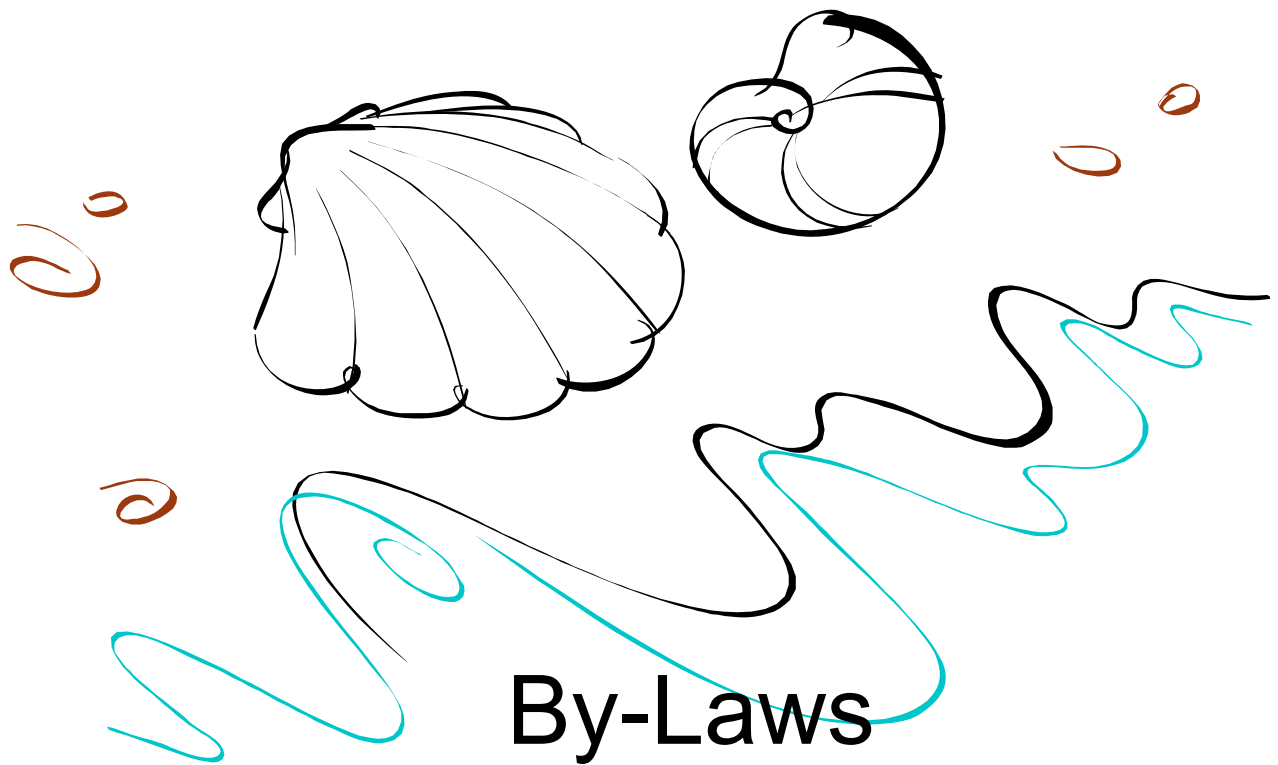


Ocean Beach Shores Club



By-Laws

Approved October 25, 2018

**Ocean Beach Shores Club
By-Laws**

**P.O. Box 292, Lavallette, NJ 08735
www.obscnj.org**

**ARTICLE 1
SECTION 1 – MEMBERSHIP**

Property owners or lot lessee at Ocean Beach Shores shall be members of this Club.

Any person or persons holding title or lease without applying for and being accepted by the Club may not use the Club's facilities. Any person who has taken title or leasehold by inheritance, sale, assignment or otherwise, shall file an application with the Membership Committee.

Every prospective lot owner shall apply for membership in the Ocean Beach Shores Club and shall be subject to the provisions of these By-Laws and any rules and regulations promulgated by the Board.

When an applicant is accepted into this Club he or she shall agree to abide by the provisions of the Certificate of Incorporation of the Club, these By-Laws and any subsequent regulations imposed by this Club in addition to the Deed restrictions on his or her lot.

There shall be two (2) types of members:

1. Regular member is an owner or long term lessee with voting rights.
2. Associate member is one who occupies a regular member residence for usually less than one (1) year, does not have the right to vote, but enjoys all the facilities of the Club (Renters).

The distinction should be noted between the regular member and the associate member. Whenever the terms member or membership are used the reference is to the regular member.

Applications for membership in Ocean Beach Shores Club shall apply only to lots in Ocean Beach Shores which are used for dwelling purposes. Members in good standing shall be entitled to enjoy all rights and privileges of membership, including the use of the beachfront and other facilities of this Club, subject to the provisions of the Certificate of Incorporation of this Club, these By-Laws and the rules and regulations approved by this Club.

SECTION 2 – ADMISSION

A person or group of persons becomes a member of Ocean Beach Shores Club as of the date of approval of his or their application for granting a membership.

SECTION 3 – TERMINATION OF MEMBERSHIP

Membership in this Club shall automatically terminate when the member no longer owns, leases, or has any record interest in any parcel of property at Ocean Beach Shores.

ARTICLE 2

SECTION 1 – OFFICERS

The officers of this Club shall consist of a president, a vice-president, a treasurer and a secretary, all of whom shall be members in good standing of the Board of Trustees.

Trustees are to be awarded an honorarium each year as established at the fall meeting.

