
**CLEARVIEW LAKE PROPERTY OWNERS
ASSOCIATION, INC.**

BYLAWS, RULES AND REGULATIONS

Originally recorded:
Sussex County Clerk
Book 2568 Page 171
Re-recorded:

Record and return to:

Clearview Lake Property Owners' Association
P.O. Box 375
Augusta, NJ 07822

ARTICLE 1. NAME

The name of this organization is the Clearview Lake Property Owners Association, Inc. hereinafter referred to as the "CLPOA".

ARTICLE 2. BUSINESS ADDRESS

The CLPOA maintains a business address at Post Office Box 375, Augusta, New Jersey, 07822.

ARTICLE 3. IDENTITY

- A. The CLPOA functions as a non-profit corporation in the State of New Jersey. Its certificate of incorporation was filed with the Secretary of State on August 18, 1989
- B. Upon dissolution of this corporation, and after all debts are satisfied, all assets shall be sold, and monies generated shall be distributed, in equal parts, to various charities.

ARTICLE 4. PURPOSES

The CLPOA shall:

- A. Promote the general welfare and common good of property owners within the Clearview Lake community.
- B. Provide policy, direction and control of community affairs within the community.
- C. Purchase, hold, maintain, develop, improve and deal in common-use real estate and real property, or any interest therein which the CLPOA deems necessary for furthering its purposes, including, but not limited to the sale of any such real estate and real property.
- D. If acquired, and to the extent that funds permit, maintain and care for all common facilities within the lake community, including, but not limited to roads, dam, beaches, spillway, and the lake proper.
- E. Provide for the sports of boating, swimming, fishing and other recreational activities, as circumstances permit which the CLPOA deems appropriate.
- F. Provide public access to the roads and lake.
- G. Represent the residents of CLPOA in community and municipal affairs.
- H. Exercise all prudent measures reasonably related to the health, comfort, enjoyment, safety and security of CLPOA members and their properties.
- I. All activities undertaken by CLPOA on behalf of its members shall be dependent on availability of adequate funds.

ARTICLE 5. AUTHORIZATION TO ACT

- A. The CLPOA is authorized to act on behalf of its members in all matters affecting the lake community and/or its environs. The CLPOA is the responsible agent for the transaction of all business necessary or desirable for the best interests of its membership.
- B. In order to fulfill its purposes and carry out its fiscal responsibilities, the CLPOA is authorized to levy dues, assessments and/or special fees. Such dues, assessments and /or fees constitute liens upon all real property individually or collectively owned within the lake community. Non-payment thereof is subject to collection measures. Authorization is conveyed by Article 13 of the Clearview Lake Deed Restrictions, Book 612, recorded in the Hall of Records, Newton, New Jersey, on July 24, 1957 as affirmed by the Supreme Court of New Jersey in 2006 in Highland Lakes Country Club & Community Association vs Robert Franzino (186 N.J. 99). The restrictions contained in said book are illustrative of the deed restrictions attached to each member’s deed at the time of purchase. The restrictions run with each member’s land and the common areas of CLPOA.
- C. The CLPOA shall establish policies and procedures regarding membership, payment of all monies due and owing, and the use of common facilities within the community.
- D. The CLPOA is authorized to engage in other practical activities necessary and/or desirable for carrying out its purposes. Such activities include, but are not limited to, payment of any debts lawfully incurred, enforcing the Rules and Regulations as set forth in this document, and any other worthwhile, lawful measure intended to promote the common good of its members.

ARTICLE 6. DUES AND ASSESMENTS

- A. All persons, associations, corporations, or other legal entities owning real property within the boundaries of the Clearview Lake community shall be assessed annually for association dues which shall be determined from time to time by the Board of Directors in accordance with the By-laws.
- B. The amount of the assessment shall be established by the Board of Directors in the annual budget and submitted to the membership for review at its May meeting, and approval at its September meeting. An affirmative vote by the majority of the members-in-good-standing who are present at the September meeting shall be required for budget approval. Absentee ballots shall be allowed. Increases so voted shall take effect on October 1, the start of the next fiscal year.
- C. The Board of Directors may levy additional assessments for special projects/needs within the lake community. An affirmative vote by the majority of the members-in-good-

standing who are present at a meeting shall be required to approve any special assessments. Absentee ballots shall be allowed.

D. Homeowners, whether year-round or seasonal, shall be assessed the same amount. Persons who rent out their homes are required to pay the full dues assessment.

E. Lotowners shall be assessed as follows:

1. Lots which are contiguous to the lot on which their home(s) is/are built shall receive no additional assessment.

2. Lots which are separate from their house(s) shall be assessed individually. Multiple lots, if contiguous, shall be assessed as one lot.

