

Prepared by:

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The Lake Pine Colony Club was incorporated as a not-for-profit corporation under the laws of the State of New Jersey on August 22, 1939;

The Lake Pine Colony Club is the fee simple owner of eleven (11) properties identified on the Township of Medford Tax Map as Block 3204, Lot 1, Block 3204, Lot 2, Block 3204, Lot 6, Block 3313, Lot 5, Block 3408, Lot 1, Block 3504, Lot 5, Block 3513, Lot 1, Block 3603, Lot 8, Block 3712, Lot 1, Block 3805, Lot 14, Block 3806, Lot 1 as well as the lakebed of Lake Pine itself, all totaling approximately 34 acres;

The Lake Pine Colony Club has acquired properties pursuant to various Indentures including but not limited to those: dated July 9, 1951 from Lake Pine Development Corporation recorded in the Burlington County Clerk's Office at Deed Book 1108, Page 185 and following; dated June 16, 1959 from Lake Pine Land Company recorded in the Burlington County Clerk's Office at Deed Book 1401, Page 301 and following; dated October 8, 1974 from Joseph and Rosemary DePetris recorded in the Burlington County Clerk's Office at Deed Book 1903, Page 459 and following;

Pursuant to the Lake Pine Colony Club By-Laws (hereinafter "LPCC By-Laws"), including those dated September 27, 2007 and modified by those amendments adopted December 9, 2010, the persons eligible to be members of the Lake Pine Colony Club are those persons who occupy and/or own residential dwelling units in only that geographical area between Tuckerton Road and Chestnut Road, including both sides of Chestnut Road on the west side of Lake Pine and the area between Tuckerton Road and the north side of Fairview road on the east side of Lake Pine. This includes the following streets and courts located within the geographical area described above: Ashley Court, Beech Road, Cedar Avenue, Chestnut Road, East Lake Boulevard, East Lake Circle, Falls Court, Falls Road, Forest Avenue, Fairview Road (north side only) between Chestnut Road and Breakneck Avenue, Forest Court, Lakewood Avenue, Laurel Drive, Locust Road, Maple Road, Park Court East, Park Court West, Pine Boulevard, Spruce Road, Taunton Boulevard between Tuckerton and Chestnut Road, Victoria Court, Walnut Road, West Lake Avenue, Winston Court, Woodland Avenue and including area where the Colony Club and ball field are located.

Pursuant to Article VIII, Section 4 of the LPCC By-Laws, the Lake Pine Colony Club Board of Trustees has the full control of the Lake Pine Colony Club's property and shall have the power and authority to make all rules and regulations governing such property and its uses.

RESOLUTION REGARDING LAKE PINE COLONY CLUB RULES AND REGULATIONS

This is a Resolution Regarding Lake Pine Colony Club Rules And Regulations made this 29th day of September, 2016 by the Board of Trustees of the Lake Pine Colony Club (hereinafter "LPCC"), a New Jersey not for profit corporation which was formed to administer the LPCC community.

WHEREAS, the LPCC Board of Trustees, pursuant to Article VIII, Section 4 of the LPCC By-Laws is authorized to present and adopt this Resolution;

WHEREAS, the LPCC By-Laws, including but not limited to, Article II, Section 1, Article III, Sections 1 and 2, Article V, and Article IX, Section 4 authorize the LPCC Board of Trustees with the maintenance and oversight of Lake Pine, including both direct and indirect impacts upon Lake Pine;

WHEREAS, the deeds of the lakefront lots contiguous to Lake Pine provide that such lakefront lots are limited in use which the LPCC Board of Trustees is charged with enforcing;

NOW, THEREFORE, the LPCC Board of Trustees hereby agrees on this 29th day of September, 2016 to adopt the following Resolution:

**LAKE PINE COLONY CLUB
RULES AND REGULATIONS**

**ARTICLE I
Structures On LPCC Property**

1. LPCC owns and maintains the lake and lakebed in Lake Pine for the benefit and enjoyment of its members. The regulation, design, construction, repair and installation of docks, piers, retaining walls, bulkheads and other structures (hereinafter collectively

referred to as "structures") that lie on, in or above the LPCC lakebed is vital to ensure a healthy functional lake environment and the LPCC Board of Trustees (hereinafter "LPCC Board") is obliged to maintain and preserve this important natural resource. Pursuant to Article VIII, Section 4 of the LPCC By-Laws dated September 27, 2007 and amended and adopted on December 9, 2010, the LPCC Board of Trustees has full control and authority to make all rules and regulations governing its property and the use thereof.

