



**SOMERSET COUNTY  
DOCUMENT COVER SHEET**

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Steve Peter, County Clerk  
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*(Official Use Only)*

DATE OF DOCUMENT: <b>08/15/2022</b>	TYPE OF DOCUMENT: <b>Amendment</b>
FIRST PARTY <i>(Grantor, Mortgagor, Seller or Assignor)</i> Kingsberry Acres Condominium Association, Inc.	SECOND PARTY <i>(Grantee, Mortgagee, Buyer, Assignee)</i> Kingsberry Acres Condominium Association, Inc.
ADDITIONAL PARTIES:	

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
MUNICIPALITY:	MAILING ADDRESS OF GRANTEE:
BLOCK:	
LOT:	
CONSIDERATION:	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY			
BOOK	PAGE	INSTRUMENT #	DOCUMENT TYPE
1482	808	1988 DEED 148210808	Deed

**DO NOT REMOVE THIS PAGE**  
**THIS DOCUMENT COVER SHEET IS PART OF THE SOMERSET COUNTY FILING RECORD**  
**RETAIN THIS PAGE FOR FUTURE REFERENCE**

**KINGSBERRY ACRES CONDOMINIUM ASSOCIATION, INC.  
AMENDMENTS TO THE BY-LAWS**

These Amendments to the By-Laws of Kingsberry Acres Condominium Association, Inc. (the "Association") made this 15<sup>th</sup> day of August, 2022 by the Association, a non-profit Corporation of New Jersey, by and through it's Board of Trustees (the "Board"), having a principal address in the care of Matrix Property Management Group, Attn: Chip Hoever, 1215 Livingston Avenue, Suite 306, North Brunswick, New Jersey 08902; and

**WHEREAS**, the Association was created by, among other things, a Master Deed with an attached set of By-Laws, which were recorded in the office of the **Somerset County Clerk on July 11, 1983, in Deed Book 1482, Page 808, et seq.**, as amended from time to time (collectively these documents are referred to as the "Governing Documents"); and

**WHEREAS**, N.J.S.A. 45:22A, et seq., often referred to as the Radburn Bill, a supplement to the Planned Real Estate Development Full Disclosure Act, passed on July 13, 2017, provides that, "[a]n executive board shall not amend the bylaws of an association without a vote of the association members open to all association members, as provided in the association's bylaws...except an executive board may amend the bylaws under the following circumstances:...(b) after providing notice to all association members of the proposed amendment, which notice shall include a ballot to reject the proposed amendment. Other than an amendment to render the bylaws consistent with State, federal or local law, if at least 10 percent of association members vote to reject the amendment within 30 days of its mailing, the amendment shall be deemed defeated;" and

**WHEREAS**, the Board of Trustees convened for a Meeting on June 20, 2022, and a quorum being present, a majority of the Trustees present voted to amend the Association's By-Laws; and

**WHEREAS**, the Board of Trustees presented this amendment to the membership pursuant to N.J.S.A. 45:22A-46(d)(5) via a mailing sent on June 23, 2022; and

**WHEREAS**, after waiting the required thirty (30) days, less than ten (10%) percent of the membership rejected this amendment; and

**NOW, THEREFORE, THE ASSOCIATION'S BY-LAWS ARE AMENDED AS FOLLOWS:**

**1. FINES:**

**By-Laws, Article IX, Section 2 is hereby deleted in its entirety and replaced with the following language:**

**Section 2. Fines.** To the extent now or hereafter permitted by the law of the State of New Jersey, the Board shall also have the power to levy fines against any Unit Owner(s) for violation(s) of any Rule or Regulation of the Association or for any covenants or restrictions contained in the Master Deed or By-Laws. The Board shall have the authority and discretion to set the amount of the fine, except that no fine may be levied for more than fifty dollars (\$50.00), for any one violation; provided, however, that for each day a violation continues after notice, it shall be considered a separate violation. Collection of the fines may be enforced against any Unit Owner(s) involved as if the fine were a Common Expense owed by a particular Unit Owner(s). Despite the foregoing, before any fine is imposed by the Board, the Unit Owner involved shall be given at least ten (10)

days prior written notice and afforded an opportunity to be heard, with or without counsel, with respect to the violation(s) asserted.

**2. ELECTRONIC NOTICE:**

**By-Laws, Article XII is hereby deleted in its entirety and replaced with the following language:**

**Electronic Notices:** Notwithstanding anything else to the contrary, email notice shall be deemed sufficient to satisfy any provisions set forth in these By-Laws which require notice by mail and/or personal delivery. All Owners shall provide the Association with a valid email address for the purpose of receiving all notices from the Association, except notices which must be given as otherwise required by law.

