BY-LAWS
of
FENWICK PARK MAINTENANCE CORPORATION

Section 1. The name of this corporation is Fenwick Park Maintenance Corporation.

Section 2. The corporate sea1 sha11 be circular in form and have subscribed thereon the name of the corporation and the words and figures “Corporate Sea1-1937-New Jersey”, or words and figures of similar import.

MEETINGS OF MEMBERS

Section 3. All meetings of members shall be held at the principal office of the corporation in the State of New Jersey or at such other place within the State of New Jersey as the Board of Trustees shall designate.

Section 4. Annual meetings of members shall be held on the second Monday of October in each year, or, if that day be a legal holiday, on the next succeeding day not a legal holiday at 7:30 o’clock in the evening, at which meeting the members shall elect by ballot by plurality vote a Board of Trustees. Each member shall be entitled to one vote in person or by proxy for each full 1,000 square foot area contained in the lot or lots owned by the member in the subdivision known as Fenwick Park in Upper Penn's Neck, County of Salem, State of New Jersey, provided that each member shall have at least one vote.

Section 5. Special meetings of the members may be called by the President and shall be called on the request in writing or by vote or a major1ty or the Board of Trustees.

Section 6. Notice of all meetings shall be given by the Secretary to each member at his or her last known post office address, for annual meetings ten days and for specia1 meetings five days prior thereto.

Section 7. Members representing a majority of the voting power shall constitute a quorum, but a smaller number may adjourn from time to time without further notice until a quorum is secured.

Section 8. At the regular annual meeting of the members of the corporation in each year, they shall levy an assessment upon the property owners of- each lot for the purposes of the corporation according to the number of full 1,000 square feet contained in the lot or lots of said owners in said Fenwick Park, and according to whether said lots are improved or unimproved. Unimproved lots shall not be charged with expense or ash or garbage removal or other charges properly applicable to improved or occupied lots. Such assessment shall be payable annually in advance on the first day of December in each year, and, if *not* paid on or before such date, shall thereupon become delinquent and shall draw interest at the rate of 1/2 of 1% per month to date or payment.

October 9, 2023 Annual Meeting By-Law Amendment to Section 8: Monthly interest rate increased to 3% and $15 per month penalty to begin 60 days after due date.

TRUSTEES

Section 9. The property and business of the corporation shall be managed and controlled by its Board of Trustees, consisting of five members. The trustees shall hold office until the next annual meeting and until their successors are elected and qualified. They shall be elected by the members, except that if there be a vacancy in the Board by reason of death, resignation, or otherwise, or by increase in the number of trustees, such vacancy may be filled for the unexpired term by the remaining trustees by a majority vote.

October 9, 2023 Annual Meeting By-Law Amendment to Section 9: Each Trustee will be elected for a maximum of three consecutive two year terms.

POWER OF TRUSTEES

Section 10. The Board of Trustees shall have, in addition to such powers as are hereinafter expressly conferred on it, all such powers as may be exercised by the corporation, subject to the provisions of the statute, the certificate of incorporation and the by-1aws. and subject also to the regu1ations which may from time to time be made by the members.

The Board of Trustees shall have power:

(a) To purchase or otherwise acquire property, rights or privileges for the corporation, which the corporation has power to take, at such prices and on such terms as the Board of Trustees may deem proper, subject, however, to the approval of the vote of the members representing a majority of the voting power of the corporation.

(b) To appoint agents, clerks, assistants, factors and servants, and to dismiss them at its discretion, to fix their duties and emoluments and to change them from time to time and to require security as it may deem proper.

(c) To confer on any office of the corporation the power of selecting, discharging or suspending such employees.

(d) To authorize the execution of contracts, notes, receipts and other instruments within the scope of the powers of the corporation and any such documents or instruments shall be executed in the name of the corporation and shall be signed by the proper officers thereof, and no officer, director or member shal1 be personally liable on account of such contract.