2. The following rules shall apply to all repairs, construction and/or installation of docks and bulkheads on LPCC property and shall include any and all existing structures, conforming and non-conforming. Members with existing non-conforming structure(s) will not be required to conform to these rules unless the member files an application to make major repairs, alterations or replacement, in whole or part, of any such non-conforming structure(s). However, Members with existing non-conforming structure(s) must notify the LPCC when making minor repairs and follow the rules pertaining to materials and coatings.

3. Having, using, constructing, replacing or repairing structures on LPCC property are privileges afforded only to Members in good standing with the LPCC; which necessarily includes timely and full payment to LPCC of all fees, including but not limited to the LPCC annual maintenance and recreational fees. In the event owners and/or tenants and/or occupants of a property with and/or contiguous to any structures on LPCC property decline, fail or do not maintain an annual membership with the LPCC, or, otherwise owe LPCC any money, the LPCC Board shall have the right to withdraw permission to maintain all structures on LPCC property effective upon 10 days written notice and LPCC may take such action as may be required to cause the dock or bulkhead to be removed from LPCC property and discarded, all at the exclusive cost and expense of such Members

and/or owners and/or tenants and/or occupants of the property to which the structures are contiguous. Moreover, such Members and/or owners and/or tenants and/or occupants of the property to which the structures are contiguous shall be subject to a fine of \$25.00 per day fine for each and every day the structures remain on LPCC property without the express, written authorization of LPCC, plus all fees and costs incurred by LPCC to have such structures removed and discarded, including but not limited to all engineering and attorneys' fees and costs incurred by LPCC relative to having the structures being situate on LPCC property in violation of the LPCC By-Laws and/or this Resolution.

4. Members and/or owners and/or tenants and/or occupants of the property to which structures are situate upon LPCC property must properly maintain those structures on the LPCC property. Any lack of maintenance affecting the safe use or appearance of any structures on LPCC property is sufficient cause for the LPCC to remove any structures upon 10 days written notice and such persons shall be subject to a \$25.00 per day fine for each and every day the structures remain improperly maintained. The LPCC will assess costs of removal to the Members and/or owners and/or tenants and/or occupants of the property to which the improperly maintained structures were contiguous; including but not limited to engineering fees, attorney fees and all other costs incurred by the LPCC.

ARTICLE II **Permits For Structures On LPCC Property**

1. Construction, replacement or repair of structure(s) on, in or above LPCC property, including the Lake Pine lakebed must not begin until a written application, along with necessary documentation and the required application fee is submitted to LPCC. If appropriate and acceptable to LPCC, LPCC will issue a formal permit to the Member.

Members and/or owners and/or tenants and/or occupants of the property to which structures are situate upon LPCC property who fail to obtain a permit shall be subject to a \$25.00 per day fine for each and every day the structures remain or work continues on the structures without making application to LPCC and/or without first receiving subsequent LPCC written approval, as well as, reimburse LPCC for all costs and fees incurred by LPCC to address the violation of this Resolution, including all attorneys' fees and costs, and the costs to remove and/or repair any improper or deficient structures.

2. LPCC has the authority to remove and discard any structures upon 10 days written notice to the Members and/or owners and/or tenants and/or occupants of the property to which the improperly maintained structures were contiguous and such persons shall be subject to a \$25.00 per day fine for each and every day the structures remain without the express written approval of LPCC. The LPCC will assess costs of removal to the Members and/or owners and/or tenants and/or occupants of the property to which the improperly maintained structures were contiguous in the event ultimate approval is not granted; including but not limited to engineering fees, attorney fees and all other costs incurred by the LPCC.

3. **Permits:** A Member wishing to construct any structures, including a bulkhead, dock or alter the existing shoreline, must submit an application to obtain a permit from the LPCC. The LPCC will not issue permits to non-Members. Permit applications must be in writing and show an engineer's or contractor's drawings of the proposed work, including the location, type of construction, size and appearance of the proposed structures. Design drawings shall include a plan view (aerial view) and a cross-section (side view) of the proposed structures. Plan views shall be drawn to scale on the property's plot plan that was

originally prepared by a New Jersey licensed land surveyor, unless otherwise approved by the LPCC. Pictures taken using a digital camera of the existing site conditions shall also be submitted in the permit application. The picture orientations shall be along the existing shoreline and from the Member's dwelling (looking out into the lake). Shoreline pictures shall be taken in both the upstream and downstream direction. Permits are not transferable to another party. Permits expire at the end of ninety days if construction of the structures, including bulkhead or dock, have not been completed. However, permits may be renewed upon re-application to the LPCC. A non-refundable application fee of twenty-five (\$25.00) dollars shall be paid upon submission of a dock or bulkhead application. Any Member-proposed modifications to the approved plan following permit approval will have to be resubmitted to the LPCC for review and approval. Any unauthorized/unapproved construction deviations from the originally approved plan will have to be corrected to match the approved design.