ARTICLE 3 – DUTIES OF OFFICERS

SECTION 1 – PRESIDENT

The president shall be the chief executive officer and it shall be his or her duty to preside at all meetings of the members and of the Board of Trustees; call special meetings of the Board of Trustees when necessary; appoint all committee chairmen, except the Nominating Committee chairmen, provided for by the Certificate of Incorporation or by these By-Laws and any other committees deemed necessary. The President shall have the authorization to sign all checks, drafts, notes and other negotiable instruments in the name and under the seal of the Club, when so authorized by the Board of Trustees. The president shall be an ex-officio member of all committees except the nominating committee.

SECTION 2 – VICE-PRESIDENT

The vice-president shall be vested with all the powers and shall perform all the duties of the president in the latter's absence and shall also perform such other duties as may from time to time be designated by the president or to by the Board of Trustees. He or she shall be in charge of one of the major standing committees, preferably the membership committee.

SECTION 3 – TREASURER

The treasurer shall keep full and accurate records of receipts and expenditures of the funds of the Club in books belonging to the Club and shall deposit all monies and other valuables of the Club in the name of and to the credit of the Club in such depositories as may be designated by the Board of Trustees.

All books and records of the treasurer shall be available and open at all times for examination by the Board of Trustees. The treasurer shall collect all dues and special assessments and issue receipts only for cash payments.

Yearly dues and special assessments shall be collected by the treasurer from the owner or lessee of each lot. The first payment paid by a lot owner or lot lessee on each lot shall be considered initiation fee and cover the period up to December 31 of that year. Regular dues on each lot shall begin on January 1. The initiation fees shall be equal to the full yearly dues.

Membership dues and special assessments on a lot are transferable. Each lot transfer shall require the new owner or lot lessee to apply for membership and to pay the full initiation fee on each lot transferred to him or her regardless of the portion of the remaining year.

The treasurer shall execute all checks, drafts, notes or other negotiable paper in the name of and under the seal of the Club. The president or vice-president of the Club shall also have signing privileges. At the expense of the Club, the treasurer shall supply the Club with a proper surety bond written by a responsible surety company in the amount of \$50,000, or an additional amount otherwise determined by the Board.

The treasurer shall be the Chairman of the Budget Committee and shall prepare the preliminary budget with input from various committee chairmen and present it at the August meeting of the Board of Trustees. The Board shall adopt a budget for the following year and present to the membership at the September meeting.

SECTION 4 – SECRETARY

It shall be the duty of the secretary to keep a record of the minutes of all meetings and to transcribe such records into a minutes book to constitute a permanent record. Among other things the secretary shall also be required to:

- (a) Present copies of the minutes of the board of trustee meetings for approval by the board of trustees at each following trustee meeting.
- (b) Certify Resolutions and furnish same when so requested by the Trustees.

- (c) Attest signatures of the president or vice-president or other authorized officer when so directed by the Trustees, in execution of any and all legal instruments affecting the Club in accordance with corporate law.
- (d) Notify all members of meetings, regular or special. He or she shall be responsible for all legal communications to the members of the Club
- (e) Include a list of candidates for the Trustees that have been presented by the Nominating Committee with the notification of the annual meeting.
- (f) Shall write letters to all vendors to request the annual contribution set by the Trustees for the right to solicit business on the Club's private property. The secretary shall advise the Club of any vendor applications.

ARTICLE 4 – TRUSTEES

There shall be seven members of the Board of Trustees and each shall be elected for a two-year term; four members at one annual meeting and three members of the succeeding annual meeting. The number of trustees constituting the Board of Trustees may be increased or decreased by amendment of this provision of the By-Laws.

Absence of any member of the Board of Trustees for more than three consecutive meetings without reasonable cause will terminate his or her membership on such Board and the Board of Trustees may thereupon on majority vote, fill such vacancy from the membership of the Club until the next annual meeting of the membership.

Any member in good standing may fill a vacancy on the Board of Trustees caused by death, written resignation, suspension of membership, loss of membership for any reason, expulsion or impeachment. He or she must receive a majority vote by the Board of Trustees. His or her term of office runs until the next annual meeting of the membership, at which time the membership shall vote to fill the vacancy.

An individual Trustee or the Board of Trustees as a whole shall not be liable to any member or any third party for any act or failure to act unless the act or a failure to act can be characterized as a willful disregard of duty on the part of the individual trustee or the Board of Trustees.

The control and complete management of the Club shall be entrusted to the duly elected Trustees who shall make any and all rules and regulations, and enforce compliance therewith, as well as with these By-Laws and the Deed restrictions.

Committee Chairmen may spend all money authorized in the budget without the approval of the Trustees.

ARTICLE 5 COMMITTEES

SECTION 1 MEMBERSHIP COMMITTEE

The Membership Committee should consist of a minimum of three persons at least one of whom shall be a Trustee and shall not act upon any membership in Ocean Beach Shores until a signed application fully completed has been submitted to it.

Any person or persons acquiring property or leasehold in Ocean Beach Shores, shall for Club purposes be treated as a new applicant and shall fill out a Club application together with his or her spouse, and shall be subject to the Ocean Beach Shores Clubs By-laws, Rules & Regulations and Restrictions.

No club, fraternity, corporation, company or society, shall be eligible for membership regardless of how or under what conditions they might acquire Ocean Beach Shores property or leasehold. This shall not apply to closely held entities, including corporations, partnerships, LLC's, or trusts. An individual representative of any entity will apply for membership.

The Chairman of the Membership Committee shall supply new members with copies of the Club By-Laws, certificate of Incorporation and any rules and regulations and shall receive a signed receipt for same.

