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Prepared by:

*John H. Regue, Esq.*  
John H. Regue, Esq.

**FIFTH AMENDMENT TO THE BY-LAWS OF  
THE OVERLOOK VILLAGE  
CONDOMINIUM OWNERS' ASSOCIATION**

**93195**

WHEREAS, the initial By-Laws of Overlook Village Condominium Owner's Association were attached as "Schedule D" to the Master Deed, which was recorded and filed on May 19, 1979, in Deed Book 2445, page 618 et seq.; and

WHEREAS, the By-Laws were amended and restated effective December 5, 1979, and were recorded and filed in Deed Book 2536, page 293 et seq.; and

WHEREAS, the Board of Trustees at its meeting on May 19, 1989, provided for a new Article VIII of the By-Laws which amendment took effect and was recorded November 15, 1990, in Deed Book 3367, at page 313; and

WHEREAS, the Board of Trustees at its meeting of February 13, 1991, voted to amend Section 3a of Article VI of the By-Laws which amendment took effect and was recorded February 26, 1991, in Deed Book 3404 at page 247; and

WHEREAS, the Board of Trustees, at its meeting of December 18, 1992 voted to amend Section 2 of Article VI of the By-Laws to add new subparagraph d, which amendment took effect and was recorded on February 11, 1993 in Deed Book 3725 at Page 53; and

WHEREAS, Article VII of the By-Laws provides that the By-Laws may be amended by the approval of 3/5 of the members of the Board of Trustees at any regular meeting of the Board or at any meeting called for such purpose; and

WHEREAS, the Board of Trustees at its meeting of June 15, 1994, voted to amend subparagraphs m and j of Section 4 of Article VI of the By-Laws to provide for Rules of Conduct with respect to the parking of vehicles;

NOW THEREFORE, subparagraph m. and j. of Section 4 of Article VI of the By-Laws hereby repealed and deleted in their entirety, and the following new paragraph j. of Section 4 of Article VI of the By-Laws shall be substituted therefore and made a part of the By-Laws;

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"2. The following rules of conduct shall apply to all motor vehicles located on or at the Condominium;

(1) The Board of Trustees shall strictly enforce these parking rules, and subject residents who commit violations to the Associations enforcement proceedings, including the judiciary Committee procedures as provided for in Article VIII of these By-Laws.

(2) On street parking at the Condominium is prohibited at all times. A sign shall be posted on the right side of Overlook Drive beyond the utility boxes advising as to the prohibition. The Trustees shall maintain an agreement with the Wharton Police Department pursuant to statute, such that the department, shall have authority to issue municipal summonses for any on street parking violations.

(3) All vehicles owned by residents shall be parked in the unit garage or driveway in front of the garage, or in designated parking areas subject to the limitations of subparagraphs (4) and (5) below, and shall not impede any other vehicle. No vehicle may protrude beyond the Belgium Block curbing out into the street. Vehicles parked within the unit garages, shall not protrude so as to prevent the closing of the garage door.

(4) There shall be no parking of any vehicles between the hours of 2:00 a.m. and 5:00 a.m. between buildings, or in the emergency turn around areas, which areas shall be designated for temporary parking only.

(5) Commercial vehicles, trailers, mobile homes or recreational vehicles (boats, snow mobiles, jet skies), vehicles of a size larger than a panel truck and any vehicle or motorcycle parking (other than vehicles parked in Unit garage) for an extended period of time (which shall be as determined by the Board from time to time) must park in the pool/cabana parking lot within the spaces. This rule shall not apply to those vehicles temporary within the Condominium for the purposes of servicing the Condominium or one of the Units.

(6) All vehicles located at the Condominium must be licensed and registered in accordance with the laws of the state of New Jersey, and shall be properly maintained, without flat tires, oil leaking, transmission fluid leaking or blocked without tires, while parked for an extended period at the Condominium. The Board of Trustees will hold owners and residents liable for any damages to the common elements as a result of a violation of this rule.

(7) All owners shall advise their tenants in writing of these rules with respect to vehicles parking, and

provide a copy thereof to them. The Board of Trustees will hold owners liable for damages occasioned by violation of these rules by the owners tenant.

IN WITNESS WHEREOF, The Overlook Village Condominium Owners Association has caused this Fifth Amendment to its By-Laws to signed, sealed and delivered by its proper corporate officers and its corporate seal to be affixed this 13 day of July 1994.

ATTEST:

Frank Matte  
Frank Matte, Secretary

OVERLOOK VILLAGE CONDOMINIUM  
OWNERS' ASSOCIATION

John Kehane 7-13-94  
John Kehane, President

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STATE OF NEW JERSEY )

COUNTY OF *Sunny* ) ss

BE IT REMEMBERED, that on this *15<sup>TH</sup>* day of July, 1994, before me personally appeared JOHN KERONA, the President of OVERLOOK VILLAGE CONDOMINIUM OWNERS' ASSOCIATION, A NEW JERSEY CORPORATION, who, I am satisfied, is the person who has signed the within instrument; and I having first made known to such person the contents thereof, such person thereupon acknowledged that such person signed, sealed with the corporate seal and delivered the same instrument as such officer; and that the within instrument is the voluntary act and deed of said corporation, made by virtue of authority from its Board of Directors.

*Nora Schmitt*

NORA SCHMITT  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Jan. 6, 1995

RJR

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