4. **Docks:** The size of docks and their extension into LPCC property is to be consistent with the reasonable use of the property by the Member owner while considering the safety and convenience of other Member owners and/or residents. Maximum size of the dock is to be no more than 200 square feet with a maximum length of no more than ten (10) feet extending from the shoreline and a maximum width of no more than twenty (20) feet extending along the shoreline. Only one dock is permitted on any one Member's property. The floor of the dock shall be at least twelve (12) inches, but no more than eighteen (18) inches above the lake's normal water level. Docks must extend continuously from the shoreline. No permanent floats, floating docks, except floating docks existing before the

date of these rules, dividing docks, or similar structures are permitted in the lake except those owned and maintained by the LPCC.

All repaired, replaced or newly constructed docks shall conform to the latest release of BOCA (Building Officials and Code Administrators International) or IBC (International Building Code) as amended by local building codes. All dock materials and coatings (e.g., pressure-treated wood, paints, stains, sealants, adhesives. Lubricants, etc.) must conform to NJDEP regulations for freshwater exposure to ensure protection of human health, wildlife, and the environment.

5. **Bulkheads:** Require LPCC Approval: Reconstructed bulkheads shall not extend more than 18 inches above Lake Pine's normal water level and shall conform in appearance, as far as reasonably possible, with similar structures on adjacent lots. Existing, non-conforming bulkheads are exempt from this requirement until deteriorated and/or substantially and/or completely replaced.

It is unlawful to construct a bulkhead, or in any other manner to rebuild any shoreline, in such a manner that it extends the shoreline from that in existence or in such a manner that it creates an impediment to the natural action of wind and water, or in such a manner that it enlarges the land area of the Member's property and/or minimizes the LPCC property.

All repaired bulkheads shall conform to the latest release of BOCA or IBC as amended by local building codes. All bulkhead materials and coatings (e.g., pressure-treated wood, paints, stains, sealants, adhesives. Lubricants, etc.) must conform to NJDEP regulations for freshwater exposure to ensure protection of human health, wildlife, and the environment.

6. LPCC approval of all structures in no way holds the LPCC or the LPCC Board or

any LPCC Member liable for the structural integrity of the proposed structures. It is the Member's exclusive responsibility to select appropriate designs and plans, and, Member's exclusive responsibility to select appropriate contractors and materials for all proposed structures.

ARTICLE III

Disturbing Or Contaminating The Lake Pine Lake And/Or Lakebed

1. No Members and/or owners and/or tenants and/or occupants, including their respective agents, representatives, contractor, or, invitees, shall cause to place, directly or indirectly, any substance, article, debris, soil, sand, gravel, chemical, contaminant, trash, refuse, garbage, grass clippings, leaves, branches or items of any kind into Lake Pine, or, onto the Lake Pine lakebed, or, onto LPCC property, without first obtaining any and all local, state and federal permits, including those from the Township of Medford, New Jersey Department of Environmental Protection (hereinafter "NJDEP"), and, thereafter showing such permits to LPCC and otherwise obtaining the express written consent of the LPCC Board.

2. Members and/or owners and/or tenants and/or occupants who violate this Article III shall be subject to a fine not to exceed \$1,000, as well as, having to reimburse LPCC for all costs and fees incurred by LPCC to address and/or remediate the violation of this Article III, including all attorneys' fees and costs, and the costs to remove or collect the improper placement of any substance, article, debris, soil, sand, gravel, chemical, contaminant, trash, refuse, garbage, grass clippings, leaves, branches or items of any kind into Lake Pine, or, onto the Lake Pine lakebed, or, onto LPCC property.

