68082

PREPARED BY:

Davida Biederman, Esq.

ROLLING HILLS CONDOMINIUM

AMENDMENT TO MASTER DEED AND
DECLARATION OF RESTRICTIVE
AND PROTECTIVE COVENANTS

COUNTY OF SUSSEX CONSIDERATION ADMICA.

NAALY TRANSFER FEE NO W. E.

DATE 1.43-87 BY 42 M.

Jeryl Industries, Inc./Bondover, Inc., a Joint Venture t/a Rolling Hills Associates, corporations of the State of New Jersey, having its principal office at 590 Belleville Turnpike, in the Town of Kearny, County of Hudson and State of New Jersey, hereinafter referred to as the GRANTOR does hereby make, publish and declare its intention and desire to submit, and does hereby submit, the lands and premises owned by it in the Township of Andover, County of Sussex and State of New Jersey, hereinafter being more particularly described, to the form of ownership known and designated as Concominiums as provided by the Condominium Act of New Jersey (P.L. 1969, c.257, approved January 7, 1970) for the specific purpose of creating and establishing Rolling Hills Condominiums and for the further purpose of redefining the plan of unit ownership and imposing thereon certain restrictive and protective covenants for the benefit of said condominiums.

DESCRIPTION OF PROPERTY

A. The lands and premises owned by the Grantor which are thereby made expressly subject to the provisions of this instrument are described as follows:

All that certain lot, tract or parcel of land and premises situate lying and being in the Township of Andover, County of Sussex, and State of New Jersey, more particularly described on "Exhibit A" attached hereto and made a part hereof and "Exhibit B" attached hereto and made a part hereof.

AMENDMENT

- A. The Master Deed was recorded on May 31, 1983 in Deed Book 114, page 109, and was re-recorded on December 20, 1983 in Deed Book 1155, page 201, and was re-recorded on February 15, 1985 in Deed Book 1240, page 243.
- B. The purpose of this amendment is to substitute a new final site plan of Phase IV of the development for the site plan originally contained in the Master Deed at Page 109, Book 114.
- C. As set forth in Exhibit B this Amendment includes the annexation of an additional 3.5 acres of land to the premises.
- D. The purpose of this amendment is to substitute a new final site plan of Phase II of the development for the site plan originally contained in the Master Deed at Page 109, Book 114.

Except as so amended, all of the terms, conditions, covenants, restrictions, easements, agreements and other provisions set forth in the Master Deed as recorded in Deed Book 1114, page 109 and re-recorded at Deed Book 1155, page 201 and re-recorded in Deed Book 1240, page 243 shall remain in full force and effect.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed, sealed and delivered by its proper corporate officers and its corporate seal to be affixed this _____ day of , 1986. May

ATTEST:

ROLLING HILLS ASSOCIATES, A JOINT VENTURE OF JERYL INDUSTRIES, INC.

GERTRUDE MAHONEY

BONDOVER, INC.

ACTING SECRETARY

ACTING SECRETARY

STATE OF NEW JERSEY:

COUNTY OF HUDSON :

ss:

BE IT REMEMBERED, that on Jone 3. , 1986, before me, the subscriber, personally appeared GERTRUDE MAHONEY, who being by me duly sworn on her oath, deposes and makes proof to my satisfaction that she is the Acting Secretary of JERYL INDUSTRIES, INC., that Jerry Turco is the President of said corporation; that the execution, as well as the making of this Instrument; has been duly authorized by a proper resolution of the Board of Directors of the said Corporation; that the deponent well knows the corporate seal of said Corporation; and that the seal affixed to said Instrument is the proper seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in presence of deponent, who thereupon subscribed his name there as attesting witness.

> GERTRUDE MAHONEY ACTING SECRETARY

Sworn to and subscribed to before me this 3/ day of June , 1986.

