



MIDDLESEX COUNTY REGISTRY

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Return To:

HILL WALLACK LLP  
202 CARNEGIE CENTER  
P O BOX 5226  
PRINCETON NJ 08543

CLEARBROOK SECTION 5 CONDOMINI  
UM ASSOCIATION, INC.

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Index DEED BOOK  
Book 06552 Page 0210  
No. Pages 0005  
Instrument DEED W/O ABSTRA  
Date : 3/13/2014  
Time : 2:57:00  
Control # 201403130373  
INST# DE 2014 002687  
Employee ID BADAL

RECORDING	\$	45.00
DARM	\$\$	15.00
NJPRPA	\$\$\$	10.00
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RECORDING	\$\$\$	3.00
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Total:	\$	73.00

STATE OF NEW JERSEY  
MIDDLESEX COUNTY REGISTRY

PLEASE NOTE  
DO NOT REMOVE THIS COVERSHEET  
IT CONTAINS ALL RECORDING INFORMATION

ELAINE FLYNN  
COUNTY CLERK




RECORDED  
ELAINE M. FLYNN  
MIDDLESEX CTY CLERK

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PAGE # \_\_\_\_\_  
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Prepared by:

  
RONALD L. PERL, ESQ.

**ADDENDUM TO MASTER DEED AND BY-LAWS OF THE  
CLEARBROOK SECTION 5 CONDOMINIUM ASSOCIATION, INC.**

THIS ADDENDUM to the Master Deed and By-Laws is made this 29<sup>th</sup> day of JANUARY, 2014, by the Clearbrook Section 5 Condominium Association, Inc., a New Jersey nonprofit corporation, located in the Township of Monroe, County of Middlesex and State of New Jersey (hereinafter referred to as "the Association").

The Association does hereby add the following resolution as an addendum to the Master Deed and By-Laws recorded in the Office of the Middlesex County Clerk on October 15, 1973 in Deed Book 2829 at Page 534 et seq. This Addendum shall supersede any previously adopted regulations with regard to insurance deductibles.

**Record and Return:**

Ronald L. Perl, Esq.  
**HILL WALLACK LLP**  
202 Carnegie Center  
P.O. Box 5226  
Princeton, New Jersey 08543-5226

**CLEARBROOK SECTION 5 CONDOMINIUM ASSOCIATION, INC.**

**RESOLUTION REGARDING INSURANCE DEDUCTIBLES**

**WHEREAS**, Article III Section 1 of the By-Laws state that "The property, affairs and business of the Condominium Association shall be managed by the Board of Directors, which shall have all those powers granted to it by law and by the Articles of Incorporation of the Condominium Association; and

**WHEREAS**, Article III Section 1 (I) of the by-laws changes the Board of Directors with various responsibilities in connection with insurance, including the duty to adjust losses; and

**WHEREAS**, the Board of Directors has determined that a policy is necessary relative to the allocation of insurance deductible when losses occur to both the common elements and unit elements;

**NOW, THEREFORE BE IT RESOLVED**, by the Board that the following procedures are hereby adopted:

1. If damage is sustained to a portion of a building that constitutes a common element as set forth more specifically in the Master Deed, then the Association will be responsible for absorbing any insurance deductible, which shall then be considered a common expense, unless such damage is the result of a unit owner's negligence, neglect or carelessness or that of his/her family, tenants, employees, contractors or agents.

2. If damage is sustained to a portion of the building that constitutes solely part of the unit, then the unit owner will be responsible for absorbing the insurance deductible connected therewith. This means that the unit owner will receive insurance proceeds from the Association to the extent that the approved loss exceeds the deductible.

3. If damage is sustained to a portion of the building that includes both common

elements and part of the unit and/or multiple units, then insurance proceeds will be distributed to or amongst the Association and unit owner(s) in proportion to their respective share of the total amount approved by the insurance unless such damage is the result of a unit owner's negligence, neglect or carelessness or that of his/her family, tenants, employees, contractors or agents.

**Example:**

Total amount of the covered loss approved by the insurance company:	\$10,000
Amount of approved common element Damage:	\$ 3,000
Amount of approved damage to unit A:	\$ 2,000
Amount of approved damage to unit B:	\$ 5,000

If the deductible is \$2,500, then the total net proceeds received from the insurance company will be \$7,500. The Association will receive three-tenths (.3) of the \$7,500, Unit Owner A will receive two-tenths (.2) and Unit Owner B will receive five-tenths (.5) of the net proceeds

4. Notwithstanding any other provision of this Resolution, any insurance deductible that is incurred in an effort to maintain, repair or replace any portion of the Condominium which is damaged by the negligence, neglect or carelessness of any unit owner or his/her family, tenants, employees, contractors or agents shall be the sole responsibility of that unit owner.

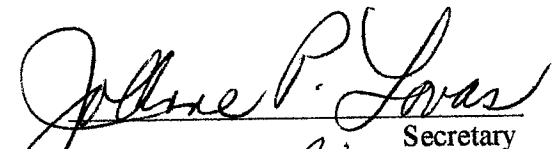
5. Notwithstanding any other provision of this Resolution, the Association may exercise all rights and remedies available to it at law, in equity and, and/or pursuant to the Master Deed and By-Laws.


6. Any provision contained in any previously adopted resolution of the Association which conflicts with any provision set forth herein, shall be deemed void and the provision contained herein shall govern.

I hereby certify that the foregoing was duly adopted at a regular meeting of the Board of Trustees of the Clearbrook Section 5 Condominium Association, Inc., held this 29<sup>th</sup> day of JANUARY, 2014.

ATTESTED:

**CLEARBROOK SECTION 5  
CONDOMINIUM ASSOCIATION, INC.**

  
Secretary  
JOANNE R. LOVAS

  
President  
ALAN H. JACOBSON

**ACKNOWLEDGMENT**

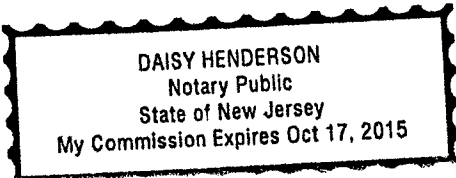
**STATE OF NEW JERSEY :**  
:  
**COUNTY OF MIDDLESEX :** SS

I certify that on February 19, 2013, Joanne Kovas personally came before me and acknowledged under oath, to my satisfaction, that he/she is the Secretary of the Clearbrook Section 5 Condominium Association, is the attesting witness to the signing of this document by the proper corporate officer who is Alan Jacobson, the President of the corporation; This document was signed and delivered by the corporation as its voluntary act duly authorized by a proper Resolution; he/she knows the proper seal of the corporation which was affixed to this document; and he/she signed this proof to attest to the truth of these facts.

Joanne P. Kovas  
Secretary

Subscribed and sworn to,  
before me, this 19 day  
of February, 2013.

Daisy Henderson  
A Notary Public of New Jersey  
My Commission Expires: 10-17-15



March 25, 2014

Clearbrook Section 5 Condominium Association  
c/o Alan Jacobson, Board President  
139 B Cistus Plaza  
Monroe Township, NJ 08831

RE: Addendum to Master Deed and By-Laws

Dear Members of the Board:

Enclosed please find the original recorded Addendum to the Master Deed and By-laws of the Clearbrook Section 5 Condominium Association, Resolution Regarding Insurance Deductibles, which was recorded in the Middlesex County Clerk's Office on March 13, 2014, in Deed Book 06552 at Page 0210.

Please keep this Addendum with the Association's records. If you have any questions, please contact me.

Sincerely,



RONALD L. PERL

RLP/lk  
Enclosure