

**SIXTH AMENDMENT TO  
THE MASTER DEED AND DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR THE  
BLUE HERON PINES HOMEOWNERS ASSOCIATION, INC.**

**THIS SIXTH AMENDMENT** is made this 17<sup>th</sup> day of January, 2018 by the Blue Heron Pines Homeowners Association, Inc.

**WHEREAS**, the Blue Heron Pines Homeowners Association, Inc. ("Association") is a non-profit corporation of the State of New Jersey and is governed by a Master Deed and Declaration of Covenants, Conditions and Restrictions dated July 14, 1995 and recorded on August 2, 1995 in Deed Book 5839, Page 1 in the Atlantic County Clerk's Office (the "Declaration"); and

**WHEREAS**, the Declaration was amended by the following amendments all of which were recorded in the Atlantic County Clerk's Office:

- i. First Amendment to the Master Deed and Declaration of Covenants, Conditions and Restrictions dated January 2, 1996, and recorded on February 8, 1996 in Deed Book 5925, Page 129, as Instrument No. 0004291;
- ii. Second Amendment to the Master Deed and Declaration of Covenants, Conditions and Restrictions dated December 30, 1999 and recorded on May 26, 2000 in Deed Book 6697, Page 53, as Instrument No. 91895,
- iii. Corrected Second Amendment to the Master Deed and Declaration of Covenants, Conditions and Restrictions dated December 30, 1999 and recorded on July 27, 2000 in Deed Book 6743, Page 73, as Instrument No. 108029;
- iv. Third Amendment to the Master Deed and Declaration of Covenants, Conditions and Restrictions dated June 30, 2000 and recorded on July 27, 2000 in Deed Book 6743, Page 83, as Instrument No. 108031;
- v. Third [sic] Amendment to the Declaration of Covenants, Conditions and Restrictions dated January 28, 2002 and recorded on January 30, 2002 in Deed Book 7138, Page 1 of 8, as Instrument No. 2010700 (it being acknowledged that there are two separate documents of different dates entitled "Third Amendment");
- vi. Fourth Amendment to the Master Deed and Declaration of Covenants, Conditions and Restrictions dated February 14, 2002 and recorded on February 26, 2002 in Deed Book 7152, Page 1 of 5, as Instrument No. 2017261;
- vii. Fifth Amendment to Declaration of Covenants, Conditions and Restrictions dated

April 9, 2002 and recorded on April 18, 2002 in Deed Book 7190, Page 1 of 2, as Instrument No. 2034240; and

**WHEREAS**, Article XV of the Declaration provides that the Declaration may be amended at any time by a vote of seventy-five percent (75%) of the full membership in good standing present either in person or by proxy at a legally convened meeting of the Members; and

**WHEREAS**, a meeting of the membership was held on January 10, 2018, a quorum being present in person and by proxy, and this Sixth Amendment was raised and approved by a vote of more than seventy-five percent (75%) of the full membership in good standing.

**NOW, THEREFORE**, be it resolved that the Declaration shall be further amended as follows:

Article 15.01 is hereby deleted in its entirety and replaced with the following:

Subject to the provisions of sections 15.02 and 15.03 of this Article, this Declaration may be amended at any time by an affirmative majority vote (more than 50%) of seventy-five percent (75%) (that is, more than 37.5% of full membership in good standing) of the full membership in good standing present either in person or by proxy at a legally convened meeting of the members of the Homeowner's Association in accordance with the By-Laws, and previous to which written notice to all homeowners of the exact language of the amendment shall have been sent. Amendments shall not be effective until an instrument reciting the amendment verbatim and certifying its approval in accordance with the procedures established herein has been recorded in the Office of the Clerk of Atlantic County. The amendment must be signed and acknowledged by the President and the Secretary of the Homeowner's Association. No amendment may be effected which would permit (a) the Homeowner's Association or any Unit or Lot Owner to be exempted from the payment of any Assessment, or (b) any action which contravenes the provisions of the By-laws, or (c) conveyance of any portion of the Homeowner's Common Property to any third person, firm, or corporation without the express consent, by ordinance or otherwise, of the governing body of the Township of Galloway (or such municipal corporation as may then have zoning and subdivision control jurisdiction over the Homeowner's Common Property).

The undersigned hereby certify that the within Sixth Amendment to the Declaration was approved in accordance with the procedures established in the Declaration and shall be effective immediately upon its recording in the Atlantic County Clerk's Office.

**ATTEST:**

**BLUE HERON PINES HOMEOWNERS  
ASSOCIATION, INC.**

By: Nancy Fiedler  
Nancy Fiedler, Secretary


By: Donna Hale Scheuermann  
Donna Hale-Scheuermann, President

STATE OF NEW JERSEY :  
: ss.  
COUNTY OF ATLANTIC :

I CERTIFY that on 1/17/18, 2018

Nancy Fiedler personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of the Blue Heron Pines Homeowners Association, Inc. , the corporation named in the attached document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Donna Hale-Scheuermann, the President of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Trustee;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

  
Nancy Fiedler, Secretary  
Attesting Witness

Sworn and subscribed before  
me on January 17, 2018.



Ronald Bloom, a New Jersey Attorney at Law