(e) To delegate any of its powers to any committee, officer or agent and to grant the power to sub-delegate.

Section 11. The first trustees of the corporation shal1 levy an assessment upon the property owners of each lot for the purpose of the corporation, as provided in section 8 hereof, which assessment shall continue in effect until a subsequent assessment shall be levied by the members at the next annual meeting of members of the corporation.

MEETINGS OF TRUSTEES

Section 12. After each annual election of trustees, the newly elected trustees may meet for the purpose of the organization, the election of officers, and the transaction of other business, at such place and time as shall be fixed by the members at the annual meeting, and if a majority of the trustees be present at such place and time, no prior notice of such meeting shall be required to be given to the trustees. The place and time of such first meeting may also be fixed by written consent of the trustees.

Section 13. Regular meetings of the trustees shall be held quarterly on the first Monday of January, April, July and October in each year at the principal office of the corporation in the State of New Jersey or elsewhere and at· other times as may be fixed by resolution of the Board. Notice of regular meetings shall be required.

Section l4. Special meetings may be called by the President on five days' notice in writing or on two days' notice by telegraph to each trustee and shall be called by the President in like manner on the written request of two trustees.

Section 15. A majority of trustees shall constitute a quorum, but a smaller number may adjourn from time to time, without further notice, until a quorum is secured.

OTHER COMMITTEES

Section 16. From time to time the board may appoint any other committee or committees for any purpose, which shall have such powers as shall be specified in the resolution of appointment.

OFFICERS OF THE CORPORATION

Section 17. The officers of the corporation shall be President, Vice-President, Secretary, Treasurer and such other officers as may from time to time be elected or appointed by the board of trustees.

Section 18. One person may hold the offices of Secretary and Treasurer or Vice-President and Treasurer or Vice-President and secretary, but not the offices of Vice-President, Secretary and Treasurer.

OFFICERS, HOW CHOSEN

Section 19. The Board of Trustees shall elect from their own number a President and a Vice-President, who shall hold office until the next annual meeting and until their successors are elected. And qualified. They shall also elect a secretary and a Treasurer to serve during the pleasure of the Board.

DUTIES OF THE PRESIDENT

Section 20. The President shall be the chief executive officer of the corporation. It shall be his duty to preside at all meetings of the members and trustees; to have genera1 and active management of the business of the corporation; to see that all orders and resolutions of the Board of Trustees are carried into effect; to execute all contracts and agreements authorized by the Board; to keep the seal of the corporation and when authorized by the Board, to sign and to affix the seal of the corporation to any instrument requiring the same, which seal shall be attested by the signature of the Secretary or the Treasurer. He shall have the genera1 supervision and direction of the other officers of the corporation and shall see that their duties are properly performed. He shall submit a report of the operations of the corporation for the year to the trustees at their meeting next preceding the annual meeting of the members of the corporation and to the members at their annua1 meeting. He shall be ex-officio a member of all standing committees and shall have general duties and powers of supervision and management usually vested in the office of president of a corporation.

DUTIES OF THE VICE-PRESIDENT

Section 21. In the absence or disability of the President, the Vice-President shall preside at all meetings and be vested with all powers of the President.

PRESIDENT PRO TEM

Section 22. In the absence or disability of both the President and Vice-President, the board may appoint from the board of trustees a president pro tem.

SECRETARY

Section 23. The secretary shall be sworn to the faithful discharge of his duty. He shall be secretary of and shall attend all meetings of the corporation, the board of trustees, and all standing committees. He shall act as clerk thereof and shall record all the proceedings of such meeting in a book kept for that purpose. He shall give proper notice of meetings of members and trustees and shall perform such other duties as shall be assigned to him.