3. Once construction begins on a lot, dues shall be assessed at the homeowner rate.

F. Property owners whose properties front on township roads shall be required to pay full yearly dues assessment. Property owners whose properties front on county roads, and wish to use the lake facilities, shall be required to pay one-half yearly dues assessment.

G. All dues, assessments, fees or charges shall be due and payable by the last day of the fiscal year, September 30.

1. A late fee as proposed by the Board of Directors and approved by the membership shall be assessed for any and all delinquent dues and assessments.

2. Failure to pay dues by the due date shall subject the property owner to collection procedures and all costs involved, including, but not limited to reasonable attorney's fees plus all disbursements, including but not limited to filing fees, court costs, pre-judgment and post-judgment interest, which shall be assessed to the property owner and included in any collection action against the delinquent property owner.

3. Unpaid dues, assessments, fees or charges shall constitute a lien against the property in question. Upon delinquency, a Notice of Lis Pendens shall be filed with the Sussex County Clerk as evidence of the lien. The costs for the filing of the Notice of Lis Pendens shall be assessed to the property owner and be included in any amount due. Upon payment of the past due balance, a Discharge of Lis Pendens shall be forwarded to the property owner and the responsibility of filing and the costs involved shall be borne by the property owner.

H. CLPOA members shall be required to furnish to the Corresponding Secretary a current address to which all notices and documents concerning CLPOA business may be

sent. Such notices and documents shall be considered to have been duly sent to or served upon a member when mailed to or otherwise delivered to that address.

I. A list of all current fees and assessments shall be made available and shall be posted on the CLPOA website, www.clearviewlake.org

ARTICLE 7. MEMBERSHIP

A. Membership is mandatory for all property owners within Clearview Lake as all properties are Deed restricted as outlined in Article 5.B. The following deed restrictions and easements are as originally conveyed in the Clearview Lake deeds:

1. The premises (*hereby conveyed*) shall be used for residential purposes only. No building shall be erected, altered, placed or permitted to remain on the premises hereby conveyed other than one detached single-family dwelling, not to exceed two and one-half stories in height, and a private garage for not more than two cars.

2. No dwelling shall be erected or placed on any building site having a total area of less than 7500 square feet. No building shall be located on any site nearer than 20 feet to the front line, or nearer than 10 feet to either side line, unless written consent shall be obtained from the Grantor.

3. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other out- building shall be used on any lot at any time as a residence, either temporarily or permanently.

4. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.

5. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers.

6. No nuisance or anything obnoxious or detrimental to adjoining property shall be maintained on any part of the property herein conveyed.

7. No individual water supply system shall be permitted on any building site unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the State or local health authorities.

8. No individual sewage disposal system shall be permitted on any building site unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the State or local public health authorities
9. No building or structure shall be erected upon the premises hereby conveyed having an area less than 480 square feet and without first obtaining the approval, in writing, of Clear View Lake, Inc., as to location, elevation, plan and design, such approval (or disapproval) to be given within 15 days after plans are submitted.
10. No excavation shall be made on the premises except for the purpose of building thereon and only at the time when building operations are commenced, and no earth or sand shall be removed from said premises except as part of such excavation, without the written consent of Clear View Lake, Inc,
11. No boats, canoes, ice boats, or any other type of water craft shall be operated upon Clear View Lake by mechanical means; nor shall any of the foregoing activities be engaged in for any commercial purpose,
12. No buyer shall clear his property of brush, grass, trees or anything else of an inflammable nature, except after having first obtained the approval of Clear View Lake, Inc, in writing, such approval to specify the time and manner in which such clearing shall be made.
13. An association of property owners is to be formed and designated as Clear View Lake Country Club, Inc., or such other name as may be deemed appropriate, and when formed, the Buyer covenants and agrees that he, his executors or assigns, shall be subject to the payment of annual dues and assessments in compliance with by-laws, rules and regulations to be promulgated.
14. The Buyer agrees not to sell, rent, lease or permit the premises hereby conveyed, excepting to persons first approved for membership in the club aforementioned, nor shall signs for advertising purposes be erected or maintained on the premises.
15. The portion of the lands of the Seller laid down on the map as streets or passageways are not dedicated to public use and title thereto shall remain in the Seller subject to right to convey to the club aforementioned with reservations, subject to the right of the Buyer and those claiming under them to use the same for ingress and egress to and from the public roads, or highways by the most direct course over the streets shown on said Map, and if and when dedicated for

public use shall be made subject to the right of the Seller to maintain or grant the right to maintain water mains, sewer pipes, street drains, gas mains, fixtures for street and building lighting purposes, telegraph, telephone and electric light poles, wires and conduits, within the lines of such roadways, trails and pathways.