DAVID A. BIEDERMAN, ESQ. An Attorney at Law of

New Jersey

BOOK 1427 PLGE 204

STATE OF NEW JERSEY:

COUNTY OF HUDSON

ss:

BE IT REMEMBERED, that on Joke 3, 1986, before me the subscriber, personally appeared Gertrude Mahoney, who being by me duly sworn upon her oath, deposes and makes proof to my satisfaction that she is the Acting Secretary of BONDOVER, INC., that Jerry Turco is the President of said Corporation: that the execution, as well as the making of this Instrument; has been duly authorized by a proper resolution of the Board of Directors of said Corporation: that the deponent well knows the corporate seal of said Corporation: and that the seal affixed to said seal of said Corporation; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in presence of deponent, who thereupon subscribed his name there as attesting witness.

GERTRUDE MAHONEY

ACTING SECRETARY

Sworn to and subscribed to before me this Zo day of June , 1986.

DAVID A. BIEDERMAN, ESQ. An Attorney at Law of

New Jersey

The within document complies with the conditions of site plan approval granted by the Andover Township Planning Board on Gradh

conners,

Estelle Campbell, Secretary

EXHIBIT A Legal Description

BOOK 1427 PAGE 205

for

Rolling Hills Associates

All those certain lots, parcels or tracts of lands, hereinafter particularly described, situate, lying and being in the Township of Andover, County of Sussex and State of New Jersey.

Beginning at a point in the first course of the whole tract of 254.68 acres of land of which this is a part and at the second corner of the First Tract as described in a deed of conveyance between Mimi Holding Co., Inc. and Young Realty Associates, Inc., recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book 814 of Deeds, page 438 & c., said point bearing South 42 degrees 28 minutes 50 seconds West 1100.00 feet from the first corner of said whole tract and the first corner of said First Tract; thence running the following two courses along the second and third courses respectively of said First Tract

- leaving the first course of said whole tract South 47 degrees 29 minutes 30 seconds East 597.52 feet to a point at the third corner of said First Tract; thence
- North 42 degrees 28 minutes 50 seconds East 1100.00 feet to a point at the fourth corner of said First Tract, in the twenty-second course of said whole tract and in the third course of other lands of Young Realty Associates, Inc., as described in a deed of conveyance recorded in the Sussex County Clerk's Office at Newton, New Jersey, in Book 715 of Deeds, page 335 & c.; thence
- 3. leaving said First Tract and running in a reversed direction along said twenty-second course South 47 degrees 29 minutes 30 seconds East 421.77 feet to a point in the same, in the northwesterly right of way line of the Lehigh and Hudson River Railroad Company (66.0 feet wide) and at the most northerly corner of a 3.90 acre tract of land as described in a deed of conveyance between Levi Howell & June Howell, his wife, and the Lehigh and Hudson River Railroad Company, dated October 7, 1881, and recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book N7 of Deeds, page 313 & c.; thence running the following two courses along said northwesterly right of way line and along the northwesterly lines of said 3.90 acre tract

- leaving said twenty-second course South 51 degrees 48 minutes 38 seconds West 536.92 feet to a point of curvature in the same; thence
- 5. running along a curve to the left with a radius of 8,627.42 feet, a central angle of 13 degrees 32 minutes 06 seconds and an arc length of 2038.06 feet to an angle point in said right of way line, at the south westerly corner of said 3.90 acre tract, in the third course of said whole tract and in the second course of a tract of land as described in a deed of conveyance between The Lehigh and Hudson River Railway Company and the Sandford Dairy Company, dated September 20, 1906, and recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book R10 of Deeds, page 171 & c.; thence running the following three courses in a reversed direction along the third through first courses respectively of said whole tract
- 6. leaving said right of way and the last above referenced tract of land, crossing the new right of way of McPeek Road (a township road-50.0 feet wide) and running in part generally along the former McPeek Road North 46 degrees 41 minutes 16 seconds West 410.65 feet to an iron pipe found at the third corner of said whole tract and at the eleventh corner of a tract of land now or formerly owned by Martin and Faul, Ltd., as described in a deed of conveyance recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book 971 of Deeds, page 1267 & c.; thence
- 7. North 44 degrees 41 minutes 16 seconds West (passing, at 218.27 feet over the tenth corner of the last above referenced deed and over the third corner of a tract of land now or formerly owned by 96 Tonnele Corp., as described in a deed of conveyance recorded in the Sussex County Clerk's Office at Newton New Jersey in Book 954 of Deeds, page 828 & c.) 431.26 feet to the second corner of said whole tract and the second corner of the last above referenced tract; thence
- 8. North 42 degrees 28 minutes 50 seconds East 610.10 feet to a point in the first course of said whole tract, in the new easterly right of way

line of the above mentioned McPeek Road and at or near the fifth corner of other lands of Young Realty Associates, Inc. described as the Second Tract in a Deed of conveyance recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book 814 of Deeds, page 38 & c., thence running the following four courses in a reversed direction along the fourth through first courses respectively of the last above referenced tract