Suspension of membership: A member shall, upon a majority vote of the Membership Committee, and with the approval of the Board of Trustees, be suspended for such violations of the rules, By-Laws, regulations or restrictions as the Committee shall decide. The Club dues as approved by the membership are payable on or before March 15. Any member, whose Club dues are unpaid on or before May 1, shall be automatically suspended on May 2. Similarly, any member whose financial obligations to the Club arising from dues or other membership approved assessments which remain unpaid 60 days beyond the assessment due date, shall be automatically suspended and fined \$100.00. In addition 1.5% interest per month will be charged for each month after the 60 day period that the dues or assessments remain unpaid. Such member, in either case, shall be notified in writing, and by certified letter of this suspension, and all occupants of his or her cottage or cottages prevented from use of the beach and/or other Club facilities until such time as the suspended member is reinstated by a majority vote of the Membership Committee.

Providing that all other qualifications have been met, acceptance of any new applicant shall be withheld until all past dues and special assessments have

been paid and all violations on the premises cleared to the satisfaction of the Club's Trustees. This shall be based on the fact that inasmuch as the Trustees, in order to properly provide services and maintain the private club's facilities, are obliged to expect that each residential lot will provide and bear its equal share of the Club's yearly cost of operation.

Therefore any and all lots on which financial obligations are unpaid, as set forth above, shall have charged against it or them on the Club books an amount equal to the year's unpaid financial obligation plus a penalty of \$100.00 until paid by:

- (a) a present member paying his membership dues and special assessment (in order to avoid suspension)
- (b) a suspended member (in order to be reinstated)
- (c) a new applicant for membership (in order to be accepted)

All members are liable for their dues and/or assessments whether or not their membership is suspended.

No purchaser or lessee with violations on his present premises will be accepted on any new membership until all existing violations have been cleared by the Board of Trustees; upon the recommendation of the Membership Committee, shall take any legal action to enforce these By-Laws.

Nothing contained in these By-Laws shall limit, restrict or prevent any member or group of members at any time from presenting grievances or complaints in writing to the Club or to the Board of Trustees.

Any member deeming himself or herself aggrieved by a decision of the Membership Committee concerning suspension of membership shall have a right of appeal to a committee consisting of seven members; three members of the Club to be chosen by the aggrieved member, three Club members to be chosen by the Chairman of the Membership Committee. The seventh member shall be the president of the Club, who shall vote only in the case of a tie. Any decision of the Membership Committee pertaining to suspension of the membership may be reversed by a majority of the Appeals Committee hereby created.

All applications for associate membership use of rental property must be in the hands of the membership chairman not less than seven (7) days prior to the actual term of occupancy. Only those applicants who have not been approved will be notified in writing.

Any owner giving up a cottage for longer than 72 hours (3 days) to anyone other than members of his or her immediate family must submit an associate member application to the Membership Committee for identification and to facilitate locating anyone in case of emergency.

SECTION 2 – SOCIAL COMMITTEE

The Social Committee shall stimulate interest in community planning, sociability and good fellowship by organizing and operating all membership social affairs. This Committee may raise funds for any and all entertainment or other functions as sponsored by it. All such funds shall be paid to the treasurer of the Club and earmarked only for use by the Social Committee. The board of trustees, at their discretion, may offer financial assistance from club funds for club sponsored events not to exceed \$500.00.

SECTION 3 – NOMINATING COMMITTEE

The Nominating Committee should consist of a minimum of three members in good standing; it shall be the duty of the Nominating Committee to recommend nominations for Trustees for election at the annual meeting in the Fall. A write-in section shall be provided on all ballots for the inclusion of members who were not placed on the ballot by the nominating committee.

SECTION 4 – BUILDING AND GROUNDS COMMITTEE

The Building and Grounds Committee should consist of a minimum of three members in good standing. The Committee shall oversee the maintenance and improvements of all Club properties.

It shall be the duty of the Building and Grounds Committee to see that all properties in the community are kept neat, well-painted, and in good repair.

The Building and Grounds Committee will approve or disapprove all building alterations. Construction of any building, alteration, addition, dock or bulkhead must be approved in writing by the Building and Grounds Committee and must be in accordance with the Court Order filed in Ocean County in August 16, 2013 and the Buildings & Grounds Rules and Regulations. Necessary Federal, State, and Township permits may also be required. The Building and Grounds Committee shall see that all items such as fences, sheds and shower screens shall be constructed and located in accordance with the rules that are outlined in Deed restrictions and updated in the Buildings & Grounds Rules and Regulations.

Any owner whose lot or vacant property is in a condition deemed unsightly, poorly maintained, or detrimental by the Building and Grounds Committee shall first be requested to clear the violation. If the violation is not cleared in fourteen (14) days, the Building and Grounds Committee shall notify the Board of Trustees and a fine will be issued in accordance with the current Buildings & Grounds Rules and Regulations.

All garbage will be placed at the curb in appropriate metal or hard plastic containers. Plastic bags are not acceptable.

SECTION 5 – BEACH COMMITTEE

The Beach Committee should consist of a minimum of three members in good standing.

It shall be the duty of the Beach Committee to take complete charge of the beach. This Committee shall be responsible for the maintenance of ropes, walkways, safety devices, employment of lifeguards, the maintenance and cleanliness of the beach, and all other matters incidental to the proper operation and control of the beach not covered by the maintenance easement agreement with Toms River Township.

Any and all persons who, by their actions, disregard warnings by the Beach Committee or lifeguards or other persons in charge of bathing beaches, shall be considered disorderly and subject to suspension of membership and/or police action.

