

EXHIBIT 4

**OF
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE
BLUE HERON PINES HOMEOWNER'S ASSOCIATION, INC.**

Certificate of Incorporation
of
Blue Heron Pines Homeowner's Association, Inc.

DB5839P078

CERTIFICATE OF INCORPORATION

FILED

OF

JUL 5 1995

BLUE HERON PINES HOMEOWNER'S ASSOCIATION, INC. LONNA B. HOOKS
Secretary of State

In compliance with the requirements of Title 15A, of the New Jersey Statutes Annotated, the undersigned, being of full age, has this day voluntarily executed this Certificate of Incorporation for the purpose of forming a nonprofit corporation, and does hereby certify:

ARTICLE I

NAME

The name of the corporation is "BLUE HERON PINES HOMEOWNER'S ASSOCIATION, INC.," a New Jersey nonprofit corporation, hereinafter called the "Homeowner's Association."

ARTICLE II

REGISTERED AGENT

Nelson C. Johnson, Esquire whose address is Ranere Estates, 219 N. White Horse Pike, PO Box 1233, Hammonton, New Jersey 08037-5233 is hereby appointed the initial registered agent of the Homeowner's Association.

ARTICLE III

SITE OF ACTIVITIES

The place where the activities of the Homeowner's Association are to be conducted is Blue Heron Pines, a planned community in the Township of Galloway, Atlantic County, New Jersey.

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ARTICLE IV

PURPOSE AND POWERS OF THE HOMEOWNER'S ASSOCIATION

The Homeowner's Association does not contemplate pecuniary gain or profit to the Members thereof and the purposes for which it is formed are to promote the health, safety and welfare of and to provide for the efficient maintenance, preservation and control of common property and common elements for the Owners of Units in, and residents of, the real property located and situated in the Township of Galloway, in the County of Atlantic, in the State of New Jersey, known as Blue Heron Pines and described in the Declaration of Covenants, Conditions and Restrictions for the Blue Heron Pines Homeowner's Association, Inc. (hereinafter called "Declaration") recorded or to be recorded in the office of the Clerk of Atlantic County, New Jersey (which real property is hereinafter referred to as the "Subject Property") and, for this purpose:

- (a) To exercise all of the powers and privileges and to perform all of the duties of the Homeowner's Association as set forth in the Declaration and By-laws for the Homeowner's Association, said Declaration and By-laws being incorporated herein as if set forth at length;
- (b) To acquire, own, build, improve, operate, insure, sell, lease, transfer, dedicate for public use, dispose of, repair, restore and maintain land, buildings, systems, structures, fixtures, recreational facilities, equipment, personal property, and the Homeowner's Common Property as set forth in the Declaration;
- (c) To provide maintenance and repair service within the Subject Property as provided in the Declaration and By-laws;
- (d) To fix, levy, collect and enforce payment by any lawful means, of all assessments or charges to be levied against Units and Owners, pursuant to the terms of the Declaration and By-laws of the Homeowner's Association;
- (e) To enforce any and all covenants, conditions, restrictions and agreements applicable to the Subject Property, pursuant to the terms of the Declaration and By-laws;
- (f) To pay all expenses in connection with and incident to the conduct of business of the Homeowner's Association, including taxes or other governmental charges on the Homeowner's Common Property;
- (g) To borrow money, to mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred; and

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- (h) To do any other thing permitted by law or the Declaration which will promote the common benefit, health, safety, general welfare and enjoyment of the residents of the Subject Property or will tend to preserve or enhance the value of the Subject Property.

The foregoing clauses shall be construed both as purposes and powers, and the enumeration of specific powers shall not be held to limit or restrict in any manner the powers, rights and privileges of the corporation granted by said Title 15A of the Revised Statutes of New Jersey, as presently existing and by any amendment, supplement or revision thereof.

