

Silver Ridge Park Westerly Homeowners Association, Inc. Deed originally being recorded on December 17, 1981 in Ocean County Deed Book 7036, page 750 and following; amended by Deed recorded on January 19, 1987 in Ocean County Deed Book 4041, page 8 and following; amended on September 15, 1999, in Ocean County, Deed Book 4599, pages 497-508 with Amendments recorded on August 30, 2001, in Ocean County, Deed Book 10521, page 1753 and following; amending on February 28, 2002, in Ocean County Deed Book 10743, page 1682 and following; amended on July 16, 2004, in Ocean County Deed Book 12172, page 708 and following; amended on June 23, 2005, in Ocean County Deed Book 12678, page 281 and following; amended on October 28, 2009, in Ocean County Deed Book 14444, page 360 and following; amended on July 14, 2010, in Ocean County Deed Book 14641, page 1396 and following; amended on June 11, 2012, in Ocean County Deed Book 15224, page 457 and following; amended on February 4, 2014, in Ocean County Deed Book 15738, page 1531 and following.

RESOLUTION AMENDING ARTICLE III, SECTION 2 OF THE SILVER RIDGE PARK WESTERLY HOMEOWNERS ASSOCIATION, INC. BY-LAWS REGARDING TRUSTEE TERM LIMITS

WHEREAS, the Silver Ridge Park Westerly Homeowners Association (hereinafter “Association”) By-Laws at Article III, Section 5, Paragraph (j) empowers the Association Board of Trustees “To adopt such rules and regulations as the Board may deem necessary in its sole discretion”;

WHEREAS, N.J.S.A. 46:22A-46 d. (5) (a) in pertinent part provides that “An executive board shall not amend the bylaws of an association without a vote of the association members open to all association members . . . except an executive board may amend the bylaws . . . to the extent necessary to render the bylaws consistent with State, federal or local law”;

WHEREAS, Article III, Section 2 of the Association By-Laws, in part, provides that “A member may not serve as a Trustee for more than three (3) consecutive terms. This

rule is waived when less than seven (7) Trustees are elected. When this occurs, a Trustee may serve a 4th consecutive term.” (hereinafter referred to as the “Term Limits Language”);

WHEREAS the Term Limits Language violates N.J.S.A. 45:22A-45.2 c. (4) which in pertinent part provides that “An association . . . shall not prohibit an association member in good standing from nominating himself or herself, or any other association member in good standing as a candidate for any membership position on the executive board”;

; **WHEREAS** the Term Limits Language violates N.J.A.C. 5:26-8.9 (l)1. ii (1) which in pertinent part provides that “Good standing shall be the sole criterion for the eligibility of a nominee.”;

NOW, THEREFORE, on this _____ day of February, 2025 the Association Board of Trustees by this Resolution claims and declares that:

NOW, THEREFORE, on this _____ day of February, 2025 the Association Board of Trustees by this Resolution claims and declares that:

1. The Term Limits Language contained in Article III, Section 2 of the Association By-Laws is inconsistent with N.J.S.A. 45:22A-45.2 c. (4) and N.J.A.C. 5:26-8.9 (l)1. ii (1) and hereby deleted in its entirety.

2. NOTICE AND RECORDING: The Association is authorized and directed to publish this Resolution in the Association newsletter and display a copy of this Resolution in the Association clubhouse. Association also authorizes and directs its legal representative to arrange for recordation of this Resolution with the Ocean County Registrar’s Office in order to establish the recording of this Resolution in the chain of title of all Association Lots and Living Units and all persons, including but not limited to all

Owners, Members and Association Members, subject to the Association Declaration Of Covenants And Restrictions, the Association By-Laws, the Association Certificate of Incorporation and Association Rules And Regulations.

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ATTEST:

Silver Ridge Park Westerly Homeowners Association

_____, Secretary

_____, President

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

I certify that on this ____ day of February, 2025, the Silver Ridge Park Westerly Homeowners Association Secretary personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Silver Ridge Park Westerly Homeowners Association (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 who is the President of the Corporation;
- (c) this document was signed and delivered by the Corporation as its voluntary act and deed by virtue of authority from its Board of Trustees (the "Board");
- (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 at which a quorum was present, by a majority vote of the members of the Board eligible to vote on this matter.

_____, Secretary

Sworn and subscribed to before me this ____ day of February, 2025

(notary public seal)

Record and Return to:
Silver Ridge Park Westerly Homeowners Association, Inc.
39 Millbrook Drive
Toms River, New Jersey 08757