Owners must notify the Association of any change in their email address. Notice of a change in email address must be in writing and preferably delivered via email correspondence to the Property Manager or a member of the Board of Trustees. Owners are responsible for checking their junk mail, spam, and all other folders in their email account for notices from the Association. Any notice sent electronically by the Association shall be deemed given immediately upon the sender hitting "send" or any other electronic command to transmit the notice to recipients. An Owner who certifies to the Association that he or she does not have an email address will be sent paper notices, which may be delivered via hand or regular first-class mail.

**3. ELECTRONIC VOTING:**

**By-Laws, Article II, Section 2 is hereby amended to incorporate the following language:**

**Section 2. Voting Rights.** The owner of each unit shall be entitled to one (1) vote. If there is more than one (1) owner of a unit the vote shall be apportioned proportionately. One co-owner of a unit shall be deemed to be authorized to cast the vote for that unit unless the Association is otherwise expressly advised in writing. Votes may be cast by each one (1) owner in person, by mail or electronically.

5. In the event any provision of this Amendment is deemed unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

6. Any provision of the By-Laws or any prior amendment which conflicts with this Amendment is hereby null and void.

7. All provisions of the By-Laws not amended by this Amendment which do not conflict with this Amendment shall remain unchanged and in full force and effect.

8. Notwithstanding the full execution of this Amendment, this Amendment shall not take effect until this Amendment is recorded in the Somerset County Clerk's Office.

Amendment: \_\_\_\_\_ Policy \_\_\_\_\_ No.

Pertaining To: By-Law Amendments

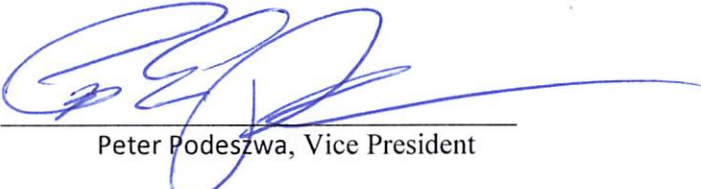
Duly adopted at a meeting of the Board of Trustees of Kingsberry Acres Condominium Association, Inc., held this 15<sup>th</sup> day of August 2022.

<u>Officer</u>	Vote:			
	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Dean Hancock, President	<u>DH via zoom</u>	_____	_____	_____
Peter Podeszwa, Vice President	<u>PP</u>	_____	_____	_____
Nicole Palmieri, Secretary	<u>NAP</u>	_____	_____	_____
Carol Parker, Treasurer	<u>CP</u>	_____	_____	_____
James Lawrence, Trustee	<u>JL</u>	_____	_____	_____

Attest:

**KINGSBERRY ACRES CONDOMINIUM  
ASSOCIATION, INC.**

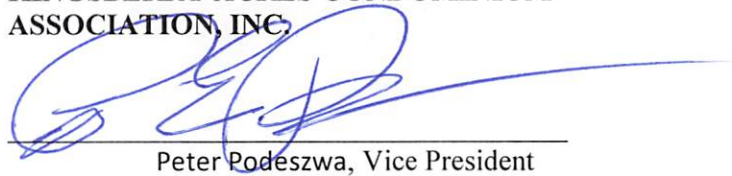
  
\_\_\_\_\_  
Nicole Palmieri, Secretary

  
\_\_\_\_\_  
Peter Podeszwa, Vice President

Amendment Effective: Upon recording with the County Clerk.

**NOW THEREFORE**, Peter Podeszwa, the Vice President of Kingsberry Acres Condominium Association, Inc., based on the authority granted by the Association's Master Deed, By-Laws, N.J.S.A. 45:22A-46.4(d)(5) and the membership vote and the Board of Trustees vote reflected above, hereby submits this Amendment to the By-Laws for recordation in the Somerset County Clerk's Office.

**KINGSBERRY ACRES CONDOMINIUM  
ASSOCIATION, INC.**



Peter Podeszwa, Vice President

**CORPORATE ACKNOWLEDGMENT**

STATE OF NEW JERSEY     )  
                                                      ) ss.  
COUNTY OF UNION        )

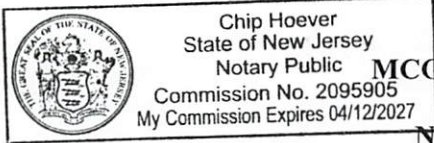
On the 15<sup>th</sup> day of August, 2022, Peter Podeszwa personally appeared before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person signed and delivered the foregoing document as the President of Kingsberry Acres Condominium Association, Inc. (the "Association"); and
- (b) this document was signed and delivered by the Association as its voluntary act and deed by virtue of authority from its Board of Trustees.

Signed and sworn to before me on  
August 15, 2022



NOTARY PUBLIC OF NEW JERSEY  
Chip Hoever



**RECORD AND RETURN TO:**  
**MCGOVERN LEGAL SERVICES, LLC**  
**850 CAROLIER LANE**  
**NORTH BRUNSWICK, NJ 08902**  
**(732)-246-1221**