

Prepared By: Caroline Record  
Caroline Record, Esq.

**CHERRY RIDGE CONDOMINIUM ASSOCIATION, INC.  
(the "Association")**

**RESOLUTION PROHIBITING GASOLINE POWERED PORTABLE GENERATORS P R E A M B L E**

A The Master Deed of Cherry Ridge Condominium Association (the "Master Deed") dated March 11, 2005 was recorded in the Morris County Clerk's Office on March 23, 2005 in Deed Book 6293, Page 95, et seq. The By-Laws of the Association (the "By-Laws") were recorded as Exhibit "E" to the Master Deed.

B Article VI, Section 6.02 of the Master Deed of the Association sets forth that the Unit Owner agrees to comply with the requirements of the governing documents of the Association.

C The Master Deed and Bylaws Governing Documents provide that each owner or occupant of a Unit shall comply with and shall assume ownership or occupancy subject to the provisions of the Governing Documents. Unit Owners, therefore, hold title subject to all provisions of the Governing Documents (including subsequent adopted rules and regulations).

D In accordance with the Master Deed and Bylaws, and in accordance with the powers granted to the Association through the New Jersey Condominium Act (N.J.S.A. 46:8B-1 et seq.), the Board has determined that it is, therefore necessary and appropriate, and in the best interest of the Unit Owners, to prohibit the use and storage of portable gas powered generators within the Units, Common Elements, and the Community generally.

E Except as expressly provided herein, the Rules and Regulations previously adopted by the Association and the restrictions, covenants, rules and regulations contained in the Governing Documents shall not be otherwise amended and shall remain in full force and effect.

F This Resolution was duly introduced and was thereafter adopted at a regular scheduled meeting of the Board, at which a quorum was present, by a majority vote of the members of the Board present and eligible to vote on this matter.

NOW, THEREFORE, BE IT RESOLVED on this 11<sup>th</sup> day of March, 2021, that the Board hereby adopts this resolution and the terms and conditions hereof and shall be effective as of the 15<sup>th</sup> day of April, 2021.

1. The use and storage of portable gasoline generators and gasoline storage containers within the Community is strictly prohibited.
2. Failure to comply with any of the terms, conditions, or limitations outlined in this Resolution shall subject the Unit Owner to fines and other enforcement provisions and proceedings in accordance with and as set forth in the Article X, Section 10.01 of the Master Deed, including but not limited to the right of the Association to remove and store or dispose of any unapproved or noncompliant generator at the cost and expense of the Unit Owner, with such costs being collectible in the same manner as unpaid common expenses. Each day of failure to comply with the terms and conditions of this Resolution may be treated as a separate event, subject to any limits imposed by applicable laws.

**NOTICE AND RECORDING.** The Association's managing agent is authorized and directed to prepare correspondence, in appropriate form and substance, and thereafter circulate same, along with a copy of this Resolution, to all unit owners. The Morris County Clerk is also authorized, requested, and directed to note, in the margin (and/or such other appropriate place) on the Master Deed reference to this Resolution (and to any other amendment or resolution which has been adopted in accordance with the terms of the condominium documents).

ATTEST:

**CHERRY RIDGE  
CONDOMINIUM ASSOCIATION, INC.**

Dolores D'Accardi  
Dolores D'Accardi

By:

Rosemary Sullivan, President

STATE OF NEW JERSEY )

) SS:

COUNTY OF MORRIS )

I certify that on March 11, 2021, Matthew Villani personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of **CHERRY RIDGE CONDOMINIUM ASSOCIATION, INC.**, a nonprofit corporation of the State of New Jersey, named in this document;
- (b) this person signed this document as attesting witness for the proper corporate officer who is Rosemary Sullivan, the President of the corporation;
- (c) this person knows the proper corporate seal of the corporation and the proper corporate seal was affixed;
- (d) this document was signed and delivered by the corporation as its voluntary act and deed by virtue of authority from its Board of Trustees;
- (e) this person signed this acknowledgment to attest to the truth of these facts; and
- (f) this Resolution was duly introduced and was thereafter adopted at a regular scheduled meeting of the Board of Trustees, at which a quorum was present, by a majority vote of the members of the Board of Trustees eligible to vote on this matter.

Matthew Villani  
Matthew Villani • Secretary

Signed and sworn to before me this  
11th day of March, 2021

Elizabeth Gallagher  
Notary Public

**Record and Return to:**  
Caroline Record, Esq.  
Hill Wallack LLP  
240 Cedar Knolls Road, Suite 209  
Cedar Knolls, NJ 07927

ELIZABETH GALLAGHER  
Notary Public, State of New Jersey  
My Commission Expires  
March 27, 2025

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