16. Seller reserves the right to convey such rights as it has in, on and to the waters of Clear View Lake, public beaches, spillways, dam and appliances, and in the land under the water of Clear View Lake and to the streets and ways shown on said Map, to the Club aforementioned, subject however to the right of Clear View Lake, Inc, to have grantees and lessees of its remaining lands, and lands hereafter acquired by it, approved for membership in said Club, entitling said grantees to rights equal to those of other members of such Club, the associating however, to have no power of disposal of such rights, or to mortgage same without the consent and approval of Clear View Lake, Inc.

17. The restrictions as herein provided shall apply only to the above premises and may be changed by the Seller when desired by it or its successors, said restrictions being imposed for the benefit of the remaining lands of the Seller and lands which may be hereafter acquired.

B. Each household shall have one (1) vote and each lot owner, regardless of the number of lots owned, shall have one (1) vote. Homeowners who also own one or more lots which are not adjacent to their home, or who own a second house within the community, shall have only one (1) vote. Tenants may not vote. Payment of all outstanding and current dues, assessments, interest charges, costs and fees is required for membership-in-good-standing. Only members-in-good-standing shall have voting privileges.

C. New homeowners or lotowners shall be invoiced for dues in the fall of the year in which they take up residence within the community or assume title to their property. To vote on any matter before the association, new property owners shall be required to prepay their dues assessment before the meeting at which they plan to vote.

D. Members of the immediate family of dues-paying members who reside within the same household shall have non-voting CLPOA privileges. Tenants shall have non-voting CLPOA privileges provided that the landlord's (or lessor's) dues are paid to date.

E. Members shall be held accountable for, and where applicable, liable for the conduct of household guests, and/or tenants and their guests.

ARTICLE 8. VOTING

Whenever the vote of the members is required or permitted by any provision of these by-laws, in connection with and action of the Board of Directors, the vote, in order to be valid, must be conducted in accordance with the following:

A. Votes must be cast in person or by absentee ballot at a meeting of the Membership called and held in compliance with Article 15.

B. If a member's association dues, assessments, interest charges, costs and fees are not paid to date, said member may not vote as long as any delinquency continues.

C. Method of Voting:

1. A vote may be cast in person at the meeting at which the subject is being voted upon.

2. A vote may be cast by absentee ballot as hereinafter provided:

a. The Corresponding Secretary shall be responsible for making an official form available to all members for voting by absentee ballot. This form shall set forth the issues to be voted on and a place for the member to indicate his vote. This form shall be available a minimum of two weeks prior to the particular meeting and the membership shall be so advised.

b. The member voting by absentee ballot shall complete the absentee ballot form, sign it, and return it to the address indicated on the form to arrive prior to the meeting for which the notice was sent. In the alternative, the member may personally deliver the absentee ballot to a director prior to or at the time of the meeting.

c. Each absentee ballot so filed, which represents a vote cast in compliance with Article 8, shall represent the vote of that person at that meeting as if the vote were cast in person at that meeting.

d. The absentee ballots provided for in this section shall only be valid for the particular meeting designated thereon, and any adjourned meeting thereof.

D. Determination of Voting Results. A majority of total eligible votes present, in person or by absentee ballot, at that meeting where a quorum has been established shall decide the questions unless the By-laws provide otherwise in which event the percentage of votes required shall control.

ARTICLE 9. BOARD OF DIRECTORS

A. Number. The Board of Directors shall consist of eight (8) members, five (5) of whom shall be officers. Board members shall be members-in-good-standing.

B. Powers and duties of Board of Directors. The Board of Directors shall set forth policy and procedures, manage and oversee all CLPOA business as well as committee activities, oversee collection and disbursement of all monies, provide financial planning, enforce the By-laws, Rules and Regulations, and generally administer any other matters related to CLPOA purposes, as set forth in the By-laws and Articles of Incorporation. The Rules and Regulations shall be an attachment to the By-laws.

1. The said powers of the Board shall specifically include but shall not be limited to:
 - a. Sue or defend litigation on behalf of and in the Board's name.
 - b. Engage and dismiss employees and agents, and define the duties and fix the compensation thereof.
 - c. Prepare an annual budget to be proposed at the May General Meeting
 - d. Determine, levy and collect, pursuant to the budget, the association dues and to use and expend such funds in accordance with the budget.
 - e. To make special assessments in accordance with these By-laws.
 - f. To revoke the privileges, services or rights of any member who fails to pay his Association Dues or special assessments.
 - g. Purchase supplies, materials, equipment and other personal property necessary for the maintenance and upkeep of the common areas.
 - h. To borrow money and issue its notes, bonds or other evidences of indebtedness necessary to secure such loans. Provided, however, that any loan obtained on behalf of the Board shall have the prior approval of the quorum of the membership-in-good-standing and in no event shall the Board pledge as security for any loan in excess of ten percent (10%) of the real assets owned by CLPOA unless same shall receive prior approval of the quorum of the membership-in-good-standing.
 - i. Enter into contracts, agreements, mortgages and other written instruments or documents and authorize the execution, delivery and if appropriate, the recording thereof by the Recording Secretary.
 - j. Make rules and regulations governing and administering the use and enjoyment of the common elements of CLPOA.
 - k. Enforce the provisions of the By-laws.

l. To take such other action(s) and accomplish such things as are necessary to promote, administer, regulate, promulgate and govern the welfare, best interests, social and recreational interest of the members, and the administration and management of CLPOA.