- 9. leaving the first course of said whole tract and running along said new right of way line South 61 degrees 39 minutes 00 seconds East 51.56 feet to a point in said right of way line at the fourth corner of the last above referenced tract; thence
- 10. leaving McPeek Road North 42 degrees 28 minutes 50 seconds East 179.14 feet to a point of curvature at the third corner of the last above referenced tract; thence
- 11. running along a curve to the left with a radius of 50.00 feet, a central angle of 45 degrees 00 minutes and an arc length of 39.27 feet to a point of reversed curvature at the second corner of the last above referenced tract; thence
- 12. running along a curve to the right with a radius of 120.71 feet, a central angle of 45 degrees 00 minutes and an arc length of 94.81 feet to a point of tangency at the first corner of the last above referenced tract and in the first course of said whole tract; thence
- 13. leaving the last above referenced tract and running in a reversed direction along the first course of said whole tract North 42 degrees 28 minutes 50 seconds East 511.77 feet to the point and place of beginning.

Containing 34.52 acres of land, be the same, more or less , after deducting that portion lying within the new right of way of McPeek Road.

Being a part of the whole tract of 254.68 acres of land as described in a deed of conveyance between Mrs. Almeda B. Howell and Mimi Holding Co., Inc., dated January 5, 1965, and recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book 839 of Deeds, page 250 & c.

The above described tract, less the portion lying within the new right of way of McPeek Road, is shown as Tax Lot 21 in Block 116 and Tax Lot 4A in Block 109 on the Andover Township Tax Maps.

Subject to any easements, restrictions, convenants or exceptions that may exist.

Bearing datum being the same as used on sheets 2 of 19 and 3 of 19 on maps entitled "Rolling Hills Condominium Garden Apartments Boundary & Topographic Survey, Andover Township, Sussex County, New Jersey, Scale 1" = 50', Date: Feb. 1982, (last revised) 7/28/82, Michael A. Catalano Land Surveying-Planning, 17 High Street - Newton, New Jersey 383-7102".

This description was prepared on May 21, 1986 by Drew Smith Associates, P.A., Professional Land Surveyors & Planners, Blairstown and Newton, New Jersey and, being based on deeds and maps of record, is subject to the facts an accurate survey might disclose.

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Legal Description

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Annexation

of 3.5 acres to land set forth in Exhibit A

All that dertain lot, parcel or tract of land, hereinafter particularly described, situate, lying and being in the Township of Andover, County of Sussex and State of New Jersey.

Being shown as "Area of Lot 1.03 to be annexed (3.5 acres strict measure) to Lot 4A" on a map entitled "Project: Rolling Hills Subdivision, Scale: As Shown, Issue Date: 9-24-1985, Project No.: 93, Drawing No.: 5S, Roy Dedeic & Associates, Engineers and Planners, 590 Belleville Turnpike, Kearny, N.J. 07032, Phone: (201) 998-0254, Township: Andover, County: Sussex, State: New Jersey, Block: 72, Tax Lot 1.03, Tax Map Sht.: 38 & 39, Scale as noted, Job No.: 83-120, Date: 10/31/85, Revisions 11/15/85, Drew Smith Associates, P.A., Professional Land Surveying & Planning, P.O. Box 512, Newton, N.J. 07860, Main St., P.O. Box 162, Blairstown, N.J. 07825". Said map was approved on as a minor subdivision by the Andover Township Planning Board. Said annexation being more particularly described as follows:

Beginning at an angle point in the northwesterly right of way line of the Lehigh & Hudson River Railroad Company, dated October 7, 1881, and recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book N7 of Deeds, page 313 & c. and in the third course of a 254.68 acre tract of land as described in a deed of conveyance between Mrs. Almeda B. Howell & Evelyn H. Steel and Mimi Holding Co., Inc., dated January 5, 1965, and recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book 839 of Deeds, page 250 & c.; thence running the following three courses along said northwesterly right of way line.

