



OCEAN COUNTY CLERK'S OFFICE
RECORDING DOCUMENT
COVER SHEET

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OR BK 16884 PG 1420
RECORDED 09/28/2017 09:03:41 AM
SCOTT M. COLABELLA, COUNTY CLERK
OCEAN COUNTY, NEW JERSEY

OFFICIAL USE ONLY

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

09/19/2017

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 Corporation

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

*Holiday Heights
Homeowners Corporation*

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

RETURN NAME AND ADDRESS:

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:

4188

ORIGINAL PAGE:

807

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.

8-110 CAN 10

Prepared by: _____

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Rules And Regulations Passed Pursuant To And In Accordance With The Declaration Of Covenants And Restrictions Holiday Heights Homeowners Corporation recorded in the Ocean County Clerk's Office on September 14, 1984 in Deed Book 4188 at Page 807 and following; and Amendment Of Declaration Of Covenants And Restrictions Holiday Heights Homeowners Corporation recorded in the Ocean County Clerk's Office on September 9, 1989 in Deed Book 4740 at Page 14 and following.

**RESOLUTION OF HOLIDAY HEIGHTS HOMEOWNERS CORPORATION
REGARDING RULES AND REGULATIONS REGARDING CODE OF
CONDUCT FOR OWNERS AND THEIR GUESTS AND TENANTS**

WHEREAS the Board of Directors of the Holiday Heights Homeowners Corporation (hereinafter referred to as "Holiday Heights") is empowered to pass rules and regulations in accordance with Article I, Section 3 of the Holiday Heights By-Laws;

WHEREAS the Board of Directors of Holiday Heights believes it is in the best interests to maintain decorum in the Holiday Heights community through the avoidance to inappropriate conduct;

WHEREAS the Board of Directors of Holiday Heights seeks to endorse a policy of conduct for Owners to observe and to have the guests and tenants of Owners to observe;

WHEREAS by a vote taken on September 7, 2017 the Holiday Heights Board of Directors has voted to implement the following policy of conduct for the Holiday Heights Owners;

WHEREAS the vote to implement the following policy of conduct for the Holiday

Heights Owners was as follows:

<u>Name</u>	<u>For</u>	<u>Against</u>
John Abella	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vera Arbotofsky	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Irene Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Ferriso	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lou Mangerpan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Janice Sutton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ray Tracy	<input checked="" type="checkbox"/>	<input type="checkbox"/>

WHEREAS, this Resolution was duly introduced and was thereafter adopted by the Holiday Heights Board of Directors at a regular scheduled meeting of the Holiday Heights Board of Directors, at which a quorum was present, by a majority vote of the Holiday Heights Board of Directors present and eligible to vote on this matter.

➔ **NOW THEREFORE**, effective this 7th day of Sept., 2017, upon motion duly made and seconded, the Holiday Heights Board of Directors resolves as follows:

Effective immediately the following Rules and Regulations shall apply to and be observed by all Holiday Heights Owners and their respective guests and tenants;

1. Only the business of Holiday Heights is to be discussed at the general meetings or special meetings of the Holiday Heights Owners and discussion about the personal business, personal affairs and personal circumstances of any Owner which

constitutes abusive, offensive or harassing language or conduct is prohibited.

2. No abusive, offensive or harassing language or conduct is permitted by any Owner or guest or tenant of any Owner when communicating with a Holiday Heights Director or any employee or agent, or representative of Holiday Heights.

3. No abusive, offensive or harassing language or conduct is permitted by any Owner or guest or tenant of any Owner at the general meetings or special meetings of the Holiday Heights Owners.

4. No abusive, offensive or harassing language is permitted by any Owner or guest or tenant of any Owner within or upon the Common Properties of Holiday Heights.

5. As used in the context of these Rules And Regulations, the term "abusive, offensive or harassing language or conduct" shall include:

- a. Speech or conduct which is likely to cause annoyance or harm to persons;
- b. Speech or conduct which is made or caused to be made at extremely inconvenient hours;
- c. Speech or conduct which is made or caused to be made to materially disrupt the Holiday Heights general meetings or special meetings;
- d. Speech or conduct which threatens a person to striking, kicking, shoving or other offensive touching;
- e. The striking, kicking, shoving or other offensive touching of a person;
- f. Creation of a hazardous or physically dangerous condition which serves no legitimate purpose of the person who created the condition;
- g. Usage of unreasonably loud or offensively coarse or abusive

language with the purpose to offend the sensibilities of a hearer or in reckless disregard of the probability of so doing;

- h. Speech or conduct used with the purpose to intimidate an individual or group of individuals because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin or ethnicity; or
- i. Speech or conduct which is flagrantly lewd and offensive which the actor knows or reasonably knows or reasonably expects is likely to be observed by other nonconsenting persons who would be affronted or alarmed.

