Association a fine in the amount of \$25.00 per day for each day following the thirtieth day after receiving the initial written notice from the Association pursuant to Paragraph 6 of this Resolution;

8. Any person providing false information to the Association pursuant to this Resolution in its efforts to assure HOPA compliance and compliance with the Governing Documents shall be fined an additional penalty in the amount of \$500.00 and if same relates to the falsification of age which renders a person ineligible to either own or occupy a Lot and/or Living Unit, the Association may further seek to void such transfer of title and/or eject such ineligible occupant and otherwise seek reimbursement for all attorneys' fees and costs incurred by the Association to address and rectify the situation.

9. All such fines, and, attorneys' fees, costs incurred to enforce the provisions herein shall be a lien against the title of a Lot, and, if appropriate may be recorded by the Association as a lien on the Lot or Living Unit of the Unit Owner, tenant, non-owner resident and/or occupant of a Living Unit not in compliance until paid in full;

10. Owner(s), non-owner residents, and/or occupants of any Lot or Living Unit found in violation of this Resolution shall be personally, individually, jointly, and severally liable for any and all fines, including attorneys' fees and costs imposed due to non-compliance with this Resolution.

11. To the extent any Owner(s), non-owner residents, and/or occupants of any Lot or Living Unit are in violation of and/or otherwise, jointly and severally owe any monies to the Association pursuant to this Resolution, including all fines, all attorneys' fees and costs arising from or relating to or otherwise imposed due to non-compliance with this Resolution, all of the Owner(s), non-owner residents, and/or occupants of any such Lot or

Living Unit shall be prohibited from voting in Association matters or election, nominating themselves or another Owner to run for the Board, running for the Board to be elected or being appointed or to serve on the Board, serving as an officer for any club sanctioned by the Board, participating in any activity sponsored by any club sanctioned by the Board, serving as a captain or leader or officer of any group sanctioned by the Board, participating in any activity sponsored by any groups sanctioned by the Board, receiving the monthly newsletter or any other publication or communication from the Association, using, enjoying and/or otherwise occupying any portion of the Common Properties, attending any Board meeting, or, attending any meeting of the Owners.

12. **Notice and Recording.** The Association hereby directs that a copy of this Resolution be displayed in the Association clubhouse for a period of sixty (60) days. The Association Board of Directors also hereby authorizes and directs its legal counsel to arrange for recordation of a copy of this Resolution with the Ocean County Clerk's Office in order to establish the recording of this Resolution in the chain of title of every Lot and/or Living Unit situate on The Properties within the Association.

SPACE INTENTIONALLY LEFT BLANK

ATTEST:

Holiday Heights Homeowners Association, Inc.

Louis Mangerpan
Louis Mangerpan, Secretary

Richard McCall
Richard McCall, President

State of New Jersey :
 : ss.
County of Ocean :

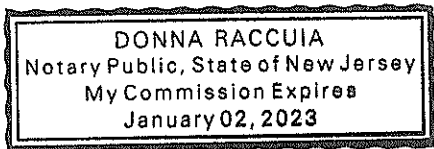
I certify that on this 17 day of November, 2022, Louis Mangerpan, the
aforementioned Secretary, personally came before me and this person acknowledged under oath,
to my satisfaction, that:

- (a) this person is the Secretary of the Holiday Heights Homeowners Association, Inc. (the "Corporation"), a corporation of the State of New Jersey, named in this document;
- (b) this person signed this document as attesting witness for the proper corporate officer, Richard McCall, who is the aforementioned President of the Board of Directors;
- (c) this document was signed and delivered by the Corporation as its voluntary act and deed by virtue of authority from its Board of Directors;
- (d) this person signed this acknowledgment to attest to the truth of these facts; and
- (e) this Resolution was duly introduced and was thereafter adopted at a regular scheduled meeting of the Board of Directors at which a quorum was present, by a majority vote of the members of the Board of Directors eligible to vote on this matter.

Louis Mangerpan
Louis Mangerpan, Secretary

Sworn and subscribed to before
me this 17 day of November, 2022

Donna Racchia
(notary public seal)



Record and Return to:
Paul Leodori, Esq.
Boudwin Ross Roy Leodori PC
10000 Midlantic Drive, Suite 100E
Mt. Laurel, New Jersey 08054