2. Duties. The duties of the Board shall specifically include but not be limited to the following:

a. The maintenance and upkeep of the common areas of the Association

b. Payment of all debts and expenses of CLPOA.

c. The enforcement of the provisions of the Restrictive Covenants, By-laws and Rules and Regulations.

d. The promotion of the welfare and best interests of the membership of CLPOA.

e. The performance of such other duties which may be imposed upon the Board from time to time pursuant to law or the provisions of these By-laws.

C. Chair of the Board. The President shall be designated as the Chair of the Board and shall preside at all Board meetings. The President shall have non-voting status, except in case of a tie.

D. Board Meeting Minutes. Minutes of all Board Meetings shall be made available at all general and/or special meetings.

E. Removal. Any Director may be removed from his position at any time by a majority of the Board of Directors, with just cause whenever in the best judgement of the Board members the interests of CLPOA will best be served.

F. Resignation. Any director may resign at any time by sending written notice of same to the Recording Secretary. Resignation shall take effect upon acceptance by the Board of Directors.

G. Vacancy, Vacancies caused by removal, resignation or death shall be filled by a member-in-good-standing recommended by the President with approval by a majority of the Board of Directors. Such successor shall serve for the balance of the unexpired term of the Director whom he/she replaces.

ARTICLE 10. INDEMNIFICATION

A. All members of the Board of Directors, including officers, shall be indemnified to the fullest extent now or hereafter permitted by law in connection with any actual or threatened action or proceeding, including civil, criminal, administrative or investigative, arising from their service to the CLPOA or to another organization at the request of the CLPOA.

B. The provisions of this section shall be applicable to actions or proceedings commencing after the adoption hereof, whether arising from acts or omissions occurring before or after the adoption hereof, and also to persons who have ceased to be members of the Board of Directors, and shall enure to the benefit of their heirs, executors and administrators. Expenses involved with this indemnification shall be borne by the CLPOA.

C. The provisions of this section are not applicable to any members of the Board of Directors, including officers, whether past or present, who has been finally adjudged in any actual or threatened action, as described in Article 10(A), to be liable for or guilty of gross negligence or willful misconduct.

ARTICLE 11. BOARD OF DIRECTORS MEETINGS

A. All members of the Board of Directors shall meet monthly, except for December, at a time and place to be determined by the Board.

B. The President may call a special meeting of the Board whenever necessary.

C. A majority of Directors shall constitute a quorum for the transaction of business. Action of the quorum shall be considered the act of the Board.

D. Directors shall notify the Recording Secretary if unable to attend any Board or General meeting.

E. Any Director who is absent from three (3) consecutive Board meetings without good cause shall be automatically terminated. The Corresponding Secretary shall notify the member by mail of this action.

ARTICLE 12. OFFICERS

A. Officers shall consist of the President, Vice-President, Recording Secretary, Corresponding Secretary, and Treasure. All Officers must be members-in-good-standing.

B. Duties and Responsibilities:

1. The President shall:

a. Call and preside at all meetings of the Board of Directors as well as the semi-annual general membership meetings.

b. Prepare agendas for such meetings.

- c. Administer and direct all CLPOA affairs according to policies enacted by the Board of Directors.
- d. Appoint all committee chairpersons.
- e. Answer or cause to be answered all correspondence.
- f. With the Vice-President, shall sign all contracts and other formal documents with the prior approval of the Board.
- g. With the Treasurer, shall sign all checks drawn on Association funds with prior approval of the Board.
- h. Recommend persons to fill un-expired terms on the Board of Directors.
- i. Hire counsel and outside auditor, if necessary, as approved by the Board, whose compensation is to be approved by the Board.

2. The Vice-President shall:

- a. Act for and in place of the President in his/her absence.
- b. Shall assume the office of President, should it be vacated, for the balance of the un-expired term.
- c. With the President, sign all contracts and other formal documents with prior approval of the Board and the general membership where appropriate.
- d. Collect from the CLPOA post office box and deposit in the CLPOA checking account all dues and other monies received. The Vice-President and the Treasurer shall each have a key to the post office box and the safety deposit box.
- e. Perform other administrative duties at the request of the President.