The Beach Committee or any Trustee in the Chairman's absence shall, when such action is required, make and sign a Toms River Township Police complaint against any and all persons, who by their actions violate safety, health and/or general welfare of either themselves or others. Intoxication, use of illegal drugs, rowdiness, disorderliness, loud, profane and/or indecent language or actions deemed as such by the Beach Chairman, or head lifeguard in the absence of said Chairman, shall be considered grounds for police action and/or suspension of membership.

Upon determination of the Trustees, buttons, badges or other similar identification shall be displayed when using any of the beaches or bathing facilities. However, no person or persons shall be permitted the use of the above-mentioned facilities unless he or she is a member, associate member, or the guest of a member thereof. Provisions have been made for people who would like to use our beach who are not members or associate members. No automobiles or other vehicles shall be parked in or on any of our private roads, streets, or ways of Ocean Beach Shores by any user of the beaches or boat basin. Strict enforcement of these rules shall be maintained.

The primary responsibility of the lifeguards is to provide a safe environment for the members, associate members and guests of the Ocean Beach Shores Club. They are to enforce the rules imposed by the Beach Committee.

The lifeguard in attendance shall prevent bathing, swimming or fishing in beach areas not designated for such use.

No glass containers are permitted at any time on the ocean or bay beaches.

No fires are allowed on either the bay or ocean beaches.

Removal of sand from any of the Club's beaches shall not be permitted.

The walkway to the beach is to be properly delineated. Everyone is advised to use the walkway at all times for access to the ocean beach and not to walk to or from the beach between beachfront houses.

SECTION 6 – MARINA COMMITTEE

The Marina Committee should consist of at least three (3) members in good standing.

It shall be the duty of the Marina Committee to take complete charge of the Marina. The Marina Committee shall be responsible for the maintenance, care and operation of said grounds.

The Marina Committee with the approval of the Board of Trustees will determine the marina rental fees and any identification that may be deemed necessary. The slips in the Marina shall be primarily for the use of members of the Ocean Beach Shores Club.

Non-members will be permitted only after slips have been offered to the members. Length of craft (LOC) shall not exceed 22 feet. Boats with toilet facilities on board shall not be permitted to use the Marina at any time. Overnight sleeping on board will not be permitted.

Parking at the Marina is for express use of the renters of the boat slips in good standing. Overnight parking is prohibited unless as of a result of the overnight boating event for the assigned slip renter.

ARTICLE 6 – VOTING

SECTION 1

Only regular members of the Club in good standing, or their written proxy designee, shall be eligible to vote at a regular or special meeting of the Club. A member shall not be considered in good standing unless all past dues and special assessments have been paid. The eligibility of any member shall be determined by the Ocean Beach Shores Club Board of Trustees. Members suspended for violations are not permitted to vote until reinstated.

SECTION 2

- (a) Members of the Board of Trustees shall be elected by a plurality of the votes cast by the members of the Club secret, confidential ballot.
- (b) Voting by electronic ballot shall be made available to each member household through the use of one validation email. Electronic Voting service should provide secure, confidential and tamper proof voting ability. Voting shall commence within 28 days prior to the Fall General Membership meeting and shall close at midnight the day prior to that meeting. Mail in ballots with privacy and validation envelopes shall be provided to members requiring or requesting mail in ballots. These ballots should be received by the Club no later than 5 days before the Fall meeting to insure inclusion. A validation sheet of all received ballots shall be present at the Fall meeting along with additional ballots and blank envelopes for any members in attendance who have not voted.
- (c) Officers of the Board of Trustees shall be elected from among the members of the Board at the first meeting following the annual meeting of the Club. If requested, voting shall be by secret ballot. Such meetings shall take place immediately following the annual meeting.
- (d) Trustees and officers shall take office immediately after election and shall serve until their successors are elected.

SECTION 3

The regular member voting power shall be as follows:

- (a) To nominate and vote for election of trustees each year.
- (b) To vote for approval of the annual budget after such budget presentation to the Board of Trustees.
- (c) The general membership, when called upon by the Chair, may make recommendations and vote on any matter, provided such voting is not in violation of parliamentary procedure or of these By-Laws.
- (d) The membership may petition or complain to the Trustees

SECTION 4

No electioneering will be permitted at the polls; however, an oral statement may be made by each nominee.

ARTICLE 7 – GENERAL MEMBERSHIP MEETINGS

- (a) All meetings of the members shall be held at Ocean Beach Shores or at a nearby easily accessible meeting place arranged for by the Board of Trustees.
- (b) The meetings of the Ocean Beach Shores Club will be in the Spring and Fall.
- (c) A quorum for any special meeting or regular meeting of the Club shall consist of 25 members who are eligible to vote. Husband and wife, or any other joint membership will be considered as one voting member. There will be only one vote per property. Owners or lessees of more than one lot shall have one vote for each such lot owned or leased.
- (d) Notice of any annual or special meeting of the members of the Club shall be given to the members at his or her address or email address, as the same appears on the records of the Club, at least twenty eight (28) days prior to the date of the meeting.
- (e) Special meetings of the members of the Club shall be called by the president upon the written request of 15 members; upon the request of the Board of Trustees, or by the president at his or her discretion.
- (f) Membership meetings are mainly for reports to general members by the Trustees and each Committee. Any proposal to the membership shall be made by the elected Trustees after they have approved a given Committee's report.

ARTICLE 8 – BOARD OF TRUSTEES MEETING AND SPECIAL MEETINGS

SECTION 1

The Board of Trustees shall hold a regular meeting of the Board once each month during the months of April to September, inclusive, and at such other times during the year as may be deemed necessary by the president.

SECTION 2

Four members of the Board of Trustees shall constitute a quorum for any regular or special Trustees meeting.