- l. running along the second course of the first referenced deed, along the southwesterly line of said 3.90 acre tract and in a reversed direction along the third course of said 254.68 acre tract North 46 degrees 39 minutes 15 seconds West 14.06 feet to an angle right in said right of way line, in the second course of the first referenced deed, at the southwesterly corner of said 3.90 acre tract and in the third course of said 254.68 acre tract; thence running the following two courses along the northwesterly lines of said 3.90 acre tract and along Tax Lot 4A in Block 109 to which this parcel is being annexed.
- 2. leaving the first referenced deed and the third course of said 254.68 acre tract and running along a curve to the right with a radius of 8627.42 feet, a central angle of 13 degrees 32 minutes 06 seconds and an arc length of 2038.06 feet to a point of tangency in said right of way line; thence
- 3. North 51 degrees 48 minutes 38 seconds East 47.47 feet to a point in the same; thence
- 4. leaving the northwesterly line of said 3.90 acretract, said northwesterly right of way line and said Tax Lot 4A and running along a new division line South 38 degrees 11 minutes 22 seconds East 66.00 feet to a point in the southeasterly line of said 3.90 acre tract; thence running the following two courses along said right of way line.
- 5. running along the southeasterly line of said 3.90 acre tract South 51 degrees 48 minutes 38 seconds West 47.47 feet to a point of curvature in said right of way line; thence

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6. running in part along the southeasterly line of said 3.90 acre tract and in part along the northwesterly line of a 0.8 of an acre tract of land as described in a deed of conveyance between John G. Troiano, Trustee, and Mimi Holding Company, dated July 13, 1974, and recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book 968 of Deeds, page 61 & c. along a curve to the left with a radius of 8561.42 feet, a central angle of 15 degrees 18 minutes 37 seconds and an arc length of 2287.74 feet ot a point in the same, at an angle in the new northerly right of way line of Mulford Road (a township road - 41.5 feet wide) and at the fourth corner of a 0.044 of an acre tract of land about to be conveyed by the grantors herein to the Township of Andover for road purposes; thence

- 7. leaving the southeasterly right of way line of said railway and said 0.8 of an acre tract and running along said new right of way line land in a reversed direction along the third course of said 0.044 of an acre tract South 78 degrees 31 minutes 02 seconds West 77.40 feet to an angle point in said new right of way line, at the third corner of said 0.044 of an acre tract, in the course of the above referenced deed; thence
- 8. leaving Mulford Road and said 0.044 of an acre tract and running along said northwesterly right of way line and along the first course of said first referenced deed along a curve to the right with a radius of 8613.42 feet, a central angle of 2 degrees 08 minutes 58 seconds, an arc length of 323.15 feet and achord of North 37 degrees 11 minutes 33 seconds East 323.13 feet to the point and place of beginning.

Contains 3.50 acres of land, strict measure.

Being part of 3.90 acre tract of land as described in a deed of conveyance between Levi Howell & June Howell, his wife, and the Lehigh and Hudson River Railroad Company, dated October 7, 1881, and recorded in the Sussex County Clerk's Office at Newton, New Jersey in Book N7 of Deeds, page 313 & c.

Being a part of Tax Lot 1.03 in Block 72 as shown on the Andover Township Tax maps.

Excepting and reserving therefrom an easement to grantor for the installation of utilities or utility lines and to remove any railroad ties, rails or ballast and regrade the area at any location within the above described property as grantor deems necessary.

Subject to the rights of the public in any portion that my lie within the right of McPeek Road (a township road) as shown on the above referenced subdivision map.

Subject to any easements, restrictions, covenants or exceptions that may exist.

Bearing datum being the same as used in the deed of adjoining Tax Lot 4A in Block 109 to which this parcel is being annexed.

This description was prepared on November 23, 1985 by Drew Smith Associates, P.A., Professional Land Surveyors & Planners, Blairstown and Newton, New Jersey and is based on surveys performed by the same between 1983 and 1985.