3. The Recording Secretary shall:

- a. Record the minutes of all meetings of the Board of Directors and general membership.
- b. Act for, or in place of both the President and Vice-President should both be absent.
- c. Prepare any corporate reports that might be required by the State of New Jersey.

- d. Perform other duties as requested by the President.
4. The Corresponding Secretary shall:
- a. Answer and maintain records of all correspondence involving CLPOA activities.
 - b. Notify CLPOA membership of all general or special meetings, and provide an anticipated agenda. The procedure to submit an absentee ballot shall be explained.
 - c. Perform other duties requested by the President.
5. The Treasurer shall:
- a. Maintain all CLPOA financial records, accounts, and related correspondence in an accurate fashion. Maintain any separate accounts as approved by the Board.
 - b. Submit a financial report at each Board meeting as well as at each general meeting.
 - c. Present a list of bills to be paid to the Board at each monthly meeting for approval before payment. May pay bills of \$100.00 or less without approval, provided such payments are discussed at the Board meeting subsequent to the payment date.
 - d. With the President, sign all checks for disbursement of CLPOA funds.
 - e. Issues dues assessment invoices years, prior to the end of the current fiscal year, such notices to include interest from the date of delinquency, legal costs, and any other costs that the CLPOA may have incurred with respect to collection procedures.
 - f. Chair budget committee to plan annual budget.
 - g. Maintain all membership records as reflected by current dues-paying status. Share same with both secretaries
 - h. Maintain CLPOA accounts as designated by the Board.
 - i. Prepare all CLPOA books for review by a Certified Public Accountant at the end of the fiscal year.
 - j. Prepare any corporate tax statements as required by the State or Federal government. Such statements must be reviewed by a Board member other than the President before submission.

- k. Maintain a set of keys for the post office box and the safety deposit box.
 - l. Prepare a complete statement of bank deposits made.
 - m. Conduct other duties as requested by the President.
- C. Removal. Any Officer may be removed from his position at any time by a majority of the Board of Directors, with just cause whenever in the best judgement of the board members the interests of CLPOA will best be served.
- D. Resignation. Any Officer may resign at any time by sending written notice of same to the Recording Secretary. Resignation shall take effect upon acceptance by the Board of Directors.
- E. Vacancy. Vacancies caused by removal, resignation or death shall be filled by a member-in-good-standing recommended by the President with approval by the majority of the Board of Directors. Such successor shall serve for the balance of the unexpired term of the Officer whom he/she replaces.

ARTICLE 13. ELECTIONS/TERMS OF OFFICE

- A. The President shall appoint a Nominating Committee from the general membership. This committee shall propose candidates for Officers and Directors. No potential candidate for office, nor any member of the candidate's immediate family, may serve on this committee.
- B. All candidates must be members-in-good-standing.
- C. Absentee ballots shall be made available to all members-in-good-standing at least two (2) weeks prior to the May meeting. Nominations shall be permitted from the floor at this meeting.
- D. Voting for Officers and Directors shall be by secret ballot. A committee designated by the president shall tally all ballots at the May meeting. Officers and Directors shall be elected by majority vote of members-in-good-standing present including absentee ballots. Results shall be announced by the President.
- E. Officers and Directors so elected shall begin their terms of office immediately following the election and shall serve without compensation. Officers and Directors shall serve for three (3) years and may succeed themselves in office.
- F. Officers shall rotate as follows:
 - a. In the first year of rotation, the President and the Treasurer shall be elected.

- b. In the second year, the Vice-President and Corresponding Secretary shall be selected.
- c. In the third year, the Recording Secretary shall be elected.
- G. After the initial year, each officer and director shall serve a three year term.
- H. The President, with approval of the majority of the Board of Directors, shall appoint a member-in-good-standing to fill any un-expired term on the Board until the next general election. This person shall have been a member-in-good-standing.

ARTICLE 14. COMMITTEES

- A. Committees shall be appointed at the discretion of the President.

