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**ROLLING HILLS CONDOMINIUM ASSOCIATION**

**REVISED ADMINISTRATIVE RESOLUTION NUMBER 2002-1**

**COLLECTION OF MEMBERSHIP FEES AND CAPITAL CONTRIBUTION**

**WHEREAS**, the Governing Documents create an obligation on all new Owners to pay membership fees and capital contribution and charge the Board of Trustees with collection of such membership fees and capital contributions.

**WHEREAS**, it is the intent of the Board to adopt a Resolution regarding collection of membership fees and capital contributions.

**IT IS THEREFORE RESOLVED THAT**, that following membership fees and capital contribution collection procedures are adopted:

**I. ROUTINE COLLECTIONS**

1. All membership fees and capital contributions are due and payable in advance on the day of the closing of title of any unit in the Association.
2. All documents, correspondence, and notices relating to the charges will be mailed to the address of the unit seller or his attorney and to the unit buyer or his attorney.
3. Non-receipt of a bill will in no way relieve the new owner of the obligation to pay the amount due by the due date.
4. All notices relating to non-payment of membership fees and capital contributions will be mailed to the new owner, by registered or certified mail, return receipt requested. The costs of these mailings may be added

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01/29/2003 03:28:44PM  
ERNA GORMLEY  
SUSSEX COUNTY CLERK  
NEWTON, NJ

to the account and be a part of the continuing lien for membership fees and capital contributions.

5. A Statement of Account shall be sufficient notice of the obligation. The Association may, in addition to routine Statements of Account, send collection letters as, in its discretion, it deems appropriate. The first collection letter sent out by the Association must be done within thirty (30) days following the closing of title. If the account is still delinquent fifteen (15) days thereafter, a second collection letter shall be sent out by the Association's attorney.

## **II. REMEDIES FOR NONPAYMENT OF MEMBERSHIP FEES AND CAPITAL CONTRIBUTION**

1. Membership fees and capital contributions are due on the day of closing of title to a unit in the Association.
2. If payment of any membership fee and/or capital contribution is not received by the Association by the 15<sup>th</sup> day following the closing of title, the account will be deemed late.
3. If full payment of the amount of arrears, including late charges and costs of mailing, is not received by the Association within sixty (60) days after the due date, then the Association's attorney will forward a letter to the delinquent owner.
4. The attorney's letter will inform the owner that a lien will be placed on the unit for membership fees and capital contributions, , with the cost of filing the lien added to the account, together with reasonable attorney's fees.

5. If within thirty (30) days of the filing of the Notice of Lien the account still remains delinquent, appropriate legal action may be initiated by the attorney as directed by the Board, which may include foreclosure or suit for money damages.
6. If an owner fails to pay the membership fee or capital contribution within sixty (60) days after it is due, interest charges at one and one-half percent (1.5%) per month shall accrue on the full amount due until paid. Membership fees, capital contributions and interest thereon will be collected in the same manner as the maintenance fees.
7. Association membership rights of any owner whose account is ninety (90) days past due may be suspended at any time at the discretion of the Board during the period that any membership fee or capital contribution remains unpaid, subject to the terms of the Governing Documents.
8. Delinquent owners shall be liable for the amount of the unpaid membership fees, capital contributions, reasonable attorney's fees, interest, costs of suit, and costs of filing prior to reinstatement of account. These payments must be made to the Association prior to the discharge of any lien.
9. Any money collected from delinquent owners will be applied to their accounts as follows: first - to satisfy interest; second - to satisfy attorney's fees and all costs; third - to satisfy the membership fees; and fourth - to satisfy capital contributions.

10. The Membership Fee is \$500.00. The working capital contribution is equal to two months of the general assessment and any special assessment in effect at the time a new unit owner closes title on a condominium unit.
11. This Resolution shall apply to any membership fees and capital contributions which are unpaid as of May 1, 2002 and to all units upon which there is a title closing on or after that date.

**CERTIFICATION**

I hereby certify that the foregoing was duly adopted at a regular meeting of the Board of Trustees of Rolling Hills Condominium Owners Association held on 5/13/02.

Dated: 5/13/02

Eunice A. Howley  
PRESIDENT  
Eunice A. Howley

ATTEST:

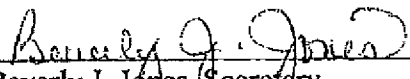
Beverly J. Jones  
SECRETARY

Beverly J. Jones

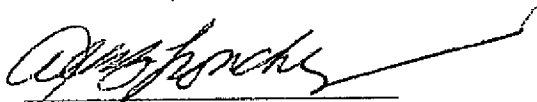
STATE OF NEW JERSEY )  
COUNTY OF SUSSEX ) SS:

I CERTIFY that on 5/13, 2002, Beverly J. 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 Eunice Howley is 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 J. Jones, Secretary

Signed and sworn to before  
me on 5/13, 2002.

  
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

ARTICLE XIV

DEPOSITS REQUIRED

SECTION 1. Upon conveyance of a dwelling unit by Developer to an initial purchaser of said dwelling unit, said dwelling unit owner shall deposit with the Association, two (2) months estimated monthly Association assessments. This deposit is for the purpose of insuring that the Association will have sufficient funds on hand from which to pay insurance premiums and other expenses as they come due.

SECTION 2. The aforesaid deposits shall be refunded to the unit owner (less any assessments currently owed) upon resale of the dwelling unit by him, upon the condition that a deposit in an amount equal to that being held by the Association (excluding any assessments currently owed) is received from the purchaser of the particular dwelling unit. In the event said deposits are not received by the Association within thirty (30) days from the date of closing of title to such resale, the deposits shall be deemed credited to the account of the new owner. Nothing herein shall affect any unit owners obligation for the payment of any Association assessments, charges or liens.

ARTICLE XV

RESERVES

SECTION 1. The Board shall not be obligated to expend all of the revenues in any accounting period, and must maintain reasonable reserves for, among other things, repairs, replacements, emergencies, contingencies of bad weather or uncollected accounts. Notwithstanding anything herein to the contrary, the Board in its determination of the Common Expenses and the preparation of a budget shall specifically designate and identify what portion of the Common Expenses to be assessed against the unit owners is allocable to reserves for each separate item of repair and improvements and the same shall be kept in interest bearing savings accounts appropriately earmarked for each category. The foregoing shall not be construed to mean that the Board shall not be permitted to keep additional cash on hand, in a checking or petty cash account, for the necessary discharge of functions.

Alan Y. Lowcher, Esq.

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Washington, New Jersey 07882

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Facsimile: 908-689-5738

E-Mail: lowcherlaw@comcast.net

FAX TRANSMISSION SHEET

DATE: 12/29/2010 FAX NUMBER: 973 300 5524

DELIVER TO: Beth

COMPANY: A & R

DEPARTMENT: Rolling Hills

COMMENTS:

See attached per  
your request  
I believe the Board acted on a  
move in/move out fee but I  
could not find it in my bills

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 7

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