ARTICLE V

MEMBERSHIP AND VOTING RIGHTS

SECTION 1. Membership. Every Person who is a record owner of any Unit which is subject to the Declaration shall automatically be a Member of the Homeowner's Association. Upon termination of such interest of a Member, his, her or its Membership in the Homeowner's Association shall automatically terminate and shall be transferred and shall inure to the succeeding record owner of the Unit. Membership shall be appurtenant to and shall run with the property interest and ownership which qualifies the holder thereof for Membership. No person shall be a Member by reason of ownership of lands used for governmental or quasi-governmental purposes, or by reason of ownership of any public land, road, easement, right of way, mineral interest, mortgage or deed of trust; Persons who hold an interest in a lot or Unit merely as security for the performance of an obligation shall not be Members. Tenants of Unit Owners shall be Associate Members of the Homeowner's Association and shall be required to register their names with the Secretary of the Homeowner's Association. Except as provided herein, Membership may not be severed from, or in any way transferred, pledged, mortgaged, or alienated except together with the title to the property interest and ownership which qualifies the holder thereof to Membership, and then only to the transferee of such title and ownership.

SECTION 2. Voting Rights. Each Member in good standing of the Homeowner's Association, except for Associate Members, shall have a vote in the affairs of the Homeowner's Association. Voting rights shall be as set forth in the By-laws of the Homeowner's Association. Other rights and obligations of Members shall be as set forth in the Declaration and By-laws of the Homeowner's Association.

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ARTICLE VI

BOARD OF DIRECTORS

The affairs of the Homeowner's Association shall be managed by a Board of Directors. The initial Board of Directors shall be composed of three (3) persons who need not be Members of the Homeowner's Association. The number of Directors shall be changed pursuant to the By-laws of the Homeowner's Association. The names and addresses of the persons who are to act in the capacity of Directors until the selection of their successors are:

<u>Name</u>	<u>Address</u>
Roger B. Hansen	1300 Argo Lane, Northfield, NJ 08225
Thomas J. Kuhar	RD6, Box 287, Garden Road, Elmer, NJ 08318
David M. Goddard	12 Clipper Court, Smithville, NJ 08201

The method of electing Directors shall be as set forth in the By-laws of the Homeowner's Association.

ARTICLE VII

DISTRIBUTION OF ASSETS

Upon dissolution, after payment of all debts, the remaining assets of the Homeowner's Association shall be distributed to the Members on the same basis as the Annual Assessment of Members for Common Expenses is allocated.

ARTICLE VIII

DURATION

The Homeowner's Association shall exist perpetually.

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ARTICLE IX

AMENDMENTS

Amendment of this Certificate shall require the assent of seventy-five percent (75%) of the votes of the Members.

ARTICLE X

INCORPORATOR

The name and address of the incorporator is: Nelson C. Johnson, Esquire, Ranere Estates, 219 N. White Horse Pike, PO Box 1233, Hammonton, New Jersey 08037-5233.

IN WITNESS WHEREOF, for the purpose of forming this nonprofit corporation under the laws of the State of New Jersey, the undersigned, the incorporator of the Homeowner's Association, has executed this Certificate of Incorporation this 30th day of June, 1985

WITNESS:

Beatrice M. Alberts

Nelson C. Johnson
NELSON C. JOHNSON, ESQUIRE

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STATE OF NEW JERSEY)

)ss:

COUNTY OF ATLANTIC)

BE IT REMEMBERED, that on this 30 day of June, 1995 before me, the
subscriber, a Notary Public of the State of New Jersey, personally appeared
Nelson C. Johnson, who I am satisfied is the person named in and who
executed the within Instrument, and thereupon he acknowledged that he signed, sealed and
delivered the same as his act and deed, for the uses and purposes therein expressed.

Sworn and subscribed before
me this 30th day of June, 1995

Beatrice M. Albertson
A Notary Public of the
State of New Jersey

BEATRICE MICHELLE ALBERTSON
A Notary Public of New Jersey
My Commission Expires August 16, 1998

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