ARTICLE 15. MEETINGS OF THE MEMBERSHIP

- A. General Meetings: The CLPOA shall hold two (2) General Meetings each year, in May and in September.
- B. The CLPOA shall meet at such a place as shall be determined by the Board of Directors.
- C. Special Meetings: Special meetings of the members for any purpose, unless otherwise prescribed by statute, may be called by the President upon seven (7) days' notice to each member-in-good-standing. The Notice shall set forth the purpose or purposes of the stated meeting. Business transacted at all Special Meetings shall be confined to the subject stated in the Notice thereof.
- D. Notices: It shall be the duty of the Corresponding Secretary to mail or deliver a notice of each General Meeting or Special Meeting, stating the time and place and purpose thereof, to each member-in-good-standing at least two (2) weeks prior to each meeting. A tentative agenda, to be set by the President with suggestions from the membership, shall be made available. If a vote is part of the agenda, an absentee ballot shall be made available. A proposed budget for the next fiscal year and any nominations for elective office shall be included in the Notice of the May meeting.
- E. Quorum: A quorum shall consist of at least ten percent (10%) of the members-in-good-standing. If less than ten percent (10%) of the membership are present, the decision whether to commence business rests with the Board of Directors, who must approve by majority vote.
- F. Robert's Rules of Order: Robert's Rules of Order shall serve as the parliamentary authority for the CLPOA, provided these are consistent with the CLPOA By-laws. The President shall appoint a member of the Board of Directors to serve as Parliamentarian.

G. Adjourned Meeting: If any meeting cannot be organized because a quorum of voting members is not present, either in person or by absentee ballot, the meeting may be adjourned from time to time until a quorum is present.

ARTICLE 16. CONVEYANCE OF PROPERTY

A. No real property shall be sold, purchased, mortgaged, or otherwise encumbered, except by affirmative concurring vote of a majority of the Board of Directors.

B. No personal property, valued at or above Five Hundred Dollars (\$500.00), shall be bought or sold except by affirmative concurring vote of the majority of the Board of Directors and the concurring vote of the majority of a quorum of members-in-good-standing.

C. All property, real or personal, shall be held in the name of the CLPOA, and shall be conveyed by the President and the Vice-President and attested by the Recording Secretary.

ARTICLE 17. FISCAL YEAR

A. The fiscal year of the CLPOA shall run from October 1 to September 30.

ARTICLE 18. FINANCES

A. CLPOA funds shall be deposited in a bank operating in the State of New Jersey, deposits of such bank to be guaranteed by the Federal Deposit Insurance Corporation.

B. The budget shall be approved before any funds are expended for the prospective year. All expenditures of funds shall follow the procedures outlined in Article 12.

C. CLPOA books shall be reviewed annually by a Certified Public Accountant. The treasurer shall yield the books for this purpose.

ARTICLE 19. AMENDMENTS TO THE BY-LAWS

A. Any member, Officer or Director may present a proposed Bylaws amendment, in writing, to the Board of Directors at least one (1) month prior to any general meeting to allow time for the proposed amendment to be sent to all members with the meeting notice, two (2) weeks prior to the meeting. The amendment must be approved by a majority of members in good standing who attend the meeting. Absentee ballots shall be accepted.

ARTICLE 20. RULES AND REGULATIONS

A. The attached Rules and Regulations shall be considered part of, but may not conflict or supersede, the By-laws.

B. The Rules and Regulations may be amended by a majority vote of the Board of Directors.

ARTICLE 21. ADOPTION OF BY-LAWS

Adoption of the By-laws and Rules and Regulations shall be effective upon the recommendation of the Board of Directors and subsequent approval of a majority of the quorum of members-in-good-standing present at a general meeting. Absentee ballots shall be accepted.

ARTICLE 22. FEES FOR PURCHASE OR CONSTRUCTION

A. Acquisition of an existing residence or lot – the one (1) time initiation fee approved by the membership and currently in effect shall be charged. This fee shall be due at closing. “Acquisition” shall include purchase or any transfer of title such as passing on to another family member.

B. Construction of a new residential structure on a maintained road – the one (1) time new construction fee approved by the membership and currently in effect shall be charged.

C. The fee for building a new structure on an unmaintained road (as defined in paragraph F) shall be reviewed on a case-by-case basis. The CLPOA Board of Directors shall levy the fee.

D. All fees due for new construction (B & C above) shall be paid before construction begins and shall be directly deposited into the treasury of the CLPOA. It is mandatory that all homeowners join the CLPOA.

E. Any proposed construction that has a current application pending before the Township Planning Committee shall be charged at the rate in effect when the application was submitted.

F. Unmaintained Roads

1. Certain roads or sections thereof in the Community are currently not developed or maintained. The police, fire departments and other emergency services will be provided with an updated map of the community, noting these closures.

2. Reopening closed roads may be requested in the future by seeking permission from the CLPOA Board of Directors in writing. Reopening could be granted to construct a new home or for other reasons determined valid by the Board of Directors. All costs of re-opening these closed roads will be borne by the petitioner.