ARTICLE 9 – FINANCES

SECTION 1

Notice of all dues and special assessments as determined by the budget shall be mailed or emailed to each member annually.

SECTION 2

The regular membership shall be notified in writing at least fourteen (14) days in advance of any regular or special meeting in which membership approval would be requested for a special assessment. Such notice shall indicate the amount of dollars the special assessment will require for each lot owner or lessee and the purpose for which the special assessment would be used.

SECTION 3

All payments of dues and special assessments shall be made payable to Ocean Beach Shores Club and sent to the Treasurer or Membership Chairperson.

SECTION 4

The Trustees will submit the budget to the membership at the annual Fall meeting. The budget must be submitted to the membership at least fourteen (14) days in advance of the annual meeting. The bank balance of the Club in any account will not exceed the amount recommended by the Board of Trustees and approved by the voting members at a regular meeting.

SECTION 5

Except for the contingency fund, any unbudgeted expenditure in excess of \$1,000.00 to be made by the Board of Trustees shall first be voted on and approved by a majority vote at a special or regular meeting of the members of the Club.

SECTION 6

The purpose of the Contingency fund is to develop a reserve for the repair of Club roads and Club common property. Any unbudgeted and extraordinary expenditure will be limited to \$500.00 except in a catastrophic situation such as a road collapse, or ocean break-through, when the limit does not apply. Estimates will be requested by registered mail, return receipt from two or more contractors when time permits.

SECTION 7

Associate members will be required to pay a special fee for the use of the Club facilities, the amount will be determined at the Fall meeting of the Club. Owners are responsible for any fees not paid by associate members (renters).

ARTICLE 10 –FINANCIAL REVIEW

SECTION 1

The Board of Trustees shall retain an accountant to review the books of this Club no less than every three (3) years. Upon request a copy of the completed review will be made available to members.

SECTION 2

The fiscal year of the Club shall be January 1 to December 31.

ARTICLE 11 – RULES AND REGULATIONS

SECTION 1

Failure to file for Ocean Beach Shores Club approval of plans for building alterations, additions or installation of sheds will result in penalties of up to \$1,500.00 for each year that such infractions may exist. Failure to pay the fine will result in having a lien placed on the property.

SECTION 2

The roadways, Ocean Road and Ocean Bay Boulevard, shall be used as private roads.

All parking of automobiles, other than temporary parking by trucks and other vehicles while making deliveries and/or repairs shall be prohibited in these roadways. Violators will be subject to towing at the owners cost.

SECTION 3

Only solicitors approved by the Board of Trustees shall be permitted.

SECTION 4

No excessive noise is permitted at any time.

Major construction work or alteration work is permitted between Labor Day and June 15 between the hours of 8:00 a.m. – 8:00 p.m. Painting, plumbing or other work, when not noxious or noisy, may be exempt from this rule, but under no circumstances shall any work be done after 11:00 p.m. of any day.

SECTION 5

- (a) Pets are not permitted on the beach from May 15th through September 15th during normal beach hours.
- (b) Pets are not permitted to run loose anywhere in Ocean Beach Shores and are to be leashed at all times.
- (c) Where possible pets are to be walked and curbed on the member's property. When a member walks his pet on Club property the pet must be leashed and the member must carry and use an appropriate "pooper scooper". Toms River Township Ordinance 4 #3.76 requires all dogs to be on a leash except when dog is on an owner's property. (\$500.00 Fine)
- (d) Associate members are not permitted pets, unless given special permission from the homeowner.
- (e) Limitation on number of household pets by members is subject to Toms River Ordinance.

SECTION 6

Unauthorized ball playing on beaches is prohibited during guarded beach hours.

SECTION 7

No motorized boats or motorized personal water vehicles shall be launched from, parked at, or moored to Ocean Beach Shores Club beaches.

SECTION 8

The use of For Sale signs shall be permitted to be displayed in the window or door of the member home. Freestanding signs on member properties are prohibited. Signs deemed as inappropriate, profane, in bad taste, or otherwise objectionable by the OBSC Board of Trustees shall be required to be removed and subject to fines if not removed.

SECTION 9

Nothing in the By-Laws, rules, and regulations is intended to violate local, New Jersey or Federal laws and anything therein contained contrary shall be disregarded.

SECTION 10

Approved and recognized standard manuals on practice and procedure shall be the authority on all questions of parliamentary law and proceedings. Anything not covered by these By-Laws shall be governed by Robert's Rules of Order.

ARTICLE 12 – ORDER OF BUSINESS

The order of business at all meetings of the Club and the Board of Trustees shall be as follows:

- (a) Roll (of the Trustees)
- (b) Approval of minutes
- (c) Communications
- (d) Financial report
- (e) Committee reports
- (f) Miscellaneous reports
- (g) Unfinished business
- (h) New business
- (i) General welfare

ARTICLE 13 - AMENDMENTS TO BY-LAWS

These By-Laws shall be amended by two-thirds majority of all votes cast through means of electronic and mail in vote. Discussion of proposed amendments shall be made during a special meeting session, with notification to be sent to each member a minimum of twenty eight (28) days prior to meeting by regular mail or email where we have an email address for the member. Ballots shall be sent to validation email addresses or via regular mail after said session has occurred. The By-Laws shall be reviewed at least once every ten years, or as deemed necessary.

