

Prepared by:

STEPHEN B. KOTZAS, ESQUIRE

AMENDMENT
TO
DECLARATION OF COVENANTS
AND RESTRICTIONS FOR
SEAVIEW VILLAGE

THIS AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS made this 1st day of February, 1989, by the SEAVIEW VILLAGE ASSOCIATION with principal offices at 29 Jetty Court, Bricktown, New Jersey, herein after The Association

WITNESSETH:

WHEREAS, SEAVIEW VILLAGE is subject to a Declaration of Covenants and Restrictions dated July 28, 1980, recorded in the Ocean County Clerk's Office on July 28, 1980, in Deed Book 3934, Page 483, and re-recorded October 24, 1980, in Deed Book 3954, Page 735; being the property more particularly described in Schedule A attached hereto and made a part hereof; and

WHEREAS, notice has been duly given pursuant to Article XII, Section 3 and the Association having duly approved this amendment in accordance with Article XII, Section 2; and,

WHEREAS, the Association has, at a duly scheduled meeting of the Association where a quorum was present, voted to amend Article III, Section 1, Paragraph (a) as follows:

(a) No member of the Association shall be less than the age of fifty-five (55) years except a spouse or surviving spouse.

WHEREAS, the Association has at a duly scheduled meeting of the Association, where a quorum was present, voted to amend Article VI, Section 3 and Section 4 as follows:

Section 3. Transfer of Ownership

No owner shall sell, give, devise, lease, assign, or transfer title, interest or leasehold to his or her living unit prior to making full disclosure to the Association of his intent to make said transfer, and until said Owner receives written assurance from the Association that the prospective transferee, has met all of the qualifications incident to membership in the Association. Such assurance shall be given within ten (10) business days following written request and such assurance shall not be unreasonably withheld. If leased, the lease must provide that its terms are subject to the Covenants, Restrictions, By-Laws and Rules and Regulations of the Association. This provision is not intended in any way to deprive any member or prospective transferee of his or her rights, privileges and immunities under the Constitutions of the United States and State of New Jersey,

and under the laws of said jurisdictions. The intention of the Developer is to strictly maintain a Community providing for and meeting the needs of those people fifty-five (55) years of age and older.

Section 4. Purchase

No member of the Association as defined in Section 1 of Article III shall be less than the age of fifty-five (55) years; provided, however, that in the event a Lot or Living Unit is owned by Husband and Wife as tenants in the entirety, only one of said spouse must meet the requirements of this article. No transfer as described in Section 3 of this Article shall be made to any prospective purchaser or to any person less than the age of fifty-five (55) years, subject to the exceptions herein.

WHEREAS, the Association has, at a duly scheduled meeting of the Association where a quorum was present, voted to appoint the President and Secretary of the SEAVIEW VILLAGE ASSOCIATION as Attorneys-in-Fact for the purpose of executing this amendment to the Declaration of Covenants and Restrictions for SEAVIEW VILLAGE.

IN WITNESS WHEREOF, said Amendment to the Declarant has caused this instrument to be executed by its corporate name, by its proper corporate officers, its corporate seal affixed, the day and year first above written.

SEAVIEW VILLAGE ASSOCIATION

BY: Frank DiMarco
FRANK DIMARCO President

ATTEST:

Mary Anne Butler
MARY ANNE BUTLER Secretary

STATE OF NEW JERSEY: :SS
COUNTY OF OCEAN :

BE IT REMEMBERED, that on this 27th day of February, 1989, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared MARY ANNE BUTLER, who being by me duly sworn on his oath, doth depose and make proof to my satisfaction, that she as Secretary of SEAVIEW VILLAGE SOUTH ASSOCIATION, the corporation named in the within instrument; that FRANK DIMARCO is the President of said corporation; that the execution, as well as the making of this instrument has been duly authorized by a proper resolution

of the Board of Directors of the said corporation and the seal affixed to this instrument is such corporate seal and was thereto affixed, and said instrument signed and delivered by said President, as and for his voluntary act and deed of said corporation, in the presence of said deponent, who thereupon subscribed his name as attesting witness.

Mary Anne Butler
MARY ANNE BUTLER Secretary

Sworn and subscribed to before me,
this 27th day of February, 1989.

Marie K. Check
Notary Public
MARIE K. CHECK
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 29, 1990