3. Any person travelling on these closed roads will assume all responsibility and liability for any injuries. These roads include:

- 1. Lower Clearview Circle
- 2. Tulip Street
- 3. Longview between Cherry & Tulip
- 4. Hilltop
- 5. Pine between Highview & Woody
- 6. Grove between Hampton & Woody
- 7. Elm Drive
- 8. Far North Highland
- 9. Van Atta N of Highview
- 10. Center of Longview
- 11. Foley above Hillside
- 12. Poplar
- 13. Rose
- 14. Lower Hillside
- 15. Upper Spruce

**CLEARVIEW LAKE PROPERTY OWNERS
ASSOCIATION, INC.**

RULES AND REGULATIONS

- 1. **DUES ASSESSMENT** - An annual dues assessment for all property owners for the upcoming fiscal year will be sent by the Board of Directors, with the approval of a majority of the members-in-good-standing present at the September meeting. Current dues will be payable by the end of the current fiscal year (September 30) as stipulated in the By-laws. See Article 6.
- 2. **UNAUTHORIZED USE OF HOUSING** - Rental of any part of a home for a period of less than four (4) months is prohibited. As provided in the Bylaws, only residential use of any property is permitted. House trailers, mobile homes, camping trailers or recreational vehicles of any type are not to be used as a residence within Clearview Lake.
- 3. **USE OF FACILITIES** - All State of New Jersey Rules and Regulations regarding boating shall be observed, including registration and licensing, where required. The CLPOA reserves the right to restrict boating beyond what the State of New Jersey allows. Boats powered by internal

combustion engines are not permitted on the lake. Life vests and jackets must be worn at all times or floatation cushions must be present in the boat. No boats or other watercraft are permitted on the lake before sunrise or after sunset.

Children under ten (10), or any child who does not know how to swim, must be accompanied by a responsible adult when in the water, in or on a watercraft, or otherwise near the lake.

Swimming, boating, use of roads and any other public facilities will be at the user's own risk. This extends to recreational use of the lake when frozen, including ice-skating and ice-fishing.

4. PUBLIC CONDUCT - No loitering or group gatherings will be permitted after 10:00 PM April 1st – October 31st on roads, beaches, or on any property unless by invitation of the owner. From November 1st – March 31st, groups may not gather after 7:00 PM. No open alcoholic beverages are permitted in automobiles, on beaches, or on properties, unless by invitation of the owner.

Excessive noise is not allowed within the lake community. This extends to house parties, radios or other sound sources, motor vehicles, vehicle horns, whistles, sirens, and any other source of potential noise which constitutes a public nuisance. Construction noise is permitted between 7:00 AM and 6:00 PM only. Use of road improvement equipment is permitted until sunset. See Hampton Township noise ordinance.

Malicious mischief and vandalism will not be tolerated. Parents will be held responsible for the public conduct of their children and will be held legally liable for any property damage or injury caused by their children. Members are urged to report all violators to the State Police and local authorities.

5. ENVIRONMENTAL RESPECT - Dumping and littering on or near roads, on improved or unimproved lots, or in the lake or streams, is strictly forbidden. Members are urged to report all violators to the State Police and local authorities.

Residents are expected to keep their properties free of debris, litter, unregistered vehicles and parts thereof, garbage, construction materials, tires, and any other material which is unsightly. Residents are also expected to keep their homes in good repair, including exterior painting, their yards neat, and their bushes and shrubbery trimmed.

Empty garbage cans may not be left at curbside between weekly pickups. Garbage, which is not picked up on collection day, is to be removed from the curbside and stored properly until the following collection. Materials which are not picked up on recycle or bulk pickup days may not be left at curbside.

Septic runoff into the lake pollutes and clouds the water, encourages algae and weed overgrowth, and kills fish. Residents who live along the shore are urged to have their septic tanks pumped every three (3) years to protect the lake.

Fertilizers, herbicides, and other potentially hazardous chemicals should be used with discretion on properties along the shore. Leaves, brush, grass clippings and weeds shall not be dumped into the lake or streams.

6. VEHICULAR TRAFFIC - Clearview Lake roads are owned by the CLPOA, but are opened to the general public on an unlimited basis.

All vehicles which use the roads such as cars, vans, trucks and motorcycles, must be registered with the New Jersey Motor Vehicle Commission for on-road operation. These vehicles must have proper mufflers or will not be permitted on the roads. Three (3) and four (4) wheel All-Terrain-Vehicles and snowmobiles are banned for use on community roads or the lake, whether or not registered. Vehicle operators must be licensed by the state of New Jersey or a comparable state under reciprocity.

A 20 mile per hour limit for all vehicles will be enforced on all roads, Signs will be posted. Any person, regardless of age, who drives recklessly in the community, will be reported to the police and will also be subject to disciplinary action by the Board of Directors. Parents are responsible for the behavior of their minor children in this regard, and members are responsible for the behavior of their guests as well.

7. PARKING ON LAKE ROADS - No parking is allowed on any roads within Clearview Lake from November 1st until April 30th between the hours of 9:00 PM and 6:00 AM daily (to allow for overnight snowplowing. If a vehicle is disabled and cannot be moved, the CLPOA should be notified promptly.

