

**ROLLING HILLS CONDOMINIUM ASSOCIATION, INC.**  
**RESOLUTION No. 2000 - 3**

**PROCEDURES FOR INSTALLATION OF RADON REMEDIATION SYSTEMS**

**WHEREAS**, Article V, Section 10 of the By-Laws states that "The Board of Trustees shall have and exercise all lawful powers and duties necessary for the proper conduct and administration of the affairs of the Association and the operation and maintenance of a residential Condominium project and may do or cause to be done all such other lawful acts and things as are not by law, by these By-Laws or otherwise, directed or required to be done or exercised by members of the Association or owners of units, or by others."

**WHEREAS**, the By-Laws requires each member to comply strictly with the By-Laws and the administrative rules and regulations adopted pursuant thereto as either may be amended lawfully from time to time; and

**WHEREAS**, some units at Rolling Hills Condominiums have tested for the presence of radon gas in the living space of the unit; and


**WHEREAS**, radon is a naturally occurring gas that is prevalent in northern New Jersey and this gas is detected in the air contained within the volume of space enclosed by the unfinished inner surfaces of the perimeter and interior walls constituting part of the dwelling unit; and the dwelling is owned by the unit owner; and

**WHEREAS**, each member shall promptly and at his own expense perform all maintenance and repair work for the member's unit; and

**WHEREAS**, some unit owners desire to perform radon remediation and radon remediation is the unit owner's responsibility ;

**WHEREAS**, the Board has determined that since some portion of the radon remediation may require that a portion of the system will penetrate the exterior wall or roof line of the condominium building, procedures to perform radon remediation should be adopted

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby adopts the following procedures for unit owners to follow in order to perform radon remediation:

Prepared by:   
Alan Y. Lowcher, Esq., An Attorney  
at Law of New Jersey

REC'D & RECORDED  
00 DEC 27 AM 9:45  
JENNIFER CORRIE  
SUSSEX COUNTY CLERK  
NEWTON, NJ


SCHEDULE A

By master Deed dated December 15, 1982 and recorded May 31, 1983 in the Office of the Clerk of Sussex County in Deed Book \1114, Page \109; said Master Deed was re-recorded dated December 20, 1983 in Deed Book \1155, Page \201, and the First Amendment to Master Deed dated February 15, 1985 and recorded February 15, 1985 in the Office of the Clerk of Sussex County in Deed Book \1240, Page \243; and the Second Amendment thereto dated January 23, 1987 and recorded January 23, 1987 in the Office of the Clerk of Sussex county in Deed Book \1427, Page \202, the Rolling Hills Condominium Association (hereinafter "the Condominium") was established upon certain lands located in the Township of Andover, County of Sussex and State of New Jersey, all pursuant to N.J.S.A. 46:8B-1 et seq.


1. The unit owner is responsible to obtain the radon test result at the unit owner's sole cost and expense and the unit owner will submit a copy of the results to the Association;
2. The unit owner is responsible to obtain a radon remediation proposal from a New Jersey Department of Environmental Protection\Department of Community Affairs approved contractor at the unit owner's sole cost and expense and the unit owner will submit a copy of the proposal to the Association; and the proposal will include a diagram of the proposed installation;
3. The unit owner submits a written request to the Association enclosing Items 1 and 2 and requests the Association's permission to install a radon remediation system;
4. The Association will review the application at the monthly Board meeting following receipt of the complete written application and will inform the unit owner of the Association's decision on or before the following monthly Board meeting; said decision will be in writing with a copy to the appropriate Andover Township official;
5. Upon receipt of the Association's approval, the unit owner is responsible for all costs and all permits and approvals necessary in order to do the work;
6. All work must be performed by a licensed and insured contractor; and no work shall commence until the unit owner submits a copy of the contractor's insurance coverage;
7. Upon receipt of all permits and approvals to do the work, and having submitted required proof of insurance, the unit owner must insure that the contractor promptly commence the work and shall promptly complete the same within five (5) working days from commencement;
8. The unit owner will submit copies of the paid invoice to the Association; the Association will inspect the work, weather permitting, within two weeks after receipt of the required documentation (said inspection is limited to that portion of the work that affects the general or limited common elements); the unit owner is responsible to pay for the costs of any damage to the general or limited common elements;
9. If any owner fails to act in accordance with this Resolution, the owner shall be fined \$25.00 per day that the owner does not provide written proof of compliance with this Resolution. Each 24 hour period in which the owner is in violation of this Resolution shall constitute a separate violation. Cumulative fines shall not exceed \$1,000.00.
10. The Board of Trustees directs that this Resolution shall

D-2515-044

be published in the community newsletter to be mailed to  
to the members of the Association.

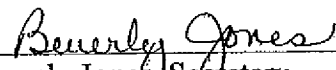
  
William Englehardt, President

ATTEST:

  
Beverly Jones, Secretary

CERTIFICATION

I hereby certify that the foregoing was duly adopted at a regular meeting of the Board of Trustees  
of Rolling Hills Condominium Association, Inc. held on December 11<sup>th</sup>, 1999, 2000

  
Beverly Jones, Secretary

STATE OF NEW JERSEY )  
COUNTY OF SUSSEX ) SS:

I CERTIFY that on December 11, 2000 Beverly Jones personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Rolling Hills Condominium Association, Inc., the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is William Englehardt, 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.

Beverly Jones  
Beverly Jones, Secretary

Signed and sworn to before me on December 11, 2000

Alan Y. Lowcher  
NOTARY PUBLIC OR ALAN Y. LOWCHER  
ATTORNEY AT LAW

Record and return to:  
Alan Y. Lowcher, Esq.  
40 West Washington Avenue  
Washington, New Jersey 07882