6. **Investigation.** Upon receipt of a complaint alleging speech or conduct prohibited by this Resolution, the Holiday Heights Board of Directors will, if appropriate and/or necessary, investigate the matter and make a determination as to whether the conduct and/or language in questions was abusive, offensive or harassing.

7. **Enforcement.** If the Holiday Heights Board of Directors deems a Owner's or the guest or tenant of a Owner's speech or conduct to be abusive, offensive or harassing and prohibited by this Resolution, the Holiday Heights Board of Directors may take any appropriate action, including but not limited to the following:

- a. Imposing a fine against such Owner or the guest or tenant of such Owner up to \$100 and being reimbursed and seeking reimbursement for all attorneys' fees and costs incurred by Holiday Heights as a result of such person's abusive, offensive or harassing speech or conduct;
- b. Prohibiting and/or suspending such Owner or the guest or tenant of such Owner from using some or all of the Common Properties of Holiday Heights and being reimbursed and seeking reimbursement for all attorneys' fees and costs incurred by Holiday Heights as a result of such person's abusive, offensive or harassing speech or conduct;
- c. Prohibiting and/or suspending such Owner or the guest or tenant of such Owner from attending any general meetings or special

meetings of the Holiday Heights Owners and being reimbursed and seeking reimbursement for all attorneys' fees and costs incurred by Holiday Heights as a result of such person's abusive, offensive or harassing speech or conduct; and

- d. Seeking judicial relief against such Owner or the guest or tenant of such Owner, including but not limited to, imposing or collecting any fine, barring such person from attending general meetings or special meeting of the Holiday Heights Owners, restraining such person from having personal contact with certain Board of Directors, employees or agents of Holiday Heights and being reimbursed and seeking reimbursement for all attorneys' fees and costs incurred by Holiday Heights as a result of such person's abusive, offensive or harassing speech or conduct.

8. **Trespass.** If a Owner attempts to materially disrupt a general meeting or a special meeting of the Holiday Heights Owners, or, otherwise engages in abusive, offensive or harassing language or conduct upon the Holiday Heights Common Properties nothing in these Rules and Regulations will prohibit Holiday Heights from instructing such Owner, or, any guest or tenant of a Owner to cease such conduct, and, in the event such conduct does not cease, instructing such Owner, or, any guest or tenant of a Owner to vacate the Holiday Heights Common Properties, or, otherwise contacting the Berkeley Township Police Department to have such Owner, or, any guest or tenant of a Owner, arrested for trespassing or otherwise violating any New Jersey statute or municipal ordinance.

9. **Hearing.** Excluding exigent circumstances, before imposing any sanctions, notice of the violation and proposed penalty will be sent to the offending Owner, or, if reasonably possible, any guest or tenant of such Owner, setting forth the time, date, place and nature of the violation. If the offending Owner, or, any guest or tenant of such Owner, does not respond or request alternative dispute resolution, the

sanctions will be automatically imposed.

10. **Guests And Tenants To Comply With This Resolution**. All Owners must

insure that their guests and tenants comply with the Holiday City Certificate Of Incorporation, Declaration Of Covenants And Restrictions, By-Laws, Rules and Regulations, all amendments thereto, including this Resolution. All guests and tenant(s) of Owners shall be subject to the Enforcement provisions of Par. 6. Owners will be jointly and severally liable and responsible to pay for all fines, attorneys' fees and costs incurred by Holiday Heights arising from violations of this Resolution by their guests and tenants.

NOTICE AND RECORDING. Holiday Heights also authorizes and directs its legal counsel to arrange for recordation of a copy of this Resolution with the Ocean County Register's Office in order to establish the recording of this Resolution in the chain of title.

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

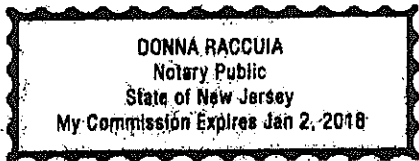
I certify that on this 7 day of Sept., 2017, the aforementioned Secretary personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Holiday Heights Homeowners Corporation (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 aforementioned 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 Directors (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.

Sworn and subscribed to before
me this 7th day of September 2017

Dona Kacur
(notary public seal)

Irene Brown, Secretary



Record And Return To:
Paul A. Leodori, Esq.
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 61 Union Street
 Medford, New Jersey 08055
 Tel: (609) 714-3400