TREASURER

Section 24. The Treasurer shall have custody of the funds and securities of the corporation and shall keep full and accurate accounts of receipts and disbursements in books belonging to the corporation and shall. deposit all moneys and other valuable effects in the name and to the credit of the corporation in such depositories as may be designated by the Board of Trustees. He shall disburse the funds of the corporation as may be ordered by the Board, or President, taking proper vouchers for such disbursements, and shall render to the President and Trustees at the regular meetings of the Board, or whenever they may require it, an account of his transactions as Treasurer and of the financial condition of the corporation, and at the regular meeting of the Board next preceding the annual members' meetings, an annual report for the preceding year.

CHECKS FOR MONEY

Section 25. All checks, drafts or orders for the payment of moneys shall be signed by two officers, to be designated by the Board, one of whom shall be the Treasurer, and in the absence or disability of the Treasurer, the Board of Trustees shall appoint a temporary treasurer to serve during such absence or disability.

NOTICES

Section 26. Notice required to be given under the provisions of these bylaws to any trustees, officer or member, shall not be construed to mean personal notice, but may be given in writing, addressed to such member, officer or trustee at such address as appears on the books of the corporation, and such notice be thus mailed Each notice of any meeting of members shall give the number of votes the member receiving the notice is entitled to cast according to the records of the corporation.

WAIVER OF NOTICE

Section 27. Any member. officer or trustee may waive in writing, any notice required to be given under these by-laws, whether before or- after the time stated therein.

PROXIES

Section 28. Proxies shall be in writing signed by a member.

FISCAL YEAR

Section 29. The fiscal year of the corporation shall end on September 30.

AMENDMENTS OF BY-LAWS

Section 30. These by-laws may be amended, altered, repealed or added to at any regular meeting of the members or at any special meeting called for that purpose, by vote of the members representing the majority of the voting power of the corporation.

Revised Section

FENWICK PARK MAINTENANCE CORPORATION
BY-LAW AMENDMENT

<u>*Section 8.*</u>

Each member is obligated to pay to the corporation annual and special assessments, which are secured by a continuing lien on the property against which such assessments are made, in making such assessments, it shall be based on the size of the property and prorated per 1,000 square *feet units and it shall also be taken into consideration, whether the property is improved* or *unimproved. Assessments shall be due and payable on the first day of December in each* year. *Any assessments that* are not *paid when due* are *considered delinquent. If an assessment is not paid within sixty (60) days after the* due *date, there shall be a penalty of $15.00 per month thereafter until paid, and the corporation may bring an action at law against the owner personally obligated to pay the same,* or *may foreclose the lien against the property. Interest, penalties, costs and reasonable attorney's fees* of *any such action shall be added to the amount of any assessment due. No* owner *may waive* or *otherwise escape liability* for *assessments by nonuse of the common area* or *abandonment of the lot.*

Amendments to by-laws adopted in Annual Meeting, 1938:

Section 8A: The assessment for special services which is based on properties or houses as units, such as collection of garbage and trash, shall be based on the number of properties or houses, rather than on the number of 1000 sq. ft.in each property.

Section 9A: At the annual meeting of the members in 1938, the two trustees receiving the highest number of votes shall be elected for two-year terms and three trustees shall be elected for one-year terms. Thereafter, vacancies on the board shall be filled by electing trustees for terms of two years, except that, if for any reason there are more than three vacancies, no more than three trustees shall be elected for two years, the remaining vacancies being filled for one year. Vacancies in the board of trustees, occurring after the annual meeting may be filled until the next annual meeting by the remaining trustees by a majority vote.

Section 4: Annual meetings of members shall be held on one of the first 15 days of October, at a time and place designated by the Trustees, at which meeting………Etc.

Amendment to by-laws adopted in Annual meeting, Oct 1951:

Nov. 10, 1984

NOTICE

At the Oct. 10, 1984, Annual meeting of the Members of Fenwick Park Maintenance Corporation, it was agreed to change Section 8 of the BY-LAWS OF FENWICK PARK MAINTENANCE CORPORATION to read as follows:

"…Such assessments shall be payable annually in advance on the first day of December in each year, and, if not paid on or before such date, shall thereupon become delinquent and shall draw interest at the rate of 1% per month to date of payment."