ARTICLE 14 - OBSC Common Property

Be it now know that all references to leased properties, uses of leased properties, and prohibitions on leased properties have been superseded by the transfer of specific properties per Deed dated September 7, 2016 and filed with

the County of Ocean, Book 16529 page 79 on October 4, 2016. This deed names Ocean Beach Shores Club as the sole and absolute owner of the all common properties, namely the Bay Beach, Ocean Beach, Walkways, and Marina, replacing the Developer leaseholders Ocean Beach and Bay Beach Corporation. The Ocean Beach Roadway was conveyed absolutely to Ocean Beach Shores Club by deed dated July 16, 1973, recorded in Ocean County Book 3327, Page 435 on August 13, 1973.

As part of this transference, and by agreement, the Bay and Beach Parking lots have been returned to the Developer and are now included as member lots subject to the OBSC By-Laws, Rules & Regulations, restrictions and privileges of all building lots in Ocean Beach Shores Club.

ARTICLE 15 - ATTACHMENTS

OCEAN BEACH SHORE RESTRICTIONS..... This is a copy of each landowner's Deed Restrictions and is attached to these By-Laws for convenient reference.

FINAL JUDGMENT AND ORDER, Docket No.: OCN-C-263-08, Dated April 28, 2010, with revision dated and filed August 16, 2013. This order shall be considered to be part of these By-Laws and Deed restrictions.

CERTIFICATE OF INCORPORATION OF OCEAN BEACH SHORES CLUB dated October 1, 1966.

CERTIFICATE OF INCORPORATION
OF
OCEAN BEACH SHORES CLUB

- - -

THIS IS TO CERTIFY that we, the undersigned, do hereby associate ourselves into a corporation under and by virtue of the provisions of an act of the Legislature of the State of New Jersey entitled Title 15, Section 1, etc., of the Revised Statutes of 1937, and the several acts supplemental thereto and ammendatory thereof.

FIRST: The name of this corporation is "OCEAN BEACH SHORES CLUB".

SECOND: The purposes for which this corporation is formed are:

- (a) To promote and protect the general welfare and property rights of the property owner members in their use and enjoyment of their property at Ocean Beach Shores in the Township of Dover, Ocean County, New Jersey.
- (b) The improvement of all natural facilities of the beach front and bay front at Ocean Beach Shores.
- (c) To develop and protect the natural resources of the community for the benefit of the members.
- (d) To maintain and operate for the benefit of the members, beach front bathing facilities and boating facilities on the bay front and to protect and safeguard the rights of members in the use and enjoyment of such facilities against encroachment or trespass by non-members.
- (e) To purchase, build or erect club house or other building or buildings for the use and enjoyment of all members of the association subject to the by-laws of the association and for the benefit of the members to purchase, lease, hold, sell, mortgage, convey or otherwise acquire, dispose of or encumber real and personal property of every description.
- (f) And, in general, to do all things and perform all functions for which authority is given by the Legislature of the State of New Jersey under and by the act of the Legislature hereinabove referred to and set forth.

THIRD: The location of the corporation and the place where the activities of the corporation will take place is Ocean Beach Shores, Dover Township, Ocean County, New Jersey.

FOURTH: The number of trustees of this corporation is five (5).

FIFTH: The names and addresses of the trustees selected for the first year of the existence of this corporation are:

<u>NAME</u>	<u>ADDRESS</u>
W. Walker Jones	11 Linwood Terrace, Clifton, N.J.
George J. Fox	460 Orchard Street, Rahway, N.J.
Doris L. Jones	11 Linwood Terrace, Clifton, N.J.
Joseph J. Brennan	211 Ludlow Avenue, Spring Lake, N.J.
Louis Gjertsen	452 Orchard Street, Rahway, N.J.

SIXTH: The name and post office address of the resident agent of this corporation upon whom process against this corporation may be served is:

F. William Sutton, 2828 Hooper Avenue, Brick Town, N. J.

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed our seals this First day of October, 1966

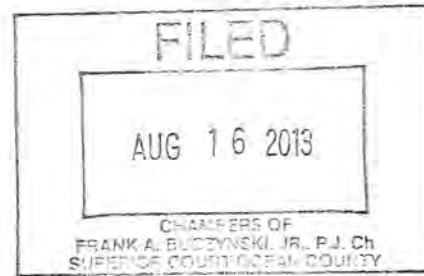
Signed, Sealed and delivered in the presence of:	s/ <u>W. Walker Jones</u> (L.S.) W. WALKER JONES
	s/ <u>George J. Fox</u> (L.S.) George J. Fox
	s/ <u>Doris L. Jones</u> (L.S.) Doris L. Jones
	s/ <u>Joseph J. Brennan</u> (L.S.) Joseph J. Brennan
	s/ <u>Louis Gjertsen</u> (L.S.) Louis Gjertsen

STATE OF NEW JERSEY)
COUNTY OF OCEAN) ss.:

BE IT REMEMBERED, that on this First day of October, A.D. Nineteen Hundred and Sixty-six, before me, the subscriber, A Notary Public of the State of New Jersey, personally appeared W. WALKER JONES, GEORGE J. FOX, DORIS L. JONES, JOSEPH J. BRENNAN and LOUIS GJERTSEN, who I am satisfied are the persons named in and who executed the foregoing Certificate of Incorporation, and I having first made known to each of them the contents thereof, they and each of them did acknowledge that they signed, sealed and delivered the same as their voluntary act and deed, for the uses and purposes therein expressed.

s/ Elaine Miller (seal)
NOTARY PUBLIC OF NEW JERSEY
My Commission expires Sept. 18, 1967

WHITE FLEISCHNER & FINO, LLP
Holmdel Corporate Plaza
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Attorneys for Defendant:
Ocean Beach Shores Club
Our File No.: 428-13824



John J. Piret and Irene E. Piret,

Plaintiffs,

vs

Ocean Beach Shores Club, et al.

