



Cape May County Document Summary Sheet

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Recorded County of Cape May, NJ
Date 05/13/2022 11:54:44 By DK
Rita M. Rothberg, County Clerk
Recording Fees \$85.00

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PO BOX 5000
7 NORTH MAIN STREET
CAPE MAY COURT HOUSE
NJ 08210-5000

Return Name and Address

Hyberg White & Mann
2111 New Road, Suite 105
Northfield, NJ 08225

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Submitting Company

Hyberg White & Mann

Document Date (mm/dd/yyyy)

04/30/2022

Document Type

Amendment to Master Deed

No. of Pages of the Original Signed Document (including the cover sheet)

4

Consideration Amount (if applicable)

First Party

(Grantor or Mortgagor or
Assignor)
(Enter up to five names)

Name(s)

(Last Name First Name Middle Initial Suffix)
(or Company Name as written)

Beach Watch II Motel Condominium

Address (Optional)

Second Party

(Grantee or Mortgagee or
Assignee)
(Enter up to five names)

Name(s)

(Last Name First Name Middle Initial Suffix)
(or Company Name as written)

Beach Watch II Motel Condominium Association, Inc.

Address (Optional)

Parcel Information

(Enter up to three entries)

Municipality

Ocean City

Block

Lot

Qualifier

Property Address

Reference Information

(Enter up to three entries)

Book Type

Book

Beginning Page

Instrument No.

Recorded/File Date

1696

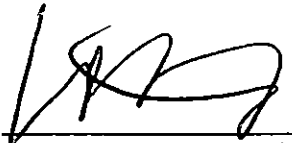
790

07/06/1987

***DO NOT REMOVE THIS PAGE.**

**COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF CAPE MAY COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.**

Prepared by:


ERIC D. MANN, ESQ.

BEACH WATCH II MOTEL CONDOMINIUM ASSOCIATION, INC.

AMENDMENT TO BY-LAWS

This Amendment to the By-Laws of the Beach Watch II Motel Condominium Association, Inc. made this 30th day of April, 2022 by the Beach Watch II Motel Condominium Association, Inc., a New Jersey not-for-profit corporation located in Ocean City, Cape May County, New Jersey.

WITNESSETH:

WHEREAS, the By-Laws for the Beach Watch II Motel Condominium Association, Inc. were filed along with the original Master Deed for that certain real property located in Ocean City, Cape May County, New Jersey, dated June 17, 1987 and recorded on July 6, 1987 in the Office of the Recording Officer of Cape May County Book 1696 of Deeds at page 790; and

WHEREAS, a meeting of owners was conducted, on proper notice to the members of the Association, on April 20, 2022 for the purpose of casting ballots on the issue of amending the By-Laws; and

WHEREAS, the Association having met the quorum requirements as established in the By-Laws and having received a sufficient affirmative vote pursuant to the terms of the By-Laws and as required under N.J.A.C. 5:26-8.13(c); and

NOW, THEREFORE, in accordance with the By-Laws of the Beach Watch II Motel Condominium Association, Inc., the By-Laws are hereby amended as follows:

1. Article III, Section 9 of the By-Laws is amended to provide as follows:

Section 9. Proxy ballots and electronic ballots shall be permitted with respect to all elections of the Trustees, and all amendments to the Articles of Incorporation, the Master Deed or these By-Laws, or any other matter which is to come before a meeting of the membership of the Association. Each proxy shall be in writing, signed by the Unit Owner whose vote is being cast by the proxy or, where a Unit is owned jointly, by one of the Unit Owners whose vote is being cast by the proxy, or by his or their duly authorized representative, and shall be delivered to the Secretary of the Association, or such other person as the President may designate, at least twenty-four (24) hours prior to the commencement of the meeting at which ballots are to be cast. Proxies may be revoked at any time prior to the opening of the polls, and no proxy shall be voted on after eleven (11) months from its date unless said proxy provides for a longer period, not to exceed three (3) years from the date of execution.

All proxies shall be substantially in the form prescribed by the Board and if not in such form shall be deemed to be invalid by the Board, which shall exercise its sole and absolute discretion in making such a determination.

Any Owner shall be permitted to vote electronically provided that the eligibility of the voter is verified and the ballot counted in a non-fraudulent and verifiable way. Any Owner voting electronically shall be deemed present in person for purposes of establishing a quorum.

2. Article IV Section 10 of the By-Laws is amended to provide as follows:

Section 10D: To use and expend any sums collected from such assessment for the operation, management, maintenance, renewal, replacement, repairs, care, cleaning, upkeep, surveillance and protection of the Condominium Property and all of the real and personal property of the Association. No expenditure for capital improvements in excess of \$12,000.00 for any one item shall be made by the Trustees without the affirmative vote of the Unit Owners or their Voting Representatives representing a majority of the total votes at an annual meeting or special meeting called for that purpose at which a quorum was present. In the event there shall be any Common Surplus remaining at the end of each fiscal year, then the same shall be returned or credited to the Unit Owners in the same proportion as their Common Interest therein as soon as practical after the end of such fiscal year.

Section 10E: The Board may impose upon each Unit Owner, upon acquisition of title to his Unit, a non-refundable contribution to the capital of the Association in an amount to be determined by the Board, but not to exceed nine (9) times the amount of the most recent monthly Common Expense Assessment for that Unit as permitted by N.J.S.A. 46:8B-15(e). If imposed, payment of such fee shall be a condition precedent to membership in the Association. Any unpaid membership fee shall be deemed a lien on the Unit in the same manner as any unpaid Common Expenses attributable to such Unit.

Section 10(W): To the extent now or hereinafter permitted by the law of the State of New Jersey, the Board shall also have the power to levy fines against any Unit Owner(s) for violation(s) of any rule or regulation of the Association or for any covenants or restrictions contained in the Master Deed or By-Laws, except that no fine may be levied for more than \$500.00 for any one violation; provided, however, that for each day a violation continues after notice it shall be considered a separate violation. Collection of any fine may be enforced against any Unit Owner(s) involved as if the fine were a Common Expense owed by the particular Unit Owner(s). Despite the foregoing, before any fine is imposed by the Board the Unit Owner(s) involved shall be given at least ten (10) days prior written notice and

afforded an opportunity to be heard, with or without counsel, with respect to the violation(s) asserted.

3. To the extent that this Amendment is in conflict with any other provisions of the By-Laws and any previously recorded amendments, the terms of this Amendment shall prevail.

4. This Amendment to the By-Laws shall be effective upon recording in the Cape May County Clerk's Office.

IN WITNESS WHEREOF, the Association has caused this instrument to be signed, sealed and delivered by its Board of Trustees the day and year first above written.

ATTEST:

BEACH WATCH II MOTEL
CONDOMINIUM ASSOCIATION, INC.

Debra A. Hunter
DEBRA A. HUNTER Secretary

By: Frank Higgins
FRANK HIGGINS, President

STATE OF NEW JERSEY; COUNTY OF CAPE MAY: ss.

I CERTIFY that on April 30th, 2022, Debra A. Hunter personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of the Beach Watch II Motel Condominium Association, Inc., the corporation named in the attached document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is FRANK HIGGINS, the President of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Trustees;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

Sworn to and subscribed before me
on April 30th, 2022.

Edina Custovic

EDINA CUSTOVIC
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 5, 2023

Debra A. Hunter
DEBRA A. HUNTER
Secretary, Attesting Witness

Record and return to:
Hyberg White & Mann
2111 New Road, Suite 105
Northfield, NJ 08225