This lot is approved as part of a minor subdivision by the Andover Township Planning Board on April 7, 1986

The above described tract is hereby merged with lands owned by Jeryl Industries, Inc./Bondover, Inc., a Joint Venture t/a Rolling Hills Associates and known and desginated as Block 109, Lot 4A on the Andover Tax Map. Said Block 109, Lot 4A is the subject of a Master Deed recorded in the Sussex County Clerk's Office on May 31, 1983 in Deedbook 1114 page 109 and amendments thereto recorded subsequently.

The within described lands will be made a part of said Master Deed by separate amendment thereto. $\,$

CERTIFICATION

I, Jerry Turco certify:

I am the sole officer, stockholder and director in the within matter.

As per your letter of May 9, 1986, I instructed my engineer, Roy Dedeic, and my attorney, David A. Biederman, to make the corrections in the appropriate documents listed in the Planning Board's letter of May 9, 1986. The letter of transmittal to which this Certification is attached sets forth the changes made in the appropriate documents, all of which said documents are enclosed with the transmittal letter and the Certification.

DATED: JUNE 3 1984

JERRA TURCO

REC'D & RECORDED

'87 JAN 23 M1 :12

REC'D & RECORDE:

'87 JAN 23 AN 12

HELEN CLAPMENTAN

STATE OF NEW JERSEY OF CONSIDERATION OR EXEMPTION (c. 49, P.L. 1988) or PARTIAL EXEMPTION AFFIDAVIT OF

ALL-STATE LEGAL SUPPLY CO.

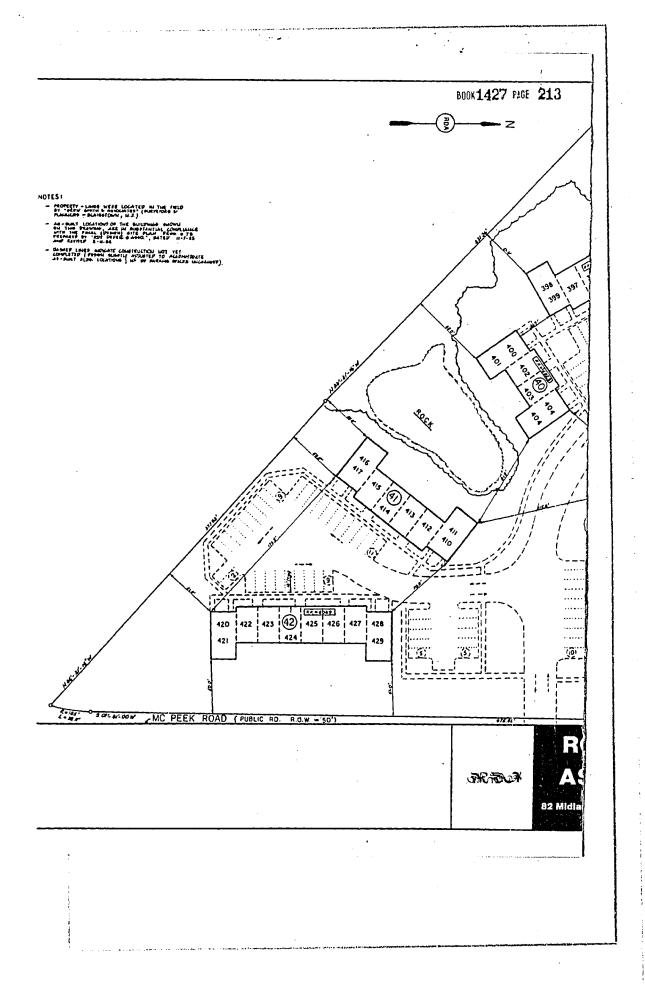
One Commerce Drive, Cranlord, N. J. 07016
A D G R V S T — 1