Defendants.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: OCEAN COUNTY

DOCKET NO.: OCN-C-263-08

Civil Action

AMENDED FINAL JUDGMENT AND ORDER

This ORDER is meant to supplement and modify the Court's prior Order of April 28, 2010, which was recorded in the Ocean County Clerk's Office in OR Book 14608 at page 1486 on June 3, 2010, based upon specific regulatory bodies' respective directives made following Super Storm Sandy of October 29, 2012.

THIS MATTER having been brought before the Court on Motion by the Ocean Beach Shores Club, through their counsel White Fleischer & Fino, LLP and for good cause being shown, the following findings have been made:

- I. The community of Ocean Beach Shores Club ("OBS") was created by the filing of the following maps with the Ocean County Clerk's office:
 - Map No. I-519, filed June 6, 1966;
 - Map No. A-520, filed June 6, 1966; and
 - Map No. E-94, filed March 9, 1967.

2. All lots created by filed maps I-519, A-520 and E-94 are subject to deed restrictions which are universal, reciprocal, uniform and have created the existing neighborhood scheme.
3. In particular, the deed restriction in relevant part states that "[n]o more than one residence or more than a one-story family dwelling shall be allowed on any lot without special written approval of the Developers."
4. Consistent with the neighborhood scheme, all units have been constructed with roofs that are pitched.
5. All unit owners at OBS trace their title back to common grantors who filed maps I-519, A-520 and E-94 and drafted the above-referenced deed restriction.
6. All owners of real property in OBS are members of the Ocean Beach Shore Club, Inc. ("Club").
7. The deed restrictions are also contained in the Club By-laws.
8. All members of the Club are bound by the By-laws.

Whereas the above findings have been made by the Court and the Court having ascertained that the following determinations are warranted and appropriate,

IT IS on this 16th day of August, 2013,

ORDERED that no building shall exceed 17'6" as measured from the finished first floor to the highest part of the building except for any chimney as required by code and; it is further

ORDERED that no building in the FEMA designated A zones shall exceed the greater of BFE plus forty-eight (48) inches as measured to the finished first floor in accordance with the designated FEMA flood zone directive, subject to any and all local, state or federal regulations,

or thirty-two (32) inches in height as measured from the average curb height to the bottom of the lowest horizontal structural member; and it is further

ORDERED that no building in the FEMA designated V zones, excluding Ocean front homes, shall exceed the greater of BFE plus forty-eight (48) inches as measured to the bottom of the lowest horizontal structural member in accordance with the designated FEMA flood zone directive, subject to any and all local, state or federal regulations, or thirty-two (32) inches in height as measured from the average curb height to the bottom of the lowest horizontal structural member; and it is further

ORDERED that no Ocean front building shall exceed the greater of BFE plus seventy-two (72) inches as measured to the bottom of the lowest horizontal structural member in accordance with the designated FEMA flood zone directive, subject to any and all local, state or federal regulations, or thirty-two (32) inches in height as measured from the average curb height to the bottom of the lowest horizontal structural member (this is an exception to the requirements in a V zone); and it is further

ORDERED that no building located outside of a FEMA flood hazard designation area shall exceed thirty-two (32) inches in height as measured from the average curb height to the bottom of the lowest horizontal structural member, subject to any and all local, state or federal regulations; and it is further

ORDERED that habitable living space above the first floor is not prohibited by the deed restrictions and existing neighborhood scheme; and it is further

ORDERED that any and all use of habitable living space above the first floor remains subject to approval by the Board and the Developer and must be consistent with all applicable codes and regulations; and it is further

ORDERED that the above-referenced deed restriction is valid, enforceable and is essential to the maintenance of the existing neighborhood scheme at OBS, and it is further

ORDERED that a copy of this Amended Final Judgment and Order shall be recorded in the land records of the Ocean County Clerk; and it is further

ORDERED that the Club By-laws are hereby supplemented to include a copy of this Amended Final Judgment and Order.

Frank A. Buczynski, Jr., P.J.Ch.

ATTACHED TO AND FORMING A PART OF A CERTAIN

OCEAN BEACH SHORES RESTRICTIONS

BEACH CLUB

Only property owners or long term lot lessees in this development are eligible to apply for membership in a property owners' association known or to be known as "OCEAN BEACH SHORES CLUB" or similar name and such members shall faithfully abide by its rules.

Being a private club, the Ocean Beach Shores Club shall make such rules as it deems necessary pertaining to membership eligibility and/or any other rules or regulations it chooses.

The OCEAN BEACH SHORES CLUB shall lease on long term the private bathing beaches, parking areas and boat basin designated on plan of Ocean Beach Shores from the owners of such private facilities.

The use of the private bathing beaches, parking areas and boat basin, designated on plan of Ocean Beach Shores and leased on long term by the Ocean Beach Shores Club, are for the exclusive use of members in good standing of the said Ocean Beach Shores Club and/or Club approved guests of such members.

The OCEAN BEACH SHORES CLUB shall each year, starting with 1966, collect from its bona fide members (lot owners or lot lessees) the sum of Thirty (\$30.) Dollars per lot owned or leased by each member. An increase (cumulative) of 15% every 5 years thereafter shall be made: Example; 1971 through 1975 \$35.00 yearly total, 1976 through 1980 \$40.00 yearly total, 1981 through 1985 \$46.00 yearly total, 1986 through 1990 \$53.00 yearly total, and so on. (amounts rounded out to even dollars).

The 15% increase each 5 year period shall be considered a minimum rental for use of the Bay and Ocean Bathing beaches, parking areas and boat basin. Should the Consumer Price Index, as determined and published by the U. S. Department of Labor, show a Cost of Living percentage increase higher than the minimum 15% increase herein required, then, in that event, the beach lease rental fees shall be increased accordingly.