In the past tardiness in paying assessments has presented the Corporation with a cash flow problem and resulted in loss of interest income from investing the funds until needed for bill payment. This interest is needed to meet our projected budget for 1984-85.

Therefore, to avoid this penalty, please pay your assessment by December 1, 1984. Delinquent accounts will be billed for the unpaid assessment plus the accumulated interest each month thereafter until paid.

FENWICK PARK MAINTENANCE CORPORATION
BY-LAW ADMENDMENT

<u>Section 8.</u> At the regular annual meeting of the members of the corporation in each year, they shall levy an assessment upon the property owners of each lot for the purposes of the corporation according to the number of full 1,000 square feet contained in the lot or lots of said owners in said Fenwick Park, and according to whether said lots are improved or unimproved. Unimproved lots shall not be charged with expense of ash or garbage removal or other charges properly applicable to improved or occupied lots. Such assessment shall be payable annually in advance on the first day of December in each year, and if not paid on or before such date, shall thereupon become delinquent and shall draw interest at the rate of 1% per month to date of payment.

Lien proceedings will commence if the annual assessment payment and applicable interest owed is not received prior to the anniversary due date. All costs incurred by the corporation in collecting monies owed will be paid by the *delinquent property* owner *in the form of an additional assessment. This additional assessment will be payable with the delinquent assessment.*

Revised Sections

FENWICK PARK MAINTENANCE CORPORATION BY-LAWS

2012, 75th Annual Meeting BY-LAW AMENDMENT

Section 9. TRUSTEES

The property and business of the corporation shall be managed and controlled by its Board of Trustees, consisting of five members who must at all times be in good standing concerning their affairs with the corporation. "Good standing" shall mean specifically that they are current in the payment of annual assessments: that they are not involved in a contested matter or ongoing litigation with the association: and, that they are not in violation with any restriction established by the corporation as determined by the Board itself. The trustees shall hold office until the next annual meeting and until their successors are elected and qualified. They shall be elected by the members, except that if there be a vacancy in the Board by reason of death, resignation., or otherwise, or by increase in the number of trustees, such vacancy may be filled for the unexpired term by the remaining trustee by a majority vote.

2013, 76th Annual Meeting BY-LAW AMENDMENT

Section 31. NUISANCES

As depicted in the Article II, Nuisances section of "Restrictions, Conditions. Charges, Etc., governing Property of Penn Development Company Fenwick Park. Township of Upper Penns Neck, New Jersey. as Amended June 23, 1948", no trade or business of any kind or character nor any building designed or intended for such use shall be erected, permitted, maintained or operated upon any of the land included in said tract. One specific application of this prohibition on commercial activity in the tract shall be that owners may not lease or rent their building(s) to third parties, even for residential use purposes, including family relations and other kin. Nothing herein is to be construed to prohibit an owner from permitting house guests to stay on short or long term basis with or without the owner being present there simultaneously.

October 9, 2023 Annual Meeting By-Law Amendment to Section 31: All homes are to be owner occupied.

2012, 75th Annual Meeting BY-LAW AMENDMENT

Section 9. Trustees

The property and business of the corporation shall be managed and controlled by its Board of Trustees, consisting of five members <u>who must be at all times be in good standing concerning their affairs with the corporation. "Good standing" shall mean specifically that they are current in the payment of annual assessments: that they are not involved in a contested matter or ongoing litigation with the association- and that they are not in violation with any restriction established by the corporation as determined by the Board itself.</u> The trustees shall hold office for two year terms. They shall be elected by the members, except if there be a vacancy in the Board by reason of death, resignation, or otherwise, or by increase in the number of trustees, such vacancy may be filled for the unexpired term by the remaining trustees by a majority vote.

Approved at the 75th Annual Meeting, October 9, 2012