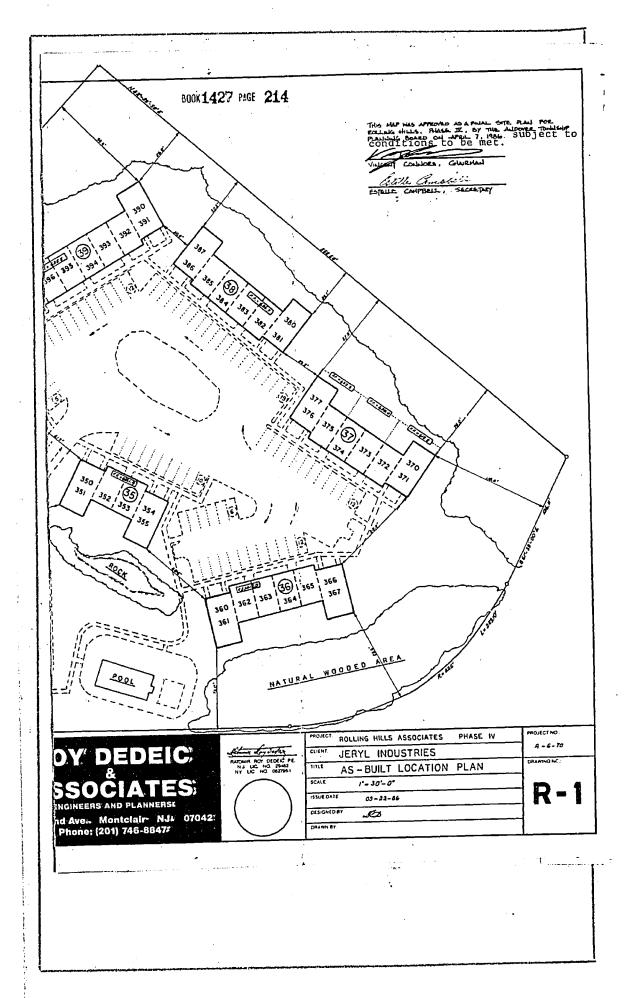
. BOOK 1427 PAGE 212

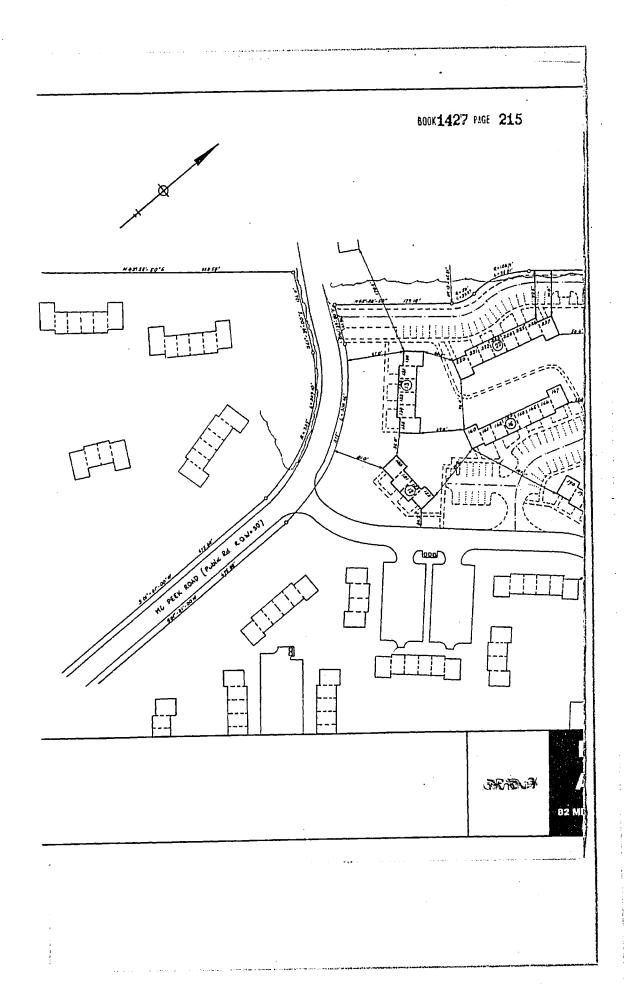
TRIPLICATE - Pink copy is your file copy.