The Ocean Beach Shores Club in their Lease shall, as yearly consideration for use of the private facilities herein mentioned, pay to the owners thereof, each year, a sum equal to the total amount of lots originally sold or leased by the Developers times the prevailing yearly lease rate per lot as above stipulated.

BUILDING RESTRICTIONS (Lots other than Ocean Front)

All lots (other than Ocean Front) shall have building placed no closer than: (a) 20 feet to any road; (b) 20 feet to rear lot line (the extreme southerly or northerly boundary of the development), except Lagoon lots which shall have a 20 foot minimum clearance between building and waterfront bulkhead as well as 20 foot clearance to any road; (c) no building shall be closer than 4 foot to one side line and 8 foot to the other side line. All buildings shall be so located as to provide a minimum of 12 feet between buildings on adjoining lots.

BUILDING RESTRICTIONS (Ocean Front Section; lots East of Ocean Road)

No building, alteration, addition, or structure of any kind shall be erected closer than twenty-five (25) feet to the front or easterly side of an ocean front lot; nor closer than eight (8) feet to side lines, or closer than twenty (20) feet to road line.

GENERAL BUILDING RESTRICTIONS - All Lots

All toilets and plumbing shall be modern and sanitary and shall be connected to Dover Township Sewer System. All electric wiring shall be approved first by the inspectors of the Fire Underwriters. No building, alteration, fence or addition shall be made without the written approval of the Developers, their successors or assigns. Bulkheads and docks at Lagoon Lots are included in this requirement.

On any and all waterfront or lagoon lots, whether or not riparian rights are granted, it shall not be permitted to fill with earth or other material (including piling) North of the bulkhead line shown on the filed plan of Ocean Beach Shores. All boats shall be moored parallel with bulkhead and not at right angles thereto.

The use of property when this restriction is attached to deed or lease shall be exclusively for residential purposes. No business, factory, farm, fishery, or establishment whatsoever other than private residence shall be permitted. Temporary residences, such as tents, trailers, and/or movable forms of shelter shall not be permitted under any circumstances whatsoever. No more than one residence nor more than one-story one family dwelling shall be allowed on any lot without special written approval of Developers.

It is the intention of the Developers, their successors or assigns, to make it mandatory that each property owner does not permit his buildings or grounds around same to become shabby, unpainted, or in a state of disrepair that would injure the general neat, well painted appearance of the community.

(See over)

ANIMALS

The use of any part of the premises for harboring animals such as horses, cows, pigs, goats, sheep, pigeons, ducks, chickens, geese, etc. shall be prohibited. One dog and/or cat shall be permitted each cottage owner.

STORAGE

The portion of land upon which no buildings are erected shall be kept clean, free of trash, junk, lumber, building materials, food stuffs, garbage and/or any other articles detrimental to the general neat appearance of the community. The use of the above mentioned vacant land is intended for automobile parking and/or terrace and/or garden.

Clothes lines, laundry poles, trash and garbage cans shall in all cases be placed where they are not too visible from the road.

Examples:

Ocean Front and Lagoon Lots shall have garbage cans, trash cans, clothes lines and outside showers, along one side of building, screened from road side view with an appropriate and ornamental fence designed and approved by the developers.

The rear yards of all other lots shall be used for clothes lines, trash and garbage cans.

An exception; on collection days - garbage and trash cans may be at curb.

No clothes lines or poles shall be placed closer to the ocean side of Ocean Front houses than twenty (20) feet.

No clothes lines or poles shall be placed closer to the Lagoon side of houses on the lagoon than twenty (20) feet.

No change in location of outside shower or of clothes lines, etc., as above mentioned, shall be made without written approval of developers.

PARKING

The roadways, Ocean Road and Ocean Bay Boulevard, shall be used as Private Roads.

All parking of automobiles, other than temporary parking by trucks and other vehicles while making deliveries and/or repairs, shall be prohibited in these roadways.

Parking of private automobiles shall be made on all lots in the area adjacent to the roadway and not along side of buildings and not in the road.

Limited parking under the control of the Ocean Beach Shores Club at the Bay Bathing Beach and at the Northbound State Highway locations, designated by the Developers, shall however, be permitted.

UTILITIES

Utilities Companies shall not be prevented from using the extreme front or back line of any property in this community for the purpose of installing facilities necessary to furnish gas, water, electric light or telephone service in said community. Telephone and/or electric lights and power wiring shall be permitted to cross over property where necessary.

SIGNS

The use of any type or kind of sign whatsoever on any part of the property is not permitted without the written permission of Developers, their successors or assigns.

EXPIRATION

These covenants are to run with the land and shall be binding on all parties and persons claiming under them until January 1, 2066, at which time said covenants shall automatically extend for an additional period of fifty (50) years, unless by vote of the majority of the members of the Ocean Beach Shores Club it is agreed to change said covenants in whole or in part.

The following designated locations shall, for purposes of this restriction, not be subject to exclusive residential use and, therefore, are to be considered ineligible for membership and thereby exempt from payment for Beach Lease and other membership requirements and shall not be entitled to any club benefits, unless and until any such lot or lots, upon special written approval of the Developers, or their successors, shall become in whole or part residential:

Northbound State Highway Lots #1, Block #12 (Parking Lot), #26, Block #11, #1, Block #31 and #20, Block #30.

Land area reserved for use as Small Boat Basin.

Ocean Bay Boulevard Parking Lot at Bay Bathing Beach as well as the private Bay Bathing Beach.

Lot #6, Block #10 (Ocean Bathing Beach).