ARTICLE IV
Disturbing Or Altering The Lake Pine Lake Shoreline Area

1. No alterations, excavations or other changes may be made within 50 feet of the Lake Pine shoreline and/or which:

- A. Involves drainage that is not piped into walled cesspools or septic tanks;
- B. Involves cesspools or septic tanks within 50 feet of Lake Pine;
- C. Involves fences or walls;
- D. Involves the construction of an impervious building or surface within 50 feet of Lake Pine;
- E. Involves an outbuilding less than eight feet in length, height and width;
- F. Involves a violation of the Soil Erosion And Sediment Control Act, N.J.S.A. 4:24-39 et seq. and associated administrative code provisions in N.J.A.C. 2:90-1 et seq.
- G. Involves a violation of the Medford Township municipal ordinances;
- H. Involves a violation of the Flood Hazard Area Control Act, 58:16A - 50 et seq. and associated administrative code provisions, including those contained in N.J.A.C. 7:13 - 4.1 et seq., N.J.A.C. 7:13 - 11.3 et seq. and N.J.A.C. 7:8 - 1.1 et seq.
- I. Involves a violation of the terms and conditions contained in the chain of title to the property.
- J. Otherwise violates any other applicable ordinance, law, statute, rule, or regulation.

2. No alterations, excavations or other changes may be made to the existing

shoreline or embankments upon any property within 50 feet of Lake Pine without the express, written approval of Lake Pine which:

- A. Involves fences or walls less than three feet in height;
- B. Involves the construction of an impervious building within 50 feet of Lake Pine;
- C. Involves a violation of the Soil Erosion And Sediment Control Act, N.J.S.A. 4:24-39 et seq. and associated administrative code provisions in N.J.A.C. 2:90-1 et seq.
- D. Involves a violation of the Medford Township municipal ordinances;
- E. Involves a violation of the Flood Hazard Area Control Act, 58:16A - 50 et seq. and associated administrative code provisions, including those contained in N.J.A.C. 7:13 - 4.1 et seq., N.J.A.C. 7:13 - 11.3 et seq. and N.J.A.C. 7:8 - 1.1 et seq.
- F. Involves a violation of the terms and conditions contained in the chain of title to the property.
- G. Otherwise violates any other applicable ordinance, law, statute, rule, or regulation.

3. No alterations, excavations or other changes may be made to the existing shoreline or embankments upon any property within 50 feet of Lake Pine without the express, written notice to and approval by LPCC which:

- A. Involves the placing, removing or disturbing of soil, and, any removing of trees, tree branches, grasses, plants and vegetation, and, the placement of any items or objects, including but not limited to slate, pavers, railroad ties, gravel, sand, stones or

structures of any kind whether temporary or permanent.

B. Involves non-indigenous flora and/or vegetation.

C. Involves invasive indigenous and non-indigenous flora and/or vegetation which has the ability to thrive and spread aggressively, invading habitats and/or replacing native plants and/or which are otherwise hostile to the health, safety and welfare of the LPCC community or natural environment.

D. Involves fauna and/or animals and/or reptiles and/or mammals and/or birds and/or insects and/or any other living creature not native to the region with the ability to thrive and spread aggressively, invading habitats and replacing native occupying creatures and/or which are otherwise hostile to the health, safety and welfare of the LPCC community.

4. Enforcement. In the event Members and/or owners and/or tenants and/or occupants violate Article IV of this Resolution, the LPCC Board may take any appropriate action, including but not limited to the following:

- a. Imposing a fine against such Members and/or owners and/or tenants and/or occupants of not less than \$25.00 and nor more than \$1,000 for each day the violation continues until the violation is rectified and obtaining reimbursement for all attorneys' fees and costs incurred by Holiday City relative to such violation;
- b. Prohibiting and/or suspending such Members and/or owners and/or tenants and/or occupants from using some or all of the Common Properties of LPCC;
- c. Removing all invasive plants or restoring removed vegetation, or, otherwise rectifying the improperly disturbed area or improper construction, and charging the Members and/or owners and/or tenants and/or occupants for all attorneys' fees, and charges and costs incurred by LPCC to rectify violations of this Resolution;
- d. Seeking judicial relief against such Members and/or owners and/or

tenants and/or occupants, including but not limited to, imposing or collecting any fine, prohibiting such person from using some or all of the Common Properties of LPCC, and reimbursement for all attorneys' fees and costs incurred by LPCC as a result of having to enforce this Resolution.

ARTICLE V
Recordation

1. NOTICE AND RECORDING. LPCC authorizes and directs its legal counsel to arrange for recordation of a copy of this Resolution with the Burlington County Register's Office in order to establish the recording of this Resolution in the chain of title.