(c. 176, P. L. 1975) To Be Recorded With Deed Pursuant to c. 49, P.L. 1968, as amended by c. 225, P.L. 1985 (N.J.S.A. 46:15-5 et seq.) FOR RECORDER'S USE ONLY STATE OF NEW JERSEY NON-L Realty Transfer Fee_\$ COUNTY OF ... SUSSEX 1-23-8 By Dno *Use symbol "C" to indicate that fee is exclusively for county use. (1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3, 4 and 5 on reverse side) Deponent, Jerry Turco _, being duly swom according to law upon his/her oath deposes and says that he/she is the President of Jeryl Industries, Inc. , transferring real property identified as Block No. in a deed dated _ Andover Township, Sussex Jocated at _ and annexed hereto. (2) CONSIDERATION (See Instruction #6) Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance COPIES thereon not paid, satisfied or removed in connection with the transfer of title is \$ ____ Deponent claims that this deed transaction is fully exempt from the Realty Transfer Fee imposed by (3) FULL EXEMPTION FROM FEE TSUM c.49, P.L. 1968, for the following reason(s): Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient. This is in connection with a Corrective Deed with Reservations 膃 where the consideration was previously paid. SUBMITTED NOTE: All bases below apply to grantor(s) only. ALL BOXES IN APPROPRIATE (4) PARTIAL EXEMPTION FROM FEE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. (See Instructions #8 and #9) Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by c.176, P.L. 1975 for the following reason(s): HIIM a) SENIOR CITIZEN (See Instruction #8) Owned and occupied by grantor(s) at time of sale. Grantor(s) 62 yrs. of age or over. * No joint owners other than spouse or other qualified exempt owners. One or two-family residential premises DEED b) BLIND (See Instruction #8) Owned and occupied by grantor(s) at time of sale. Grantor(s) legally blind.* 덩 No joint owners other than spouse or other qualified exempt owners. One or two-family residential premises. DISABLED (See Instruction #8) Owned and occupied by grantor(s) at time of sale. Grantor(s) permanently and totally disabled.* Not gainfully employed. One or two-family residential premises. ☐ No joint owners other than spouse or other qualified exempt owners. Receiving disability payments. RECORDING IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY. c) LOW AND MODERATE INCOME HOUSING (See Instruction #8) Reserved for Occupancy. Affordable According to H.U.D. Standards. ☐ Subject to Resale Controls. ☐ Meets Income Requirements of Region. d) NEW CONSTRUCTION (See Instruction #9) ☐ Not previously occupied. Entirely new improvement. Not previously used for any purpose. Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c. 49, P.L. 1968. Subscribed and Swom to before me JERYL INDUSTRIES, INC. "JERTE"INDUSTRIES, INC. 590 Belleville Turnpike this , 19 86 day of 590 Belleville Turnpike Kearny, NJ 07032 Kearny, NJ 07032 JOHN P. O BRIEN ATTORNEY AT LAW STATE OF NEW JERSEY Instrument Number_ Deed Number. Date Recorded Deed Dated. IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF. This form is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered or amended without the approval of the Director.

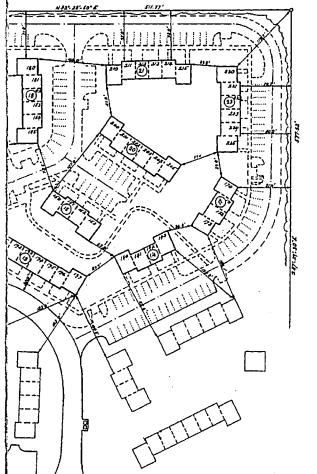
ORIGINAL — White copy to be retained by County. DUPLICATE — Yellow copy to be forwarded by County to Division of Taxation on partial exemption from fee (N.J.A.C. 18:16—8.12).







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STATE CONFIDENCE SHEETING

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SOCIAT

dland Ave... Montclair NJJ 07042: Phone: (201) 746-8847#



 F	PROJECT.	ROLLING HILLS ASSOCIATES PHASE II	PROJECT NO:	
	CLIENT	JERYL INDUSTRIES	R-6-7/	
	TITLE	AS-BUILT LOCATION PLAN	DRAWING NO:	
	SCALE	/'= 10'-0*		
	ISSUE DATE 09-22-86] R.	
	DESIGNED	ar ata		
	CPAWN BY		7	