8. LAW AND ORDER - CLPOA reserves the right to protect its members and their property with the aid of the police or any other lawful body of the State of New Jersey at any time that it feels necessary. Non-members, as well as members, are subject to the full penalty of the law if such are broken within the Clearview Lake community.

9. MISCELLANEOUS - All members must abide by State laws governing hunting, fishing, fire prevention, and the use of firearms. No hunting or discharge of firearms within community boundaries is allowed. Dogs must be licensed and leashed at all times, unless contained on the owner's property. Dogs must not be allowed to soil on neighboring properties. The Hampton Township Leash Law applies within Clearview Lake. Homeowners are expected to provide a copy of these Rules and Regulations to their tenants. Tenants are subject to all of these Rules and Regulations.

10. COUNTY FILING - A copy of the CLPOA Bylaws, Rules and Regulations shall be filed in the office of the Sussex County Clerk so that purchasers of properties within the Clearview Lake community are aware of the obligations they assume with their purchase. Moreover, public notice is hereby made of a seller's obligation to discharge in full all dues, assessments, or other indebtedness owed to the CLPOA.

11. AMENDMENTS – The Board of Directors reserves the right to amend a Rule or Regulation as the situation warrants, by a majority vote. All Rules and Regulations prescribed by the Board of Directors are incorporated within the Bylaws, thereby having the same force and effect as any provision thereof.

Adopted: September 28, 1990 *
 Amended: February 6, 1992 *
 Amended: July 20, 1994 *
 Amended: October 20, 1994 *
 Amended: January 19, 1995 *
 Amended: May 22, 1995 *
 Amended: June 14, 1997 *

Amended: Sept, 1998 *
 Amended: May, 2001 8/27/2001 Blk 2568/171
 Amended: May 24, 2016*
 Amended: Sept 30, 2019 10/25/2019 3536/183
 Amended: Sept 7, 2023 11/06/2023 10279/1611
 Amended: May 2, 2024

* - not recorded

ATTEST: CLEARVIEW LAKE PROPERTY OWNERS' ASSOCIATION

Karen Heide-Dietz
 Karen Heide-Dietz, President

Robin Padin
 Robin Padin, Vice President

STATE OF NEW JERSEY :
 COUNTY OF SUSSEX :


I CERTIFY that on May 8, 2024 Karen Heide-Dietz and Robin Padin personally came before me and these persons acknowledged under oath, to my satisfaction, that:

- (a) they signed, sealed and delivered the attached document as President and Vice President of **CLEARVIEW LAKE PROPERTY OWNERS' ASSOCIATION, INC.** the corporation named
- (b) the proper corporate seal was affixed; and in this document;
- (c) this document was signed and made by the corporation as its voluntary act and deed by virtue of authority from its Board of Directors.

Deborah Ann Lieb

DEBORAH ANN LIEB
 Notary Public, State of New Jersey
 My Commission Expires
 August 04, 2025



<p>SUSSEX COUNTY RECORDING COVER PAGE Honorable Jeffrey M. Parrott Sussex County Clerk</p>  <p>This cover page is required to be part of any document affecting land title being recorded in Sussex County, New Jersey. It is part of the recorded instrument and permanent record and should not be detached from the original document.</p>	<p>Official Use Only - Barcode</p> <p>FILE NUMBER 2024013620 RECORDED 08/14/2024 11:57:05 0 - Bk 10328 Pg 1584, D AMEND JEFFREY M. PARROTT, COUNTY CLERK SUSSEX COUNTY, NJ RCPT #: 38653; RECD BY: NC RECORDING FEES \$270.00 TOTAL TAX \$0.00</p>
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27
27
240
1 30 (3 bk + 15)
270

<p>Record & Return To:</p> <p>Clearview Lake P.O.A. PO Box 375 Augusta NJ 07822</p>	<p>Official Use Only - Realty Transfer Fee</p>
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<p>Date of Document:</p> <p>5-2-24</p>	<p>Type of Document:</p> <p>Bylaws</p>
<p>First Party Name:</p> <p>Clearview Lake Property Owners Assoc.</p>	<p>Second Party Name:</p> <p>-</p>
<p>Additional Parties To Be Indexed:</p>	

PROPERTY INFORMATION (MANDATORY FOR DEEDS)	
Block:	Lot:
Municipality:	
Consideration:	
Mailing Address of Grantee:	

THIS SECTION PERTAINS TO ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES, ETC. WHICH REQUIRE YOU PROVIDE THE ORIGINAL INSTRUMENT'S BOOK & PAGE RECORDING INFORMATION.	
Original Book: 2568	Original Page: 171

SUSSEX COUNTY RECORDING COVER PAGE

Do not detach this page from the original document as it contains important recording information and is part of the permanent record.