

ROLLING HILLS CONDOMINIUM ASSOCIATION, INC.
POLICY RESOLUTION No. 2000-2

INSTALLATION OF WINDOW AIR CONDITIONING UNITS

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, the Board of Trustees is advised and believes that certain studio and one bedroom condominium units with loft windows that are accessible via stairs installed by the developer, are insufficiently cooled by the developer installed central air conditioning; and that the owners of these units have requested that they be permitted to install window air conditioning units only in those upper loft or peak windows which are accessible via stairs installed by the developer; and

WHEREAS, the maintenance, repair, replacement and removal of the window air conditioning unit is the unit owner's responsibility; and

WHEREAS, the Board has determined that in order to promote safety and general welfare of the unit owners with the above described condominium units to permit them to install window air conditioning units.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby adopts the following requirement to enhance the safety and general welfare of the affected members of the Association:

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

RECORDED & RETURNED
00 DEC 27 AM 9:45
SUSSEX COUNTY CLERK
NEWTON, N.J.

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 owner of a studio or one bedroom condominium unit with loft windows that are accessible via stairs installed by the developer, are insufficiently cooled by the developer installed central air conditioning will be permitted to install one (1) standard size window air conditioning unit which is designed to fit in the window in which it will be used.
2. Maintenance, repair or replacement of the window air conditioning unit is solely that of the owner
3. Any unit owner desiring to install a window air conditioning unit must submit a written statement to the Board of Trustees at least thirty (30) days in advance of the requested installation date. The Board of Trustees will act upon the request at the next regular Board of Trustees meeting following receipt of the written request. If the Board of Trustees fails to respond to the written request within sixty (60) days following submission of the written request, the unit owner will be deemed authorized to install the window air conditioning unit, subject to obtaining any and all permits required by any governmental agency having jurisdiction thereof. By submitting a written request for permission to install a window air conditioning unit, the unit owner will be deemed to agree to the terms of this resolution and to remove the window air conditioning unit and repair any damage to the common elements as a result of the window air conditioning unit, if the units are reconstructed or a new central air conditioning system is installed which renders the window air conditioning unit unnecessary. The Association, acting through its Board of Trustees, retains full authority to designate the location of the window air conditioning unit.
4. 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 comply 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.

5. The window air conditioning unit cannot be installed before April 1 and must be removed no later than October 15.



WILLIAM ENGLEHARDT,
PRESIDENT

ATTEST:

Beverly Jones
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 11th, 2000.

Beverly Jones
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 office 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;

0-2515-050

- (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
ALAN Y. LOWCHER, ESQ., An
Attorney at Law of New
Jersey

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