

COURT II CONDOMINIUM ASSOCIATION, INC

**CERTIFICATION OF BALLOT COUNT FOR
THE AMENDMENT PERTAINING TO FILING OF CIVIL ACTIONS AGAINST THE ASSOCIATION**

The below listed people served as official 'tellers' to count the votes.

We hereby certify as follows:

1. Any invalid ballots were not included in the tabulation of votes.
2. The basis for determining invalid ballots included:
 - (a) Insufficient or illegible information to the extent that it was not possible to determine either the voter's identity, or the voter's intent as to which they were voting for.
 - (b) Duplicate votes from the same Lot or Unit. (in which case, only one of the ballots was counted):
 - (c) Conflicting votes from the same Lot or Unit (in which case, none of the ballots were counted).
 - (d) Any votes by owners whose right to vote had been suspended.
3. The votes were tallied (counted) twice to confirm the results.
4. The following were the results of the voting:

VOTED YES IN FAVOR OF THE AMENDMENT 56 %

VOTED NO AGAINST THE AMENDMENT 19 %

THE AMENDMENT PASSED, AND IS APROVED AND IN FULL FORCE

SIGNED THIS 31ST DAY OF January, 2025

Rosemary R Selah, President/Secretary
Rosemary R Selah
Michael Ducatelli, Treasure
Michael Ducatelli

AMENDMENT OF THE BY-LAWS OF
COURT II CONDOMINIUM ASSOCIATION, INC.

An Amendment pertaining to the filing of civil actions against the Association

The Undersigned, being all of the members of the Board of Directors (the "Board") of Court II Condominium Association, Inc., a New Jersey non-profit corporation (the "Association"), pursuant to the applicable sections of the New Jersey Condominium Act, N.J.S.A. Sec. 15A: 1-1 et seq., do hereby consent to the adoption of the following Preambles and amendment to the By-Laws.

WHEREAS, after a comprehensive analysis, the Board of Directors has concluded that the Association would receive substantial benefits from adopting an immunity provision in accordance with New Jersey Statute N.J.S.A. 2A:62A-12.

WHEREAS, Article XI of the By-Laws of the Association states:

"These By-Laws, or any of them, may be altered or repealed, or new By-Laws may be made, at any meeting of the Association duly constituted for such purpose, and previous to which written notice to Unit owners of the exact language of the amendment or of the repeal shall have been sent, a quorum being present, by an affirmative vote of 51% of the votes entitled to be cast in person or by proxy, except that (i) the first annual meeting may not be advanced, (ii) the first Board (including replacements in case of vacancies) may not be enlarged or removed, (iii) the obligation or the proportionate responsibility for the payment of common expenses with respect to Units or the common elements may not be changed by reason of any such amendment or repeal, (iv) the provisions concerning the turning over of control of the Condominium Association by Developer to Unit owners may not be amended, and (v) no such new By-Law, amendment or repeal shall in

any way affect the Sponsor, including any successor of the Sponsor, unless the Sponsor, or its successor, has given its prior written consent thereto”.

WHEREAS, it is the opinion of the Board of Directors that amending Article VI of the By-Laws to include a new Section 13, “Tort Immunity,” to provide the following language is in the best interests of the Association and its Members: *“Except where there is a willful, wanton or grossly negligent act or omission by the Association, the Association shall not be liable in any civil action brought by or on behalf of a unit owner, or by or on behalf of the spouse of that person, to respond in damages as a result of bodily injury, including death resulting from bodily injury, to the unit owner or to the spouse of that person, occurring on Association premises, i.e., the community and recreational facilities owned by the Association.”*

NOW THEREFORE, BE IT RESOLVED THAT the By-Laws shall be amended as follows:

1. Article VI of the By-Laws shall be amended to add:

Section 13. Tort Immunity. Except where there is a willful, wanton or grossly negligent act or omission by the Association, the Association shall not be liable in any civil action brought by or on behalf of a unit owner, or by or on behalf of the spouse of that person, to respond in damages as a result of bodily injury, including death resulting from bodily injury, to the unit owner or to the spouse of that person, occurring on Association premises, i.e., the community and recreation facilities owned by the Association.

2. The Board of Directors shall have the power and shall be responsible for the implementation, regulation and enforcement of this amendment to By-Laws.

3. The previously mentioned proposed amendment to By-Laws shall be submitted to the unit owners for approval, at a meeting, called for in accordance with the governing documents of the Association.

RESOLVED, that pursuant to Article III Section 7 of the Bylaws, the Secretary be, and he hereby is, authorized and directed to distribute proxy materials to each unit owner and to solicit proxy votes by the unit owners on the proposed amendment to By-Laws, and in connection therewith, the President and the Secretary be, and they hereby are, authorized and directed to prepare such proxy materials and to take any and all such actions deemed necessary and/or appropriate to effectuate the foregoing, and be it further

RESOLVED, that the Secretary be appointed as the duly authorized proxy for all unit owners not otherwise appointing separate persons to be their authorized proxies to vote on the proposed amendment to By-Laws; and that the record date for determining the unit owners entitled to vote on the proposed amendment to By-Laws shall be in accordance with Article III, Section 3 of the By-Laws; and be it further

RESOLVED, that at the special meeting voting on the proposed amendment to By-Laws will be held, in accordance with Article III Section 3 of the By-Laws, and that the Secretary is, and she hereby is, authorized and directed to prepare notice of the Special Meeting and to give written notice of the Special Meeting to the unit owners in accordance with Article III, Section 3 of the By-Laws; and be it further

RESOLVED, that the President and Secretary be, and they hereby are, authorized and directed to take any and all further actions in the name of and on behalf of the Association necessary and/or appropriate in order to effectuate the foregoing, and that any acts taken or

documents or instruments executed and delivered in furtherance of the foregoing are hereby ratified and confirmed.

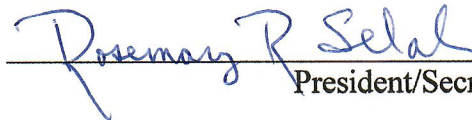
Secretary's Certification

The undersigned, being the Secretary of Court II Condominium Association, Inc., a New Jersey non-profit corporation (the "Association"), hereby certifies that the above proposed amendment to By-Laws was adopted by unanimous written consent of the Board of Directors.

WHEREAS, it is the opinion of the Board of Directors that amending Article VI of the By-Laws will bring the insurance guidelines more in line with New Jersey law and possibly reduce insurance rates paid for by the Association.

WHEREAS, this proposed amendment to By-Laws shall be submitted to the homeowners at a special meeting in, and shall only become effective on 1-31-2025, 2025, or as soon as possible thereafter, providing that at least 51% of the homeowners are in favor of the proposed amendment to By-Laws.

IN WITNESS WHEREOF, the undersigned has executed this Secretary's Certification and affixed the seal of the Association as of 6-24, 2024.



President/Secretary