



Instr # 2034240 MICHAEL J. GARVIN
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Accom CA
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CHARGE & RETURN
 Congress Title Corp.
 P.O. Box 5479
 Barclay Pavilion East
 Cherry Hill, NJ 08034

Fifth Amendment
 to
Declaration of Covenants, Conditions and Restrictions
 For
Blue Heron Pines Homeowner's Association, Inc.

This Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for the Blue Heron Pines Homeowner's Association, dated this 9 of April, 2002 ("5th Amendment").

Whereas, on August 2, 1995, the Ole Hansen & Sons, Inc. (the "Developer") caused to be recorded the Declaration of Covenants, Conditions and Restrictions for Blue Heron Pines Homeowner's Association, Inc., dated July 14, 1995, in Deed Book (5839) Page (009) (the "Declaration") in the Atlantic County Clerk's Office; and

Whereas, on February 8, 1996, the Developer caused to be recorded the 1st Amendment to the Declaration, dated January 2, 1996, in Deed Book 5925, Page 129 (the "1st Amendment"); and

Whereas, on May 26, 2000, the Developer caused to be recorded the 2nd Amendment to the Declaration, dated December 30, 1999, in Deed Book 6697, Page 053 (the "2nd Amendment"); and

Whereas, in July 2000, the Developer caused to be recorded the Third Amendment to the Declaration, dated June 30, 2000, in Deed Book 6743, Page 73, the purpose of which was to remove specific property from the encumbrance of the Declaration ("3rd Amendment—Remove Land"); and

Whereas, on January 30, 2002, the Developer caused to be recorded a document also entitled the Third Amendment to the Declaration, dated January 28, 2002, as Instrument #2010700, in Book 7138, Page 1, the purpose of which was to add certain lands in Phase 2C to the encumbrance of the Declaration and amend the provisions dealing with capital contributions ("3rd Amendment—Add 2C Land"); and

Whereas, on February 26, 2002, the Developer caused to be recorded a document entitled Fourth Amendment to the Declaration, dated February 14, 2002, as Instrument #2017261, in Book 7152, Page 1, the purpose of which is to remove specific land from the encumbrance of the Declaration ("4th Amendment—Remove Land"); and

Whereas the Developer desires to clarify the designations for the amendments after the 2nd Amendment and for future amendments, so that the numbering sequence is clear.

Now, therefore, in accordance with the Declaration and the Bylaws of the Association, the Declaration is amended as follows:

1. Because it would add to the confusion by renaming or renumbering the previously recorded amendments, the defined names given above for the 3rd Amendment—Remove Land, 3rd Amendment—Add 2C Land, and 4th Amendment—Remove Land shall be used for future reference to these documents.

IN WITNESS WHEREOF, the Developer has caused this instrument to be signed, sealed and delivered by its proper corporate officer and its corporate seal to be affixed this ___th day of April, 2002.

ATTEST:

Ole Hansen & Sons, Inc.


Thomas D. Parente, Secretary


David M. Goddard, Executive Vice-President

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

I CERTIFY that on April 9, 2002, Thomas D. Parente personally came before me and this person acknowledged under oath, to my satisfaction, that:

- a) this person is the secretary of Ole Hansen & Sons, Inc., the corporation named in this Instrument;
- b) this person is the attesting witness to the signing of this Instrument by the proper corporate officer who is David M. Goddard, Executive Vice-President of the corporation.
- c) this Instrument was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Trustees;
- d) this person knows the proper seal of the corporation which was affixed to this Instrument; and
- e) this person signed this proof to attest to the truth of these facts.



Signed and sworn to before
me on April 9, 2002

SUSAN M. FICKEN
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Oct. 3, 2004

